

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

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ELIEZER WILLIAMS, a minor, by)
Sweetie Williams, his guardian)
ad litem; et al., each individually)
and on behalf of all others)
similarly situated,)

Plaintiffs,)

vs.)

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

Defendants.)

-----)

Case No.
312236
Pages 1 - 254
Volume I

DEPOSITION OF MARY HOOVER
TUESDAY, NOVEMBER 13, 2001
9:35 A.M.

REPORTED BY: LAURA J. MELLINI
RPR, CSR NO. 8181

1 Deposition of MARY HOOVER, the witness, taken on behalf
2 of the Defendant, on TUESDAY, NOVEMBER 13, 2001 at 9:35
3 A.M., at 400 South Hope Street, Los Angeles, California,
4 before LAURA J. MELLINI, CSR NO. 8181.

5
6 APPEARANCES OF COUNSEL:

7
8 FOR PLAINTIFFS AND MARY HOOVER:

9
10 ACLU FOUNDATION OF SOUTHERN CALIFORNIA
11 BY: CATHERINE E. LHAMON, ESQ.
12 1616 BEVERLY BOULEVARD
13 LOS ANGELES, CALIFORNIA 90026-5752

14
15 FOR DEFENDANT STATE OF CALIFORNIA:

16
17 O'MELVENY & MYERS LLP
18 BY: S. BENJAMIN ROZWOOD, ESQ.
19 400 SOUTH HOPE STREET
20 LOS ANGELES, CALIFORNIA 90071-2899
21
22
23
24
25

1 APPEARANCES OF COUNSEL: (Continued)
2 FOR DEFENDANT LOS ANGELES UNIFIED SCHOOL DISTRICT:

3
4 LOZANO SMITH
5 BY: JAMES B. FERNOW, ESQ.
6 2800 28TH STREET
7 SUITE 240
8 SANTA MONICA, CALIFORNIA 90405-2934

9
10 ALSO PRESENT:

11
12 LAURA FAER
13 JOHN LITRELL
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1 I N D E X

2	WITNESS	EXAMINATION	PAGE
3	MARY HOOVER		
4	By Mr. Rozwood		5
5	(P.M. Session)		128

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7 QUESTIONS INSTRUCTED BY COUNSEL NOT TO ANSWER

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13 E X H I B I T S

14	NO.	PAGE	DESCRIPTION
15	1	72	Letter Dated August 17, 2001
16			PLTF 02128
17	2	111	Document Entitled Fremont High School
18			Proposal, PLTF 02130 to PLTF 02132
19	3	130	Document Entitled The Colorado Study,
20			PLTF 02133 to PLTF 02135
21	4	133	Memo to Ms. Sylvia Rousseau Dated August
22			22, 2001, PLTF 02127
23	5	138	Memo to All Teachers, PLTF 02129
24	6	139	Declaration of Mary Hoover
25	7	159	Map of Fremont High School

1 LOS ANGELES, CALIFORNIA; TUESDAY, NOVEMBER 13, 2001
2 9:35 A.M.

3
4 MARY HOOVER,

5 having been duly administered an oath
6 in accordance with Code of Civil Procedure
7 Section 2094, was examined and testified as follows:

8
9 MR. ROZWOOD: Can the appearances be stated.
10 MS. LHAMON: Catherine E. Lhamon for the
11 plaintiffs and for Mary Hoover.
12 MR. LITRELL: I'm John Littrell. I'm with
13 Catherine.
14 MR. ROZWOOD: With the ACLU.
15 MS. FAER: Laura Faer with the same.
16 MR. FERNOW: And Jay Fernow with Lozano Smith,
17 attorneys for Los Angeles Unified School District.
18 MR. ROZWOOD: I'm Ben Rozwood from the State
19 of California.

20
21 EXAMINATION

22
23 BY MR. ROZWOOD:

24 Q Good morning, Ms. Hoover.
25 A Good morning.

1 Q As I said, my name is Ben Rozwood. I
2 represent the State of California in this litigation.
3 The department of education, the state board of
4 education and the superintendent are separately
5 represented by the Attorney General's Office. So they
6 aren't my client. Just so you don't get confused by
7 that.

8 Have you ever had your deposition taken
9 before?

10 A No.

11 Q What I want to do is spend a few minutes just
12 going over some of the ground rules of what we're going
13 to try to do here today.

14 Can you, for the record, just state and spell
15 your full name for us.

16 A Mary, M-a-r-y, Hoover, H-o-o-v-e-r.

17 Q Thank you. I'm going to ask you some
18 questions regarding -- to determine the knowledge that
19 you have and the facts that you're aware of to support
20 the allegations made by the plaintiffs in this case and
21 a few other related matters. And what I'm going to do
22 is finish my question, and then you'll provide your
23 answer and, hopefully, that will allow the reporter here
24 to get a clean record of the questions and answers.

25 So it's very important that you wait until I

1 complete my answer, and that I in turn wait -- you wait
2 for me to complete my question, and I wait for you to
3 complete your answer. That way we'll have a clean
4 transcript.

5 Is that acceptable to you?

6 A Sure.

7 Q When you receive the transcript that she'll
8 prepare at the end of the deposition, you'll have an
9 opportunity to make whatever changes you feel are
10 necessary. However, all the lawyers in this case will
11 be free to comment on any changes you decide to make
12 either at trial or at any other hearing or proceeding in
13 this case.

14 Do you understand that?

15 A Yes.

16 Q So it's very important that you, please,
17 respond to all of my questions as fully and fairly as
18 you possibly can. Okay?

19 A Yes.

20 Q The testimony you will provide here today is
21 being given under oath. Do you understand that?

22 A Yes.

23 Q Okay. So even though we're in an informal
24 setting here today, your testimony must be given with
25 the same solemnity and sanctity as if you were sitting

1 in a formal courtroom environment. Your testimony will
2 have the same force and effect as if you were testifying
3 in a court of law.

4 Do you understand that?

5 A Yes.

6 Q You are therefore subject to all penalties for
7 perjury for giving false testimony. So please keep this
8 in mind and give us the most complete and truthful
9 answer you can to each question.

10 Is that okay?

11 A Yes.

12 Q If you don't understand a question, you can
13 ask me to clarify and, if it's appropriate, I'll do that
14 so that when you do provide an answer to a question, we
15 can assume that you understood it as we asked it.

16 Is that acceptable to you?

17 A Uh-huh.

18 Q The other trick about depositions is because
19 we've got a written transcript going, we need to
20 verbalize.

21 A Don't say "uh-huh."

22 Q Correct. We need to say "yes" --

23 A Yes.

24 Q -- "no," and "I don't know," and whatever it
25 is that is appropriate, given the question pending.

1 We also need to make sure to have one person
2 speaking at a time. That means that -- I'll try not to
3 talk over you or your counsel, and I'll expect the same
4 courtesy in return.

5 Okay. Is that okay?

6 A Yes.

7 Q We don't want you to guess. You are required
8 to answer my questions only to the best of your ability.
9 If you don't know the answer, you can just say so.
10 However, when it's appropriate, we're entitled to your
11 best estimate, if you can provide one.

12 A Okay.

13 Q Regarding breaks, if you need a break for any
14 reason, just let us know and if we're in an appropriate
15 spot during the line of questioning, we'll just take a
16 break, and I'll instruct the reporter to go off the
17 record to permit us to do that.

18 If you remember something at a later point
19 during the deposition that qualifies an answer you gave
20 at a prior point during this proceeding, will you please
21 let us know so we can get that information on the
22 record?

23 A Yes.

24 Q If you do not, we'll assume that the answers
25 you give today are full and complete in and of

1 themselves.
 2 Can we agree to that?
 3 A Yes.
 4 Q Do you have any questions about these ground
 5 rules?
 6 A No.
 7 Q Is there any reason why you may be unable to
 8 testify today for any reason?
 9 A No.
 10 Q Have you recently consumed any medication,
 11 alcohol or other substance that may interfere with your
 12 ability to understand my questions?
 13 A No.
 14 Q Okay. What is your home address?
 15 MS. LHAMON: The information is private.
 16 We're not going to give that information on this
 17 record.
 18 MR. ROZWOOD: Okay. Are you going to answer
 19 my question?
 20 MS. LHAMON: I instruct you not to answer.
 21 THE WITNESS: No.
 22 BY MR. ROZWOOD:
 23 Q Are you going to follow your attorney's
 24 instructions?
 25 A Yes.

1 Q Ms. Lhamon is your attorney today?
 2 A Yes.
 3 MR. ROZWOOD: Counsel, we'll request that you
 4 accept service on Ms. Hoover for all purposes in this
 5 proceeding.
 6 MS. LHAMON: We've already notified you that
 7 we will.
 8 MR. ROZWOOD: You agreed to have her accept
 9 service on your behalf?
 10 THE WITNESS: Yes.
 11 BY MR. ROZWOOD:
 12 Q Can you please, before we get into the facts,
 13 describe your educational background, starting with
 14 college and up to the point you started working as a
 15 teacher.
 16 A Okay. I attended Our Lady of the Lake
 17 University in San Antonio, Texas for the first year.
 18 After that I went to El Camino College in Torrance, Cal
 19 State Dominguez, and graduated from Cal State Dominguez.
 20 Q Any particular emphasis of study?
 21 A American studies.
 22 Q Is that true through all three of these
 23 universities?
 24 A There was no declared major until I went to
 25 Cal State Dominguez. And then after I worked in private

1 schools for a few years, then re-enrolled in Cal State
 2 Dominguez in their teacher education program.
 3 Q Was that a master's program?
 4 A No, it was a credential, teacher credential
 5 program.
 6 Q Okay. What year did you graduate Cal State
 7 Dominguez?
 8 A '76.
 9 Q That's not the teacher credential program.
 10 Right?
 11 A No. The teacher credentialing program was --
 12 I was on an emergency credential for a few years. It
 13 was probably eight years later. I'm not even sure.
 14 Q Approximately 1984?
 15 A Approximately, yeah.
 16 Q You said you worked in private schools before
 17 reentering the teacher credential program?
 18 A Yes.
 19 Q Where were those schools located?
 20 A Saint Peter and Paul Elementary School in
 21 Wilmington and Mary Star of the Sea High School in San
 22 Pedro. Oh, and Our Lady of Refuge Elementary School in
 23 Long Beach.
 24 Q All three elementary schools?
 25 A Mary Star is a high school.

1 Q Okay. Thanks. What did you do at Saint Peter
 2 and Paul Elementary School?
 3 A Taught 5th grade and 6th grade.
 4 Q That's all subjects?
 5 A Yes.
 6 Q You had your own classes?
 7 A Yeah, it was a self -- no, it was a
 8 self-contained classroom.
 9 Q I just want to make sure you didn't act as an
 10 intern in a training-type environment.
 11 A No.
 12 Q You had your own classes?
 13 A Right.
 14 Q And for how many years did you teach 5th and
 15 6th grade?
 16 A One year 5th; one year 6th.
 17 Q How about Mary Star High School?
 18 A I was there two years. Taught all grades,
 19 English.
 20 Q Is there a reason why you moved from the
 21 elementary school to the high school?
 22 A Yeah. I thought I would like working with
 23 older kids better. And I did.
 24 Q Why did you like working with older kids
 25 better?

1 A Not so much attention to, like, classroom
2 behavior. They already knew how to behave in a
3 classroom, and there was more concentration on ideas and
4 on the material.

5 Q And is there a reason why you moved back to
6 elementary school with Our Lady?

7 A The person -- assistant principal who hired me
8 at Mary Star left to go to a different school, and I
9 just decided it was time for me to leave. And Our Lady
10 of Refuge was, like, right around the corner from my
11 house.

12 Q So locate --

13 A Also, I didn't have a credential. So I was
14 limited to private schools.

15 Q Let's see if I got this right. Two years at
16 Saint Pete and Paul, two years at Mary Star. And how
17 long were you at Our Lady --

18 A One year.

19 Q -- Our Lady of refuge?

20 Do you recall the year you returned to Cal
21 State Dominguez to enter the teacher credential program?

22 A No.

23 Q Was it approximately five years after you
24 graduated?

25 A Probably. It was -- I taught for several

1 A My husband had his own business, and I worked
2 with him in the business.

3 Q Okay. So you got out of the field of
4 education?

5 A Right.

6 Q How long were you out of the field before
7 reentering?

8 A Three or four years.

9 Q I'm kind of -- let me just explain. Maybe I
10 am a little slow this morning. I'm not sure. Some of
11 my questions are a little bit delayed. So I'm trying to
12 get the end of the question in for the record. Even
13 though you know what I ask, it's probably better for the
14 reporter and for me and for the transcript if you can
15 wait.

16 A Okay.

17 Q I'll try to do the same thing, and your
18 counsel will let me know if I didn't.

19 I'm sorry if I missed your answer. Did you
20 say how long you were outside of the field working with
21 your husband in his business?

22 A I'm not sure. Three or four years.

23 Q And during that period of time, you worked
24 with your husband in his business. Correct?

25 A Right.

1 years in private schools, and then I wanted to get a job
2 in a public school. So it was approximately.

3 Q The degree you got -- was that a bachelor's in
4 American studies?

5 A Yes.

6 Q So BA?

7 A Actually, double major. English and American
8 studies.

9 Q So you have two BA's. One in English; one in
10 American studies?

11 A Yeah.

12 Q Do you have any other degrees earned other
13 than these two?

14 A No.

15 Q Okay. Did you start the teacher -- strike
16 that.

17 Did you start the teaching credential program
18 at Cal State Dominguez while you were still employed as
19 a teacher?

20 A Uh-huh.

21 Q Which school were you working at at the time
22 you started that program?

23 A Fremont High School. I was on an emergency
24 credential at Fremont.

25 Q Do you recall why you left Our Lady of Refuge?

1 Q And that's the only employment you had --

2 A Yes.

3 Q -- during that period? And then you decided
4 to reenter the field of education?

5 A Yes.

6 Q As a teacher at Fremont High School?

7 A Uh-huh.

8 Q On an emergency credential. Correct?

9 A Correct.

10 Q What subjects did you teach there?

11 A English.

12 Q When you started, English?

13 A Yes.

14 Q Did you have experience in helping run your
15 husband's business in the area of business
16 administration?

17 A No.

18 Q What were your duties during those four years
19 working with your husband?

20 A He had a delivery business, and I did
21 paperwork and deliveries.

22 Q Other than teaching -- is it correct to say
23 that the first three schools you worked at were
24 religious schools?

25 A Yes.

1 Q And Catholic schools?
 2 A Catholic.
 3 Q At these Catholic schools -- I'm just using
 4 that label to reference them as a group as distinct from
 5 the subsequent public school employment you had.
 6 At these Catholic schools did you have any
 7 other duties and responsibilities other than in-class
 8 teaching?
 9 A Not at the elementary schools. At the high
 10 school I was a 9th grade sponsor one year.
 11 Q Can you describe what that is for us?
 12 A You supervise activities of that particular
 13 class. In this case it was the 9th grade. Basically,
 14 that's it. You help them organize, elect officers, plan
 15 activities.
 16 Q Did the elected representatives of the 9th
 17 grade class have any role in the administration of the
 18 school at Mary Star?
 19 A No.
 20 Q So it was more of a social type of
 21 organization?
 22 A Definitely.
 23 Q Okay. Okay. Is it -- I think I've got it
 24 right. You joined Fremont High School in or about 1985?
 25 A I think it was -- I know it was February, and

1 I think it was a couple years before that. I think it
 2 was '83. Maybe February of '83. Possibly. I'm not
 3 absolutely positive. I would have to check with the
 4 secretary to look up my records.
 5 Q Okay.
 6 A But I'm sure the district could tell you.
 7 Q Okay. You said you were an English teacher.
 8 Correct?
 9 A Yes.
 10 Q How long -- let me ask you this.
 11 How many classes did you have when you first
 12 started?
 13 A Five.
 14 Q Is that all grades?
 15 A I believe when I started, I had 9th and 11th
 16 grades.
 17 Q And over the years, did you have an
 18 opportunity to work with classes in the 10th and 12th
 19 grades as well?
 20 A Yes.
 21 MS. LHAMON: Vague as to "opportunity." Do
 22 you mean did she actually work with them, or was she
 23 offered the choice?
 24 MR. ROZWOOD: That she did, actually.
 25 Q You taught --

1 A Yes, I taught all grades eventually.
 2 Q Are there any appreciable differences from
 3 your perspective as a classroom teacher between the
 4 different grades in English?
 5 MS. LHAMON: Vague as to "appreciable
 6 differences."
 7 BY MR. ROZWOOD:
 8 Q Do you understand the question?
 9 A Could you explain.
 10 Q Sure. Are there any differences at all
 11 between teaching --
 12 A The subject matter is different. They all
 13 have their own curriculum. The 9th graders are much
 14 more immature than the -- you know, they gradually get
 15 more mature.
 16 Q Other than subject matter and maturity
 17 differences, can you think of any other differences
 18 between the different age groups in these classes?
 19 A Well, skills improve over the years.
 20 Q Can you think of any others?
 21 A Not offhand.
 22 Q Can you describe the process by which you
 23 obtained your teaching credential?
 24 A I graduated with a bachelor's degree from Cal
 25 State Dominguez, and then when I re-enrolled in the

1 teacher credential program at Cal State Long Beach
 2 (sic), I was on an emergency credential. At that time
 3 the district was hiring English teachers on emergency
 4 credentials because they needed teachers in the inner
 5 city.
 6 And then I completed two years' worth of work
 7 at Cal State Dominguez, including supervised visits in
 8 my classroom.
 9 Q Did you take actual classes at Cal State Long
 10 Beach?
 11 A Yeah -- Cal State Dominguez.
 12 Q I apologize.
 13 MR. FERNOW: You actually said Cal State Long
 14 Beach there.
 15 THE WITNESS: Sorry.
 16 MR. ROZWOOD: I guess I thought I had got it
 17 wrong earlier.
 18 THE WITNESS: My daughter goes to Cal State
 19 Long Beach. Sorry.
 20 BY MR. ROZWOOD:
 21 Q No problem. When you said you enrolled in the
 22 Cal State Long Beach, you meant Cal State Dominguez?
 23 A Yes, I did. And, yes, we had course work and
 24 visits.
 25 Q Can you recall the nature of your course work

1 during that program?
 2 A Mainstreaming was one class.
 3 Q What's that?
 4 A It's how to include special ed students in a
 5 regular classroom.
 6 Q Any other course work you can recall?
 7 A Cooperative Learning Groups, English Methods.
 8 There was a technology class about how to use computers.
 9 That's all I can recall right now. But it was two years
 10 worth of courses.
 11 Q Do you recall how many courses you had to take
 12 each semester or how it worked?
 13 A It wasn't -- it wasn't a question of
 14 semesters. It was you took the classes until you were
 15 finished. A lot of the people in the classes were
 16 working full time. So I might only be taking one in one
 17 semester, and maybe to two in another semester. It just
 18 depends.
 19 Q How long did it take you to complete the
 20 program?
 21 A Forever. Six years.
 22 Q Did the Los Angeles Unified School District or
 23 any other state agency provide you with any incentive to
 24 complete the credentialing program in as short a time
 25 period as possible?

1 MS. LHAMON: Objection. That question is
 2 compound. Calls for a legal conclusion. Counsel is
 3 testifying about what the legal responsibilities are of
 4 the district and the state.
 5 MR. FERNOW: I'll join and say vague as to
 6 "incentive."
 7 MR. ROZWOOD: Are you going to join in the
 8 entire objection?
 9 MR. FERNOW: Sure.
 10 MR. ROZWOOD: I don't understand what the
 11 objection is saying but...
 12 Q Do you understand my question?
 13 A I don't know what "incentive" would be.
 14 Q Do you get paid more to have a credential?
 15 A Yes. How much more? You'd have to look at
 16 the chart.
 17 Q That's the kind of incentive I had in mind in
 18 asking my question. Can you think of any other types of
 19 incentives that might exist in that respect?
 20 MS. LHAMON: Same objections.
 21 THE WITNESS: No, I really can't.
 22 BY MR. ROZWOOD:
 23 Q Were there any resources available to you at
 24 Fremont High School to assist you in completing your
 25 credentialing process?

1 A No.
 2 Q Was there anyone in the administration at
 3 Fremont High School that could answer questions or
 4 assist you in any way with respect to the credentialing
 5 program?
 6 A No.
 7 Q Was there anyone available to you to answer
 8 questions or assist you with -- in any way with the
 9 credentialing program at the Los Angeles Unified School
 10 District?
 11 MS. LHAMON: Calls for speculation.
 12 THE WITNESS: I don't know.
 13 BY MR. ROZWOOD:
 14 Q Okay. Since you arrived at Fremont in 1983,
 15 have you been at any other school --
 16 A No.
 17 Q -- as teacher? That's the only school you've
 18 taught at. Correct?
 19 A Correct.
 20 Q After you obtained your teaching credential,
 21 did you take any additional relevant training or course
 22 work relevant to your duties and responsibilities as a
 23 teacher?
 24 A Yes.
 25 Q Can you describe those for us?

1 A I took -- I'm not sure what it's called, but
 2 it was in order to get a CLAD credential, which enables
 3 you to work with students who are not fluent in English.
 4 Took courses at -- they were offered at school. And I
 5 do have the CLAD credential from those courses. And
 6 I've taken courses -- individual courses at Long Beach
 7 State.
 8 Q Were those required courses?
 9 A No. And I'm now enrolled in the Long Beach
 10 State Library Media Teacher Program.
 11 Q Do you recall any of the individual courses
 12 you took at Long Beach State?
 13 A They were literature courses, teaching short
 14 stories to teenagers. Things like that.
 15 Q And can you describe the library media
 16 teaching program that you're currently enrolled in?
 17 A It's a two-year program at Long Beach State.
 18 It involves -- field studies is the final course, and
 19 then the rest is nine classes of subject material like
 20 cataloging or literature for young adults, literature
 21 for children, material selection. Things like that.
 22 Q Does one of the classes involve computers?
 23 A Yes. That's some kind of technology.
 24 Q When did you enroll in that program?
 25 A I believe it was October of '98.

1 Q When do you expect to complete that program?
 2 A I hope by the fall of 2002.
 3 Q Is there a reason it's taking longer than two
 4 years for you?
 5 A Because I'm working full time.
 6 Q At Fremont?
 7 A At Fremont.
 8 Q When you say "working full time," what do you
 9 include as your duties and responsibilities?
 10 A My day starts from -- it's from 7:00 to 4:00,
 11 I'm the librarian. I work the whole time from 7:00 to
 12 4:00. I don't take a conference period, and I work
 13 lunch and nutrition.
 14 Q Can you describe your responsibilities as the
 15 school librarian?
 16 A Helping students find books for individual
 17 reading, finding materials for research.
 18 Q Anything else?
 19 A Assisting teachers with material that their
 20 classes can use, advising teachers about lesson plans,
 21 ordering books, processing the books, keeping the
 22 library maintained. In our case it also involved
 23 remodeling the library. I didn't actually do the
 24 remodeling, but I supervised it.
 25 Q Okay. Do you have interaction with any other

1 A Yes.
 2 Q Is she still with the school?
 3 A No. She retired. That's how I -- that's how
 4 the position came open.
 5 Q What's her name?
 6 A Tommie Whitehead.
 7 Q Can you spell that?
 8 A T-o-m-m-i-e, Whitehead, W-h-i-t-e-h-e-a-d.
 9 Q Do you know if Miss Whitehead also reported to
 10 Marcy Hines?
 11 A I don't know.
 12 Q In the library media teaching program, are
 13 there any courses in library administration?
 14 A They don't call it administration. It's
 15 management.
 16 Q What is covered -- have you taken that class?
 17 A I haven't taken that class yet.
 18 Q Do you know what generally is covered in that
 19 class?
 20 A No, I don't.
 21 Q Do you have any budgeting responsibilities as
 22 a school librarian?
 23 A I have my budget for library books.
 24 Q And that's an amount of money that's provided
 25 to you by the school, to your knowledge?

1 members of the school administration?
 2 MS. LHAMON: Vague as to "interaction."
 3 BY MR. ROZWOOD:
 4 Q In the course of performing your duties as a
 5 librarian.
 6 MS. LHAMON: The question is still vague. Do
 7 you mean does she see them in the halls? Does she
 8 report to them? What kind of action?
 9 BY MR. ROZWOOD:
 10 Q I don't know. Do you have any interaction at
 11 all?
 12 MS. LHAMON: The question is vague and
 13 overbroad.
 14 BY MR. ROZWOOD:
 15 Q I mean, you might answer, "No, I never seen
 16 them." You might answer, "Well, I see them once in a
 17 while, and here's the nature of my interaction."
 18 You've objected that it's vague, and I'm
 19 trying to provide an illustration of the kind of
 20 question I'm asking. That's all.
 21 A For members of the administration, the one I
 22 have the most contact with is my direct supervisor.
 23 Q Who is that?
 24 A Marcy Hines. She's an assistant principal.
 25 Q Do you know who the librarian was before you?

1 A Not by the school. It comes from the state to
 2 the district. Library services for the district divides
 3 it.
 4 Q Do you have any contact with the officials at
 5 the LA Unified School District in the library services
 6 division?
 7 A Yes, a lot. They train us. They're there --
 8 we have a coordinating field librarian. She helps us
 9 with questions, if we have questions.
 10 Q Have you completed your training for the
 11 library -- school librarian position?
 12 A No, I'm still enrolled at Long Beach State.
 13 Q That's the library media teacher program?
 14 A Right.
 15 Q How about the district's training?
 16 A That's ongoing. Everybody goes to that.
 17 Q How often do you attend training sessions?
 18 A Probably once every three or four months, one
 19 afternoon.
 20 Q Where are those sessions held?
 21 A Lots of different places. Third Street Annex.
 22 Sometimes they're at a special place. We went to the
 23 Holocaust Museum for a presentation once. Just depends
 24 on what they're stressing at that meeting.
 25 Q Can you describe the subjects covered for us

1 during these training sessions?

2 A Holocaust Studies was one. We did Biographies
3 at one. This probably sounds really boring.

4 Q Not at all.

5 A Sometimes it's just general paperwork kinds of
6 things.

7 Q What types of paperwork?

8 A Processing questions. A lot of us are new
9 librarians, and we have questions. One was about
10 retrospective conversion, which is converting our
11 libraries to computers, and the whole process that goes
12 along with that. In fact, several have been about that
13 because it's so complicated.

14 Q Is Fremont in the process of retrospective
15 conversion?

16 A Yes, we are. We're on the list. They haven't
17 started yet.

18 Q Do you know what will be involved when that
19 process commenced?

20 A I know some. They told us we would have to
21 shut the library for three to four weeks. We would have
22 to get back all our materials so that they could be sure
23 that they get them all cataloged. If they find
24 processing numbers that are incorrect, we had to agree
25 that we would change them to be part of the cataloging

1 Q Other than conducting your STULL evaluations
2 and being there to answer your questions, is there
3 anything else Ms. Hines does in her role as your
4 supervisor, to your knowledge?

5 A That -- I wouldn't know what else she does,
6 but, I mean, as far as I know, that's what she does.

7 Q Who decides how to spend the funds allocated
8 to the Fremont school library?

9 MS. LHAMON: Calls for speculation.

10 MR. FERNOW: Join.

11 BY MR. ROZWOOD:

12 Q If you know.

13 A Well, I do the ordering, and I make the basic
14 decision, but there's a library committee that has input
15 and teachers -- I consult with teachers who tell me what
16 they need to go with their curriculum. The subject
17 matter that they need and levels of subject matter.

18 And then when I put in any orders, it has to
19 be approved by the administration before it goes in.

20 Q And who makes that approval?

21 MR. FERNOW: Objection. Calls for
22 speculation.

23 MS. LHAMON: Join.

24 THE WITNESS: The only one that I know is
25 Marcy Hines, but there may be other people involved in

1 system. So far that's all I know because that's all
2 they've told us. They haven't come to the school yet.

3 Q Do you know whether there's going to be an
4 electronic inventory or electronic tracking system for
5 the books in the library's inventory?

6 A Yes, that's the process. That's what is
7 supposed to be the end result.

8 Q Do you know what other end results are
9 supposed to occur as a result of that process?

10 MS. LHAMON: Objection. Assumes facts not in
11 evidence.

12 THE WITNESS: I don't know anything else
13 that's supposed to occur from that.

14 BY MR. ROZWOOD:

15 Q Okay. Can you describe your reporting
16 relationship to Marcy Hines?

17 MS. LHAMON: The question is vague.

18 MR. FERNOW: Join.

19 THE WITNESS: If by "reporting" you mean
20 supervising, if I have questions about something in the
21 administration, she's the one I ask. She is the person
22 who observes me and does the STULL evaluation.

23 BY MR. ROZWOOD:

24 Q As the librarian?

25 A Yes. I'm a teacher so I get STULL.

1 the process.

2 BY MR. ROZWOOD:

3 Q And what happens after the order is submitted
4 for approval, to your knowledge?

5 A I really don't know right now. We're having
6 serious problems with our orders, and I couldn't tell
7 you what happens.

8 Q What do you do with them once you complete
9 them?

10 A I hand them in to Mrs. Hines.

11 Q And then after that, do you know what happens?

12 A No.

13 Q Have you ever had any conversations with
14 Ms. Hines or anyone else regarding the library orders
15 you've submitted?

16 A Yes, I have had many conversations and gotten
17 basically no answers. We have a problem in our main
18 office, and I don't know what happens to anything after
19 it goes in. I've asked and asked, and she shrugs her
20 shoulders, and I get no answers.

21 Q Is it part of your responsibilities now as a
22 librarian to obtain information from the teachers
23 regarding textbook needs --

24 A No -- sorry.

25 Q -- and include them in textbook orders -- I

1 mean, in library book orders and provide that list on to
2 the administration?

3 A No, nothing about textbooks.

4 Q I'm sorry. I meant library books, just
5 generally.

6 A Yes.

7 Q So it is your responsibility?

8 A Library books, yes. Textbooks, no.

9 Q I misspoke. I apologize. Thanks for that
10 clarification.

11 Do you send out any requests for information
12 in writing to the teachers, letting them know you're
13 preparing that library book order?

14 A Yes, I have sent out several saying, "Let me
15 know what you need to support your curriculum, let me
16 know what reading list you're giving your students," and
17 "let me know what level you're teaching so that I get
18 the right level."

19 And teachers do it without my asking also.

20 Q Because they know that if they want to get
21 library books, they've got to go through you anyway.
22 Right?

23 MR. FERNOW: Objection. Calls for
24 speculation.

25 THE WITNESS: I don't know if that's their

1 A Yes.

2 Q Is that the -- in your experience for having
3 been there 18 years, is that the ordinary way teachers
4 and administrators exchange information?

5 A Yes.

6 MS. LHAMON: The question is overbroad.
7 Presumably, there are other ways they exchange
8 information also. And assumes facts not in evidence
9 about whether there is another way.

10 BY MR. ROZWOOD:

11 Q Are there other ways they exchange
12 information, as your counsel suggests?

13 A Sure. Face to face. You might go to a
14 department meeting and talk to a department. But if you
15 want to make contact with everybody, we usually put
16 bulletins in the mailboxes.

17 Q And when you say "we" there, you mean whoever
18 wants to make that communication at the school?

19 A Anybody, right.

20 Q Including administration?

21 A Uh-huh. Yes.

22 Q Thank you. On how many occasions have you
23 submitted written library book orders since you became
24 the school librarian?

25 A Wow. Do you mean each order to every

1 rationale. If they want something in the library, yes,
2 they have to ask the librarian. I don't know how they
3 think about it.

4 BY MR. ROZWOOD:

5 Q Fair enough. Do you ever do the work of
6 reviewing a teacher's lesson plan or proposed curriculum
7 and determine what reading materials that they might
8 need that you could obtain for them into your library
9 book orders?

10 A Not if you mean on paper, no. I've never seen
11 a lesson plan, and the teacher says, "Could you get
12 something to go along with this?"

13 The teachers will tell me what they're doing.
14 I'm doing something on the 1920's. Do you have such and
15 such a book, or can you show me what books you have or
16 can you order some books. But nothing in writing.

17 Q Okay. When you solicit teacher input for your
18 library book orders, and you do that in writing, how do
19 you communicate -- how do you provide those written
20 requests for information to the teachers?

21 A I put one in everybody's box. We have
22 mailboxes.

23 Q Everybody has a mailbox?

24 A Yes.

25 Q At Fremont?

1 different company?

2 Q Oh, I see.

3 A They go to separate companies.

4 Q I guess I don't understand the process well
5 enough. My understanding was that you submitted a list
6 of books for approval, and then, you know -- and then
7 once you got that, you would go communicate that to the
8 textbook manufacturers. Is that wrong?

9 A Yes.

10 Q Can you describe it accurately for us?

11 A There are companies -- there are basically two
12 difference kinds of companies. Companies that supply
13 books from everywhere, and then companies that supply
14 their own books. You can order lots of different
15 materials from the companies that supply everybody's
16 books, or you can get books by individual publishers
17 from that publisher. You send the order to the company
18 with the list of the books that you want from them.

19 Q Before you send the order to either the
20 publisher or the book distributors, don't you have to
21 get approval from the school administration?

22 A It's ready when I submit the order, but not --
23 I don't submit it and say, "Are these titles okay?"
24 I -- they're all listed, and then it's submitted, and
25 before it goes to the clerk, Mrs. Hines looks at the

1 order.
 2 Q And you're referring to Ms. Jones, the clerk?
 3 A No. Ms. Jones is the textbook clerk. The
 4 clerk -- the clerk who handles the orders, her name is
 5 Ms. Gatlin, G-a-t-l-i-n. She is -- she works in the
 6 main office.
 7 Q Do you know what her title is?
 8 A I think it's IFS clerk. I mean, that's what
 9 we call her. I don't know exactly what her title is.
 10 Q Do you know how long she's been at Fremont?
 11 A A year maybe. Maybe a little bit longer.
 12 Q Okay. I'm still missing something. Maybe you
 13 can help me figure it out. When you get the -- when you
 14 identify the library book needs from the various
 15 teachers, and you submit the orders to Ms. Gatlin for
 16 processing, where along that line does Ms. Hines get
 17 involved, if she does?
 18 A They go to her. I submit them to her.
 19 Q And she hands them on to Ms. Gatlin?
 20 A Yes.
 21 Q With her approval, presumably?
 22 A Presumably.
 23 Q Okay. Sorry. I didn't mean to interrupt.
 24 A That's okay. I don't see them after I give
 25 them to Ms. Hines.

1 Q And you mentioned that you followed up many
 2 times with Ms. Hines; correct? -- about these book
 3 orders?
 4 A Yes.
 5 Q And can you recall anything you've said to her
 6 or she said to you during these follow-up conversations
 7 during these library book orders?
 8 MS. LHAMON: Vague as to time. This school
 9 year? Last school year? Or in her career?
 10 MR. ROZWOOD: She's only been a librarian for
 11 a short period of time.
 12 Q If you can break it down and it's more easy
 13 for you to answer for a school year, that's fine.
 14 A Our problems this school year have to do with
 15 not getting paperwork back. So I'll ask her, "Did you
 16 send the orders in?"
 17 And she always says, "Yes."
 18 And then I'll say, "Well, I haven't gotten any
 19 paperwork."
 20 Q Which means a confirmation?
 21 A Confirmation that the order was placed.
 22 That's supposed to come from Ms. Gatlin. And I'll say,
 23 "Can you find out what's going on?"
 24 And usually she says, "You'll have to check
 25 with Ms. Roland about that."

1 Ms. Roland is the principal.
 2 Q And had you ever checked with Ms. Roland about
 3 these issues?
 4 A Yes, I have.
 5 Q Have you told me everything you can remember
 6 saying to Ms. Hines and Ms. Hines saying to you in these
 7 follow-up conversations?
 8 A Yes. I mean, it's always the same. Slightly
 9 different words, but it's always the same questions.
 10 Q And you've told me the substance of your
 11 conversations in that regard. Correct?
 12 A Yes, yes. You don't want the actual words I
 13 said.
 14 Q Why not?
 15 A Because I was probably mad at the time.
 16 Q Have you ever followed up directly with Ms.
 17 Gatlin to get the confirmation the orders were placed?
 18 A Yes, I have.
 19 Q Have you ever followed up directly with the
 20 distributor or publisher from which the orders were --
 21 A Yes, I have.
 22 Q Can you tell us in sum and substance the
 23 content of your conversations with Ms. Roland regarding
 24 your follow-up on these library book orders?
 25 A She says she understands there's a problem,

1 and she's working on it. And she asked me to put my
 2 complaints in writing, which I did, and that's it.
 3 Q What problem -- strike that.
 4 Do you have an understanding of what problem
 5 Ms. Roland understands exists in this process?
 6 A Yes.
 7 Q What did she tell you?
 8 A That Ms. Gatlin isn't processing the orders
 9 correctly, and she's working on correcting the
 10 situation.
 11 Q Do you have occasion to work with other
 12 librarians in the course of your library media teacher
 13 program or otherwise?
 14 A Yes.
 15 Q And these are all other librarians in the LA
 16 Unified School District?
 17 A No. Some are in LA; some are in Long Beach.
 18 Some in -- in my classes some have been from as far away
 19 as San Diego, and some more north.
 20 Q Have you shared your concerns with the library
 21 book order process or your experiences of these problems
 22 with any of the other librarians?
 23 A Yes.
 24 Q What is their response?
 25 MS. LHAMON: The question is compound.

1 MR. FERNOW: I'll join.

2 THE WITNESS: Their response is -- depends on
3 who I'm talking to. Some say they have the same
4 problems. Some say, "I don't know how you stand that."
5 You know, I mean, different -- they all have different
6 responses. "It's not like that at my school" or --
7 BY MR. ROZWOOD:

8 Q Can you think of any librarians that said it's
9 not like that at my school, any names of librarians?

10 A No.

11 Q Can you think of any librarians in particular
12 that said that they experienced similar problems?

13 A No, we would just be talking in a big group in
14 class or at lunch.

15 Q Is it fair to say that the experiences of the
16 various librarians differ, depending on the school they
17 work at?

18 A Yeah. Everybody's experience is slightly
19 different.

20 Q You mentioned that you had occasion to
21 communicate directly with the book publishers or
22 distributors in connection with following up on this
23 book-order process. Correct?

24 A Yes.

25 Q Can you describe the discussions you had with

1 A Yes, I have an understanding. I don't know if
2 it's correct or not.

3 Q That's okay.

4 A My understanding is that they're trying to
5 work out the process in the main office, what's supposed
6 to happen. And we've been waiting on that for a long
7 time.

8 Q What is the -- is there a process by which you
9 obtain supplies or other materials for the library
10 outside of library books?

11 A Yes.

12 Q Can you describe that for us?

13 A Kind of depends on who the principal is. And
14 under the previous principal, it came out of 4170, the
15 4170 account, which is office supplies.

16 Under this principal, we're having a
17 discussion about it. She doesn't -- no, I don't know if
18 she does or not. She thinks that it should come out of
19 my budget, and I'm trying to explain that my budget --
20 it's illegal to use my money for anything but books.

21 For videos or computer stuff. So we're working on it.

22 Q Who is the previous principal you were
23 referring to?

24 A Lupe Simpson.

25 Q Was that the name of the principal who was --

1 the book publishers and distributors.

2 A Usually, I call them and say, I placed an
3 order whenever, you know, three months ago or five
4 months ago. Whenever it was. Can you tell me if you
5 have any outstanding orders from Fremont High School.

6 And they'll either say yes or no.

7 Q And if they say yes, what happens next?

8 A I ask them when can I expect shipment or what
9 the holdup is, or it depends on how long it's been.

10 And if they say no, then I make a note of it
11 because that means the order that I placed never went
12 in.

13 Q Are you aware of any specific instances where
14 you placed an order that was approved by Ms. Hines and
15 passed on to Ms. Gatlin that was not made with the book
16 publishers and distributors?

17 A Yeah. Since May none of my orders have gone
18 in, and I can't tell you specifically the publishers,
19 but there's, you know, a list at school. Ms. Hines has
20 a list.

21 Q Has she approved those to be placed?

22 A Yes.

23 Q And do you have an understanding as to why
24 those orders have not been placed with the book
25 publishers or distributors?

1 sorry. Strike that.

2 Was that the principal when you started as
3 librarian?

4 A Yes.

5 Q And the very next principal was Ms. Roland?

6 A Yes.

7 Q So back under Ms. Simpson's days, when you
8 wanted to access funds for office supplies, how did you
9 do that?

10 A Exactly the same way. I filled out a
11 requisition form, handed it in to Mrs. Hines, and she
12 passed it along.

13 Q Is the requisition form specific to 4170
14 funds?

15 A No. There's a space where you fill it in.

16 Q Is this the same form you use to list the
17 books you want to order?

18 A Yes.

19 Q And is that requisition form made available to
20 everybody or not?

21 A To my knowledge it is.

22 Q Is it available in the main office?

23 A Yes, that's where I get it.

24 Q Where in the main office? On the counter?
25 Behind the counter?

1 A You have to ask for it.
 2 Q You ask someone at the desk to get a copy of
 3 the requisition form?
 4 A You ask Ms. Gatlin.
 5 Q Before Ms. Gatlin -- she's only been there a
 6 year. Right?
 7 A Right.
 8 Q What happened?
 9 A You asked the person in her position before
 10 her.
 11 Q That's a permanent Fremont staff person in the
 12 main office area? I mean, they're not part time there?
 13 A Oh, no. All the time.
 14 Q So you taught English for a lot of years.
 15 Correct?
 16 A Yes.
 17 Q Then you taught art?
 18 A Art production.
 19 Q And you taught something else as well.
 20 A Community service.
 21 Q Did you ever receive any awards or other types
 22 of official recognition for your work as a teacher?
 23 A Awards. I've received plaques from different
 24 groups on campus at awards ceremonies, you know, at the
 25 end of the year. And I've received letters of

1 commendation, which should be in my file for different
 2 things.
 3 Q From the school administration?
 4 A From the school administration, or from
 5 people, if I was working with an outside group. Like
 6 when we worked with -- when we were doing community
 7 service, I worked with Concerned Citizens of South
 8 Central Los Angeles. Things like that.
 9 Q Have you had any involvement in the
 10 accreditation process over the years you've been at
 11 Fremont?
 12 A Yes.
 13 Q Can you describe your role in that process?
 14 MS. LHAMON: Just so I'm clear, are you
 15 talking about the school accreditation process, or some
 16 other accreditation process?
 17 MR. ROZWOOD: I only know -- I'm not sure
 18 what distinction you're drawing. I'm just talking about
 19 the accreditation process. The only one I know.
 20 MS. LHAMON: Are you talking about the Fremont
 21 High School accreditation or something else?
 22 MR. ROZWOOD: I don't know what distinction
 23 you're drawing.
 24 MS. LHAMON: The question is vague as to what
 25 accreditation process.

1 BY MR. ROZWOOD:
 2 Q You answered. What were you involved in?
 3 A WASC, W-A-S-C.
 4 Q What was your involvement?
 5 A We were divided into different groups to do a
 6 self-study of the school.
 7 Q When did this take place?
 8 A I guess we were in our second year. So it
 9 would have been -- it was right after Lupe Simpson --
 10 you know, there was a principal between Lupe Simpson and
 11 Margaret Roland, but he was only there for six months.
 12 Augi Herrera. And it was when he was principal. I
 13 think it was about two and a half years ago. And he was
 14 the one who was there for the accreditation and -- so
 15 that's when we were working on the accreditation.
 16 Q Prior to that did you have any opportunity or
 17 role -- strike that.
 18 This was, let's see. Let's try to date this.
 19 A I think it was '98 or '99 that he was there.
 20 Q Before that had you participated in any other
 21 accreditation process at the school?
 22 A There was an accreditation several years
 23 before that. The principal was John Hydell (phonetic)
 24 at that time. And I didn't really do anything with
 25 that. I barely remember that.

1 Q You had no formal role in that process.
 2 Correct?
 3 A No.
 4 Q What were you -- let me ask you this.
 5 How were you selected to participate in the
 6 Herrera accreditation process?
 7 MS. LHAMON: Assumes facts not in evidence.
 8 THE WITNESS: Everybody was selected. There
 9 was no "selected." You participated.
 10 BY MR. ROZWOOD:
 11 Q So every teacher on campus participated?
 12 A Right. You were on one committee or another.
 13 Q What committee were you on?
 14 A Vision and leadership.
 15 Q And what were the responsibilities or duties
 16 of vision and leadership committee in that process?
 17 A We were doing a self-study along with
 18 everybody else, and we looked at -- the same thing as
 19 like a mission statement for the school or for a
 20 company. Where are we going. What is it that we want
 21 to accomplish, and what kind of leadership do we need to
 22 get there.
 23 Q And are the results of the self-study by the
 24 vision and leadership committee contained in the
 25 school's current action plan?

1 A I don't know. I know the results were
2 incorporated into the action plan, but I don't know if
3 the self-study itself is, you know, in the book. But
4 all the different groups -- the self-study was combined,
5 and then formed into the action plan. So I don't know
6 if they even put the self-study in there.

7 Q Okay. Did you have any involvement in
8 reducing the actual self-study by your committee to a
9 written document?

10 A No, we had chairpersons.

11 Q Who was the chair of your committee?

12 A No, not my committee. We had two chair
13 persons for the school. Who took all the pieces and
14 wrote the things together. You know, put everything
15 together. Mat Taylor and Jena Wells were the two in
16 charge.

17 Q Who is Jena Wells?

18 A She's a computer lab coordinator.

19 Q Do you know how long she's been at the school?

20 A She was there when I got there. So she's been
21 there a long time.

22 Q Have you had an opportunity to review the
23 school's action plan?

24 A Yes, I'm now co-chair of the communication
25 committee.

1 Q Of the what committee?

2 A Communication committee.

3 Q What are the -- your duties and
4 responsibilities as co-chair of the communication
5 committee?

6 A The committee gets together, and we -- we
7 check on the progress of the things that we recommended,
8 for instance, having a parent newsletter.

9 Q What are the other recommendations that you
10 check progress against?

11 A We recommended that there be a communication
12 coordinator, you know, to facilitate all the offices
13 talking to each other and that sort of thing. We were
14 told that there was no money for that. So that didn't
15 happen.

16 We're working on a directory for parents so
17 that they know who to call if they have a question. A
18 directory with name, office and phone number. And we're
19 working on a permanent calendar -- I don't know exactly
20 how to describe it -- that the parents would get at the
21 beginning of the year that shows all holidays, all
22 report card dates, everything so that they know ahead of
23 time -- staff development dates -- so that they know
24 ahead of time what schedule their children will be on.
25 You know, that kind of thing. Will they be out early.

1 When to expect report cards. That sort of thing.

2 Q What is the relationship between the
3 communication committee and the action plan, if any?

4 A We're part of the action plan. We're one of
5 the -- I think there are five committees. One is
6 curriculum. One is accountability. One is
7 communication. I don't remember what the other two are.
8 I don't remember.

9 MR. ROZWOOD: Can we take a short break?

10 MS. LHAMON: Sure.

11 (Brief recess taken.)

12 BY MR. ROZWOOD:

13 Q Did you have a clarification on someone's
14 name?

15 A Yes, Jena Wells. That's her nickname. Her
16 real name is Flora, F-l-o-r-a. And when we call her
17 Jena, it's J-e-n-a. Took me years to learn that.

18 Q Can you think of any other recommendations in
19 the action plan that the communication committee checks
20 the progress of, other than the ones you've already
21 listed for us?

22 A No, that's basically what we do.

23 Q Who is the other co-chair of the communication
24 committee?

25 A Aurora, A-u-r-o-r-a, Martinez. She is the

1 foreign language department chair.

2 Q You mentioned there was a curriculum
3 committee?

4 A Yes.

5 Q That's part of the -- formed as part of the
6 action plan?

7 A Yes.

8 Q And who's the chair of that committee?

9 A I don't know any chairs.

10 Q Do you know anyone involved in the curriculum
11 committee?

12 A I mean, I'll know them, you know, if I see
13 them because they're members of the faculty, but I don't
14 know any names.

15 Q Do you know, as you sit here today, the names
16 of anybody involved in the accountability committee
17 formed as part of the action plan?

18 A No.

19 Q Can you think of anyone else at Fremont that's
20 involved in the -- in any committee formed by the action
21 plan?

22 A Everybody is.

23 Q Everybody has one role or another?

24 A Right. Everybody's divided on to one
25 committee or another. Faculty and administration.

1 Q How often does the communication committee
2 meet?

3 A Every couple months, I would say. It depends
4 on if something comes up, if there is a question,
5 somebody asks a question about something that -- like,
6 you know, the directory or something like that, we might
7 meet to discuss it, but not a lot.

8 Q And where are those meetings held?

9 A In a classroom or in the library. Depends.

10 Q At the school site?

11 A At the school site.

12 Q And who attends the meetings of the -- I'm
13 sorry -- the communication committee?

14 A Any members that are on track at that time,
15 and any members who want to -- you know, I mean, there's
16 no compulsion.

17 Q Do you provide one of those written notices to
18 people's mailboxes?

19 A Yes.

20 Q Does that include an agenda for the meeting,
21 or just a notice that a meeting will be held?

22 A It's usually a notice that a meeting will be
23 held and, if there's something specific, then, you know,
24 we'll be talking about whatever, the directory or the
25 calendar or...

1 Q Do you put those fliers in everybody's box, or
2 just the list of people on the communication committee?

3 A Just the people on the communication
4 committee.

5 Q Do you know how many people are on that list
6 approximately?

7 A Approximately -- depends on who's on track. I
8 mean, there's somebody from every track. So it could be
9 anywhere from ten to fifteen.

10 Q That's including off-track members?

11 A Yeah, that's including off track, but then the
12 ones who show up would only be the ones who were on
13 track.

14 Q Approximately two thirds of those?

15 A Approximately.

16 Q Is that correct?

17 A Yes.

18 Q In your experience as one of the co-chairs of
19 the communication committee, does the school benefit
20 from the adoption of an action plan at the end of the
21 accreditation process?

22 MS. LHAMON: Vague as to "benefit."

23 THE WITNESS: I would say we could benefit,
24 and we could benefit a lot more than we have. A lot of
25 us feel that -- let's see. A lot of us feel that

1 there's not a lot of dedication to the action plan.

2 BY MR. ROZWOOD:

3 Q No follow-through from the administration?

4 MS. LHAMON: Mischaracterizes the testimony.

5 MR. FERNOW: Join.

6 THE WITNESS: Not much follow-through from
7 anybody. When we make recommendations, it may -- it may
8 get followed or it may not. And things that are
9 important to teachers aren't necessarily seen as
10 important to everybody else, I guess. So, you know,
11 we're not always happy with the decisions that are made.

12 But -- well, I already gave you one example.

13 We recommended that there be a communications
14 coordinator to facilitate different offices talking to
15 each other, different committees talking to each other.

16 And it never happened.

17 BY MR. ROZWOOD:

18 Q Can you think of anything else that you
19 recommended that wasn't adopted besides the
20 communications coordinator you've described?

21 A We did recommend a telephone in every
22 classroom for security reasons.

23 Q And that was not adopted?

24 A I'm sorry. No.

25 Q Can you think of anything else that you

1 recommended that wasn't adopted?

2 A Not offhand.

3 Q Are those the most important things that you
4 can remember, as you sit here today?

5 MS. LHAMON: Vague as to most "important
6 things." Are you asking are those the most important
7 things that weren't adopted, or those are the most
8 important things that were recommended?

9 THE WITNESS: Those are the only two that I
10 can think of, but they were important. They were
11 considered important to the committee.

12 BY MR. ROZWOOD:

13 Q The communications committee?

14 A The communications committee.

15 Q You mentioned that there were -- there was a
16 potential for benefit, even though it may not have been
17 realized or may not always be realized in every respect.
18 Correct?

19 A Yes.

20 Q What potential benefits are there, to your
21 mind, of the adoption of an action plan at the end of
22 the accreditation process, potential benefits?

23 A Well, we did adopt it in the sense that it's
24 formally adopted. Implementing it is a different
25 matter. The benefit is that it makes the school better.

1 I can only speak for my committee, but if everybody's
2 communicating with everybody else, that has to make
3 things better on the campus. That's the -- the benefit
4 is to make things better for the kids and everybody else
5 who works there -- the teachers, the administration, the
6 parents. Communication makes things better.

7 Q Have you seen any actual benefits arise from
8 the implementation of the action plan?

9 A I think we're more self-aware. You know, we
10 look at what the school could be, what we would like it
11 to be, and a lot of that was pointed out by the
12 self-study and then the action plan.

13 Q So you've identified specific ways the school
14 could improve itself.

15 A Right.

16 Q That's one of the actual benefits. Correct?

17 A Yes.

18 Q Can you think of any other actual benefits
19 that have arisen from the adoption or implementation of
20 the school action plan?

21 A One thing is -- well, we have -- on paper we
22 have a parent newsletter. I don't know if it's gone out
23 yet. But on paper we have it. The assistant principal
24 in charge of -- actually, I don't know what he's in
25 charge of -- Mr. Hemmans. I don't know what his

1 official title is. He got some walkie-talkies for the
2 rooms. The rooms don't have telephones yet. But he did
3 get walkie-talkies for the rooms that are most isolated
4 on the campus, for some of the rooms. Not all of the
5 rooms. And that was in direct response to our request
6 for telephones. They couldn't do telephones.

7 Q Can you think of any other actual benefits?

8 A No.

9 Q I want to leave the topic of the action plan
10 for a minute and your role in the communications
11 committee and ask you how you learned -- first learned
12 of this litigation?

13 A I think I read about it in the newspaper, and
14 we -- we talked about it at school because -- I think at
15 the time we were commenting that Jefferson was involved
16 in it. Different teachers saw articles and heard about
17 it.

18 Q Did you see a specific newspaper article?

19 A It would have been in The Times. I don't
20 remember a specific article.

21 Q And do you recall when you first learned of
22 this litigation?

23 A A couple years ago. I don't know if it was a
24 couple years ago. I don't know. It was so -- it was so
25 general, I didn't know anything about it. It was so

1 general. I'm not really sure. Maybe a year ago.

2 Q Do you recall where you were or the
3 circumstances of your first exposure to this lawsuit --

4 A No, no.

5 Q We're doing this to each other. So for the
6 reporter's sake and for the sake of a clear transcript,
7 we're having a conversation, which I think is good, but
8 it's bad for the reporter.

9 A Sorry.

10 Q Makes her life more difficult.

11 A My guess would be that it would be somewhere
12 at school, probably in the library because teachers tend
13 to gather there, and that we were just discussing it. I
14 have no specific recollection.

15 MS. LHAMON: Just want to remind you that Ben
16 told you at the beginning of the deposition he doesn't
17 want you to guess. But if you really have no specific
18 recollection, you should say "I have no specific
19 recollection." You were very clear right now, but I
20 just want to remind you what he said.

21 THE WITNESS: Okay.

22 BY MR. ROZWOOD:

23 Q You testified that Ms. Lhamon is your
24 attorney. Correct?

25 A Yes.

1 Q When did Ms. Lhamon become your attorney?

2 A About a month and a half or two months ago.

3 Q Is that approximately September of 2001?

4 A November, October, September, approximately.

5 Q Prior to the time that Ms. Lhamon became your
6 counsel -- let me ask you this. Is she your counsel for
7 all purposes, or just for purposes of this litigation?

8 MS. LHAMON: I instruct you not to answer
9 based upon attorney/client privilege.

10 BY MR. ROZWOOD:

11 Q You're going to follow your attorney's
12 instruction?

13 A Yes.

14 Q Prior to the time Ms. Lhamon became your
15 counsel, in or about September of 2001, had you been
16 represented by any other counsel in connection with this
17 litigation?

18 A No.

19 Q Had you sought to be represented by any other
20 counsel prior to the time you became represented by Ms.
21 Lhamon?

22 A No.

23 Q Have you signed a written representation
24 agreement?

25 MS. LHAMON: I instruct you not to answer that

1 question based on attorney/client privilege.
 2 THE WITNESS: I can't answer.
 3 BY MR. ROZWOOD:
 4 Q You're going to follow your attorney's
 5 instruction?
 6 A Yes.
 7 MR. ROZWOOD: Again, the fact of whether or
 8 not Ms. Hoover has signed an agreement is not privileged
 9 and is not contained within any communications between
 10 the client and any attorney. It's not subject to the
 11 privilege.
 12 Does your instruction still stand?
 13 MS. LHAMON: I disagree on that point. The
 14 instruction stands.
 15 BY MR. ROZWOOD:
 16 Q Prior to the time that Ms. Lhamon became your
 17 attorney in this litigation, did you have any
 18 conversations with anyone from the ACLU about this case?
 19 A Yes.
 20 Q Who did you speak with?
 21 A John.
 22 Q You're referring to the --
 23 A John Littrell, sorry.
 24 Q Did you speak with Mr. Littrell with a view
 25 towards retaining him as your counsel?

1 A I wasn't thinking about it, no.
 2 Q What did you discuss with Mr. Littrell?
 3 A I called because we were concerned about
 4 overcrowding at my school.
 5 Q How long before Ms. Lhamon became your counsel
 6 in this litigation did you make that call?
 7 A I don't want to guess, but approximately a
 8 month maybe.
 9 Q Okay. Say that --
 10 A It was sometime during the summer, and I think
 11 it was at the end of the summer. So I would say August.
 12 Q This was a call you placed to the ACLU?
 13 A Yes.
 14 Q And you spoke with John Littrell. Correct?
 15 A Yeah, first I spoke with Catherine. Then
 16 later I spoke with John.
 17 Q What did you tell Ms. Lhamon, and what did she
 18 tell you in your first conversation?
 19 A The ACLU had been recommended by another
 20 group. I don't remember the name of it. I called them
 21 because supposedly they were working on the overcrowding
 22 issue, and they said, no, they really weren't and
 23 suggested that I call the ACLU and gave me Catherine's
 24 number. So I talked to her about overcrowding.
 25 Q Was the first group you called Moldoff

1 (phonetic)?
 2 A No. It was a group that my daughter heard
 3 about at Long Beach State. I think it's called
 4 Californians for Justice, but I'm not positive, because
 5 I spoke to them for all of 30 seconds when they said no,
 6 they weren't doing overcrowding issues.
 7 Q How many conversations did you have with Ms.
 8 Lhamon before she became your counsel in this
 9 litigation?
 10 A Two or three. Maybe four. Not very many.
 11 Q How many conversations did you have with
 12 Mr. Littrell before the ACLU became your counsel in this
 13 litigation?
 14 A The same.
 15 Q Did you speak with any other representatives
 16 of the ACLU prior to the time you became represented by
 17 them in this litigation?
 18 A No.
 19 Q Can you tell me how long your conversations
 20 lasted with Ms. Lhamon, the ones that you had before she
 21 became your lawyer?
 22 A They were all on the telephone. Not long.
 23 Three, four minutes. Maybe five at the most.
 24 Q Can you describe the sum and substance of your
 25 conversation with Ms. Lhamon prior to the time she

1 became your counsel?
 2 A I said I was the librarian at Fremont High
 3 School, and that she had been referred to me by that
 4 other group because the teachers at Fremont were
 5 concerned about overcrowding. And did she know anything
 6 or anybody or, you know, could she help us with
 7 overcrowding.
 8 Q And what did she tell you?
 9 A She -- I think she asked me did I know that
 10 Fremont was one of the schools -- and I don't know -- I
 11 don't think I did at that time. We knew Jefferson, I
 12 think. And that overcrowding was one of the issues that
 13 was involved in the lawsuit. And she mentioned a
 14 student. Asked me did I know Cindy Diego, and I didn't.
 15 And then I think that was it. And we agreed
 16 to talk further.
 17 Q She informed you that Fremont was involved in
 18 this litigation?
 19 A I believe so.
 20 Q I'm sorry. Just to be clear. You were aware
 21 of this litigation or at least that it existed prior to
 22 the time you spoke to Ms. Lhamon?
 23 A Right, right. In a general sort of way.
 24 Q Fair enough. Were you aware that the Los
 25 Angeles Unified School District was involved in this

1 litigation?

2 A Indirectly. I guess I was thinking that it
3 was in terms of individual schools. And as I said,
4 Jefferson is very close to us, and the only thing I knew
5 was about Jefferson.

6 Q How did you come to learn that Jefferson was
7 involved in this lawsuit?

8 MS. LHAMON: Asked and answered.
9 BY MR. ROZWOOD:

10 Q You can answer.

11 A Generally, I think it was in newspaper
12 articles, or it could have been someone on campus
13 talking about it. We see a lot of each other, and we
14 talk about all kinds of things. So I'm not really sure
15 exactly where I heard about it.

16 Q Can you describe the sum and substance of your
17 conversations with Mr. Littrell before the time that
18 ACLU became your counsel in this case?

19 A Not so much details. It was more like, could
20 we get together and talk about it. It wasn't any --
21 there was no substance, really. It was, like, John was
22 one of the people -- I knew he was one of the people
23 involved, and could we get together and talk about it.
24 But it wasn't so much him. It was me and -- and them.

25 Q Who's "them"?

1 job to ask questions in depositions. Even though you
2 know what I'm going to ask.

3 It's your recollection that you raised the
4 possibility of providing a declaration in your
5 conversations with the ACLU before they became your
6 counsel?

7 A I really don't know. I know that it came up,
8 but, you know, the conversation only lasted a couple
9 minutes. I was at work, and it was just -- it was,
10 basically, let's get together and talk about -- talk
11 about overcrowding at Fremont.

12 Q Did you provide Mr. Littrell or Ms. Lhamon
13 with your phone number and other contact information
14 during these conversations?

15 A Yes, I did.

16 Q Did that include your work number?

17 A Yes.

18 Q And did Ms. Lhamon ever contact you at work?

19 A Yes.

20 Q Did Mr. Littrell ever contact you at work?

21 A Yes.

22 Q Did Ms. Lhamon ever contact you with -- strike
23 that.

24 What was the response -- strike that.
25 After the topic of providing a -- possibly

1 A Catherine and John. Just kind of talk about
2 what I knew from my experience was happening at Fremont.

3 Q Was the topic of providing a declaration
4 raised during these conversations?

5 A Yes.

6 Q And who raised it?

7 A I think I may have raised it because we have a
8 teacher -- a counselor who -- I don't know what she
9 knew, but she had said that she didn't want to give a
10 declaration. So I kind of knew something was going on
11 with declarations.

12 Q Which counselor are you referring to?

13 A She doesn't want her name mentioned.

14 Do I have to?

15 MS. LHAMON: There is a privacy issue, but you
16 are obligated to because of the deposition to answer the
17 question.

18 THE WITNESS: [REDACTED]

19 BY MR. ROZWOOD:

20 Q And she's a counselor at Fremont?

21 A Fremont, right.

22 Q You're very good at anticipating what I'm
23 going to ask, but I would prefer that you let me ask it.

24 A Sorry.

25 Q I've got to earn my salary here. That's my

1 providing a declaration was raised, was there any
2 further discussion regarding the possibility?

3 A Eventually, yeah. I don't -- I'm not sure
4 when it came up, but, yeah, eventually we did discuss
5 it.

6 Q Okay. During the phone conversations before
7 you retained the ACLU as your counsel, did you agree to
8 provide a declaration?

9 A I would say so. I'm not absolutely certain
10 but...

11 Q And did you ultimately meet with a
12 representative of the ACLU to do that?

13 A Yes.

14 Q Did Ms. Lhamon become your attorney before or
15 after that first meeting?

16 A It would have been at that first meeting that
17 was -- that was in September.

18 Q Okay. Did you provide either Mr. Littrell or
19 Ms. Lhamon any information to be included in your
20 declaration prior to that first meeting in September of
21 2001?

22 A No.

23 Q And who else attended that meeting in
24 September of 2001?

25 A Okay. Mat Taylor, Claudia Pilon, P-i-l-o-n,

1 Jill Sergeant, Mario Becerra, Jason Reimann,
2 R-e-i-m-a-n-n, Jenna Wiggernhorn, and I'm pretty sure
3 there were a couple more people, but I can't remember
4 who else.

5 Q Was Joel Vaca there?

6 A You know, I don't remember if he came to that
7 meeting or another one.

8 Q Okay.

9 A But he did -- I know he did come eventually.
10 I just don't know if he was at the first one.

11 Q Where was the meeting located, the first
12 meeting?

13 A It was a restaurant called The House. And I'm
14 not sure what city. It's by Vernon, but I'm not sure if
15 it's in Vernon.

16 Q Was Sarah Usmani there?

17 A Could have been. I just don't remember which
18 one.

19 Q How many meetings did you attend at the
20 restaurant called The House?

21 A Three.

22 Q At what point during the first meeting did Ms.
23 Lhamon become your counsel in this litigation?

24 A At the point where I decided that I would be
25 willing to give a declaration about the conditions at

1 went to a meeting with him. One girl asked a question,
2 and he said he didn't know. She asked the question,
3 "Why is Fremont overcrowded, and the other two aren't?"

4 And he said he didn't know, but he would get
5 back to her. And he -- the -- I think it was, like, the
6 next day he sent her a fax at school saying Fremont --
7 Fremont was overcrowded because it had more students in
8 its attendance area, but Locke and Jordan were not and
9 were not scheduled to go year-round.

10 Q Did you ever see a copy of that letter?

11 A Yes, I did.

12 Q Is that the letter attached to your
13 declaration?

14 A I don't know. I only have one from
15 Superintendent Romer. So if it's from the
16 superintendent, yeah, that's it.

17 Q Okay. We'll mark as Exhibit 1 a copy of a
18 document bearing Bates stamp PLTF 02128. And the
19 reporter will stamp it and provide you with a copy.

20 (The document referred to was marked by
21 the CSR as Defendant's Exhibit 1 for
22 identification and attached to and made a part
23 of this deposition.)

24 BY MR. ROZWOOD:

25 Q Do you have a copy of Exhibit 1 in front of

1 Fremont.

2 Q Prior to attending that meeting, you hadn't
3 decided yet whether you were willing to provide a
4 declaration?

5 A No.

6 Q And when during that meeting did you decide
7 you would be willing to do so?

8 A I couldn't say for sure, but we talked about
9 it, you know, the teachers who were there, you know.
10 And it wasn't very long after we got there, we talked
11 about it -- how we were tired of what was going on, and
12 we thought it was unfair what was happening in our mini
13 district, and we decided that we had -- we had to take a
14 chance.

15 Q What was unfair about what was happening in
16 your mini district? What are you referring to?

17 A The overcrowding situation. There are three
18 high schools in District I, and the other two -- they're
19 all very close to each other. Fremont, Locke and
20 Jordan. The other two are not year-round. They are not
21 multitrack, and they are not overcrowded.

22 Q On what do you base your knowledge that Locke
23 and Jordan are not overcrowded?

24 A We received a letter from Superintendent Romer
25 saying that one of our students -- 20 of our students

1 you?

2 A Yes.

3 Q Is this the letter you're referring to?

4 A Yes.

5 Q Other than this letter, is there any other
6 basis for your statement that Jordan and Locke are not
7 overcrowded?

8 A Yes. I have attended meetings with
9 Dr. Rousseau and Genethia Hayes to deal with
10 overcrowding, and it's one of the issues that's
11 discussed. Dr. Rousseau right now is looking at bussing
12 patterns to see -- to see what can be done to help
13 overcrowding at Fremont. I mean, she is the
14 superintendent of District I, and she's looking at
15 what's going on at Locke and Jordan too. She just told
16 us that last Friday.

17 Q Who was Genethia Hayes?

18 A She is our board member on the school board
19 for the Fremont High School.

20 Q The Fremont school board?

21 A The Fremont area is represented on the school
22 board by Genethia Hayes.

23 Q You're talking about the LA County School
24 Board?

25 A It's not LA County, is it? LAUSD School

1 Board.
 2 Q LAUSD School Board?
 3 A Right.
 4 Q Have you ever seen -- let me ask you this.
 5 How did you obtain a copy of the letter marked as
 6 Exhibit 1?
 7 A The student took it to -- I don't know
 8 actually which teacher she took it to, but it wound up
 9 with our union rep, Mr. Taylor. And he brought it to
 10 me, and we made copies, and it was distributed to
 11 everybody on the faculty.
 12 Oh, actually, it was Mr. Reimann that took
 13 these kids. So he probably had the copy, and he is UTLA
 14 co-chair so that's probably...
 15 Q And you mentioned that last Friday you had a
 16 conversation with Dr. Rousseau regarding bussing
 17 patterns and possible solutions?
 18 A Right, not me personally. She spoke to the
 19 faculty.
 20 Q At Fremont?
 21 A Yes.
 22 Q At the school site?
 23 A Yes.
 24 Q And Genethia Hayes was present?
 25 A No, that was a different meeting. That was a

1 Saturday meeting in Genethia Hayes' office.
 2 Q Who else attended that meeting?
 3 A Karen Bass of the Community Coalition. I
 4 don't know his name -- the principal of Manual Arts High
 5 School, and I think at least one assistant principal
 6 from Manual Arts, a woman, but I don't know her name,
 7 and two people from Community Outreach, new facilities
 8 for LAUSD. And there were three of us there from
 9 Fremont -- myself, Mr. Taylor and Sarah Knopp,
 10 K-n-o-p-p, who is a social studies teacher. And there
 11 were some other people, but I don't remember who they
 12 were, or where they were from.
 13 Q Why did this Saturday meeting take place?
 14 A We were there to discuss possible new
 15 facilities to relieve overcrowding at Fremont -- or
 16 possible solutions, new facilities being part of the
 17 solutions.
 18 Q When did that meeting take place?
 19 A I'd say it was probably, like, the third
 20 Saturday in September. Something like that. I don't
 21 know what the date was, but somewhere around that time.
 22 I mean, I could find out for you. We were invited by
 23 the people at Community Outreach so they will know the
 24 date of the meeting.
 25 Q What is Community Outreach?

1 A It's the branch of new facilities that deals
 2 with getting the community behind new buildings, new
 3 schools or -- you know, they ask the community for
 4 advice and suggestions and support when new schools need
 5 to be built.
 6 Q Is this a branch of the Los Angeles Unified
 7 School District?
 8 A Yes, it is.
 9 Q And what is Community Coalition?
 10 A It's a -- I don't know what you call it. It's
 11 just a community group. It's like an organized group
 12 that deals with community issues in the south central
 13 area. They have youth groups, and they organize around
 14 different issues. One of the issues is overcrowding in
 15 inner city high schools.
 16 Q And can you take a look at Exhibit 1 and tell
 17 me what, if you know, the reference to leadership
 18 program in the last paragraph is?
 19 A I don't know specifically. I know Mr. Reimann
 20 took about 20 students with him, and I don't know how
 21 they were selected or -- I don't really know anything
 22 about it. I just know that he was the faculty person,
 23 and he picked the students.
 24 Q How many times to your knowledge has
 25 Dr. Rousseau visited the school site at Fremont?

1 A Three times when she spoke to the faculty and
 2 if she -- if she was there more than that, I wouldn't
 3 necessarily know.
 4 Q Do you know when approximately these three
 5 school visits took place?
 6 A One was last Friday.
 7 Q That's November 9th.
 8 A One was about -- the faculty meeting about
 9 maybe three or four weeks before that. And then the
 10 other one was right after she became our superintendent.
 11 It was also a faculty meeting. I have no idea what the
 12 month was, but it was immediately after she became
 13 superintendent.
 14 Q And you were present at the first faculty
 15 meeting?
 16 A Yes.
 17 Q And what -- was there -- strike that.
 18 Was anything handed out to the people that
 19 attended?
 20 A Not that I recall. Not the first one.
 21 Q Okay. Do you know what -- do you recall what
 22 was discussed at that meeting?
 23 A She just introduced herself and said, you
 24 know, she was glad to be here and hoped we could all
 25 work together to make the district better. It was real

1 general.

2 Q How about the second meeting?

3 A The second meeting was set up with the UTLA
4 chair so that she could talk to us about overcrowding
5 because she knew that we were concerned about it.

6 Q And what did she tell you at that meeting?

7 A She told us she was concerned about it too,
8 and that it was obviously an issue; that it wasn't easy;
9 that other schools were involved, like, Locke and
10 Jordan, and she was looking into it. That she was new,
11 and that she -- that she wanted to work with us. And
12 that meeting following -- that meeting followed a
13 community meeting that the district had called to get
14 parents to come about -- about new schools.

15 And she was also at the community meeting, and
16 we had mentioned that we had bungalows on campus that
17 were almost ready. She said she didn't know anything
18 about that, and she would -- she wrote it down in her
19 book and said she would get that taken care of. You
20 know, whatever they needed to be actually finished, she
21 would get it done. And it was done within a couple
22 weeks.

23 So she mentioned that when she was on campus,
24 she said, "I found out that you needed the bungalows. I
25 got those. That was the first step that I could take."

1 school community?

2 A Mr. Jackson. Gordon Jackson, I believe.

3 Q Do you know Mr. Jackson's role at the CDE or
4 position?

5 A No, I don't.

6 Q And did Mr. Jackson deliver the findings?

7 A Yes.

8 Q And what do you remember from that meeting
9 about the findings? What did he tell you?

10 A Basically, he told us what we've been saying
11 for a long time, that we have serious problems at the
12 school. And I explained how the process was going to
13 work, that he had two weeks to write his report. He
14 would present it to Elaine Easton's (phonetic) office.
15 They would talk to the district. The word he used was
16 "negotiate" with the district.

17 And then we would have 18 months -- he would
18 be, like, our supervisor. We would have 18 months to --
19 I don't know if -- we don't know exactly what the report
20 is going to be, if they're going to give us guidelines
21 or outlines. We don't know. But we have 18 months to
22 work with the program, whatever the program is that they
23 give us. We don't know how that's going to work.

24 Q Was anything at all handed out in writing as
25 part of this CDE audit, to your knowledge?

1 And she said she would be happy to meet with us again.
2 And we haven't made a date for that yet.

3 Q And then there was a third meeting on November
4 9th, last Friday?

5 A Right. We were audited by the State of
6 California, CDE, and they did their oral report, and she
7 was in attendance for the oral report.

8 Q That occurred on Friday?

9 A Friday, 2:00 o'clock Friday.

10 Q What was the sum and substance of the CDE's
11 report?

12 A They had 8 points of various things. We don't
13 have it in writing so it's just what I remember. And he
14 said that there were lots of things good about the
15 school, but that wasn't his job to mention the things
16 that were good about the school. And they explained the
17 things that they had found that were problems that were
18 going to be addressed with the CDE.

19 Q How many representatives of the CDE were there
20 that day?

21 MS. LHAMON: Calls for speculation.

22 BY MR. ROZWOOD:

23 Q If you know.

24 A Seven or eight.

25 Q Was there one person addressing the staff, the

1 A No. And, in fact, I asked for a copy of the
2 preliminary report, and he said, "No, it's preliminary.
3 It's oral. It's not in writing."

4 MS. LHAMON: When you reach a break, I need to
5 go to the rest room.

6 MR. ROZWOOD: It's 11:30. It's a good time to
7 break.

8 MS. LHAMON: Do you mind?

9 MR. ROZWOOD: Not at all.

10 (Brief Recess Taken.)

11 BY MR. ROZWOOD:

12 Q Did you receive a deposition notice, Ms.
13 Hoover, a written notice of your deposition?

14 A I don't know what -- I don't know what that
15 is.

16 Q Did you ever receive a written piece of paper
17 telling you that you had to show up for a deposition in
18 this case?

19 A Like --

20 Q It's a yes or no. If you didn't, you didn't.

21 A I don't think so.

22 Q That's okay.

23 A I don't know. I mean, I don't know what it
24 would say.

25 Q Okay. That's fair. Did you bring any

1 documents with you today?
 2 A No.
 3 Q Can you describe for us what you did to
 4 prepare for your deposition.
 5 A I read over my declaration, and Catherine told
 6 me --
 7 MS. LHAMON: I instruct you not to answer
 8 about any attorney/client privilege.
 9 MR. ROZWOOD: Be very careful. None of us
 10 want to know what your counsel discussed.
 11 THE WITNESS: That's it. I read over my
 12 declaration.
 13 All three of you jumped on that one.
 14 BY MR. ROZWOOD:
 15 Q Did you review any notes or meeting minutes or
 16 agendas from any of your meetings relating to Fremont?
 17 A No.
 18 Q Did you review any other documents relating to
 19 the conditions at Fremont Senior High School?
 20 A No.
 21 Q Were Ms. Roland or Marcy Hines invited to
 22 attend these meetings at The House?
 23 A No.
 24 Q Sorry?
 25 A No.

1 Q Do you know who Rene Carter is?
 2 A No.
 3 Q Do you recognize the name Laura Carpenter?
 4 A Yes.
 5 Q Did Ms. Carpenter attend any of these meetings
 6 at The House?
 7 A I wouldn't know which one, but, yes, I'm sure
 8 she was there.
 9 Q Did you attend all three?
 10 A Yes.
 11 Q Did Ms. Carpenter attend just one?
 12 A I couldn't say for sure, but I think so -- I
 13 know she didn't attend the last one so I couldn't say
 14 for sure.
 15 Q How about Diane Adomian? Do you recognize
 16 that name?
 17 A Yes.
 18 Q Did she attend these three meetings at The
 19 House?
 20 A I don't -- I don't remember her being at all
 21 three. I think she was at one.
 22 Q Do you recall which one?
 23 A No. My -- you don't want me to guess. No, I
 24 don't.
 25 Q Do you recognize the name Wendy Basgall?

1 A Yes.
 2 Q Who is she?
 3 A She is an English teacher at Fremont.
 4 Q Did she attend any of these meetings at The
 5 House?
 6 A Yes.
 7 Q Do you recall which ones?
 8 A She may have attended the first one. I don't
 9 recall if she attended any of the others. But I'm
 10 pretty sure she was at the first one.
 11 Q What did the ACLU representatives say to the
 12 Fremont employees at the first meeting at the The House?
 13 A We got an overview of, like, the history -- we
 14 said that we were there because of overcrowding, and we
 15 got an overview of the case. And it was mentioned that
 16 Cindy Diego was one of the -- I don't know what they're
 17 called -- one of the named people in the case. And we
 18 all looked around to see, like, did anybody know her,
 19 and I don't think anybody there knew who she was. We
 20 knew that she had graduated from Fremont.
 21 Q What format was this overview presented to
 22 you?
 23 MS. LHAMON: Vague as to "format." Do you
 24 mean was it verbal or written?
 25 MR. ROZWOOD: Yeah, yeah. That's what I

1 mean.
 2 THE WITNESS: It was verbal. We were sitting
 3 around a table kind of like this.
 4 BY MR. ROZWOOD:
 5 Q Was there any documentation handed out?
 6 A No.
 7 Q Who spoke on the ACLU's behalf in giving you
 8 this overview?
 9 A Catherine.
 10 Q Anyone else?
 11 A Everybody else introduced themselves, but I
 12 don't think anybody else spoke.
 13 Q And there was no slide show or Power Point?
 14 A No.
 15 Q Anything like that?
 16 A No.
 17 MS. LHAMON: They're very sophisticated.
 18 THE WITNESS: And we asked questions. We were
 19 free to ask questions.
 20 BY MR. ROZWOOD:
 21 Q Did you ask any questions?
 22 A I don't think so.
 23 Q Did any of the others ask questions?
 24 A The only question that I can remember being
 25 asked was could we get in trouble.

1 Q And what was the answer?
 2 A The answer was no. Basically -- yeah, the
 3 answer was no. We have a lot of new teachers at
 4 Fremont, and they worry about that kind of thing.
 5 Q Do you recognize the name Margaret Paolucci?
 6 A Yes.
 7 Q Who's she?
 8 A Social studies teacher.
 9 Q At Fremont?
 10 A Yes.
 11 Q Did she attend this first meeting at The
 12 House?
 13 A I don't believe so. I think she didn't come
 14 until the third meeting. I'm not positive, but I think
 15 it was the third meeting.
 16 Q How did the -- strike that.
 17 You've already described how you became aware
 18 of the fact that these meetings -- strike that.
 19 I don't want to mischaracterize your
 20 testimony.
 21 How did the other Fremont employees become
 22 aware that there would be a meeting at The House on that
 23 first occasion?
 24 A I told them.
 25 MS. LHAMON: Calls for speculation.

1 ///
 2 BY MR. ROZWOOD:
 3 Q You told them?
 4 A I told some.
 5 Q Which ones did you tell?
 6 A You know, I can give you some names. There
 7 were more than probably I can remember. And not
 8 everybody came so it's the people that I know who were
 9 at the first meeting. The same names, Claudia Pilon --
 10 no, now I don't even remember. Jenna Wiggenhorn, Jason
 11 Reimann, Mat Taylor. You know, I told some people, and
 12 they told some people and...
 13 Q Did Joel Vaca attend the first meeting?
 14 MS. LHAMON: Asked and answered.
 15 THE WITNESS: I don't remember. I know he
 16 came somewhere along the line, but I don't remember what
 17 meeting it was.
 18 BY MR. ROZWOOD:
 19 Q That's fair.
 20 A I don't see him that much because he's in the
 21 math department, and so I just don't know him that well.
 22 Q How often do you see Joel Vaca on campus?
 23 A Maybe a couple times a week.
 24 Q Where?
 25 MS. LHAMON: The question is overbroad.

1 THE WITNESS: It could be anywhere. It could
 2 be in the hallway. It could be -- it could be in the
 3 library. It could be out on the yard.
 4 BY MR. ROZWOOD:
 5 Q You've seen him in all of those places.
 6 Correct?
 7 A Yes.
 8 Q What is your relationship with Mr. Vaca like?
 9 MS. LHAMON: The question is vague.
 10 BY MR. ROZWOOD:
 11 Q Can you describe your relationship with
 12 Mr. Vaca?
 13 MS. LHAMON: The question is still vague.
 14 MR. ROZWOOD: And overbroad, but I'm just
 15 trying to get a sense of what her relationship is all
 16 about. They're meaningless objections.
 17 MS. LHAMON: We're in disagreement on that.
 18 THE WITNESS: We're on good terms. We say hi,
 19 and we speak to each other, especially now that we're
 20 both involved with giving declarations.
 21 BY MR. ROZWOOD:
 22 Q Have you spoken to him about this -- the
 23 process of giving your declaration?
 24 A I knew he was coming before me and --
 25 MS. LHAMON: Sounds to me like you're

1 answering about a deposition. Not so much about a
 2 declaration.
 3 THE WITNESS: You're right. Sorry. What was
 4 the question then?
 5 BY MR. ROZWOOD:
 6 Q Did you speak to Mr. Vaca about the process by
 7 which he provided his declaration?
 8 A No.
 9 Q Have you spoken to him about your declaration
 10 in this case?
 11 A Probably. I can't think of a specific
 12 instance. I probably said, yeah, I gave a declaration.
 13 Q And did you have a discussion with Mr. Vaca
 14 about your deposition?
 15 A Deposition, yes. I knew he was scheduled last
 16 week, and then I knew it was postponed. And I know he
 17 did it Friday, but I haven't talked to him since then.
 18 Q Did Mr. Vaca say anything to you about his
 19 deposition before he had it taken on Friday?
 20 A Just that he was going to be here.
 21 Q Have you had any discussions with Mr. Vaca
 22 about your deposition before today?
 23 A No, just that I told him I hope I did as well
 24 as he did, because I assumed he was going to do fine.
 25 Q At that first meeting at The House, after the

1 overview of the lawsuit was presented and the Fremont
2 employees were permitted to ask questions, what happened
3 next?

4 A We had dinner, and we kind of discussed things
5 among ourselves.

6 Q And what happened next?

7 A We broke up into small groups of a couple
8 people. And I don't know what the other groups were.
9 Mine was a couple people. Anybody who was willing to
10 give a declaration.

11 Q And what happened in your group?

12 A My group was with John, and he took notes.
13 You know, asked me what was my knowledge about
14 conditions at Fremont, and took notes. And said he
15 would get back in touch with me.

16 Q And when was the next time you heard from him?

17 A A couple weeks later.

18 Q When was the next meeting at The House that
19 you attended?

20 A September, October -- they were, like, three
21 or four weeks apart. I'm not sure. Three weeks apart
22 maybe.

23 Q And what happened at that meeting, the second
24 meeting?

25 A Exactly the same thing.

1 Q The same people?

2 A Different -- we were trying to get more
3 people, and so some of the people were the same. Like I
4 was there, and some of the people were different.

5 Q Did you hand out any fliers of any kind to
6 attract additional Fremont employees to these meetings?

7 A I sent a note around to -- I didn't hand it
8 out generally. I sent a note to the people that I
9 thought would be interested, explaining what it was, and
10 saying the address of the -- of the restaurant and the
11 time.

12 Q And this was a written note?

13 A Yes.

14 Q Was it like an 8 and a half by 11 flier?

15 A Not a flier. It was more like a letter. You
16 know, it said this is what I'm doing. If you'd be
17 interested, this is the next time we're going to meet.
18 And then there was a map. And the menu. And I said
19 that they bought us dinner so...

20 Q Works every time.

21 A Yes, especially with teachers.

22 Q How many letters like that did you hand out?

23 A Probably 20, 25 maybe. And I gave some to
24 different people. I gave some to Jason, some to Ms.
25 Pilon. I might have given a couple to somebody else,

1 you know, and said, if you can think of anybody who
2 would like to come, tell them about it.

3 Q But you made all the letters -- to your
4 knowledge, you made them all. Correct?

5 A Yes, I don't think anybody copied them.

6 Q Do you recall how many copies of the letter
7 you made?

8 A 25 would be the outside.

9 Q And how did you decide which Fremont employees
10 to give the invitation to?

11 A Well, I didn't decide them all. You know, I
12 gave some to other people and said, you know, you
13 decide. But the ones that I invited, it was people that
14 I had talked to and thought they might be sympathetic.
15 I knew they were worried about overcrowding and had good
16 relationships with the students.

17 Q What did the -- what did Ms. Lhamon tell you
18 about the lawsuit when she gave you the overview or the
19 history in that first meeting?

20 A That the ACLU was suing the State of
21 California -- not the district -- on the basis of the
22 California Constitution that guarantees equal education
23 to all students, and that they were hoping to get it
24 made into a class-action suit to represent all students
25 in the State of California. And that's the quick

1 summary. That's basically what I remember of it.

2 Q Can you take a minute and tell me if you think
3 of anything else that Ms. Lhamon said at that meeting
4 about the lawsuit.

5 A Well, I already told you she mentioned Cindy
6 Diego.

7 Q Correct. Other than what you've already
8 testified to.

9 A That the court was in San Francisco; that the
10 trial would be in San Francisco; and, that it would be a
11 while before anything -- you know, any trial happened;
12 and, that they had -- that the students -- that the
13 students basically -- she used the expression "were
14 great"; that they were telling the truth and not being
15 intimidated by the whole process; and, that the judge
16 needed to see not only from the students' point of view,
17 but from the teachers' point of view what was happening
18 in the schools. That's why it was important that we
19 were there. I think that's it.

20 Q Are you willing to appear as a witness in this
21 trial?

22 A Yes.

23 Q When you say that, with the understanding that
24 the trial will be held in San Francisco. Correct?

25 A Yes.

1 Q Are you willing to appear at your own expense
2 as a trial witness in this case?
3 A If I have to, yes.
4 Q Is there a list somewhere in your possession,
5 custody or control of the people who attended these
6 meetings?
7 A No, I didn't keep a list.
8 Q Do you recognize the name Amy Lee?
9 A Yes.
10 Q Is that a teacher at Fremont?
11 A Yes, I believe she went to the first meeting.
12 Q How about Bill McCleary?
13 A Yes, he's an English teacher.
14 Q Do you recall how many meetings Mr. McCleary
15 attended?
16 A Only the third meeting.
17 Q How about Ms. Charlene Armstrong?
18 A She's an English teacher. I couldn't say what
19 meeting she went to.
20 Q But she did attend at least one?
21 A I'm not even positive.
22 Q That's okay. That's great. If you don't
23 know --
24 A Yeah.
25 Q Do you recognize the name Mr. Richardson?

1 MS. LHAMON: You mean in connection with the
2 school?
3 MR. ROZWOOD: Yeah, I believe in connection
4 with these meetings.
5 THE WITNESS: Yeah, I know Mr. Richardson,
6 yes. In connection with the meetings, I invited him. I
7 don't know if he came or not.
8 BY MR. ROZWOOD:
9 Q And what's Mr. Richardson's first name?
10 A We call him Rob. I assume it's Robert.
11 Q And what department does he teach in?
12 A English.
13 Q How long have you known Marcy Hines?
14 A I think she's been at the school, like, 12 or
15 14 years. I was there when she came.
16 Q Have you known her the entire time?
17 A Yeah, I guess. She was first -- she was head
18 counselor. I didn't know her very well then. Now that
19 she's my supervisor, you know, for the last three or
20 four years, yeah, I know her better.
21 Q Did you have an opportunity to work with her
22 prior to the time that she became your supervisor?
23 A Only in the dealings that a teacher would have
24 with the head counselor. Not really. Other than maybe
25 paperwork or something.

1 Q Wasn't she a teacher too in the English
2 department?
3 A Not at Fremont.
4 Q No. Okay. Did she have any responsibilities
5 for reviewing the teachers in the English department,
6 conducting their STULL evaluation?
7 MS. LHAMON: Calls for speculation.
8 MR. FERNOW: Join.
9 MS. LHAMON: Calls for a legal conclusion.
10 THE WITNESS: She is now. She wasn't always,
11 but she is now the administrator in charge of the
12 English department.
13 BY MR. ROZWOOD:
14 Q So prior to becoming -- prior to -- when did
15 she obtain that position?
16 MS. LHAMON: Calls for speculation.
17 THE WITNESS: I don't know.
18 BY MR. ROZWOOD:
19 Q Can you give me an estimate? Was it
20 approximately three years ago or four years ago?
21 MS. LHAMON: Calls for speculation.
22 THE WITNESS: Yeah, I wouldn't say. I
23 know she had two positions, but I don't remember when
24 she got it, you know, when she switched.
25 BY MR. ROZWOOD:

1 Q You have no idea. You couldn't give me any
2 estimate?
3 A It could be six or seven years ago. Maybe
4 like half and half. I really don't know.
5 Q That's okay. Have you had many conversations
6 with her in the course over the last three to four years
7 since she's become your supervisor?
8 MS. LHAMON: Vague as to "many."
9 THE WITNESS: I usually speak to her at least
10 once a week.
11 BY MR. ROZWOOD:
12 Q About what?
13 A Could be lots of things. Could be the library
14 specifically. Could be something going on on campus,
15 that I either like or don't like. Could be something in
16 the English department. What have I talked to her
17 about. It could be about a copy machine for the
18 library. Actually, it's not for the library. It's a
19 copy machine for the teachers. It could be about a
20 computer for the library or the technology plan.
21 Q You have had conversations with her about all
22 of these things?
23 A Yes.
24 Q Do you think Ms. Hines is a competent
25 administrator?

1 MS. LHAMON: Calls for speculation.
2 MR. FERNOW: I object for the record that the
3 LAUSD believes that these employees have a right to
4 privacy. So to the extent that it's calling for
5 invasion of Ms. Hines' right of privacy, I want to state
6 for the record.

7 MS. LHAMON: I join that objection. In fact,
8 I'll instruct you not to answer on the basis of the
9 privacy right.

10 MR. ROZWOOD: I didn't hear your objection.

11 MS. LHAMON: I join in the objection, and I
12 instructed her not to answer on the basis of the privacy
13 right.

14 MR. ROZWOOD: What privacy right?

15 MS. LHAMON: That the administrator has and
16 her job performance.

17 BY MR. ROZWOOD:

18 Q You're going to follow your counsel's
19 instruction?

20 A Yes, I am.

21 Q Did you ever know Ms. Hines when she was a
22 teacher?

23 A No, I didn't.

24 Q Do you find in the course of your dealings
25 with Ms. Hines her to be a reliable person?

1 A Not disagreements. [REDACTED]

2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 Q Over the course of your dealings with Ms.
7 Hines, have you found her to be an honest person?

8 A Yes.

9 Q In your experience in dealing with Ms. Hines,
10 have you found her to care about the welfare of the
11 students at Fremont?

12 A Yes.

13 Q Can you think of any other specific
14 differences of opinion or disagreements you had with Ms.
15 Hines, other than the ones you've already testified to?

16 A Not specific, no. I'd say it's more a matter
17 of style. She's much more low key than I am.

18 Q Have you had any dealings with Ms. Roland,
19 personal dealings with Ms. Roland?

20 A Personal. Do you mean professional?

21 Q Yes.

22 A Yes.

23 Q I mean in person. That's all.

24 A Yes.

25 Q And on what occasions have you interacted with

1 A Generally. I mean, some of the unreliable --
2 I wouldn't say that anybody is reliable a hundred
3 percent of the time.

4 Q We're only human?

5 A Exactly.

6 Q Can you think of any instances where Ms. Hines
7 was not reliable?

8 MS. LHAMON: I'm going to ask you not to cut
9 the witness off when she's in the middle of a sentence.

10 THE WITNESS: I wouldn't use the word
11 "reliable" or "not reliable." She generally follows
12 through when she says she's going to do something. If
13 you characterize that as reliable, yeah. I disagree
14 with her sometimes, but I don't think it has to do with
15 reliability exactly.

16 BY MR. ROZWOOD:

17 Q Can you think of any specific disagreements
18 you've had with Ms. Hines?

19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]

24 Q Can you think of any other instances where you
25 had specific disagreements with Ms. Hines?

1 Ms. Roland person to person?

2 A When I welcomed her to the school the first
3 day. I've talked to her about the orders -- problems
4 with the orders, and I've had maybe three or four
5 meetings about problems with the orders, but short
6 meetings, you know. Five minutes or less.

7 She's come to the library a couple times when
8 there were events going on in the library. She came to
9 the library once with Ms. Andrea Pruitt from District
10 I, when Ms. Pruitt was on campus.

11 And then the last -- the last meeting -- the
12 last time I talked to her was something I already
13 mentioned, but I put in an order for office supplies for
14 the library, and she said it should be filled out of my
15 budget. And I haven't -- I haven't yet responded saying
16 I can't fill it out of my budget. My budget is only for
17 books. But that was the last -- last time I talked to
18 her. Other than good morning, you know, in the hallway.

19 Q Has Ms. Roland been responsive to your
20 requests regarding improving the library book order
21 process in the main office?

22 A She's been responsive verbally. Nothing has
23 changed. But she assures me that she's on top of
24 things.

25 Q Do you feel that she's on top of things in

1 that respect?

2 A From my perspective, no.

3 Q What specifically do you think should be done
4 that's not being done to improve the library book order
5 process in the main office?

6 A The bottleneck seems to be the IFS clerk. So
7 she either needs to have training, or we need to get a
8 new one. She was gone for a while. It was announced at
9 an instructional leadership meeting that she was going
10 to be gone. And she was gone for approximately two
11 weeks, and now she's back again. I don't know anything
12 about how that happened.

13 Q What is the instructional leadership meeting
14 you're referring to?

15 A It's a meeting we have once a month to discuss
16 different issues on campus. It's department chairs.
17 Who else is at the meeting? The librarian. Some
18 representative of the administration. Sometimes all of
19 the administration. The technology coordinator, the
20 Title I coordinator. Testing coordinator. I think
21 that's about it.

22 Q Have these monthly meetings taken place ever
23 since you became librarian at Fremont?

24 A That's when I was attending. They've taken
25 place for years, to my knowledge.

1 articles from different newspapers.

2 Q Relating to this case?

3 A Yes.

4 Q Which articles do you have?

5 A I think one is from the San Francisco
6 Chronicle.

7 Q Where did you get that article?

8 A Through the ACLU. And I wouldn't know where
9 the others are from. What I noticed is that they're
10 all, like, in Northern California. We've been kind of
11 disappointed that The Times hasn't -- hasn't -- although
12 there was one article in The Times. I don't have a copy
13 of it, but I did see it.

14 Q All the articles you have in your possession
15 are from the ACLU?

16 A I believe so. Except for the LA Times.

17 Q You have an article from the LA Times in your
18 possession?

19 A No, but the one that I saw.

20 Q Okay.

21 A But I don't have a copy of it.

22 Q But all the ones that you have currently in
23 your custody, possession or control you obtained from
24 the ACLU?

25 A Yes.

1 Q But they have taken place every month since
2 you became librarian. Correct?

3 A Sometimes they get canceled, but they're
4 supposed to be once a month.

5 Q To your knowledge how long before you became
6 librarian did these monthly meetings take place?

7 A Oh, I wouldn't know. It could be years. It
8 could be as long as there's -- I have no idea.

9 Q That's fair.

10 A It's just in existence.

11 Q Are there written agendas or meeting minutes
12 reflecting the subject matter covered during these
13 meetings?

14 A I would assume so. There's an agenda when we
15 get there about minutes. I don't know.

16 Q And the agenda is passed out to participants
17 at the meeting?

18 A Yes.

19 Q Not put in the boxes before the meeting?

20 A Maybe both for some times, but maybe not until
21 we get there.

22 Q Do you have any news articles relating to this
23 lawsuit or the conditions at Fremont in your possession,
24 custody or control?

25 A Nothing about Fremont. I have a couple

1 Q We're going to request that those articles be
2 produced, and we'll work with your counsel to make sure
3 that that request is legal and proper and all of that.
4 So don't throw those away, please.

5 A Okay.

6 Q Have you seen any declarations of any other
7 students or teachers or any other school employees in
8 this case?

9 A Not -- no students. And one teacher, and I
10 only saw part of one teacher, Ms. Pilon, who happens to
11 be my sister.

12 Q Your sister by marriage?

13 A By blood.

14 Q By blood. Okay. And when you say you saw
15 part of her declaration, what part? Why just part?

16 A Just because I was -- she left it on my desk
17 while she was in the library, and I may have seen the
18 first paragraph. I don't even know what I saw. I think
19 it was something on the first page. But I already knew
20 what she said. I mean, it wasn't new information
21 because we had talked about it. So I think I just
22 didn't bother to read it.

23 Q Was that a copy of a signed declaration?

24 A I have no idea.

25 Q Or a draft declaration? Don't know?

1 A Don't know.
 2 Q I'm going to ask you if you recognize these
 3 names. To my knowledge they're students that at one
 4 time or currently do attend Fremont.
 5 A Okay.
 6 Q Sindy Ramirez?
 7 A I recognize the name.
 8 Q How do you recognize the name?
 9 A I know she was one of the original people, one
 10 of the original students to be part of the lawsuit. But
 11 I never had her in class.
 12 Q How do you know she was one of the original
 13 people involved in the lawsuit?
 14 A From reading newspaper articles. The San
 15 Francisco Chronicle, I think if that was the paper, it
 16 mentioned her name. And one of the teachers knows her.
 17 Q Which teacher?
 18 A Todd Bell.
 19 Q Is he an English teacher?
 20 A Yes.
 21 Q Do you recognize the name Cindy Barragan?
 22 A No, I'm sorry, no.
 23 Q How about the name Christina Florez?
 24 A No.
 25 Q How about the name Karla Henriquez?

1 A No.
 2 Q How about Marcos Leon?
 3 A No.
 4 Q Suzanna Sandaval?
 5 A No.
 6 Q Have you had any discussions with any Fremont
 7 students, current or former students, of Fremont High
 8 School regarding this litigation?
 9 A Yes.
 10 Q Which students?
 11 A Her name is Clara -- I can't remember her last
 12 name. Salgado, S-a-l-g-a-d-o. Trini, T-r-i -- Trinidad
 13 Maldonado. They're both former students.
 14 Q Did you have any discussions with any other
 15 students about this lawsuit?
 16 A Not that I can think of.
 17 No, I don't -- in my day-to-day activities I
 18 don't see students individually, really. I see them as
 19 large groups, and it doesn't -- it doesn't lend itself
 20 to talking about stuff like this. These -- Clara is a
 21 former student that I see occasionally. And Trini is my
 22 service worker, a graduate. And so I see them, but I
 23 don't see students generally.
 24 MR. ROZWOOD: Move to strike everything after
 25 "not that I can think of" as not responsive.

1 Q How many times have you had a conversation
 2 with Clara Salgado about this lawsuit?
 3 A Once.
 4 Q And what did you say to her, and what did she
 5 say to you during this conversation?
 6 A I told her that I had given a declaration, and
 7 she graduated in '94 or '95, and so I told her the kinds
 8 of things that we were talking about. And her response
 9 was "Good. It's about time."
 10 Q Can you think of anything else you said to her
 11 or she said to you during that conversation?
 12 A No, it was just part of a larger conversation.
 13 She was at my house. She has children, and they visit.
 14 Q Can you think of anything else you said to Ms.
 15 Salgado about this lawsuit other than what you've
 16 already testified to?
 17 A No.
 18 Q How many times did you speak with Trinidad
 19 Maldonado about this lawsuit?
 20 A Probably two or three times.
 21 Q You mentioned Ms. Maldonado is your service
 22 worker?
 23 A Yes.
 24 Q In the library?
 25 MS. LHAMON: Move to strike that part of the

1 answer. I'm surprised he's mentioning it now.
 2 MR. ROZWOOD: When you check the transcript,
 3 you'll find that that's not accurate.
 4 MS. LHAMON: I think we won't.
 5 BY MR. ROZWOOD:
 6 Q Did I get the answer about whether she was a
 7 service worker in the library?
 8 A Yes, she is.
 9 Q Can you tell us what you said to her and what
 10 she said to you about this lawsuit in those
 11 conversations?
 12 A I'm sure it was, basically, the same as I said
 13 to Clara. She didn't know who the ACLU was. So I
 14 explained. I did ask her if she knew Sindy Ramirez, and
 15 she said no. And I just -- I said we were -- we were
 16 talking about problems at Fremont.
 17 Q When did the ACLU give you the news articles
 18 that you currently have in your possession?
 19 A After I signed my declaration, I got a packet
 20 in the mail.
 21 MS. LHAMON: I'll ask you not to answer, given
 22 the time. That's the attorney/client privilege.
 23 BY MR. ROZWOOD:
 24 Q And you have those where? At your house or at
 25 the library -- those news articles?

1 A I'm not sure.
 2 Q To your knowledge did any of the other Fremont
 3 employees receive copies of these news articles?
 4 A I don't know.
 5 Q You didn't provide them to anyone?
 6 A No.
 7 Q Did you share them with anyone outside of
 8 Fremont?
 9 A I don't think so. Possibly my mother.
 10 Q Did you have any conversations with your
 11 mother about this lawsuit?
 12 A Oh, yes.
 13 Q How many?
 14 A It's ongoing. She's very interested in what
 15 we're doing.
 16 Q And what is your understanding of the purpose
 17 of this litigation?
 18 A My understanding is that we're asking the
 19 State of California to make sure that all students get
 20 an equal education.
 21 Q Do you have any other understanding about the
 22 purpose of this lawsuit other than that?
 23 A No.
 24 Q Have you ever read the complaint or the first
 25 amended complaint filed with the court at the start of

1 this lawsuit?
 2 A No, I haven't.
 3 Q Do you have any understanding of the specific
 4 relief the plaintiffs are seeking from the court in this
 5 lawsuit?
 6 A No. My understanding is real general.
 7 Nothing specific.
 8 MR. ROZWOOD: I'm going to provide a copy of a
 9 document to the reporter, bearing Bates stamp number
 10 PLTF 02130 through 02132 and ask her to mark it as
 11 Exhibit 2 for us.
 12 (The document referred to was marked by
 13 the CSR as Defendant's Exhibit 2 for
 14 identification and attached to and made a part
 15 of this deposition.)
 16 BY MR. ROZWOOD:
 17 Q Do you have a copy of Exhibit 2?
 18 A Yes, I do.
 19 Q Do you recognize this document?
 20 A Yes, I do.
 21 Q What is it?
 22 A It's a proposal that I sent to Mrs. Guinn, who
 23 is the Title I Coordinator, and Blanca Ramirez, who is
 24 the Bilingual Coordinator, asking for funding for the
 25 library.

1 Q What is this list of items on the first page
 2 marked 2130 on the bottom right?
 3 A It's a list of different things that the
 4 librarian is -- oh, okay. It's things that have been
 5 done to the library in the last couple of years.
 6 Q Do you see the date there, May 15th, 2001?
 7 A Last May.
 8 Q Is that the date -- is that the accurate
 9 date -- strike that.
 10 Is that the date you prepared this proposal?
 11 A Yes.
 12 Q So as of May 15th, 2001, each of these items
 13 in this list on the first page was already in existence
 14 at the school library. Correct?
 15 A Uh-huh. Except where it's marked. It says,
 16 "not yet available," and it says, "not yet installed,"
 17 and I already told you that the computerized system is
 18 being worked on.
 19 Q For the catalog check-out?
 20 A Right.
 21 Q That's under the bullet point with the heading
 22 Technological Improvements. Right?
 23 A Right. Actually, under Technological
 24 Improvements the only thing that we had as of May 15th
 25 was two office computers.

1 But all the rest were in the planning stages,
 2 and the funding had been allocated. But we didn't have
 3 them. We now have the computers, but at that time they
 4 were, you know, paid for, but not yet installed.
 5 Q I see a number of different line items
 6 referencing computers under Technological Improvements.
 7 Is your last answer meant to apply to all the computers
 8 in that list?
 9 A Except for the two office computers, yes.
 10 Q So at the time you wrote this memo on May 15th
 11 of 2001, the library did have two office computers.
 12 Correct?
 13 A Yes.
 14 Q But it did not at that time have research
 15 computers for 12 students or a computerized catalog
 16 check-out system or an SIS computer. Correct?
 17 A Correct.
 18 Q And what was the purpose of this proposal?
 19 A I was trying to explain to them -- those are
 20 the two offices on campus that have the most
 21 discretionary funds, and I was trying to explain to them
 22 the needs that we have in the library, what we needed.
 23 And I was hoping that they would -- when they did their
 24 budgets, that they would fund some things in the
 25 library.

1 Q Okay. So the stuff on the first page you had
2 already secured funding for, and you were looking for --

3 A Yes, basically. Let me see specifically.
4 Yes. It was either done, or it had been -- it was in
5 the planning stages. But, yeah, it had been paid for.

6 Q So you weren't looking for money from the
7 Title I Coordinator or the Bilingual Coordinator for
8 anything on page 1 of this proposal?

9 A No.

10 Q That was just, by way of background, for their
11 benefit?

12 A Exactly, background.

13 Q To help them understand where the library
14 stood as of May 15, 2001?

15 A Yes.

16 Q What about page 2, the list of bullet points
17 contained on that page?

18 A Those are services that librarians are
19 expected to perform. It also mentioned that other
20 schools in the district with fewer than 5,000 students,
21 which is what Fremont has, have two librarians because
22 of the many duties that librarians are expected to
23 perform. It's continuing background, really.

24 Q When you say in the first paragraph on the
25 second page marked 02131 that "These efforts have been

1 Q One of the things you're asking for -- or
2 you're asking for the, you know, Title I and Bilingual
3 Coordinators to consider is the possible addition of
4 another librarian. Correct?

5 A Uh-huh. Yes.

6 Q And by way of background, I'm trying to
7 understand what you're writing here. By way of
8 background, you're explaining that the improvements
9 you've described on page 1 have resulted in an increased
10 usage by students and teachers, and as evidenced by
11 circulation rates in part. Correct?

12 A Yes.

13 MS. LHAMON: Objection. The document speaks
14 for itself.

15 BY MR. ROZWOOD:

16 Q The bullet points are some of the things that
17 librarians do?

18 A Yes.

19 Q Those are things that you're responsible to do
20 as a librarian at Fremont?

21 A Yes.

22 Q And how many service workers are you assigned
23 per period during the school day to the library?

24 A It varies. Some periods I have none. Some
25 periods I have two.

1 rewarded by doubled circulation rates," what are you
2 referring to?

3 A The number of students checking out books and
4 the number of books circulating.

5 Q So more books are circulated to more students?

6 A Right.

7 Q So that's a good thing?

8 A Absolutely. As far as librarians are
9 concerned.

10 Q And that paragraph continues, "teachers who
11 now actively request/use library materials to support
12 the curriculum." Is that something that happened with
13 more frequency as a result of the improvements that
14 had -- are described on page 1?

15 A Yes.

16 Q So that's a good thing. Right?

17 A Yes.

18 Q And it says, "whole classes, small groups, and
19 individuals able to use the library for research."

20 Is that something that improved as a result of
21 the items on page 1 as well?

22 A Yes.

23 Q So far you're describing the positive results
24 of the school's investment in its library?

25 A Yes.

1 Q Do the service workers have specific
2 responsibilities in the library?

3 A Yes. Their responsibilities are -- the most
4 important one is shelving, putting the books that are
5 returned back on the shelves. But it might be cleaning.
6 It might be vacuuming. It might be covering books. It
7 might be repairing books. It's whatever needs to be
8 done.

9 Q You mentioned that one of the students you
10 spoke to about about this lawsuit was Trinidad
11 Maldonado, one of your service workers?

12 A Uh-huh.

13 Q Yes?

14 A Yes.

15 Q Do you know what semester -- of which school
16 year Miss Maldonado was your service worker in the
17 library?

18 A She works there now. She graduated last year.

19 Q So this is a full-time job for her?

20 A Part time. She works 8:00 to 12:00.

21 Q Five days a week?

22 A Yes.

23 Q Was Ms. Maldonado hired with the use of funds
24 from one of these two programs?

25 A No.

1 MS. LHAMON: Calls for speculation.
 2 MR. FERNOW: Join.
 3 BY MR. ROZWOOD:
 4 Q Have you ever made a request from anyone other
 5 than the people listed in the "To" line of your memo of
 6 your proposal in Exhibit 2 for more trained personnel to
 7 work with the students in the Fremont library?
 8 A No. Those are the two places that I know of
 9 on campus that have budget for aids.
 10 Q Have you ever made such a request from anyone
 11 at the local district level?
 12 A No.
 13 Q Have you ever made such a request of anyone at
 14 the LA Unified School District level?
 15 A No.
 16 Q Have you ever made any requests for any
 17 resources to be used in the library at Fremont from
 18 anyone at the local district or district level?
 19 A No.
 20 Q And is the proposal in Exhibit 2 the only
 21 written request for resources that you made with respect
 22 to resource, additional resources, for use at Fremont
 23 school library?
 24 A There's one -- the, like, draft version of
 25 this was a letter to Mrs. Roland, suggesting that we

1 might have a second librarian.
 2 Q Do you have a copy of that?
 3 A No, I don't. It was just -- you know, it was
 4 a -- this would be a good idea, and it even indicates in
 5 here, adult school -- I think I indicated in the letter
 6 to Mrs. Roland, "let's see if we can't partner up with
 7 adult school."
 8 Q Did Ms. Roland ever respond to your written
 9 request?
 10 A Not in writing. She said it would be a good
 11 idea, but she didn't think that adult school had any
 12 money to pay for it or to put into it.
 13 Q Did she suggest trying anyone else?
 14 A I don't know if she -- I don't remember that
 15 she did or didn't. I don't think the discussion went
 16 that far.
 17 Q Was that letter -- did you give that letter to
 18 Ms. Roland before or after you prepared this proposal on
 19 Exhibit 2?
 20 A Oh, it was a few months before. It was, like,
 21 my first idea where we could get some more money and
 22 then -- and then I had time to do more of a proposition.
 23 Q How did you come up with the idea of making
 24 the proposition to the Title I and Bilingual
 25 Coordinators?

1 A They're the only people on campus that I know
 2 that have money for aids.
 3 Q How did you know that?
 4 A Because the aids that are on campus are hired
 5 through those offices.
 6 Q How do you know that?
 7 A From them telling me.
 8 Q The aids?
 9 A The aids.
 10 Q Do you see where -- on the page marked 2132,
 11 the third page?
 12 A Uh-huh.
 13 Q Below the bullet points where you say, "The
 14 District Technology Plan states," and then you have a
 15 quote?
 16 A Yes.
 17 Q What District Technology Plan are you
 18 referring to?
 19 A That was from the technology coordinator, our
 20 technology coordinator on campus. That's what it's
 21 called, the District Technology Plan. And my
 22 understanding is that each school -- what they do with
 23 technology is supposed to fit within the district-wide
 24 plan.
 25 Q This is a written technology plan you obtained

1 from the technology coordinator at Fremont?
 2 A Yes.
 3 Q How did you obtain this plan from the
 4 technology coordinator?
 5 A I think I asked him for it. I probably asked
 6 him was there anything about libraries in the technology
 7 plan, and he said -- I don't know what he said, but he
 8 said, I'll give you a copy of it. Maybe he said, I
 9 don't know.
 10 Q How did you know that such a plan existed?
 11 A It's been talked about at many meetings.
 12 Q Staff meetings?
 13 A Staff meetings.
 14 Q Go ahead.
 15 A We're a digital high school, and so we get --
 16 we have meetings about technology to update us on what's
 17 happening with technology at the school.
 18 Q Are these meetings different than the monthly
 19 leadership team meetings that you referred to earlier?
 20 A They're overlapping. It could have been
 21 mentioned at any meeting.
 22 Q So the technology plan is something that's
 23 discussed in a number of different types of meetings?
 24 A Right. Computers are a big issue. So it's
 25 discussed at a lot of different meetings.

- 1 Q Do you have any computers in the library?
 2 A Yes. Got them three days ago.
 3 Q What kind of computers do you have?
 4 A They're PC's. There are ten of them. They
 5 are not yet Internet-capable because the wiring isn't
 6 done, but they do have word processing on them. And
 7 through District I we have a new reading program that is
 8 also on there.
 9 Q When were these computers installed in the
 10 library?
 11 A They were installed about a week ago, and then
 12 they were programmed last week.
 13 Q Do you recall which days?
 14 A Wednesday. The week before -- it took them a
 15 week to get them installed, and then -- by Wednesday
 16 they were programmed.
 17 Q That's Wednesday the 7th?
 18 A Yes.
 19 Q So they were -- sorry -- installed in the
 20 library the week before last?
 21 A Yes.
 22 Q And then they were programmed and became
 23 operational on Wednesday, November 7th?
 24 A Yes.
 25 Q Are there any Internet-accessible computers in

- 1 A Right. Ms. Nichols -- if you look on the
 2 first page where it says SIS computer.
 3 Q Yes.
 4 A I asked her about the SIS computer. SIS is --
 5 I think it's student information system -- systems. I'm
 6 not sure exactly what it stands for, but it has, like,
 7 student schedules in it. If someone has an overdue book
 8 at the library, that's where I would get the information
 9 about where they were, to send them a notice.
 10 And she has been in charge of doing that. So
 11 I may have mentioned the SIS to her. But I don't think
 12 I talked to anybody else about it.
 13 Q Currently, how do you locate a student who has
 14 an overdue library book, to notify them of the
 15 overdue --
 16 A I go to someone else's office who has an SIS
 17 computer.
 18 Q What did Ms. Nichols tell you about your SIS
 19 computer?
 20 A There's a -- apparently, that we're going to
 21 get five more, and about ten more people want them. So
 22 they're trying to decide who gets the SIS computers.
 23 Q Did you discuss anything else with Ms. Nichols
 24 after you circulated your proposal?
 25 A No.

- 1 the library?
 2 A Yes, mine, in my office.
 3 Q Are there any other Internet-accessible
 4 computers besides yours in the library?
 5 A Not yet.
 6 Q Just so I get this right. There's ten PC's
 7 for student use, and there's one PC that's
 8 Internet-accessible in your office?
 9 A Yes.
 10 Q Okay. You see all the list of names you've
 11 included on your cc list on page 3 of Exhibit 2?
 12 A Yes.
 13 Q Did you have any conversations with any of
 14 these people regarding the subject matter of your
 15 proposal after you distributed it?
 16 A Ms. Hines and Ms. More, District I supervising
 17 librarian. She's my direct supervisor in library
 18 services.
 19 Possibly -- oh, probably Mr. -- for sure Mr.
 20 Mora.
 21 Q That's the technology coordinator?
 22 A He is the technology coordinator. He is the
 23 one that I've been getting the computers from.
 24 Q He is the person that provided you the copy of
 25 the technology?

- 1 Q What did you discuss with Ms. Marlin More,
 2 your supervising librarian?
 3 A The whole thing. She's my direct supervisor
 4 at library services, and she keeps close track of us.
 5 Q And what was her response to the proposal?
 6 A "A good proposal. I hope you get something."
 7 You know, "keep asking."
 8 Q Did she suggest that the District I or the LA
 9 Unified School District might be able to provide some
 10 resources?
 11 A No, she didn't.
 12 Q Did you have any discussions with her about
 13 that possibility?
 14 A I don't recall that it ever came up.
 15 Q Did she say anything else to you besides "Good
 16 proposal. I hope you get something"?
 17 A No, there really wasn't anything -- she said,
 18 you know, "Keep calling me. If I can answer any
 19 questions." I mean, she's like that. But nothing
 20 specific.
 21 Q What was the -- what did you say to Ms. Hines,
 22 and what did she say to you about this proposal after
 23 you circulated it?
 24 A We didn't have a big long discussion about it.
 25 She told me she would file it -- you know, as the

1 supervisor of the library, anything that I give her, she
2 keeps in a file. I think she probably -- she probably
3 said the same thing. "I hope you get some help in the
4 library." She said she knows we need help in the
5 library. She's very supportive as far as the services
6 to the students. So I'm sure she said, "I hope you get
7 some help."

8 Q Did you get any response back from the Title I
9 Coordinator or the Bilingual Coordinator in response to
10 your proposal?

11 A No, I didn't.

12 Q Have you ever had any conversations with
13 either of those coordinators regarding the subject
14 matter of your proposal?

15 A With Ms. Ramirez. She told me there was no
16 money for aids, but not with Mrs. Guinn.

17 Q You got no response from Ms. Guinn at all?

18 A No.

19 Q Did you ever follow up with Ms. Guinn to ask
20 her --

21 A No.

22 Q -- about the proposal?

23 A No.

24 MR. ROZWOOD: Okay. This seems like a good
25 time to take a lunch break.

1 (Whereupon, at 2:00 P.M. the proceedings
2 were reconvened.)

3 BY MR. ROZWOOD:

4 Q Ms. Hoover, you understand the oath that you
5 gave at the start of this deposition continues in full
6 force and effect this afternoon?

7 A Yes.

8 Q Did you have something to say?

9 A I do need to clarify. I don't know all the
10 terminology, and I did see the deposition notice. I
11 know I said I didn't, but that was because I didn't know
12 what it was but --

13 Q Did you review the document request attached
14 to that deposition notice? It's more terminology, but I
15 can try to use language that is less legal, I mean -- in
16 the deposition notice we asked the deponent to bring
17 documents that were responsive to a category that we
18 wrote down.

19 Did you have a chance to review the category
20 of requested documents that we wrote down in the
21 deposition notice?

22 A I guess not.

23 Q Did you understand that we were requesting you
24 to bring documents to the deposition?

25 A Any documents that I had -- that I thought

1 (Whereupon, at 12:45 P.M. the
2 proceedings were adjourned for the lunch
3 recess.)

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1 were pertinent, I had already given Catherine. So I
2 guess I didn't know that I was supposed to bring
3 anything.

4 Q Okay. And you had given those documents to
5 Ms. Lhamon prior to the time you received your
6 deposition notice. Correct?

7 A Yes.

8 Q Did you do anything to search for additional
9 documents upon receipt and review of your deposition
10 notice?

11 A No.

12 Q Did you have any understanding that you were
13 required to do that?

14 MS. LHAMON: We disagree about that. The
15 question is vague. We disagree about whether she was
16 required to do that.

17 BY MR. ROZWOOD:

18 Q Did you have any understanding regarding an
19 obligation on your part to search for and bring more
20 documents to this deposition?

21 A No.

22 Q Did you ever get any money from the Title I
23 or Bilingual Coordinators in response to your proposal
24 in Exhibit 2?

25 A No.

1 MR. ROZWOOD: I'm going to mark --
 2 MS. LHAMON: Do we have a witness fee today
 3 for Ms. Hoover?
 4 MR. ROZWOOD: I don't know. I'll have to
 5 check on that at the break. I'm not sure that I
 6 requested one, but I'll check at the break.
 7 Can we mark the next document as Exhibit 3,
 8 bearing Bates Number PLTF 2133 to 2135.
 9 (The document referred to was marked by
 10 the CSR as Defendant's Exhibit 3 for
 11 identification and attached to and made a part
 12 of this deposition.)
 13 BY MR. ROZWOOD:
 14 Q Do you have a copy of Exhibit 3?
 15 A Yes, I do.
 16 Q Do you recognize this document?
 17 A Yes, the three pages.
 18 Q What is this?
 19 A These were pages that I attached -- they're
 20 pages from books that I used in my library studies
 21 classes at Cal State Long Beach that I thought applied
 22 to the request that I was asking -- the money request
 23 that I was asking for. And I hoped if they didn't take
 24 my word for it that I needed more staffing, that they
 25 would see through studies that more staffing in the

1 library leads to better student achievement.
 2 Q How does more staffing lead to better student
 3 achievement, in your view?
 4 A Our students have very low skills, and they
 5 need all the help they can get when they come to the
 6 library, whether it's research or just finding a book
 7 that they're going to read. If a teacher brings a class
 8 in and that could be anywhere from 20 to 45, I will
 9 speak to the class as a whole, but I can't give them
 10 individual attention when they go to the shelf to look
 11 for a book, either for research or just for
 12 pleasure-reading.
 13 If I had -- particularly bilingual aids since
 14 a lot of our students are not fluent in English, if I
 15 had bilingual aids or a clerk or another librarian,
 16 anybody in the library besides the teacher who comes in,
 17 who may or may not be familiar with the library, I could
 18 get to a lot more students. As it is, I run from one to
 19 another and hope that they find a book that is good for
 20 them, or I suggest something.
 21 But there's not enough of me, being the only
 22 adult and the only trained adult, to get to all of them.
 23 Q Is there anything in Exhibit 3 that explains
 24 how additional staffing improves student achievement,
 25 other than what you've already testified to, to your

1 knowledge?
 2 MS. LHAMON: Objection. The documents speak
 3 for themselves.
 4 THE WITNESS: And I particularly pick
 5 documents with graphics because, I mean, it is clear
 6 from the documents.
 7 BY MR. ROZWOOD:
 8 Q Did you submit this three-page document
 9 together with your proposal --
 10 A Yes, I did.
 11 Q -- to the Title I Coordinator and the
 12 Bilingual Coordinator?
 13 A Yes.
 14 Q Did you provide it to everyone on the cc list
 15 as well?
 16 A Yes, I did.
 17 Q Are these three pages from the same book that
 18 you're using in your training?
 19 A No, they're from two different books. One is
 20 called Reinvent your School's Library in the age of
 21 Technology, and one is called Building a School Library
 22 Collection.
 23 Q You're just reading off of the bottom of pages
 24 2135 and 2134 respectively?
 25 A Yes.

1 MS. LHAMON: 2133 and 2144.
 2 THE WITNESS: They were both textbooks that I
 3 used -- from textbooks that I used at Cal State Long
 4 Beach.
 5 MR. ROZWOOD: Let's take a break so the
 6 reporter can get her chair.
 7 (Brief recess taken.)
 8 MR. ROZWOOD: I'd like to mark a next
 9 exhibit, Exhibit 4, bearing PTLF 02127 as a Bates stamp
 10 number.
 11 (The document referred to was marked by
 12 the CSR as Defendant's Exhibit 4 for
 13 identification and attached to and made a part
 14 of this deposition.)
 15 BY MR. ROZWOOD:
 16 Q Do you have a copy of Exhibit 4?
 17 A Yes, I do.
 18 Q Do you recognize this document?
 19 A Yes, I do.
 20 Q Can you tell me what it is?
 21 A I typed it, along with several other people in
 22 the union, to send to Dr. Rousseau, asking her to come
 23 and talk to us about overcrowding.
 24 Q Who else prepared this document with you?
 25 A Mat Taylor and Jason Reimann, Aurora Martinez,

1 Claudia Pilon, Laura Carpenter, and it was probably
 2 passed by other people for proofreading too.
 3 Q Was it prepared on or about August 22nd, 2001?
 4 A Yes.
 5 Q And was it transmitted to Dr. Rousseau on or
 6 about that date?
 7 A Yes.
 8 Q And have you had any conversations with
 9 Dr. Rousseau about this document?
 10 A Yes, she came to Fremont -- the first time she
 11 came to talk to us was in response to this, to this
 12 letter. The first time she came to talk to us about
 13 overcrowding. Not the first time she came to Fremont.
 14 Q You mentioned she had been to the school site
 15 three times. Correct?
 16 A Right.
 17 Q Was this in -- was her visit on the second
 18 occasion in response to this letter?
 19 A Yes.
 20 Q Did she meet with any particular group of
 21 people?
 22 A General staff. It was a faculty meeting.
 23 Q Did Ms. -- Dr. Rousseau address any of the
 24 specific contents of this letter during that staff
 25 meeting?

1 A The first one, severe overcrowding in many
 2 classes, teachers having to travel, she said that that
 3 was terrible, and she wished that it didn't have to
 4 happen.
 5 Q What did she say about the severe
 6 overcrowding?
 7 A Just that she knew that we were overcrowded,
 8 and that the district hadn't built any schools in -- I
 9 don't know -- 20 years or 25 years, whatever it is, and
 10 that she was new and was looking at all options. And
 11 asked us to help find short-term solutions that would
 12 help us right now, and that she was establishing a
 13 committee of all stakeholders to look into long-term
 14 solutions also, especially the creation of new schools
 15 in the Fremont attendance area. Not generally. That
 16 would help Fremont specifically.
 17 Q Were any of the other items listed next to
 18 bullet points in Exhibit 4 discussed by Dr. Rousseau at
 19 this general staff meeting?
 20 A Not specifically. She asked the teachers to
 21 say what issues were of concern to them or bring it up
 22 in any way that we wanted to bring it up, and then she
 23 responded. Then a couple more teachers spoke, and then
 24 the time was pretty much over.
 25 She did mention more classrooms; that she had

1 arranged for us to get four more bungalows finally put
 2 in working order.
 3 Q Were those bungalows that were already present
 4 on the school site?
 5 A Yes, they were there, and they had been worked
 6 on, but they weren't finished.
 7 Q Have those bungalows since become available?
 8 A Yes.
 9 Q Were those the bungalows you referred earlier
 10 in your testimony today?
 11 A Yes.
 12 Q Was this letter in Exhibit 4 sent to anybody
 13 else besides Dr. Rousseau?
 14 A I didn't send it. I don't think -- I don't
 15 know if anybody else sent it anywhere. I actually
 16 didn't do the sending. I gave it to Mat Taylor, and I
 17 believe he did the sending. I was kind of the typist.
 18 Q Was the relative population of Jordan and
 19 Locke discussed at that general staff meeting relative
 20 to Fremont?
 21 A Yes, someone brought it up. Someone from the
 22 audience brought it up, and Dr. Rousseau said that it
 23 was a very complicated issue, and that she was looking
 24 into it, but that that wasn't a short-term -- a
 25 short-term solution; that there were lots of -- because

1 it involved three different schools and bussing patterns
 2 from yet more schools; that it wasn't something that
 3 could happen right away.
 4 Q Did Dr. Rousseau say why Locke and Jordan were
 5 less crowded than Fremont?
 6 A We really didn't discuss it much. Once she
 7 said it was too complicated, we were more focused on
 8 short-term solutions that would bring relief right away.
 9 Q Did Dr. Rousseau mention that she had received
 10 this letter when she addressed the staff at this general
 11 staff meeting?
 12 A I think she said something like, "Thank you
 13 for inviting me to come to speak to you." I don't think
 14 she said, "I got your letter," but --
 15 Q She acknowledged the invitation?
 16 A She acknowledged the invitation.
 17 Q Was it the understanding -- was it your
 18 understanding attending that meeting that the purpose of
 19 the meeting was to respond to the issues raised in this
 20 letter?
 21 A It was a general faculty meeting. It was our
 22 scheduled faculty meeting, and we had some other
 23 business that we did at that, you know, regular school
 24 business before she spoke. But she came to that
 25 particular meeting because we would all be there.

1 MR. ROZWOOD: I'd like to mark the next
2 document as Exhibit 5, bearing states number PLT 12029.
3 (The document referred to was marked by
4 the CSR as Defendant's Exhibit 5 for
5 identification and attached to and made a part
6 of this deposition.)
7 BY MR. ROZWOOD:
8 Q Do you have a copy of Exhibit 5?
9 A Yes, I do.
10 Q Do you recognize this?
11 A Yes, I do.
12 Q Can you tell us what it is?
13 A It was a bulletin we got in our mailboxes from
14 the bilingual office about Xerox copies.
15 Q Okay. Do you make reference to this document
16 in your declaration?
17 MS. LHAMON: Speaks for itself.
18 BY MR. ROZWOOD:
19 Q Do you?
20 A I don't know this -- it's a continuing issue.
21 I don't know. We've received many bulletins like this
22 over several years. I don't know that this one came out
23 before I made my -- I don't know if it came out before
24 or after I made my declaration. We often get
25 instructions from both the bilingual office and the

1 Title I office about how to get copies made. It's a big
2 issue on campus.
3 MR. ROZWOOD: Okay. I'm going to mark your
4 declaration as Exhibit 6.
5 (The document referred to was marked by
6 the CSR as Defendant's Exhibit 6 for
7 identification and attached to and made a part
8 of this deposition.)
9 BY MR. ROZWOOD:
10 Q The document we marked bears PLTF 02123
11 through 02126. Do you recognize this document?
12 A Yes, I do.
13 Q Is this your signature on page 4 of
14 declaration?
15 A Yes, it is.
16 Q Did you sign on September 6th of 2001 --
17 A Yes, I did.
18 Q -- the statement in paragraph 14 on the
19 signature page, numbered paragraph 14?
20 A Yes.
21 Q Where it says, "There are no computers in the
22 library, and there is no Internet access there," that
23 statement is not currently true. Correct?
24 A It's not currently true as far as no
25 computers. I mean, there are computers now. They're

1 not available to use yet. They's just barely hooked up
2 but -- and there is no Internet access for students. I
3 have Internet access. My computer is in my office in
4 the library. Students don't have access to that.
5 Q So there's no Internet access for students in
6 the library?
7 A Right.
8 Q But there is Internet access for you?
9 A Yes.
10 Q And there are computers in the --
11 MS. LHAMON: Objection. Mischaracterizes her
12 testimony.
13 BY MR. ROZWOOD:
14 Q Then there are computers available in the
15 library for students to use currently. Correct?
16 A Not to use yet, no. They're in there, and
17 they're working, but we haven't set up a policy.
18 They've only been in there for, like, two days. So we
19 haven't established a policy for student use yet.
20 Q Who hasn't established a policy?
21 A The school hasn't. We have -- there's a
22 complication with the reading program, and I can't make
23 them available to students until it's decided by higher
24 up than me how they're going to be used by the reading
25 program. I mentioned before that one of the programs on

1 the computer has to do with reading.
2 Q Right.
3 A And I don't know who is doing it, the
4 technology coordinator, the principal, the reading
5 coordinator. They're all working on setting up a
6 schedule of how that is going to be used to help
7 students with their reading. So I believe District I is
8 involved in that. So I can't do anything until I know
9 how they are using the computers for reading.
10 Q The computers that have been recently set up
11 in the library for students' potential use or future
12 use -- those currently are equipped with word processing
13 software. Correct?
14 A Yes.
15 Q That's functional. Anyone could sit down if
16 the policy was in place and use those computers for word
17 processing?
18 A Yes.
19 Q Are the students permitted to use those
20 computers for word processing currently?
21 A No.
22 Q They're not going to be permitted to do that
23 until the policy on the reading software is adopted?
24 A Right.
25 Q On what do you base your understanding that a

1 policy needs to be adopted by the school before students
2 are permitted to use the word processing software on
3 these computers?

4 A We have policies for everything. There is
5 no -- for instance, there is no supervision for the
6 computers. No special supervision. So it would be an
7 additional job for me. We have no printers so the
8 students would have to have disks in order to save their
9 work and go somewhere else and get it printed. I don't
10 know when the reading people are going to be scheduled.
11 I may not have any time for students to use it. I'm
12 going to be told eventually how they're setting up
13 reading activities on those computers.

14 Q Are those computers intended solely for
15 reading use?

16 MS. LHAMON: Calls for speculation.

17 THE WITNESS: Depends on who you ask. For me,
18 no, they are -- this is strictly temporary. As far as
19 I'm concerned, they're for Internet access, to add to
20 the library facilities because we currently have no
21 Internet access for students.

22 BY MR. ROZWOOD:

23 Q In the library?

24 A In the library.

25 Q But you do have Internet access for students

1 Q I'm sorry. Go ahead.

2 A I don't remember what --

3 Q I guess -- let me ask you another question.

4 You were referring to your understanding that
5 there needed to be a policy in place before students
6 were permitted to use the computers in the library?

7 A Uh-huh.

8 Q I asked you what the basis for your
9 understanding of that was, and you testified that
10 because you have a policy for everything, and there are
11 a number of competing interests at the school site.

12 MS. LHAMON: Mischaracterizes the testimony.

13 MR. ROZWOOD: Is that accurate?

14 MS. LHAMON: The testimony will speak for
15 itself.

16 BY MR. ROZWOOD:

17 Q Why don't you speak for yourself and tell us
18 what your understanding of the policy is -- of the need
19 for that policy.

20 MS. LHAMON: Asked and answered.

21 BY MR. ROZWOOD:

22 Q Were you complete in your answer? You've
23 given us every basis for your understanding of why that
24 policy needs to be in place before you let the students
25 use the computers in your library?

1 on campus. Correct?

2 A I believe so.

3 Q How many computer labs are there at Fremont?

4 A I couldn't say. We have some labs that are
5 used for classes. Some labs that are -- some labs that
6 are used for computer classes. We have a computer
7 program to teach the kids how to use computers. We have
8 one lab that's funded through the bilingual program that
9 is especially to help the kids whose English is less
10 fluent. We have one lab -- I don't know exactly what
11 that lab is for. And then we have three that are
12 supposed to be built in a converted graphic arts
13 building.

14 Q Do you know how many computers the Fremont
15 school site currently has available for student use?

16 A No, I couldn't estimate.

17 Q Do any of the computers that are available for
18 student use at Fremont have Internet accessibility?

19 A I think so.

20 Q Do you know how many?

21 A No.

22 Q So when you were referring earlier to the
23 number of computers available for student use, you were
24 referring to just those in the library. Correct?

25 A Yeah, that's the only thing I know.

1 A It's because we have so many students and --
2 it's because our students don't have computers at home
3 is one of our problems. So they're desperate to use
4 computers at school. And we really -- we have so many
5 people who want to use the computers that we have to
6 have -- we have to have policies in place to make sure
7 that everybody gets a chance to. It's not always my
8 decision or whoever is running the lab or the computers.

9 Sometimes, for instance, District I is now
10 telling us that we have to put into place this program
11 called Fast Forward, which is a reading program on
12 computer. And so we're using those computers in the
13 library because they are there. We need all the
14 computers we can get to put into place this intensive
15 program, this intensive reading program.

16 So they're using it. If I had students coming
17 in, sitting down any time they wanted to use the
18 program, they might be already in the middle of their
19 paper when a teacher comes in with their class to do
20 something for Fast Forward. Then the computers aren't
21 ready for them to use, and it takes up their time. I
22 don't have a schedule yet. I don't have any idea how
23 they were going to be using my computers.

24 And in the meantime it's not a good idea to
25 have people using the computers any time. Teachers or

1 students using the computers because the process is
2 going to change -- it could already be in place when I
3 get there tomorrow. But maybe not. I don't know so I
4 want to be certain how they're going to be used.

5 Q Before you let any students use them?

6 A Yes.

7 Q Do you have any other reasons other than what
8 you've already testified to for your understanding that
9 a policy needs to be in place before students are
10 permitted to use the library computers?

11 A No.

12 Q Do you have any role at all in the formation
13 or development of the policy you're referring to?

14 A I was asked by the technology coordinator,
15 would I let them be used for the reading program, and I
16 said yes.

17 Q Is that the Fast Forward program you referred
18 to earlier?

19 A Yes.

20 Q To your knowledge does Fremont have any more
21 plans to add additional computers to the library?

22 A The plan is to add four more. We have four
23 more stations that don't have computers yet. That's
24 because those are going to be the cataloging computers,
25 when -- when we are computerized, the students will come

1 Does the technology plan -- or does Fremont have any
2 plan to provide diskettes for students to use?

3 A I can't buy that out of my budget. So I can't
4 say that I, you know -- that I have that plan. Anybody
5 else, I don't know. My budget doesn't allow me to buy
6 things like that.

7 Q What does your budget allow you to buy?

8 A Library books, videos, computer software, and
9 then anything that, like, supports that use. For
10 instance, if I had audio books, I could buy headphones
11 to listen to the audio books. That kind of thing. But
12 that's basically -- that's basically it.

13 Q On what do you base your understanding of what
14 your budget permits you to acquire?

15 A We received a printout from library services.
16 Not exactly a printout. A handout from library
17 services. I don't know if it came from the state or it
18 was generated by library services. But it had two
19 columns, and it was things that are okay to buy, and
20 things that are not okay to buy.

21 Q When you say "library services," are you
22 referring to District I library services?

23 A No. Library Services is centralized. It's
24 LAUSD Library Services.

25 Q Did you receive this from Ms. Mora?

1 in. There are what are called stand-up stations. And
2 the kids come in, type in "Civil War," and get a list of
3 books, and then move off. They won't have chairs.

4 Q To your knowledge the ten PC's are all the
5 PC's that you're going to be having?

6 A Yes, that's all we have room for. We're
7 jammed.

8 Q How about the SIS computer? Do you know where
9 that is going to go?

10 A There's a small office in the library that is
11 used by the testing coordinator. That will go in her
12 office, if we get it. I don't know that we're going to
13 get it.

14 Q Do you know if Fremont has any plans to
15 acquire printers for students to use in the library,
16 together with those computers?

17 A Yes, it's in the technology plan, the school
18 technology plan.

19 Q Do you know what the technology plan provides
20 in terms of printers for student use in the library?

21 A I know we'll have two. That's all I know.

22 Q Do you know when you're going to get those
23 printers?

24 A No.

25 Q How about disks? You mentioned diskettes.

1 A More. Ms. More. Yeah, at our last training
2 meeting she gave everybody one.

3 Q Did she give you anything else?

4 A There were some handouts from various
5 publishers, and somebody had given her some free
6 posters, and she was giving those out. Nothing.

7 Q Looking at your declaration, Exhibit 6, do you
8 see where you say in paragraph 3 on lines 10 through 11,
9 "The multitrack year-round schedule is extremely hard on
10 students and families"?

11 A Uh-huh.

12 MS. LHAMON: Mischaracterizes the testimony.

13 BY MR. ROZWOD:

14 Q Do you see the reference I'm referring to?

15 A Yes, I do.

16 Q What particular instances of hardship are you
17 referring to in that statement?

18 MS. LHAMON: Objection. The document speaks
19 for itself. It lists the instances.

20 BY MR. ROZWOD:

21 Q Is this document exhaustive of all the
22 instances of hardship that you're aware of that the
23 multitrack year-round schedule creates?

24 A I would say the only thing that's not included
25 in there is students. Like, our students are usually

1 the older students and families, and they often have
2 younger brothers and sisters who need to be supervised.
3 And if their younger brothers and sisters are on a
4 different track, it creates real problems for the
5 families because the little kids have to be supervised.
6 So sometimes our kids are kept home to help with the
7 little kids.

8 Q Are you aware of any students in particular
9 who were kept home as a result of the need for sibling
10 supervision as you've just described it?

11 A Not so that I could name them, but it's
12 common. You know, it's very common. Our kids stay home
13 to translate for parents, to take care of younger
14 brothers and sisters. Family is very important to them.
15 And if there's a family emergency or a family problem,
16 they take care of it.

17 Q Are you aware of any instances where a student
18 at Fremont was forced to miss school as a result of the
19 multitrack schedule?

20 A They wouldn't -- I wouldn't phrase it that
21 way. If they were on track and a younger brother or
22 sister was off track, I mean, if you want to call that
23 because of the multitrack schedule, yes. They wouldn't
24 say it that way. They would say, "I had to babysit."

25 Q Are you aware of any particular instances

1 come up with any names, but I have had students tell me,
2 "I can only work Saturdays and Sundays because I'm in
3 school," or, you know, "I had to give up that job."
4 Things like that.

5 Q How many students have told you things like
6 that?

7 A I don't know. Ten is -- I don't know that I
8 could guess. I mean, if a group -- if I'm talking to a
9 group of students, over a period of years, you know.

10 Q Well, you can just give us your best estimate,
11 if it's 1,000 over your 20 years at Fremont or if it's
12 100.

13 A We've only been year-round for five or six
14 years. I would say 50, if you need a round number.

15 Q We just want your best estimate.

16 A Yeah. I mean, I talk to groups more than
17 individual students because I'm in the library. I talk
18 to groups of students.

19 Q Do you see where you say, "Because of the
20 year-round multitrack schedule, there are always
21 students occupying the classrooms, so there is never a
22 period of 'down time' during which the school can
23 undertake major repairs"?

24 A Yes.

25 Q Since the school -- you said the school turned

1 where that's occurred?

2 A I have had students tell me that. Not
3 students -- you know, it's -- it's often just in big
4 groups or even small groups of three or four students.
5 You know, it wouldn't be, like, a private conversation,
6 and I wouldn't even necessarily know the student's name.
7 But it's kind of common knowledge around the school.

8 Q Has anyone ever told you that they had to miss
9 school because they had to babysit a sibling who was on
10 another track?

11 A Yes.

12 Q Who?

13 A Go ahead.

14 MR. FERNOW: I would like to note a general
15 objection for the record that the district believes that
16 these students have a right to privacy so I'm just
17 objecting for the record that we believe that this
18 invades their right to privacy.

19 THE WITNESS: And I couldn't tell you any
20 names anyway.

21 BY MR. ROZWOOD:

22 Q Are you aware of any specific instances where
23 students were prevented from getting jobs as a result of
24 the multitrack schedule?

25 A Yes, with the same qualifications. I couldn't

1 multitrack five or six years ago?

2 A Uh-huh. Yes.

3 Q Is that, like, 1995 or 1994?

4 A You know, I don't remember the year, but it
5 was the year that Rosa Morley (phonetic) became
6 principal. Whatever year that was.

7 Q Since that time have you seen Fremont
8 undertake any major repairs to its school facilities?

9 MS. LHAMON: The question is vague. Just as
10 to what it means that Fremont is undertaking repair to
11 its school facilities.

12 BY MR. ROZWOOD:

13 Q I'm just trying to use the language that you
14 use in your declaration. Whatever meaning you used
15 it --

16 A For instance, replacing ceiling tiles that
17 have been damaged by leaking roofs.

18 Q Fremont school has done that --

19 A They haven't.

20 Q Let me finish my question. Then you can
21 answer.

22 My question is since the time that Fremont has
23 gone to multitrack schedule, has Fremont undertaken any
24 major repairs in the sense you used it on line 17 of
25 paragraph 3?

1 MS. LHAMON: I want to object that you had
2 finished your question. She was answering. She may not
3 have been answering the question you asked. She wasn't
4 interrupting you.

5 MR. ROZWOOD: She interrupted my previous
6 question, which is why she didn't get my question
7 correct. She's answering all the things Fremont had
8 done.

9 MS. LHAMON: I had time to get in an
10 objection. It's not clear to me how she could have
11 interrupted.

12 MR. ROZWOOD: The reason I'm making this
13 objection is because it's not the first time the
14 reporter is having difficulty getting everything down.
15 So --

16 MS. LHAMON: I haven't objected any of the
17 times that you've objected appropriately when she's
18 interrupted you. I'm objecting now because she hasn't
19 interrupted you. But we don't need to waste time on
20 this.

21 BY MR. ROZWOOD:

22 Q So the question is since the time Fremont went
23 on the multitrack schedule about five or six years ago,
24 have you experienced -- has Fremont, to your knowledge,
25 undertaken any major repairs, in the sense that you use

1 individual rooms.

2 Q Now, all the rooms have air conditioning?

3 A I don't know that all of them do.

4 Q To your knowledge?

5 A I would say to my knowledge most of them do.

6 Q Are you aware of any classrooms that don't
7 have air conditioning at Fremont?

8 A There are -- well, I assume you're talking
9 about working air conditioning. They may have a unit in
10 the room, but sometimes they don't work. But, no, to my
11 knowledge there isn't one that doesn't have a unit in it
12 working or otherwise.

13 Q Other than the tiling in the first floor of
14 the main building, the Internet wiring and the air
15 conditioning installation, have there been any other
16 major repairs undertaken by Fremont since it's gone on
17 multitrack schedule?

18 A They re-seeded the lawn.

19 Q Can you think of anything else?

20 A No, that's it.

21 Q No work on either of the gyms, to your
22 knowledge?

23 A No.

24 Q Any paint, painting, school site painting?

25 A We don't consider that a major repair. That

1 it here in your declaration?

2 A Yes, but they've undertaken those repairs
3 while school was in session. What I referred to is a
4 period of down time when nobody is on campus.

5 Q Let's just review the major repairs that
6 Fremont has undertaken since the multitrack schedule was
7 adopted, to your knowledge.

8 A Okay. First floor of the main building they
9 put in new tile.

10 Q The entire first floor?

11 A I think so.

12 Q Including the rest rooms?

13 A I don't know because I don't -- I don't see
14 the student rest rooms.

15 Q Can you think of anything else that Fremont
16 has done since it became multitrack schedule?

17 A Currently, they're doing wiring for the
18 Internet for the whole school, and there are big holes
19 in the ceilings with plastic taped over them.

20 Q Any other major repairs that you can think of
21 that Fremont has undertaken since it's begun on the
22 multitrack schedule?

23 A Air conditioning.

24 Q What do you mean by that?

25 A We didn't have air conditioners in the

1 goes on all the time.

2 Q How often?

3 A Every day.

4 Q Why is that?

5 MS. LHAMON: Calls for speculation.

6 BY MR. ROZWOOD:

7 Q If you know.

8 A They cover up tagging, or we hope they cover
9 up tagging.

10 Q Which refers to graffiti?

11 A Yes.

12 Q Put on the walls by the students?

13 A I don't know.

14 MS. LHAMON: Calls for speculation.

15 THE WITNESS: It it happens overnight, we
16 usually think it's the neighborhood.

17 BY MR. ROZWOOD:

18 Q Is it a bad neighborhood?

19 MS. LHAMON: Vague as to "bad." Calls for
20 speculation.

21 THE WITNESS: It's a poor neighborhood.

22 BY MR. ROZWOOD:

23 Q You're talking about economically poor?

24 A Yes.

25 Q With respect to the tiling in the main

1 building, when did that occur on the first floor of the
2 main building? What year?

3 A I think it was right before accreditation. So
4 it would be about two years ago.

5 Q Do you know -- are classes held on the first
6 floor of the main building?

7 A Yes.

8 Q And do you know when the tiling project was --
9 took place in terms of during the school day?

10 A All day.

11 Q How many -- how long did that project go on
12 for?

13 A I'd say a couple weeks.

14 Q To your knowledge did that tiling of the main
15 building first floor interfere with any of the
16 classrooms?

17 MS. LHAMON: Calls for speculation.

18 BY MR. ROZWOOD:

19 Q Just to your knowledge.

20 A It made it hard to get to some classes, and
21 some rooms were totally blocked off because you
22 couldn't -- when the floor was torn up, you couldn't
23 walk there, and the classes had to be relocated.

24 Q Okay. To your knowledge -- I mean, did you
25 have a classroom in that area?

1 the replacement of the tile on the first floor of the
2 main building interfered with any classroom activity?

3 MS. LHAMON: Calls for expert testimony.

4 THE WITNESS: In the sense that some rooms
5 were hard to get to or were actually closed off and
6 relocated, yes.

7 BY MR. ROZWOOD:

8 Q What instances are you aware of?

9 A There were times where we couldn't walk from
10 the door by the library to where it says room 109, 108
11 and 109 it would be taped off, and it would be because
12 the floor was torn up.

13 Q Do you know what happened to those classrooms
14 during that period of time?

15 A No, I don't. I do know some went to the
16 cafeteria; some went to the lunch benches, and a couple
17 came to the library.

18 Q Were you the librarian at that time?

19 A Yes, I was.

20 Q And how do you know that some of those
21 displaced classes went to the auditorium?

22 A Not -- to the cafeteria. They may have gone
23 to the auditorium, but I don't know that. That's what I
24 was told.

25 Q Who told you that?

1 A No.

2 Q Actually, what I'll do is mark a map, an area
3 map as Exhibit 7 of Fremont High School.

4 (The document referred to was marked by
5 the CSR as Defendant's Exhibit 7 for
6 identification and attached to and made a part
7 of this deposition.)

8 BY MR. ROZWOOD:

9 Q I see on this map -- do you have a copy of
10 Exhibit 7?

11 A Yes, I do.

12 Q I see a first floor, which includes a library
13 at one end and a bunch of numbered rooms and what looks
14 like the auditorium at the other end.

15 A Right.

16 Q Is that the first floor you're referring to?

17 A Yes, it is.

18 Q Did the new tile get replaced all the way from
19 the auditorium to the library?

20 A Yes.

21 Q Was it just the hallway or all the classroom
22 floors as well?

23 A I believe it was just the hallway, but I could
24 be wrong.

25 Q Are you aware of any specific instances where

1 A Teachers probably.

2 Q Do you remember which teachers?

3 A No.

4 Q Other than the cafeteria and library, do you
5 know where else the classrooms were relocated?

6 A My understanding is lunch benches, which
7 are -- you can't see it on here, but it's by the
8 cafeteria. Okay. Where it says finance office on the
9 central map, that blank area there has lunch benches in
10 it right next to the cafeteria.

11 Q Between the finance office and the --

12 A Cafeteria, right. Those are the same areas
13 that we always use when we need extra class space. For
14 whatever reason it is, those are the areas we use.

15 Q Okay. How about the wiring for the Internet
16 accessibility? Where on this map does that have an
17 impact?

18 A On the first-floor ceilings.

19 Q Of the main building?

20 A Yeah.

21 Q Anywhere else that you're aware of on
22 campus --

23 A I have wires in the library, you know, rolled
24 up bales of wire because the wiring is not finished in
25 there, but I don't know if that's what you're asking.

1 Other than that, I don't know.

2 Q Are you aware of any specific instances where
3 the -- let's call it Internet construction work is
4 interfering with the classroom activities at Fremont?

5 MS. LHAMON: Calls for expert testimony.

6 THE WITNESS: Classroom activities probably
7 not. Things that actually happen in the classroom --
8 Although I don't get out of the library very often.

9 BY MR. ROZWOOD:

10 Q I'm just asking what you know.

11 A Yeah. What I notice, that it makes the place
12 look even worse than it usually looks. We have big
13 holes, like, three foot by three foot holes, maybe ten
14 of them. And they tape with masking tape. They tape
15 plastic over it. Half of them are falling down. So you
16 walk through the hall, and you have all this stuff
17 hanging.

18 MS. LHAMON: I will ask you not to interrupt
19 when she's talking.

20 MR. ROZWOOD: Yeah, as long as you instruct
21 your client not to do the same thing in return.

22 MS. LHAMON: You've already given her that
23 instruction.

24 MR. ROZWOOD: She's not following it.

25 MS. LHAMON: I think she is, for the most

1 the general atmosphere of the place. We can't -- can't
2 get from one end of the campus to the other without
3 having construction going on around us of one sort or
4 another.

5 BY MR. ROZWOOD:

6 Q How long has the Internet wiring construction
7 project lasted?

8 A Oh, months and months and months. It's a big
9 issue with the district. The company went out of
10 business. They were taken over by another company.
11 That company went out of business. There's -- I don't
12 know. You would have to talk to the technology
13 coordinator. He could tell you exactly. He's handled
14 all of it.

15 Q Mr. Mora?

16 A Yep.

17 Q Has he been there from the get-go at Fremont
18 with respect to the technology project?

19 A Yes.

20 MS. LHAMON: Vague as to "get-go."

21 MR. ROZWOOD: She's tough.

22 MS. LHAMON: Just literate.

23 MR. ROZWOOD: You're accusing me of being
24 illiterate.

25 MS. LHAMON: I am not. I'm saying that I'm

1 part.

2 MR. ROZWOOD: I'm not saying she's not trying.
3 We are both having a difficult time determining when the
4 other is finished talking, but I'll do the best that I
5 can to wait until she's finished answering.

6 Q Are you aware of any specific instances where
7 the Internet construction activity interfered with any
8 particular student's ability to learn the subject matter
9 of their class?

10 A No.

11 Q Are you aware of any specific instances where
12 the tile construction on the first floor of the main
13 building interfered with the student's ability to learn
14 the subject matter of a given class?

15 MS. LHAMON: Calls for expert testimony.

16 THE WITNESS: It also kind of indicates that,
17 you know -- you haven't been there when this kind of
18 stuff is going on. The students -- the students might
19 try to get into the building, and then find out that
20 it's taped off. And, you know, they can't get to the
21 door to see where their class is being held.

22 So in the sense -- in the sense that, you
23 know, they couldn't -- in one particular class period,
24 with one particular teacher, I couldn't say -- I
25 couldn't say that it interfered, but it interferes with

1 illiterate.

2 MR. ROZWOOD: Defamation continues, Ms.
3 Lhamon.

4 MS. LHAMON: We haven't even started yet.

5 BY MR. ROZWOOD:

6 Q With respect to the air conditioning
7 installation, how long did that process last?

8 MS. LHAMON: Calls for speculation.

9 THE WITNESS: I'd say the better part of a
10 year. At least seven or eight months.

11 BY MR. ROZWOOD:

12 Q And do you have any knowledge as to how the
13 air conditioning units were installed with -- in the
14 classrooms, in the Fremont classrooms?

15 A Only what I've seen. They took -- our rooms
16 have windows in them, and they, like, took out one
17 window and put the units in that window space.
18 Generally, that's in the classrooms.

19 Q Was this done during class time?

20 A Yes.

21 Q While students were in the class?

22 A Yes.

23 MS. LHAMON: Calls for speculation to the
24 extent she was in the classroom.

25 THE WITNESS: I wasn't in all the classrooms,

1 no. Teachers complained about the noise.
 2 BY MR. ROZWOOD:
 3 Q Were you present in any classroom where an air
 4 conditioning unit was installed during this period?
 5 A No.
 6 Q What did teachers tell you about the impact
 7 that the air conditioning unit installation had on their
 8 ability to teach their class?
 9 A That there was a lot of pounding and sawing
 10 involved.
 11 Q Did they tell you how long that pounding and
 12 you sawing lasted?
 13 MS. LHAMON: The question is compound. It may
 14 have been different for different teachers.
 15 BY MR. ROZWOOD:
 16 Q You can answer for each teacher that told you,
 17 if you like.
 18 MS. LHAMON: Compound.
 19 THE WITNESS: No. Days, but nothing
 20 specific.
 21 BY MR. ROZWOOD:
 22 Q That's days for each unit, to your
 23 understanding, based on what they told you?
 24 A Each room only has one unit.
 25 Q Correct. So it took several days for each

1 unit to be installed in each classroom. Is that your
 2 understanding?
 3 A Yes. And, I mean, there was a big crew on
 4 campus -- it wasn't like they did one and then one and
 5 then one. They would do several, and then another
 6 several. Like that.
 7 Q Which -- look at the map on Exhibit 7,
 8 which -- before you became a librarian, which classroom
 9 or rooms did you teach in?
 10 A When I first started, I was on the first floor
 11 of the main building. I actually traveled my first
 12 year. 109 was one of my rooms. Then I went up to the
 13 second floor. Eventually, I found a room that wasn't
 14 being used. Room 323. I was there for several years.
 15 And then I can't see -- next to the cafeteria you see
 16 the C building. I was in C4 for about four years. The
 17 printing is really small. It says C6, but it's C1 to
 18 C6. There are six rooms in that building, and I was in
 19 C4.
 20 And then back at the very back by the
 21 agriculture area, when I had art production and
 22 community service, I shared a room with a teacher. At
 23 that time it was room 521. It now has a different
 24 number. I don't know what number it has.
 25 Q 109 was your first room when you started back

1 in 1983?
 2 A Yes. It was one of them.
 3 Q Did that one have air conditioning back then?
 4 A No.
 5 Q Do you know if it ever got air conditioning?
 6 A I think all of the classrooms have air
 7 conditioning. They were all done at the same time.
 8 Q This is part of the installation you were just
 9 describing?
 10 A Right.
 11 Q When did the air conditioning installation
 12 begin?
 13 A I don't know. It was after we went
 14 year-round. Other than that, I don't really remember.
 15 Q Was it after you became the school librarian?
 16 A No. It was before.
 17 Q Which classroom were you teaching in at that
 18 time?
 19 A 521. I was in 521 when they put the air
 20 conditioning in.
 21 Q Into room 521?
 22 A Right.
 23 Q Were you teaching -- which class were you
 24 teaching at that time?
 25 A Art production and community service.

1 Q Can you describe your experience with the
 2 installation of the air conditioning unit in room 521?
 3 A 521 is a warehouse. I mean, it's built like a
 4 warehouse. It has high ceilings. It was an old shop
 5 class. And they used different units than they use in
 6 the regular classrooms. Our units were overhead, and
 7 they had big duct work, and it was not -- you know, it's
 8 not like a window unit that they use in the classrooms.
 9 I think there are two units in that big space.
 10 Q Were those installed while you were a teacher?
 11 A Yes.
 12 Q And were those installed during your classes?
 13 A Yes.
 14 Q The overhead air conditioning units were
 15 installed during class time?
 16 A Yes.
 17 Q And how many days did that take?
 18 A It was two to three weeks. We had to be out
 19 of the room. We were transferred to another room.
 20 Q Where were you transferred?
 21 A If you look at the back of the L-shaped
 22 building, that says 521 to 529.
 23 Q Next to the agriculture area?
 24 A Right. There is even a bigger room back at
 25 the back of that. We were put in there to share the

1 room.

2 Q Share the room with other classes?

3 A One other class. Sometimes one; sometimes

4 two.

5 Q And this went on for a period of two to three

6 weeks, until the air conditioning unit was installed?

7 A Yes.

8 Q So the installation didn't occur while

9 children were actually in the classroom, in room 521.

10 Correct?

11 A No. Yes, that is correct. They did do some

12 adjustments while we were in the classroom at the end.

13 Once we had moved back, they would come in and check,

14 make tests, check to make sure things were working.

15 They'd get up on big ladders while we were in there, but

16 not the construction.

17 Q Adjustments to make sure the temperature

18 control was working?

19 A I don't know what they were doing.

20 Q Did you ever have any conversations with the

21 people who were installing the air conditioning unit in

22 room 521?

23 A You know, passing conversations.

24 Q Anything about the purpose of their

25 adjustments or checking post installation?

1 A No.

2 Q Did you ever ask them if they could install

3 these air conditioning units before or after school?

4 A No. No.

5 Q Why is that funny?

6 A It takes so long to get anything repaired that

7 when we see the repair people, we feel like kissing

8 their feet, and that's the truth. We don't argue. We

9 don't ask questions. We just say, "Come on in." And it

10 doesn't matter who they are. They could be air

11 conditioning guys. They could be anybody. We're just

12 glad to see them.

13 Q How long did it take to re-seed the lawn?

14 Which lawn are you referring to, by the way?

15 A It doesn't show -- oh, yeah, it does. See the

16 circle in the center. That's the fountain. And then

17 this -- between the auditorium and where it says

18 "classrooms," next to the administration.

19 Q Yes.

20 A That's a big grass area right there. And then

21 you can't really see all the other grass areas, but

22 there are various smaller grass areas in the quad, the

23 central area in between all the buildings.

24 Q How long did that re-seeding process take

25 place?

1 A A couple weeks. That was done before -- right

2 before accreditation.

3 Q Together with the retiling of the first floor

4 on the main building?

5 A Yes.

6 Q To your knowledge did the re-seeding of the

7 lawn in the quad area interfere with any student's

8 ability to learn the subject matter of their

9 classrooms -- or their classes?

10 MS. LHAMON: Calls for expert testimony. Just

11 for simplicity of the record, any time you ask about

12 whether something interfered with the student's ability

13 to learn in their classrooms, I am going to interpose a

14 continuing objection that it calls for expert

15 testimony.

16 THE WITNESS: I couldn't say, you know, a math

17 class, a science class, whatever. I know that the

18 fertilizer was real stinky.

19 BY MR. ROZWOOD:

20 Q You said that it takes a long time to get

21 things fixed, and so whenever you see a custodial staff

22 person, you're just grateful to have them there?

23 MS. LHAMON: Mischaracterizes the testimony of

24 the witness.

25 THE WITNESS: Yeah, not custodians. Repair

1 guys.

2 BY MR. ROZWOOD:

3 Q What do you mean "repair guys"? What's the

4 difference?

5 A Carpenters, plumbers or electricians.

6 Q People from off the school site. Correct?

7 A Right.

8 Q Or do you have permanent people like that?

9 A Our custodians try real hard to help us. If

10 it's something that they can do, they'll do it. But

11 basically it's people from off site.

12 Q Sent by the LA Unified School District?

13 MS. LHAMON: Calls for speculation.

14 BY MR. ROZWOOD:

15 Q Or do you know?

16 A I don't know.

17 Q That's okay.

18 A We heard that some things were contracted out,

19 but I wouldn't know what was what.

20 MS. LHAMON: We've been going for about an

21 hour. Do you want to take a break?

22 MR. ROZWOOD: Sure.

23 (Brief Recess Taken.)

24 BY MR. ROZWOOD:

25 Q I'm going to ask you a few questions about how

1 the problems at Fremont get communicated to people
2 responsible for, you know, fixing them. If that makes
3 sense.

4 Do you know who is responsible for facilities
5 repaired, maintenance issues at Fremont, if anyone?

6 MS. LHAMON: Calls for a legal conclusion and
7 for speculation.

8 THE WITNESS: The person I go to is the head
9 custodian. Mr. Ceja.

10 BY MR. ROZWOOD:

11 Q Mr. Ceja.

12 A If it is something that I think requires -- we
13 have a form, a written form that we submit. If it's
14 something that I think needs administration attention, I
15 go to Mr. Hemmans.

16 Q What do you use the written form for?

17 A To request repairs or work. If I need the
18 carpet cleaned, I write it down, and we leave it in a
19 box in the main office.

20 Q Where is that box located?

21 A It's on a table across from the desk, the big
22 desk.

23 Q Do all the teachers know where that box is
24 located?

25 A I couldn't say.

1 shift at Fremont?

2 A Yes.

3 Q Is there a separate custodial staff available
4 on the weekends as well?

5 A I don't know.

6 Q Do you know what work shift Mr. Ceja and his
7 staff have on the day shift?

8 A I know they're there before I get there. And
9 I get there at 7:00. So I know they come in early
10 and -- I don't know. I don't know what time Mr. Ceja
11 leaves or his people. Sometimes they're there when I
12 leave at 4:00. So I'm not really sure what their shift
13 is.

14 Q Do you have any understanding as to what
15 Mr. Ceja's -- strike that.

16 What the responsibilities of Mr. Ceja and his
17 crew are at Fremont?

18 A I know some things that they do.

19 Q What are they?

20 A They do regular, like, clean up in the rooms,
21 empty the trash, vacuum, if the room has carpeting,
22 clean the bathrooms. In the library they do the
23 bathrooms, and then they restock the toilet paper and
24 paper towels and things like that. Every semester, I
25 guess, they wax the floors. There's some kind of

1 Q That's fair. How did you first learn that
2 that box existed?

3 A It didn't always exist. It's been there, I
4 think, maybe three or four years. Before that you would
5 just write it on any old piece of paper and give it to
6 whoever you thought it should go to. This is a form
7 that stays the same all the time. And I think when it
8 was started, I probably wrote it on a scrap of paper or
9 a piece -- even a piece of paper, and somebody sent me
10 the form and said "use these forms."

11 Q Were those forms that you're referring to in
12 existence before you became the school librarian?

13 A Yes, they were.

14 Q To your knowledge what happens to those forms
15 after you leave them in the back?

16 A They go to Mr. Ceja, and there's a top part
17 where you put your request, and there's a bottom part
18 that he sends back to you that tells you what's going to
19 happen to your question.

20 Q Do you know how many people Mr. Ceja has under
21 his supervision at Fremont?

22 A Other than not enough, No. I see probably ten
23 custodians, but those are only the daytime people. I
24 couldn't say for sure. Probably more than ten.

25 Q Is there a night shift as well as the day

1 schedule. I don't know what the schedule is for waxing
2 the floors, but there's some kind of schedule for waxing
3 the floors. I know they do that.

4 Q Throughout the school?

5 A Yes.

6 Q Is that done during class time as well?

7 A No.

8 Q When is that done?

9 A At night sometime. Or maybe on the weekends.
10 I'm not positive.

11 Q Since you've been there, the floors have never
12 been waxed during class time, to your knowledge?

13 A Not to my knowledge.

14 Q When is the room cleanup done during the
15 school day, if you know?

16 A They come after school. The teachers leave
17 about 3:30.

18 Q And is that the time, to your knowledge, the
19 trash is emptied?

20 A Uh-huh.

21 MS. LHAMON: Yes or no.

22 BY MR. ROZWOOD:

23 Q And the carpets?

24 MS. LHAMON: You didn't give a verbal
25 answer.

1 ///
 2 BY MR. ROZWOOD:
 3 Q Do you want to give a verbal answer?
 4 A Yes.
 5 Q Is that your verbal answer to the last
 6 question?
 7 A Yes.
 8 The carpet is done at night when I'm gone.
 9 Q When are the bathrooms clean?
 10 A At night.
 11 MR. FERNOW: Objection. Calls for
 12 speculation.
 13 MS. LHAMON: Join.
 14 THE WITNESS: Sometime after I leave before I
 15 get there, yeah.
 16 BY MR. ROZWOOD:
 17 Q But to your knowledge the bathrooms in the --
 18 are the bathrooms in the library?
 19 A We have two. A men's and women's.
 20 Q Available for students to use?
 21 A Yes.
 22 Q Are they unlocked at all times during the
 23 school day?
 24 A Never unlocked.
 25 Q They're always locked?

1 A They have to get a key from me.
 2 Q Got it. Students have to get a key from you
 3 at lunch and nutrition as well. Correct?
 4 A Yes.
 5 Q Do you have any knowledge as to when the
 6 library bathrooms are restocked, how many times
 7 throughout the week, for example?
 8 A I don't know on what basis they do it, other
 9 than, you know, eyeballing. We went -- two weeks ago we
 10 went four days without having any toilet paper, until we
 11 actually had to ask, "please, put more toilet paper in
 12 there." So I don't know how they decide.
 13 Q Do you have any knowledge about how often the
 14 custodial staff refills the other bathroom supplies such
 15 as soap, paper towels?
 16 A You mean in other bathrooms other than the
 17 library?
 18 Q No, just your bathroom.
 19 A No, I don't know what -- how they decide when
 20 to do it. We often have to ask.
 21 Q How often?
 22 A At least a couple times a month we're out of
 23 something.
 24 Q Are the bathrooms cleaned or restocked at any
 25 time during the day in the library?

1 A No. They never have been since I've been
 2 there. Well, let me clarify that. If we say we're out
 3 of paper towels, they might -- during the day they might
 4 bring us a pack of paper towels. But they don't go in
 5 and clean or do anything during the day. Our custodians
 6 try to be as helpful as they can to the teachers. If we
 7 tell them we're out of something, they'll try to get it
 8 to us.
 9 Q How do you tell them that you're out of
 10 something?
 11 A Some of them come to the library to read on
 12 their break, and so I take advantage of them, seeing
 13 them. And I might -- you know, I might go looking for
 14 one, if we need something. We have two or three who are
 15 especially helpful, and we look for those two or three.
 16 Q If you look at Exhibit 7, the area map, is
 17 there a place where the custodial staff has its supplies
 18 or an office of any kind?
 19 A The plant manager's office you see on here is
 20 number 15, and it's on the first floor over by the
 21 library next to the elevator at the library end.
 22 Q So pretty much right next to the door to the
 23 library?
 24 A That's the plant manager office. Then on the
 25 opposite end of the campus, 529, where it says 521 to

1 529, there's a really big, big room that used to be the
 2 metal shop at the end there. And it's now the
 3 custodian's storage stuff.
 4 That's their big storeroom that I know of
 5 because their other storeroom was taken away to use as
 6 classrooms.
 7 Q Can I ask you to take this pen and mark
 8 Exhibit 7 to indicate where the custodial --
 9 A This is their storage area.
 10 Q Okay. Can you put a code, like, CS for
 11 custodial storage area or CSA so we know.
 12 MS. LHAMON: Just so we're clear, you're
 13 marking that next to an X that you've written on the map
 14 in the L-shaped building that's labeled 521 to 529 on
 15 Exhibit 7. Is that clear? Is that correct?
 16 THE WITNESS: Yes, that's correct.
 17 BY MR. ROZWOOD:
 18 Q You can hold on to your map. Is there any way
 19 to leave a message for Mr. Ceja in his office regarding
 20 the condition of rest rooms at the school site?
 21 MS. LHAMON: Calls for speculation.
 22 THE WITNESS: Sure.
 23 BY MR. ROZWOOD:
 24 Q How do you do that?
 25 MR. FERNOW: Join.

1 THE WITNESS: If I need to leave him a
2 message, I call his extension. If he is there, he picks
3 up. If he's not, I leave a message.
4 BY MR. ROZWOOD:
5 Q What phone do you use to do that?
6 A The school phone.
7 Q In the library?
8 A Yes.
9 Q When you leave a message for Mr. Ceja, is he
10 responsive to your call?
11 MS. LHAMON: Incomplete hypothetical and also
12 it's vague as to responsive. Do you mean does he
13 respond, or does he do what she wants him to do?
14 BY MR. ROZWOOD:
15 Q Have you ever left Mr. Ceja a message?
16 A Yes.
17 Q On how many occasions? Hundreds?
18 A Not hundreds, but --
19 Q Dozens?
20 A Yeah.
21 Q About what?
22 A Anything that I thought he could help with.
23 It might be we need more paper in the library for the
24 copy machine. It could be the toilet is plugged. My
25 lock is broken. The sink -- you know, the sink is

1 leaking in the kitchen part. You know, anything that
2 has to do with custodians.
3 Q On those occasions when you left a message,
4 were the problems you identified in your voice mail
5 responded to?
6 A If it was something that he could do, he
7 always does. Sometimes he'll tell me, we can't do that,
8 but I send a trouble message in or -- a trouble call is
9 into the district.
10 Q That's a telephone call to the district?
11 A To my knowledge.
12 Q Have you ever made a trouble call to the
13 district?
14 A No.
15 Q Were you referring to something else that you
16 do when Mr. Ceja is unable to help you, when you said
17 trouble call, or maybe I didn't understand you?
18 A No, he makes the trouble call. He'll call me
19 back and say -- for instance, if the air conditioning is
20 broken, he'll call me back and say, "That's not
21 something we can fix. I already called it in. They
22 said they'll send somebody tomorrow morning" or
23 whenever. Whatever they said.
24 Q Okay. When do you use the written request
25 form that you leave in the box in the main office versus

1 just leaving Mr. Ceja a voice mail?
2 A If it's something more urgent, I try to call
3 him first. For instance, if something gets spilled on
4 the carpeting and it needs to be cleaned right away
5 before it ruins the carpeting. Or if the air
6 conditioning is not working, I'll call so that he can
7 get my tone of voice that we're really hot, and we need
8 it fixed. Although I know he knows it. But if it's
9 something that I can foresee, for instance, that it's
10 been two months since the carpet was cleaned, and could
11 he schedule us for another carpet cleaning, I'll put
12 that in writing.
13 Q If you see a pest or a rodent or a roach or an
14 insect or something, are those types of problems
15 addressed in a similar fashion with Mr. Ceja?
16 MS. LHAMON: Calls for speculation. And
17 incomplete hypothetical and vague.
18 THE WITNESS: When I've seen roaches in the
19 library, I usually put down -- or ants, I put down, you
20 know, ants traps or roach traps. I don't call him about
21 that. He has plenty of stuff to do.
22 BY MR. ROZWOOD:
23 Q So you've never used a written request form
24 to address a pest problem at Fremont?
25 A When I was in 521, there was a closet that had

1 big holes in it and pipes running through the holes. I
2 guess they were steam pipes or something. I'm not sure
3 what they were. But we asked that they be blocked up
4 because we had seen some rats in the closet. We thought
5 they might be coming through the holes.
6 Q Were the holes blocked up?
7 A I don't know.
8 Q Who did you ask to block them up?
9 A It would have gone to our school, to the
10 school -- Mr. Ceja. But because it involved a wall, he
11 might have responded that it had to be done by
12 plasterers or something. The unions are real specific
13 about what they do and what they don't do.
14 Q Did you make that request to close up the
15 holes in the closet in room 521 in writing or verbally?
16 A It probably was in writing on one of those
17 forms.
18 Q Can you think of any other occasions in which
19 you made a written request for repair for maintenance
20 work for Mr. Ceja relating to rodents or insects?
21 A No.
22 Q On how many occasions have you observed vermin
23 on the school site at Fremont?
24 A Does that cover everything that we would
25 rather not be there?

1 MS. LHAMON: Students you don't like.
 2 THE WITNESS: Not students, but I mean that
 3 includes insects and rats and mice?
 4 BY MR. ROZWOOD:
 5 Q We can address them one at a time. I think a
 6 vermin is something different, but we can talk about
 7 insects too. Let's talk about things that you've seen
 8 that you wish weren't there?
 9 MS. LHAMON: Not including students. Right?
 10 THE WITNESS: Right. Or kids you don't
 11 like.
 12 MR. ROZWOOD: This is for the benefit of the
 13 students.
 14 MS. LHAMON: I think so too. I just want to
 15 make sure the record is clear. Things you don't like
 16 doesn't include students you don't like.
 17 THE WITNESS: In 521 we had roaches and rats
 18 and mice. I'm not a biologist, but the big ones we
 19 assumed were rats, and the small ones we assumed were
 20 mice.
 21 BY MR. ROZWOOD:
 22 Q How many times did you see rats in room 521?
 23 A Three times that I can specifically recall
 24 where I was standing and, you know, where the rat was.
 25 Q How many times have you -- did you see mice in

1 did you do?
 2 A I don't know. There are a lot of rat stories
 3 at Fremont. We talked about the possibility of getting
 4 a cat since we were back in the back. We -- I probably
 5 didn't do anything.
 6 Q Did you tell anybody that you saw the rats?
 7 A Oh, okay. Yeah.
 8 Q Who did you tell?
 9 A I told the other teacher that I was with,
 10 Debbie Barkin (phonetic), who shared the room with me.
 11 And I probably told the custodians, but it wasn't
 12 Mr. Ceja. It was before Mr. Ceja, whoever that person
 13 was, the head custodian.
 14 Q And this was before you became school
 15 librarian?
 16 A Yes. I don't remember his name.
 17 Q And did the custodian at the time take any
 18 action in response to your complaint?
 19 MS. LHAMON: Calls for speculation.
 20 MR. FERNOW: Join.
 21 THE WITNESS: I don't know. And we never had
 22 traps put down or anything like that, but we didn't
 23 think anything was going to be done. I don't think
 24 there is anything that -- I don't know that anything
 25 could have been done. We're right next to the garden.

1 room 521?
 2 A The mice were in 529. That was when we were
 3 back using 529. And it was just once or twice while we
 4 were back there, they would scurry. Scurry by along the
 5 wall.
 6 Q Did you see mice anywhere else on -- on the
 7 school site at Fremont?
 8 A I saw a dead one in a trap in room 106. No,
 9 it wasn't. Let me -- wait a minute.
 10 Yeah, room 106.
 11 Q You checked the map in Exhibit 7 to verify
 12 that?
 13 A Right.
 14 Q Did you see any mice anywhere else on the
 15 Fremont school site?
 16 A Not that I can recall.
 17 Q Have you seen any other rats other than the
 18 rats you saw in room 521 at Fremont?
 19 A No.
 20 Q How about roaches? Anywhere else besides room
 21 521?
 22 A There have been a few in the library.
 23 Q Anywhere else on campus?
 24 A No, those are the places that I go mostly.
 25 Q When you witnessed the rats in room 521, what

1 That building is right next to the garden area, and
 2 people report seeing rats there all the time.
 3 BY MR. ROZWOOD:
 4 Q Can you put a G with a circle on Exhibit 7 to
 5 indicate where the garden area is?
 6 A It says agriculture area.
 7 Q Where is room 521? Can you put a box?
 8 A 521 is up here.
 9 Actually, it's a different number now, but
 10 when I was there, it was 521. And the agriculture area
 11 is right over there.
 12 Q Is it your understanding that the rooms in
 13 that L-shaped building where you've marked 521 are
 14 exposed to rats more often because of its proximity to
 15 the garden area?
 16 A That was our reasoning.
 17 Q When you say "our," who are you referring to?
 18 A Debbie Barkin and I shared that room for two
 19 years.
 20 Q Is Miss Barkin still at the school?
 21 A Yes, she is the testing coordinator. We're
 22 now sharing the library.
 23 Q Other than the instances we've discussed
 24 regarding roaches, rats and mice, have you ever seen any
 25 other unwanted pests at Fremont?

1 A We got a lot of stray dogs.
 2 Q Tell me about those.
 3 A They just -- they're from the neighborhood.
 4 They wander on campus. We call Animal Control. Our
 5 custodians are cooperative about trying to either chase
 6 them off campus or pen them, you know, in an area,
 7 hoping that Animal Control will come and get them.
 8 Q How many occasions has that occurred at
 9 Fremont, to your knowledge?
 10 A Well, that we've seen them, you know, like,
 11 five or six. That Animal Control came, only one that I
 12 can think of.
 13 Q Can you think of any other instances where
 14 you've seen unwanted pests at Fremont?
 15 A We had cats falling from the ceiling. I
 16 wouldn't consider cats unwanted pests, but they're
 17 unwanted in the sense that they shouldn't have been
 18 there.
 19 Q Where were the cats falling from the ceiling?
 20 A Same room, 521. Actually, it was the room
 21 behind 521. And I think it was called 528 at that time.
 22 Q What is it called now?
 23 A I don't know. They've renumbered since I was
 24 there.
 25 Q You personally saw a cat fall from the

1 A She's not at Fremont anywhere.
 2 Q Do you know where she is?
 3 A No, I believe she went to a junior high
 4 school, but I don't know for sure.
 5 Q Do you know some of the subjects she taught?
 6 A Health -- no, she wanted to teach health. It
 7 was flower arranging. Yes, it was. I don't know. She
 8 taught something else, but I don't remember what it was.
 9 It could have -- she wanted to teach health. So that's
 10 why she left. So I don't think it was health, but I'm
 11 not sure what it was.
 12 Q Do you recall the students who were affected
 13 by the -- this incident?
 14 A I didn't know them. They weren't my students.
 15 Q What were you doing in the class at the time?
 16 A Walking down the hall. I mean, there were
 17 three of us -- 521, 528, 529 at that time was a
 18 classroom. And the building was -- it has no windows in
 19 it, and the hallways have no windows. So we constantly
 20 did supervision to make sure that nothing was going on
 21 in the hallways because we couldn't see. And nobody
 22 could see in. And it was too secluded. So we did
 23 supervision.
 24 Q Have you told me all the incidents from your
 25 experience in which you are aware of unwanted pests,

1 ceiling?
 2 A Yes, I did.
 3 Q Can you describe that for us.
 4 A We were told by the sheet metal people from
 5 the district that there were holes in the roof, and the
 6 cat got in to have its kittens. They're assuming the
 7 cat climbed in there to have its kittens.
 8 And by the time they were able to walk --
 9 there were holes in the ceiling. That wasn't my room.
 10 That was another teacher's room. But there were holes
 11 in the ceiling tiles. So when the kittens could walk,
 12 they started walking wherever they wanted to go, and
 13 they fell in.
 14 Q Did you see it happen?
 15 A Yes. One I saw happen.
 16 Q That was a kitten?
 17 A Yeah. I mean, they were still real small.
 18 They were barely walking. It landed on a kid's, like,
 19 head and shoulder and desk.
 20 Q Do you remember the classroom where that
 21 occurred?
 22 A Yeah, that was what was called 528, I believe.
 23 Q Who was the teacher of that class?
 24 A Kathy Johnson.
 25 Q Is Ms. Johnson still at the school?

1 rodents, insects or other creatures?
 2 A Yeah, that I can think of.
 3 Q Can you describe from your experience in the
 4 English department at Fremont how textbook needs are
 5 identified and addressed by the school administration?
 6 MS. LHAMON: Calls for speculation. Assumes
 7 facts not in evidence and compound.
 8 MR. FERNOW: Join.
 9 THE WITNESS: I couldn't say about the
 10 administration. I only know what the department would
 11 do.
 12 BY MR. ROZWOOD:
 13 Q The English department?
 14 A Yes.
 15 Q Can you describe that for me?
 16 A The department chair would take a survey of
 17 who was teaching what class. Like, whether it was
 18 English 9 or English 10 or whatever. And they may have
 19 a list of textbooks that were available from the
 20 textbook room, or they might not. But, you know, they
 21 would ask the teachers, did they have enough books, or
 22 did they know -- was there anything special that they
 23 needed.
 24 And, say, for instance, English 10 -- she
 25 would know what the textbook was, and she would say,

1 well, we have 140 in the textbook room. Who's teaching
2 English 10, and do you have books yet, or hurry up and
3 get your books or --

4 Q When you say "she," is that Linda Jones?

5 A No. The department chair, she or he, whoever
6 was department chair. They would basically take a
7 survey, ask the teachers, have they received their books
8 yet. Did they know what they wanted. And if they had
9 the information of what was available in the textbook
10 room, then they would say, some teachers want special
11 textbooks. Some want novels, some plays, whatever.

12 Q Those special requests are made to the
13 department chair?

14 A Yes.

15 Q Is that your understanding -- well, how many
16 years were you an English teacher at Fremont?

17 A Probably 13 or 14.

18 Q Is that how it worked for those 13, 14 years?

19 A Yes.

20 Q Do you have any interaction with teachers or
21 department chairs in connection with your determination
22 of what library books to submit for approval at Fremont?

23 MS. LHAMON: Asked and answered in the
24 morning.

25 THE WITNESS: I wouldn't say that I submit for

1 department. Marcy Hines. And that's all I know about
2 the process. I don't know who makes the final decision.
3 I don't know anything else.

4 BY MR. ROZWOOD:

5 Q Do you know where the recruits come from?

6 A LAUSD.

7 Q How do you know that?

8 A Well, I mean, that's where I came from.

9 That's -- you have to be processed by LAUSD first. And
10 then wherever there are openings, you go to interview.

11 Q Does the LAUSD provide any training to new
12 teachers, to your knowledge?

13 A You have to be -- you have to be real specific
14 about your terms. By "new teachers" I'm not sure what
15 you mean. There are two programs that I know of. The
16 preintern program, and I guess it's really a program.
17 That's part of the district intern program.

18 Q What's the other program?

19 A That's it. I was thinking preintern, and then
20 the district intern, but I guess it's -- they're part of
21 the same program.

22 Q To your knowledge does the LA Unified School
23 District provide any ongoing staff development or
24 training to existing teachers at Fremont?

25 A Yes, we have staff development days. Some is

1 approval, but they tell me what they need. They say,
2 "Next semester I'm going to be doing research on the
3 Holocaust. Please make sure you have a lot of Holocaust
4 stuff." Or they might come in and say, "I'm doing jazz
5 by Tony Morrison, and I need whatever you can show me on
6 the 1920's."

7 The other day I asked one of the AP
8 teachers -- his students had been coming in asking for
9 books that he had given them on an outside reading list.
10 And I asked him if I could get a copy of the list so
11 that I knew what they were going to be asking for.

12 BY MR. ROZWOOD:

13 Q Do you have any knowledge as to how Fremont
14 recruits new teachers?

15 MS. LHAMON: Assumes facts not in evidence.

16 THE WITNESS: No.

17 BY MR. ROZWOOD:

18 Q Do you have any knowledge as to how Fremont
19 conducts its -- strike that.

20 Who is responsible at Fremont for hiring and
21 firing teachers?

22 MS. LHAMON: Calls for a legal conclusion.

23 MR. FERNOW: Calls for speculation.

24 THE WITNESS: The only thing that I know is
25 that Marcy does the interviews for the English

1 provided by District I. Some we pick. And I believe
2 some is provided by LAUSD.

3 Q What are staff development days?

4 A We have -- I think it's every other Tuesday we
5 get out early, an hour and 15 minutes early, and we go
6 as a group to -- whatever the staff development is for
7 that day. It might be computer training, or it might be
8 department meetings. It might be training about reading
9 throughout the curriculum. It could be lots of things.
10 Whatever the staff development schedule for that day is.

11 Q Is there a school-based management council or
12 school site council at Fremont?

13 A Yes, there is.

14 Q Can you describe that council, what it does?

15 MS. LHAMON: Calls for speculation.

16 BY MR. ROZWOOD:

17 Q If you know.

18 A I really -- not with any accuracy. I know
19 they make some budget decisions, and I know they're
20 elected, and I know ours wasn't functioning for quite a
21 while.

22 Q How do you know all of these things about
23 Fremont school site council?

24 A I've been told, in answer to a question, you
25 know, if you ask a budget question -- well, I don't

1 know. If you ask some budget questions, the answer is,
2 the site council controls that.

3 For instance, when we wanted a new copy
4 machine, first I went to the leadership council and was
5 told they didn't handle that. Go to the site council.
6 Then when I -- I sent the proposal. I didn't go, but I
7 sent the proposal to the site council, and they said
8 they didn't handle it. Go back to leadership.

9 So it depends. Different budgets, you know.
10 I don't know clearly who handles what. I know that -- I
11 was on leadership counsel, and I know that they handle
12 the 4170 and 4111 budgets, which are textbooks and
13 office supplies. That's the only thing -- I know
14 leadership council handles that. And the site council
15 I'm very unclear on.

16 Q How many people sit on -- or sat on the
17 leadership council while you were on that council?

18 A There's a representative from students, a
19 representative from the administration, a representative
20 from classified personnel, from the community, and from
21 the teachers. And the UTLA rep is, like, a constant
22 member. And then I think -- I think there were five
23 teachers, and usually we had two people from
24 administration, and maybe three community reps. This
25 would vary. Sometimes we just had to make sure that

1 there was at least one person from each stakeholder
2 group.

3 Q How long were you a member of the leadership
4 council?

5 A One year.

6 Q From when to when?

7 A We just had new elections last May. So it
8 would have been from May, 2000 to May, 2001.

9 Q Other than dealing with budgetary issues
10 relating to textbooks and office supplies, what other
11 items did the leadership council at Fremont address?

12 A Bell schedules. If there had to be a change
13 in bell schedules because there was going to be an
14 assembly. That kind of bell change. And then also --
15 also if -- while I was on the committee, we had to
16 change our whole bell schedule. Our starting time --
17 you know, it had to be adjusted four minutes one way or
18 four minutes another way. So anything to do with the
19 bell schedule.

20 Q Why did the bell schedule have to be adjusted?

21 A We have to put in a certain number of minutes.
22 You know, by state law we have to put a certain number
23 of minutes. And when they took out our staff
24 development time, we had to make up that time some other
25 way. So we added a little bit to each day in order to

1 give us that block of time.

2 Q For staff development?

3 A For staff development, yeah. That Tuesday
4 time, they called it banking time.

5 Q Can you think of any other items that were
6 addressed by the leadership council that you haven't
7 already testified to?

8 A There were standing committees. One was the
9 safety and discipline committee. They talked about,
10 like, dress policy and security on campus. Tardy room.
11 That kind of thing.

12 Q Were you a member of that standing committee?

13 A No, I was on the equipment committee. We were
14 looking -- mostly we looked into copy machine -- a new
15 copy machine.

16 Q And what did you find when you looked into the
17 possibility of getting a new copy machine at Fremont?

18 A We got three -- we had three reps come and
19 visit us from different companies. We found out what --
20 what the machines would do, what -- we told them what we
21 needed the machines to do. Basically, that we wanted
22 real basic machines that would do high-volume copies.
23 How much it would be. We wanted a year service and
24 supplies in addition to the cost of the machine. And
25 the estimates were anywhere from 16,000 to -- I think

1 the high end was 20,000.

2 Q And did the equipment committee take a
3 position or make a recommendation on whether or not to
4 get the new copy machine?

5 A Yeah, we recommended that we get one, that the
6 teachers needed a walk-up copy machine. But we didn't
7 get one.

8 Q When you say the equipment committee
9 recommended that Fremont get a new copy machine, in what
10 form was that recommendation made? Was it made to the
11 leadership council as a whole, or some other fashion?

12 A Yes, it was made to the leadership council.
13 They said, "Is there any business from the equipment
14 committee?"

15 And I said, "Yes, we have interviewed three
16 different companies, and the copy machine in the library
17 that teachers use to walk up to make copies is old and
18 breaks down a lot. And they need a machine that can be
19 relied on. And this is what we think should be done."

20 Q Was there a vote by the leadership committee
21 as a whole?

22 A It never came to a vote. One of the members,
23 the classified rep, her name is Shirley Garrett,
24 objected to spending the money for a copy machine. She
25 said that teachers should be using textbooks and the

1 blackboard, and they didn't need to make all these
 2 copies.
 3 And Mrs. Roland at that time was very new.
 4 She was within her first few months, and said she didn't
 5 have a handle on the budget yet, and she didn't want to
 6 expend that much money until she was sure, you know,
 7 that she didn't need it elsewhere, I guess. She wasn't
 8 sure that she wanted to expend that much money yet
 9 because she didn't know quite how things were working.
 10 Q Was the issue of obtaining a new copier ever
 11 raised again at a subsequent leadership meeting?
 12 A Uh-huh. We tried bringing it up. One time
 13 for sure, maybe twice, at different meetings, and were
 14 kind of disgusted at the response, and so we didn't
 15 press it.
 16 Q Why were you disgusted at the response?
 17 A It's a -- a perfect example of a frustration
 18 that doesn't have to exist. There was no reason that we
 19 shouldn't have a good working copy machine. And we
 20 resented the fact that someone who isn't in the
 21 classroom and doesn't have any training is deciding
 22 whether or not we get to have a copy machine.
 23 Q You're referring to the classified rep on the
 24 council?
 25 A Yes.

1 Q Was she deciding -- Shirley Garrett -- was she
 2 deciding on behalf of the council what to do?
 3 A She was not deciding in any official way, but
 4 by the fact that she kept raising objections, and
 5 Mrs. Roland kept deferring to her, we knew we weren't
 6 going to get a copy machine. I mean, we could have
 7 continued bringing it up at every single meeting, and we
 8 chose not to do that.
 9 Q Based upon the objections of the classified
 10 personnel rep?
 11 A Right.
 12 Q When you say, we were resentful that someone
 13 outside without any classroom experience was making
 14 these objections, who were you referring to when you
 15 said "we"?
 16 A Specifically, the people on the committee who
 17 had done the research. But, generally, teachers. It's
 18 a big issue with teachers that we can't get copies on a
 19 regular basis.
 20 Q When you say classified personnel, who are you
 21 referring to?
 22 A She's a clerk. Classified -- employees are
 23 kind of divided into classified and certificated.
 24 Teachers are certificated, and then secretaries are
 25 classified.

1 Q Was there something that the classified
 2 personnel wanted to spend the money on? Was there some
 3 alternative that they were trying to --
 4 A I don't know.
 5 MS. LHAMON: I object that the question
 6 mischaracterizes her testimony, slightly. I don't think
 7 she testified it was multiple classified personnel. I
 8 think she just testified to the one person who was the
 9 classified personnel rep on the leadership council.
 10 MR. ROZWOOD: Yeah, I meant rep. I left that
 11 word out. Sorry.
 12 Q To the best of your recollection, the
 13 classified personnel rep wasn't pushing for a competing
 14 spending item in lieu of a copy machine?
 15 A Not to my knowledge.
 16 Q Ms. Garrett's objection was that teachers
 17 simply didn't need access to a new copy machine to do
 18 their job, in her opinion?
 19 A Right.
 20 Q And the teachers on campus resented that?
 21 MR. FERNOW: Objection. Calls for
 22 speculation.
 23 MS. LHAMON: Join.
 24 THE WITNESS: Yeah. The teachers that I spoke
 25 to felt that she had no qualifications to decide whether

1 or not they needed to be making copies.
 2 BY MR. ROZWOOD:
 3 Q Did any of the other members of the leadership
 4 council weigh in on this issue during any of these
 5 meetings?
 6 A Yes. The teachers -- the teacher reps on the
 7 council were in favor of the machine.
 8 Q All of them?
 9 A Yes.
 10 Q How about the UTLA rep?
 11 A Well, he's a teacher, yes.
 12 Q How about the student rep?
 13 A I don't recall that the student reps expressed
 14 an opinion. They usually focused on student issues. I
 15 don't know if they did or not.
 16 Q Can you recall if the community reps had any
 17 view on the matter?
 18 MS. LHAMON: Calls for speculation as to
 19 whether they had a view. Do you mean whether they
 20 expressed a view?
 21 THE WITNESS: Yeah, I don't recall if they
 22 expressed a view.
 23 BY MR. ROZWOOD:
 24 Q How many people were on the leadership council
 25 altogether?

1 MS. LHAMON: Asked and answered.
 2 THE WITNESS: It varied from meeting to
 3 meeting.
 4 BY MR. ROZWOOD:
 5 Q Was it an advisory council or -- in what
 6 capacity did the leadership council participate in the
 7 administration at the school affairs?
 8 A There were votes taken on things like bell
 9 schedules and assembly schedules. So it would be
 10 presented by whoever was involved in that issue. Like,
 11 if there was going to be an assembly, the administrator
 12 would say third and fourth period on such and such a day
 13 we voted to have an assembly at that period, black
 14 history assembly, whatever it was. And people would
 15 discuss whether or not that was a good use of the time.
 16 It might be a -- an off-campus anti-smoking
 17 assembly, you know, whatever. And, generally, it was
 18 always, yeah, that's fine. We might discuss testing
 19 schedule. And the issue has come up, should it be a
 20 two-day schedule or three-day schedule. You know, that
 21 kind of details about scheduling. And those things were
 22 generally voted on at the end. Somebody would say, I
 23 move that we accept this schedule, and somebody seconds
 24 it, and that's it.
 25 Q And if the leadership council approves it,

1 it's official?
 2 A It's told to everybody else as far as the
 3 scheduling is concerned, yeah.
 4 Q With respect to the expenditure of textbook
 5 and office supply moneys, it was up to the leadership
 6 council to vote how to do that as well?
 7 A Yes. For instance, they would -- if foreign
 8 language hadn't received any books the year before, they
 9 might be allocated a larger portion of whatever textbook
 10 money we had for that year. Or it would be -- some
 11 subjects have a lot of students, like math and English.
 12 The majority of students take math and English four
 13 years. So they almost always get -- they almost always
 14 have a need for textbooks. So if they didn't get books
 15 the year before, they might get a larger proportion.
 16 Or one time it was brought up that there were
 17 new science standards. Something called -- I think it
 18 was Consolidated Science. I'm not sure. But it's like
 19 they combine -- sort of combine some subjects. Anyway,
 20 they had to get new textbooks. Our old ones were
 21 totally outdated. And so some things were more urgent
 22 than others.
 23 Q How did the needs of the teachers get
 24 communicated to the leadership council teacher reps for
 25 discussion with respect to textbooks and office

1 supplies?
 2 MS. LHAMON: Calls for speculation and assumes
 3 facts not in evidence.
 4 THE WITNESS: Mostly Mrs. Hines because she
 5 was in charge of curriculum. She is the administrator
 6 in charge of curriculum. To my knowledge, department
 7 chairs would tell her what they needed, and then she
 8 would bring it up. But there were separate textbook
 9 meetings that I had nothing to do with. So I -- you
 10 know, I don't know what happened at those meetings.
 11 BY MR. ROZWOOD:
 12 Q Did the administrative reps take any position
 13 on your copy machine proposal other than Ms. Roland,
 14 which you already testified to?
 15 A No, not that I recall. Mrs. Roland just said
 16 we had to wait.
 17 Q How often did the leadership council meet?
 18 A Once a month.
 19 Q Were there written agendas --
 20 A Yes.
 21 Q -- circulated to all the members of the
 22 leadership council?
 23 A Do you mean before the meeting? At the
 24 meeting? Always at the meeting?
 25 Q Sometimes before the meeting.

1 A We would get the minutes from the previous
 2 meeting, and usually at the bottom there would be
 3 something about, we agree to discuss so and so at the
 4 next meeting. But not a formal, like, laid-out agenda.
 5 Q And you'd receive those in your mailbox or at
 6 the meeting. Correct?
 7 A Yes, we always got minutes in the mailboxes,
 8 but then there were also agendas and more copies of the
 9 minutes at the meeting.
 10 Q Were these meetings opened for anyone at the
 11 school to attend?
 12 A Yes.
 13 Q And were the times and locations of the
 14 meetings made known to members of the school community?
 15 A They were published in the daily bulletin. I
 16 don't know what anybody saw, but they were in the
 17 bulletin.
 18 Q Who publishes the daily bulletin?
 19 A Mrs. Hines' office.
 20 Q Is that something that is put into everybody's
 21 box?
 22 A Yes.
 23 Q Every day?
 24 A Yes. Supposed to be. Sometimes I don't get
 25 it, but it's -- yeah, basically, yeah.

1 Q And that's for teachers; correct? It goes
2 into the teacher box?
3 A The teachers' boxes, yes.
4 Q How about the staff? The classified?
5 A It's put around -- there are mailboxes in the
6 main office for more than just the teaching people.
7 There is, like, one for the counseling office. One for
8 counseling office two. One for the attendance office.
9 One for the dean's office. All the offices get a copy
10 of it.
11 Q All those offices you just listed have their
12 own box in the main office?
13 A Mr. Ceja has his own box. School police have
14 their own box.
15 Q How about the students? How do they become
16 aware of the location and date, time of these meetings?
17 MS. LHAMON: Vague as to whether they became
18 aware. But do you mean how they were notified?
19 MR. FERNOW: Speculation.
20 MR. ROZWOOD: Yes.
21 THE WITNESS: I don't have students in a
22 classroom setting so I don't really know.
23 BY MR. ROZWOOD:
24 Q Do students receive a copy of the daily
25 bulletin?

1 A No. They can see it. It's not secret. But
2 does each student have one? No.
3 Q Is the daily bulletin posted for students to
4 see in some conspicuous location in the main office
5 every day?
6 A I don't think so.
7 Q Do you know who the student rep was on the
8 leadership council when you were a member?
9 A They were members from the leadership class.
10 I don't know that there was one or two who were supposed
11 to come. The only student that I knew the name of was
12 Kathy Rosado (phonetic).
13 Q Did you ever have any discussions with Ms.
14 Rosado about any of the agenda items on the leadership
15 council meetings?
16 A She was there to present a request for some
17 senior activity. It was -- it required an additional 15
18 minutes at lunch or something like that. So she was
19 there to request a schedule change. So that was the
20 only thing that I talked to her about.
21 Q Do you recall what that event was?
22 A Not really. It could have been the senior
23 fashion show. I don't know.
24 Q You've listed some of the disadvantages of
25 multitracking in your declaration and in your deposition

1 testimony today. Can you think of any advantages to the
2 multitracking schedule?
3 A For the teachers, I can. We make more money,
4 if you work one year off track. If you work while
5 you're off track, it's like in addition to your basic
6 salary. It prevents teacher burnout, having four months
7 on and then two months off, and then four months on and
8 two months off is -- I know some people have a hard time
9 figuring out why teachers are so tired, but when I was
10 on a traditional calendar, by June I was just a basket
11 case. I was exhausted. And burnout factor is much
12 better.
13 For students -- for students, advantage -- I
14 can't really think of any specific advantage that comes
15 from being year-round. Teachers -- again, for teachers,
16 some teachers like to be on certain tracks because they
17 prefer a vacation that's not in the summer. I heard
18 teachers say, well, my husband is off in November and
19 December. So now I can be off in November and December,
20 or something like that.
21 Q Are you thinking of other advantages?
22 A Yeah, that basically covers it for teachers.
23 Q Have you experienced any similar -- strike
24 that.
25 In your experience do students get burned out

1 too by May or June on a traditional summer off school
2 calendar?
3 MS. LHAMON: Calls for speculation.
4 MR. ROZWOOD: Based on your experience.
5 MS. LHAMON: Calls for speculation.
6 THE WITNESS: Yeah, I'm sure some of them do.
7 I couldn't say, you know, that any have specifically
8 told me that. I'm just -- you know, they get antsy
9 before they know it's time to get out. And they're
10 always glad to see the vacation come. But they're
11 always glad to see the vacation come anyways. So I'm
12 not sure it had anything to do with burnout.
13 BY MR. ROZWOOD:
14 Q Have any of your students ever told you that
15 they like the multitrack schedule?
16 A Not that I can -- not that I can recall a
17 conversation or a kid or -- no, not really.
18 Q Has any student at Fremont ever told you that
19 they liked anything about the multitrack schedule?
20 A The one thing that may have come up is
21 inter-session. Inter-session used to be called summer
22 school. Only now it's the time when you're off track.
23 And we have classes during that time, just like we used
24 to have summer school classes. It's six weeks -- they
25 liked the fact that it's short, and they can get it over

1 with.

2 Q Students have told you that?

3 A Uh-huh. You'll hear -- it's one of the things
4 that teachers don't like because the students will say
5 if you're -- if they're failing a class, well, I can
6 take it during inter-session. You don't like them to
7 feel that way. You want them to feel, you know -- it's
8 important to do their classes, to do the best they can
9 in their classes.

10 Q I think you answered yes to whether any
11 students have ever told you that in my last question,
12 but it was not in a verbal form. Have any students ever
13 told you that they like the fact that the inter-session
14 classes are shorter than on a traditional school
15 calendar?

16 A They don't phrase it like that. They say --
17 they don't compare that. They say, "Yeah, I only have
18 to go six weeks." I mean, that's what they say.

19 Q Okay. How many times have students at Fremont
20 told you that?

21 A Three or four.

22 Q Do you know if Fremont gets more funding
23 because it's a multitrack school?

24 MS. LHAMON: Calls for speculation.

25 BY MR. ROZWOOD:

1 bus was late. That's all.

2 Q Do you have any knowledge of how -- strike
3 that.

4 MS. LHAMON: We've been going for another
5 hour. If you wouldn't mind taking a break.

6 (Brief Recess Taken.)

7 BY MR. ROZWOOD:

8 Q And I want to ask you to look at your
9 declaration in Exhibit 6. Do you see where -- in the
10 bottom of paragraph 3 where you say, "Teachers often ask
11 me to allow them to teach their class in the library"?

12 A Yes.

13 Q How many times has that happened where
14 teachers ask you to allow them to teach their class in
15 the library?

16 A I'd say five or six times in the last year.

17 Q And you're referring to the 2000/2001 school
18 year?

19 A Well, yeah.

20 Q Is that correct?

21 A Yeah.

22 Q Are you, as the librarian, assigned to any
23 particular track at Fremont?

24 A Officially, I'm on A track.

25 Q When A track officially goes off track, do you

1 Q If you know.

2 A I know that it was one of the things that we
3 were told that we would get if we decided to go
4 year-round, or it was supposed to be one of the benefits
5 of going year-round, but I don't know anything about
6 actual money.

7 Q You mentioned the teachers make more or have
8 the potential to make more if they teach off track?

9 A Yes.

10 Q If they decide -- if they decide not to teach
11 off track, do they make the same amount as a regular
12 traditional summer-off calendar teacher makes?

13 A Yes.

14 MS. LHAMON: Calls for speculation. Vague as
15 to the "teacher." No testimony about the amount of
16 money teachers make in the district in the state or
17 other states.

18 MR. FERNOW: Join.

19 BY MR. ROZWOOD:

20 Q Do you have any experience with -- strike
21 that.

22 Have you ever had any conversations with
23 students who take the bus to school at LA Unified?

24 A A few. Mostly when they -- when they were
25 saying that they were late. They were tardy because the

1 continue to work --

2 A Yes.

3 Q -- as the school librarian?

4 A Sorry. Yes, I do.

5 Q So when you said it was five to six times over
6 the course of the year, were you referring to the entire
7 12 months that the school is in session over the three
8 tracks?

9 A Yeah, I'm not -- yeah, that's fine. I can't
10 be, you know, specific about the number of times, but
11 yeah, it happens often. Probably even more than five or
12 six times. While there's construction going on, I may
13 get asked once a week. Maybe more.

14 Q Okay. For the entire 12 months -- not just on
15 A track, but on all tracks while you're there for the
16 2000/2001 school year, what's your best estimate of the
17 number of times the teachers have asked you to let them
18 use your library because of construction going on?

19 A Probably 15 or 20 times.

20 Q When you gave the estimate of five to six
21 times earlier --

22 A I was thinking, like, a semester.

23 Q Which teachers requested that you let them use
24 your library to teach their class?

25 A Miss Martinez was in there because her lock

1 was broken.

2 Q Which lock?

3 A Her door lock. On last Friday -- I don't know
4 her name, a new teacher said there was some gas smell in
5 her room, and she couldn't be in her room. And while
6 they were fixing it, could she come in the library. The
7 social studies teacher, Havronic (phonetic) -- I don't
8 know what kind of work they were doing in his room, but
9 they couldn't be in there. There have been chemical
10 problems, like, in science classes where they had
11 chemical smells or -- I don't know if it was smells or
12 spills.

13 Somebody asked me -- they said something about
14 hammering, and I don't remember what was being repaired,
15 but the noise was too loud for them to talk.

16 Q Do you recall who that was?

17 A It was a man. I don't -- I really don't
18 recall who it was.

19 Q Did they end up relocating their class to the
20 library?

21 A It goes period by period. I may have classes
22 scheduled in the library for research or, you know,
23 visits to check out books. So I tried to be cooperative
24 when I can. And if there's room in the library, I
25 always let somebody come in. There just isn't always

1 computer desks when I was in C4.

2 Q During class time?

3 A Yes.

4 Q Are you aware of any other instances where a
5 maintenance worker was repairing a desk during class
6 time at Fremont?

7 A Not a desk, no. I mean, not during class
8 time.

9 Q Are you aware of any specific instances where
10 a maintenance -- where the school sent a maintenance
11 worker to replace ceiling tiles during class time?

12 A They were in the library during times when
13 there were students in there. I don't know of a
14 classroom but, I mean, they've been in the library.

15 Q That's happened while you've been a librarian?

16 A Yes.

17 Q But not while you were a teacher?

18 A I don't think so.

19 Q Are you aware of any specific instances where
20 the school sent a maintenance worker to polish the
21 floors while -- during class time?

22 A No.

23 Q Do you see in paragraph 4 where you say, "The
24 district makes no money available for school year
25 expenses until at least September of each year"?

1 room. We have a very small library.

2 Q In the instance where there was hammering, and
3 the gentleman asked -- the male teacher asked you to use
4 the library, did you let him?

5 A I believe some periods. Usually -- I think it
6 was, like, 5th and 6th, but the other time he had to
7 go -- the other periods, he went somewhere else or
8 stayed in the room. I don't really know.

9 Q Other than the instances you've listed, can
10 you think of any other cases where teachers -- any other
11 specific cases where the teachers requested to use the
12 library due to construction?

13 A I can't think of specific cases, but I think
14 it's because usually I say no just because we're usually
15 full. I mean, I'll slip them in one period if I can,
16 but most of the time I'm saying no, I'm sorry. I can't
17 really think of any other specific ones.

18 Q Are you aware of any specific instances where
19 the school sent a maintenance worker to change a broken
20 window during class time at Fremont?

21 A I don't think so, no.

22 Q Are you aware of any specific instances where
23 a -- where the school sent a maintenance worker to
24 repair a desk during class time?

25 A I have had custodians in my room repairing

1 A Uh-huh. Yes.

2 Q Do you have any knowledge as to how the school
3 budget is decided or the process by which the amount of
4 the school budget is determined during the year?

5 A Only in the most general kind of way. I know
6 that most schools in LA Unified are still on a
7 traditional schedule, and those of us on year-round
8 schedule have a hard time getting answers from downtown
9 when -- from July to September, which is the traditional
10 time off.

11 We get the feeling that the district still
12 runs on a traditional schedule even though we don't.

13 Did that answer the question?

14 Q It was a terrible question. I appreciate any
15 answer in response to that.

16 A Oh, about budgeting. That's basically -- I
17 saw the discussion on September 4th. I read the
18 article -- I guess it was September 4th I saw the school
19 board on TV. Then on September 5th there was an article
20 in the LA Times that the board had approved the budget.
21 I just happened to be flipping the channel that night
22 and saw them when they voted to approve the 2001/2002
23 budget.

24 Q Okay. On what do you base your statement that
25 the district makes no money available for school year

1 expenses until at least September of each year?

2 A The fact that I saw them approve the budget on
3 September 4th, and in the school, we started on July
4 2nd, and I put in requests for things that I needed to
5 run the library, and kept getting told, either by Ms.
6 Gatlin or by Mrs. Roland, that we didn't have any money
7 yet.

8 Q Do you know if the budget for Fremont --
9 strike that.

10 Who has -- at Fremont has responsibility for
11 developing a budget?

12 MR. FERNOW: Objection. Speculation.

13 THE WITNESS: Yeah, I assume everything stops
14 with the principal but --

15 MR. ROZWOOD: We don't want you to assume or
16 guess if you don't know.

17 THE WITNESS: I don't know.

18 BY MR. ROZWOOD:

19 Q Have you ever seen the school budget for
20 Fremont?

21 A No.

22 Q What types of things did you request in the
23 period from July to September that you were told there
24 wasn't any money for?

25 A There were various things. Scotch tape,

1 THE WITNESS: I would --

2 BY MR. ROZWOOD:

3 Q Do you know if there was?

4 A I wouldn't know about that.

5 Q But you were on the leadership committee at
6 that time, or no?

7 A Yes, I was.

8 Q Do you know if there was any money left in the
9 4170 account at that time?

10 A The accounts at the school are very confused
11 right now, and I don't know what was in anything.
12 Mrs. Roland got up at one of our staff meetings recently
13 and said that the school didn't have any money for
14 running the school this year. That tells you, I don't
15 know anything about it. That tells you right there.

16 Q What did that tell me? It's hard to
17 understand what she means by that.

18 A We didn't know what she meant by it either.
19 We've been asking how can there be no money to run the
20 school. That's the question we've been asking.

21 Q Other than the textbook budget and the office
22 supplies budget, under the, you know, control of the
23 leadership council, do you have any other exposure to
24 the budgetary or spending activities at Fremont?

25 A Only my budget in the library.

1 labels for -- spine labels, clear labels to cover the
2 spine labels, all kinds of office supplies, pens,
3 pencils, legal pads, in addition to book requests.

4 Q Do you see where you say, "I have not been
5 able to buy books and the supplies necessary to keep the
6 library running"?

7 A Yes.

8 Q Such as labels, tape and scissors because I
9 didn't know how much money would be in the budget?

10 A Yes.

11 Q What budgets are you referring to there?

12 A Well, labels, tapes and scissors and all the
13 office supplies come out of 4170, and we were told they
14 didn't know how much was going to be in 4170.

15 Q All the money that had previously been
16 allocated to the 4170 account for the current -- for the
17 then current school year had been spent at that time?

18 A We weren't -- we were in the 2001/2002 school
19 year. That's this school year. We started July 2nd so
20 we were working on what we would call the '02 school
21 year.

22 Q Right. Wasn't there any money included in the
23 previous budget for the first two months of the '02
24 school year, as you described it?

25 MS. LHAMON: The question is argumentative.

1 Q And for what period are you allocated funds
2 from year to year in a library?

3 A It's a school year, but it comes from the
4 state. It goes to library services. Library services
5 decides how they want to present it to the board. And
6 then the board approves it or doesn't. I guess they
7 usually do. And then it's divided and sent to the
8 schools. So it's for a school year, but we wouldn't get
9 it until -- like, I still don't have it for this school
10 year. We don't get it when we start.

11 Q When did you get it? When did you get the
12 library budget -- strike that.

13 When was the last time you received library
14 funds?

15 A It would have been for the 01/02 school year,
16 and it was probably November or December of '01.

17 MS. LHAMON: I'm a little confused. Did you
18 mean the 00/01 school year, and not 01/02? Aren't you
19 now in 01/02?

20 THE WITNESS: Yeah, sorry. It would be
21 2000/2001, and it's called -- it's called by the last
22 year. So that would have been the '01 budget.

23 BY MR. ROZWOOD:

24 What was the amount of the budget for the
25 00/01 school year?

1 MS. LHAMON: For the library?
 2 MR. ROZWOOD: Yes.
 3 THE WITNESS: 2812 is the account number, and
 4 it's been \$74,000.
 5 BY MR. ROZWOOD:
 6 Q So in or about November of 2000, you received
 7 \$74,000 for the library. Correct?
 8 A Yes, I didn't receive it. I received a
 9 notification that that was being, you know -- that
 10 that's how much I could spend. I don't get any money.
 11 Q Good point. Do you know from what period to
 12 what period that \$74,000 allocation was made available
 13 to the library for?
 14 A Are you asking how long do I have to spend it?
 15 Q Well, on what basis is the \$74,000 -- how is
 16 that figure arrived at?
 17 A It's --
 18 MS. LHAMON: Calls for speculation.
 19 MR. ROZWOOD: If you know.
 20 THE WITNESS: To my knowledge it's based on
 21 the number of students that we have, and then it's --
 22 there's a certain amount per student.
 23 BY MR. ROZWOOD:
 24 Q Does that include students on all three
 25 tracks?

1 A Yes.
 2 Q To your knowledge?
 3 A To my knowledge, yes.
 4 Q What do you base that understanding of the way
 5 the figure is determined?
 6 A That's -- I'm pretty sure that's an accurate
 7 explanation of what they told us as library services.
 8 Q Is it your understanding that that amount of
 9 money is supposed to be allocated to the -- allocated
 10 evenly over the course of the entire school year, all
 11 three tracks?
 12 A It's never been put to me that way. It's for
 13 whatever we need for the library for the school year.
 14 Q Have you spent all 74,000 you received in
 15 November, 2000?
 16 A No.
 17 Q That's the money you're not allowed to use for
 18 supplies. Correct?
 19 A Right.
 20 Q Approximately how much is left in that account
 21 as you sit here today?
 22 A 9,000 something.
 23 Q Do you intend to apply that \$9,000 to uses in
 24 the library for the current '02 school year?
 25 A Whenever I'm allowed to put in orders, yes.

1 At this time they're not taking orders because they
 2 haven't got their process straightened out. But we have
 3 three years to spend the money.
 4 Q So when you refer in paragraph 4, line 26 of
 5 your declaration to a budget -- we would not know how
 6 much money would be in the budget -- that's the school
 7 budget, not the library budget. Correct?
 8 A Right. I was referring to the school budget,
 9 but I also didn't know how much I would have in the
 10 library budget. But this was the 4170 budget because it
 11 was for office supplies.
 12 Q Do you see where you write, "the principal
 13 told me that the district rejected all of them," in the
 14 last line of the first page of your declaration?
 15 A Yes, yes.
 16 Q Is that principal Roland?
 17 A Yes.
 18 Q Is she referring to LA Unified School
 19 District?
 20 A Yes.
 21 Q What did she tell you exactly about the
 22 district's response to your request for supplies?
 23 A When you submit something into the IFS system,
 24 you get -- a paper is generated that has either accepted
 25 or rejected. And what I was told was that all these

1 papers were coming back rejected.
 2 Q What's the IFS system?
 3 A You know, I don't know what it stands for, but
 4 it's the district money, you know. Accounts payable
 5 and, you know, all those folks. I don't know exactly.
 6 Q Did you ever receive something in writing
 7 saying that the requests were rejected?
 8 A No.
 9 Q Did Ms. Roland tell you that she had received
 10 something in writing to the effect that the requests had
 11 been rejected?
 12 A She didn't say in writing. She just said
 13 rejected.
 14 Q Did she tell you why your requests were
 15 rejected?
 16 A I don't recall.
 17 Q Do you have an understanding, as you sit here
 18 today, why the requests were rejected from any source?
 19 A Subsequent to that -- to the times when I was
 20 talking to her, we've been told that the finances for
 21 the school are messed up, and they're trying to get them
 22 straightened out. So I assumed it had something to do
 23 with that.
 24 Q Can you turn to the second page of your
 25 declaration in paragraph 5 where you make reference to

1 the lap boards the students use to write their exams.
 2 A Yes.
 3 Q Have you ever heard of any students complain
 4 they had to use lap boards on these exams?
 5 A No, I haven't heard them complain, but our
 6 students are so used to doing with secondhand and kind
 7 of pitiful conditions, they don't even know they're
 8 supposed to complain. They don't even know they have a
 9 right to explain.
 10 Q Do you think that the use of the lap boards
 11 interferes with their ability to take these exams?
 12 A I absolutely do.
 13 Q Can you explain why you think that.
 14 A They're in auditorium seats that are tiny and
 15 hard, in a place that doesn't have very good lighting.
 16 And they have this big board in front of them, and
 17 they're trying to manage a test booklet and an answer
 18 sheet and bubble in these little bubbles to make their
 19 answers. And the kids who are taking Sharp writing
 20 topics are already really nervous because they know if
 21 they don't pass them, they don't get to graduate. It's
 22 just one more thing that makes it hard for them to do
 23 well on a test that they're already scared about.
 24 Q Can you describe how the lap boards look, how
 25 they work?

1 A They're about 18 by 24.
 2 Q Inches?
 3 A Inches. Just kind of like -- I don't know if
 4 it's plywood or some other kind of wood. They're kind
 5 of curved at the top. There's, like, a cutout or maybe
 6 that's the bottom. I don't know. That's all they are
 7 is just a board. A piece of wood.
 8 Q They lay flat on the arms of the chair, or are
 9 the lap boards held up by the students?
 10 A It's entirely up to the student. There's not
 11 much room. The arms of the chairs in the auditorium are
 12 real short. So they might balance it on the chair in
 13 front of them. They're spread out in the auditorium.
 14 It's not like they're -- they're not right close to each
 15 other. Depends on how the kid is comfortable. In front
 16 of them or on their knees.
 17 Q How about the Star exam or the other
 18 standardized test administered at Fremont? Are those
 19 also administered with these lap boards in the
 20 auditorium?
 21 A To my knowledge, no. I believe they're done
 22 through homeroom, but those were not instituted until I
 23 was already out of the classroom. So I'm not an expert
 24 on those.
 25 Q In paragraph 6 you say that at Fremont we do

1 not have enough classrooms for all the classes taught on
 2 campus. Other than the specific instances you
 3 identified in your deposition, can you think of any
 4 other classrooms that didn't -- classes that didn't have
 5 a classroom?
 6 MS. LHAMON: I'm sorry. Is the question other
 7 than the examples listed in the declarations versus
 8 deposition?
 9 MR. ROZWOOD: No.
 10 Q Just other than what's already testified to
 11 here today in your deposition, can you think of any
 12 other examples of classes that didn't have classrooms on
 13 campus?
 14 A Yes. This year our sewing teacher in room 220
 15 had to share her room with a math teacher. I believe it
 16 was an algebra class, because there was no place -- they
 17 added the algebra class, but didn't have a room to put
 18 him in, and so she has a large room because she has
 19 sewing tables. So they took half of her room.
 20 Q Any other examples that you can think of?
 21 A Room 231 -- it used to be a home ec room, and
 22 it's -- I don't know if both classes are special ed
 23 classes or one is and one isn't. But it's divided by a
 24 folding partition. I think the other class is an
 25 English class, but I'm not positive.

1 Q Do you know the teachers in these classes,
 2 room 231?
 3 A No, I think Jill Sergeant was the English
 4 teacher, but that could be wrong. I see Jill a lot, and
 5 I'm just not sure.
 6 Q Do you know who the teachers were -- or are in
 7 room 220?
 8 A Karen Chapel (phonetic) was the sewing
 9 teacher -- is the sewing teacher. The math teacher -- I
 10 don't know who it was. I think it was a new teacher,
 11 but I'm not positive.
 12 Q Do you see where you say, "Students in the
 13 English class could hear everything that went on in my
 14 art class, and the noise made it difficult for the
 15 English students to concentrate on their lessons"?
 16 A Yes.
 17 Q How do you know that the noise from the art
 18 class made it difficult for the English students to
 19 concentrate on their lessons?
 20 A Because the students complained to the
 21 teacher, who was Debbie Barkin. That's the room that I
 22 already talked to you about. And she would yell over at
 23 me when my class was getting too loud, or she would warn
 24 me ahead of time, saying, "We're doing a test today.
 25 Could you give them something quiet to do until the test

1 is over?"

2 Q Did any of the English students complain
3 directly to you about the noise?

4 A I don't think so.

5 Q Did your art class students ever complain to
6 you about the noise from the English class?

7 A No, we were the noisy ones.

8 Q Do you see where you say in paragraph 7 that
9 students tell you that overcrowding at Fremont makes
10 them feel that they are worthless because they rarely
11 get any individualized attention or feedback from their
12 teachers?

13 MS. LHAMON: Mischaracterizes testimony.

14 BY MR. ROZWOOD:

15 Q Do you see that sentence?

16 A Yes.

17 Q Can you think of any specific instances where
18 students told you that?

19 A Not specifically with names. Our students
20 don't often complain individually, but if there's a
21 group of them, and one person is willing to express
22 dissatisfaction, then the others feel like, oh, well, it
23 must be okay to say. And so they'll say, yeah, that's
24 the way it was in my class or, you know, it's -- our
25 students are so used to having secondhand -- not very

1 Q Can you think of any students that tell you
2 that they rarely get any individualized attention or
3 feedback from their teacher?

4 A Not by name, but many have said that.

5 Q You can't think of any names, as you sit here
6 today, of students who told you that?

7 A When I was a classroom teacher, I had 125
8 students a year, and now I see more than that on a less
9 regular basis. No, I can't come up with any names.

10 Q Who was the student that told you that being
11 at such a big school made her feel like nobody saw her.
12 She felt that people just saw a crowd?

13 A I wouldn't know an individual student's name.
14 That's a very common -- a very common comment.

15 Q So more than one student has said that to you?

16 A Sure.

17 Q How many students have said that to you?

18 A Over the 20 years that I'd been at Fremont, or
19 the 18 years that I'd been at Fremont, and in all
20 variety of situations, probably a couple hundred.

21 Q You refer to the brightest students at Fremont
22 becoming emotionally withdrawn in lines 16 through 17,
23 of paragraph 7.

24 MS. LHAMON: Mischaracterize testimony.

25 BY MR. ROZWOOD:

1 satisfactory materials, that -- or classrooms, that they
2 don't even know that they could have better.

3 They aren't complainers. Our kids aren't
4 complainers. They can talk about how they feel, but
5 they don't put it in terms of -- they don't put it in
6 terms like we would. They're teenagers, and they'll say
7 thing like, "Well, it doesn't make any difference if I
8 come to school or not. Nobody cares." Or they'll say,
9 "Well, there's so many that teachers wouldn't even know
10 if I was there or not." You know, things like that.

11 They don't even know that they should be --
12 you know, they should be in a class with 20 where the
13 teacher would pick out immediately if they weren't
14 there. Instead of, you know -- they just -- they aren't
15 complainers. And they wouldn't come up to you and say,
16 "Let me tell you about what happened today."

17 Q I understand.

18 MR. FERNOW: I'll just object and move to
19 strike as nonresponsive.

20 MR. ROZWOOD: I'll join.

21 Q Ms. Hoover, I just want to know if any student
22 ever told that you overcrowding at Fremont makes them
23 feel worthless. Can you think of any students that told
24 you that?

25 A Not by name.

1 Q Do you see that?

2 A Yes.

3 Q Do you have any specific students in mind in
4 making this statement?

5 A Not a specific, you know, one or two. A
6 specific group, yes. The group -- the students that are
7 most at risk, gang members, boys and girls. Students
8 who are least likely to ask for help. And when they do,
9 if they need -- if they need to ask, many, many times
10 they just say, "forget it" and give up.

11 Q You mentioned the overcrowding problems in the
12 first line, first sentence of paragraph 8 of your
13 declaration.

14 A Yes.

15 Q What, in your view, is the solution to the
16 overcrowding problem at Fremont High School?

17 MS. LHAMON: Calls for speculation. Calls for
18 expert opinion. Assumes facts not in evidence.

19 MR. FERNOW: Join.

20 BY MR. ROZWOOD:

21 Q What facts are those?

22 MS. LHAMON: I don't think she has a view
23 about the solution.

24 BY MR. ROZWOOD:

25 Q Do you have any view about what should be done

1 to address the overcrowding problem at Fremont?
 2 A We've made lots of suggestions, both short
 3 term and long term. Dr. Rousseau addressed some of them
 4 when she finished off those four bungalows. But it's a
 5 very complicated issue, and you can't just --
 6 Overcrowding is many problems in one. It's
 7 not just the total number of students in the school. It
 8 involves student-to-teacher ratio. It involves the
 9 number of classrooms that we have. It involves the
 10 number of certificated personnel who are not in
 11 classrooms. People like me, the testing coordinator,
 12 the technology coordinator are all counted in as
 13 classroom teachers for the convenience of -- to make the
 14 statistics look good or look better.
 15 So there are lots of things that are involved.
 16 You know, I couldn't begin to say how to solve the
 17 problem. I just have to live with the problem day to
 18 day. So we have some suggestions, but it's not
 19 something that we have any control over.
 20 Q What are some of the short-term suggestions
 21 that you've made?
 22 A Lower the number of students at Fremont High
 23 School without lowering the number of teachers.
 24 Q I'm sorry. Through -- go ahead.
 25 A That was it. I just wanted to add, without

1 lowering the number of teachers and without taking away
 2 our bungalows because then you're putting the same --
 3 you know, proportionately, you're putting the same
 4 number of kids into the same number of rooms.
 5 Q How do you lower the number of students at
 6 Fremont? What are some of the ways that you have
 7 discussed or discussed in your debate over overcrowding
 8 at Fremont?
 9 MS. LHAMON: Assumes facts not in evidence.
 10 Calls for speculation. Calls for expert testimony.
 11 THE WITNESS: And Dr. Rousseau would be the
 12 expert, but Locke and Jordan are one of our
 13 possibilities, that some of the students who attend
 14 Fremont would be assigned to Locke, Jordan or even
 15 Washington.
 16 BY MR. ROZWOOD:
 17 Q Have you ever -- sorry.
 18 Are there any other short-term suggestions
 19 that have come up in your discussions of overcrowding at
 20 Fremont?
 21 A One is the graphics arts building. And that
 22 is -- Dr. Rousseau is working on that. That's being
 23 converted right now into three classrooms.
 24 Q Can you mark that on the map in Exhibit 7.
 25 A It used to be 503. I don't think it's -- let

1 me see. Yeah. It's right there. It's at the front end
 2 of one of the back shop buildings.
 3 Q Can you put a circle around that X. And
 4 that's in blue pen.
 5 A This one.
 6 Q That's the entire graphic arts building?
 7 A No. The building is broken up into different
 8 rooms. The wood shop is down at the end. ROTC is in
 9 the middle, and graphics arts is at the end.
 10 Q The idea is to turn the graphic arts portion
 11 into classrooms?
 12 A Yes.
 13 Q That's currently underway?
 14 A Yes.
 15 Q That's going to create three new classrooms at
 16 Fremont?
 17 A I haven't been there to see the construction,
 18 but that's what I've been told.
 19 Q Okay. What other short-term suggestions are
 20 under consideration at Fremont?
 21 MS. LHAMON: Assumes facts not in evidence.
 22 Calls for speculation. Calls for expert testimony.
 23 THE WITNESS: Under consideration, I have no
 24 idea. What the teachers have suggested -- it's not
 25 marked on here. John Hope Continuation School is like

1 over here.
 2 BY MR. ROZWOOD:
 3 Q The transcript is not going to reflect it
 4 unless you mark it.
 5 A Okay. At the corner of 79th and Towne, there
 6 is a small piece of land that contains four bungalows.
 7 That is John Hope High School. And we have suggested --
 8 they only have, like, 50 students. We have suggested
 9 that we be given those, and they be relocated. I'm sure
 10 they wouldn't like that but, you know.
 11 Q Can you put an arrow to the box that you've
 12 drawn at that corner of the school site?
 13 A This is John Hope. I mean, we're pretty
 14 desperate. We're looking at any possible thing that
 15 would give us more room, and I feel bad about John Hope,
 16 but somebody suggested it. So we listed it.
 17 Q What other suggestions have you made to your
 18 knowledge to reduce or address the overcrowded problem
 19 at Fremont?
 20 MS. LHAMON: Assumes facts not in evidence.
 21 Calls for speculation. Calls for expert testimony.
 22 THE WITNESS: Some people at the school
 23 feel -- believe that based on the amount of mail that
 24 gets returned to the school every time we do a mailing,
 25 that there are a lot of students using incorrect

1 addresses. And that if we checked on those addresses,
2 we would find that those students didn't really belong
3 at Fremont. I have absolutely no way of knowing if
4 that's true or not. But that's -- people have also
5 mentioned that.

6 BY MR. ROZWOOD:

7 Q Can you think of any other suggestions that
8 the teachers have made in this area?

9 A Long, long term is building more schools.

10 Q Can you think of any other suggestions that
11 the teachers have made in this area?

12 A No, that's -- so far what we've come up with.

13 Q With respect to the suggestion of lowering the
14 number of students that attend Fremont, has there been
15 any discussion about how logistically to achieve that
16 among the teachers or administrators at Fremont?

17 A Administrators, I don't know. Teachers, yeah.
18 I mean, that's where Locke and Jordan come in. We're
19 saying that some of the students who currently attend
20 Fremont should be sent to Locke and Jordan to at least
21 equalized the numbers.

22 Q When you say "sent to Locke and Jordan," do
23 you mean bussed there?

24 A Locke and Jordan are about 10 or 15 minutes
25 away from us by car. So I don't know how it would be

1 THE WITNESS: It's in my declaration that they
2 don't seem to. This has been a long, ongoing problem at
3 Fremont. We haven't seen any relief until Dr. Rousseau
4 got in there, yeah. So that's how it seems to us. I'm
5 sure if you ask them, they'd say, "Of course we care."
6 All I can tell you is how it seems to us.

7 BY MR. ROZWOOD:

8 Q What is the basis for your impression that
9 they don't care at the big district about the
10 overcrowded problem at Fremont?

11 MS. LHAMON: Mischaracterizes the testimony
12 sadly.

13 THE WITNESS: That it's been going on for
14 years, and that we're getting more and more and more
15 overcrowded, and our administrators tell us, two in
16 particular -- Pat Nichols and Gabina Jauregui (phonetic)
17 -- tell us that they try to -- sorry -- that they try to
18 tell downtown, "stop sending us kids."

19 BY MR. ROZWOOD:

20 Q Is downtown in charge of which schools -- I
21 mean, which students attend which schools in the
22 district?

23 A I don't know.

24 MS. LHAMON: Calls for speculation. Calls for
25 a legal conclusion.

1 accomplished.

2 Q That's fair enough. Other than what you've
3 listed for us here today, can you think of any other
4 suggestions that the teachers have discussed to address
5 the overcrowded problem at Fremont?

6 A No.

7 MS. LHAMON: Calls for speculation.

8 BY MR. ROZWOOD:

9 Q Do you see on line 24, paragraph 8, where you
10 say, "The Los Angeles Unified School District
11 administration does not seem to think that overcrowding
12 is a problem at Fremont High"?

13 A Yes, I see that.

14 Q Do you consider Dr. Rousseau to be part of the
15 LAUSD administration?

16 A Yes, in the sense that she is an
17 administrator. We actually consider her to be District
18 I. When we refer to LA Unified, we mean -- we sometimes
19 call them the big district. We make a distinction
20 between the big district and District I.

21 Q Is it your testimony that the administrators
22 in the big district don't care about the overcrowded
23 problem at Fremont High?

24 MS. LHAMON: Mischaracterizes the
25 declaration.

1 MR. FERNOW: Join.

2 THE WITNESS: I don't know. I know there's a
3 map with boundaries. That's all I know.

4 BY MR. ROZWOOD:

5 Q Line 26 through 27 on paragraph 8, you state,
6 "Superintendent Roy Romer said that he did not expect
7 there to be a change in the situation at Fremont for the
8 foreseeable future."

9 Is that a reference to the letter written by
10 Roy Romer introduced as Exhibit 1 to your deposition?

11 A Yes, it is.

12 Q Do you have any other basis for your statement
13 in line 26 through 27 of paragraph 8 of your
14 declaration, other than this letter written by Roy
15 Romer?

16 A No, that was a direct quote. But at this
17 point we don't expect there to be a change at Fremont in
18 the foreseeable future.

19 Q Do you have any other basis other than the
20 letter written by Mr. Romer for your testimony in
21 paragraph 8?

22 A No, I don't. Considering he's the
23 superintendent, we didn't think we needed one.

24 Q Do you see where you referred to other high
25 schools in your area in the last sentence of paragraph

1 8?
 2 A Yes.
 3 Q Are you referring to Locke and Jordan?
 4 A Yes.
 5 Q Are you referring to any other high schools in
 6 your area?
 7 A Possibly Washington.
 8 Q Is --
 9 A Which is located close to us.
 10 Q Is Washington a high school located in
 11 District I?
 12 A No.
 13 Q Do you know what local district Washington is
 14 located in?
 15 A No, I don't. But I know it's not "I" because
 16 the three in "I" are Locke, Jordan and Fremont.
 17 Q Do you know how far away Washington High
 18 School is from Fremont?
 19 A Miles, I don't know. It takes us about 20
 20 minutes to get there. 15 to 20 minutes.
 21 Q From Fremont?
 22 A From Fremont.
 23 Q In paragraph 9 of your declaration you refer
 24 to a leaky air conditioner in the library.
 25 A Yes.

1 Q Has that air conditioner been fixed, as we sit
 2 here today?
 3 A Today, yes.
 4 Q Do you know how long the leak lasted?
 5 A Approximately four or five days.
 6 Q Can you describe in detail the damage that it
 7 cost?
 8 A About five ceiling tiles were soaked with the
 9 water that was dripping down from the unit, and a couple
 10 of them fell off because they got so heavy with the
 11 water. They landed on a counter, but nobody was hurt,
 12 and nothing was damaged.
 13 Q Have those tiles been replaced?
 14 A No.
 15 Q Do you see in paragraph 10 where you refer to
 16 rats in your classroom between 1996 and 1998?
 17 A Uh-huh.
 18 Q Have we discussed -- you didn't verbalize
 19 your --
 20 A Yes.
 21 Q That's okay. Thanks.
 22 Have we discussed already in your deposition
 23 today all the times you've seen rats in your classroom?
 24 A The times that I can specifically remember,
 25 like, where I was standing and where the rat was, yes.

1 But there were other times, like, down the hall or when
 2 I wasn't real close to it or something like that. But
 3 the three specific times that I know exactly what was
 4 going on, yes.
 5 Q Can you indicate the other places you've seen
 6 rats, other than what you've already testified to here
 7 today on the map in Exhibit 7?
 8 A The cafeteria area over on 76th Street behind
 9 the cafeteria.
 10 Q Can you put an R inside that circle that
 11 you've just drawn to indicate rat. Was that in a
 12 hallway or outside?
 13 A No, outside, behind the cafeteria, but on
 14 school property. It's inside the chain link fence --
 15 not chain link anymore. But inside the fence.
 16 The back of the auditorium by room 118, but
 17 outside.
 18 Q Can you put an arrow with an R and circle
 19 pointing to where you indicated. There you go.
 20 Anywhere else?
 21 A Well, I mentioned the mouse in 106 already.
 22 Q Other than the stuff you've already testified
 23 to?
 24 A Right.
 25 MS. LHAMON: So you don't want those marked on

1 the map?
 2 MR. ROZWOOD: You can mark those on the map
 3 too.
 4 MR. FERNOW: How about M's?
 5 MR. ROZWOOD: Or M for mouse, yeah.
 6 THE WITNESS: That's the administration. It's
 7 right next to --
 8 MR. FERNOW: Isn't that right here?
 9 THE WITNESS: I guess. It's right across from
 10 107, but it looks like a 12. It is right next to where
 11 the bathroom is. So I think it says 12 for bathroom.
 12 BY MR. ROZWOOD:
 13 Q We won't hold you to the room number.
 14 A It's right there. Oh, out in the agriculture
 15 area when we used to go out there and clean up the --
 16 there are divided plots for gardening. And my community
 17 service classes would sometimes go out to work out
 18 there.
 19 Q And how many times did you see rats out there?
 20 A Probably a couple in each location. We
 21 have -- we have a lot of rats.
 22 Q On -- have you told us all the occasions
 23 you've seen rats at the school site at Fremont?
 24 A That I can think of right now, yeah. It's so
 25 common that a lot of times we don't even make a big deal

1 out of it. I'm kind of embarrassed to say that, but
2 that's the truth. We -- we have become -- especially
3 those of us who have been there a long time have become
4 used to it, and I'm embarrassed to say that.

5 It helps to have new teachers come in who are
6 not as -- they don't expect this, and so they're
7 outraged, and it helps to renew our sense of outrage to
8 see it through fresh eyes.

9 MS. LHAMON: It's about 5:30. We've been
10 going a long time. Should we stop the deposition?

11 MR. ROZWOOD: I'm okay with that.

12 MR. FERNOW: I just object that the last
13 question (sic) is not responsive and move to strike.

14 MR. ROZWOOD: The last response.

15 MR. FERNOW: Last response -- just the
16 response.

17 MR. ROZWOOD: Counsel for the witness has
18 provided a couple of alternative dates, and I have
19 agreed to advise Ms. Lhamon as to which of the three
20 dates work best for our schedule, and counsel for LAUSD
21 as well, and I will do that by the end of the week.
22 We'll see you again on the second session.

23 MS. LHAMON: Do you want to make the
24 stipulation?

25 MR. ROZWOOD: You can propose one. We're not

1 going to agree to anything about the original transcript
2 so...

3 (Discussion off the record.)

4 MR. ROZWOOD: Counsel have discussed, and I
5 believe have agreed to the following stipulation: That
6 the original of this deposition be signed under penalty
7 of perjury; that the reporter will be relieved of her
8 responsibilities under the applicable statute for
9 maintaining the original transcript;

10 That the original will be delivered to me at
11 my office, and that the witness will have 30 days from
12 the date of the court reporter's transmittal letter to
13 sign and correct the deposition and make any changes
14 necessary thereto; that Ms. Lhamon will notify all
15 parties in writing of any changes to the deposition
16 within that period of time and, if no such changes are
17 indicated during that period of time, any unsigned and
18 uncorrected copy of this deposition transcript may be
19 used for all purposes in this litigation or any
20 proceeding related thereto as if signed by the
21 deponent.

22 MS. LHAMON: I don't mean to introduce new
23 problems, but given the original is going to be sent to
24 your office, is it okay with you and with counsel for
25 the district for us to just to notify you of changes

1 with the signature on a separate piece of paper so she
2 doesn't have sign the original at your office? Does
3 that work for you?

4 MR. ROZWOOD: Yeah. She can sign a separate
5 list of any corrections.

6 MS. LHAMON: Thank you.

7 MR. ROZWOOD: And just send that original --
8 and those will be the only changes that will operate on
9 this transcript.

10 MS. LHAMON: With that copy, so stipulated.

11 MR. ROZWOOD: I guess she'll review the
12 certified copy that you get.

13 MS. LHAMON: That's fine.

14 MR. ROZWOOD: And any signature on any
15 correction page will also mean that she's reviewed the
16 entire transcript?

17 MS. LHAMON: Terrific.

18 MR. FERNOW: So stipulated.

19 MS. LHAMON: So stipulated.

20 MR. ROZWOOD: So stipulated.

21 (Whereupon, at 5:40 P.M., the deposition of
22 MARY HOOVER was adjourned.)

1 STATE OF CALIFORNIA)
2) ss
3 COUNTY OF LOS ANGELES)

4
5
6
7 I, MARY HOOVER,
8 hereby certify under penalty of perjury under the laws
9 of the State of California that the foregoing is true
10 and correct.

11 Executed this day of ,2001
12 at ,
13 California.

14
15
16
17
18
19
20 _____
21 MARY HOOVER
22
23
24
25

1 STATE OF CALIFORNIA)

2) ss

3 COUNTY OF LOS ANGELES)

4 I, LAURA J. MELLINI, Certified Shorthand
5 Reporter, number 8181, for the State of California, do
6 hereby certify;

7 That prior to being examined,
8 MARY HOOVER,
9 the witness named in the foregoing deposition, was by me
10 duly sworn to testify the truth, the whole truth and
11 nothing but the truth;

12 That the testimony of the witness and all
13 objections made at the time of the examination were
14 recorded stenographically by me;

15 That the foregoing transcript is a true
16 record of the testimony and all objections made at the
17 time of the examination.

18 I hereby certify that I am not interested
19 in the event of the action.

20 IN WITNESS WHEREOF, I have subscribed my
21 name this day of , 2001.

22
23 _____
24 Certified Shorthand Reporter
25 for the State of California