

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

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ELIEZER WILLIAMS, et al.,) Case No.
) 312 236
) Volume I
) vs.)
STATE OF CALIFORNIA; DELAINE)
EASTIN, State Superintendent of))
Public Instruction; STATE)
DEPARTMENT OF EDUCATION; STATE)
BOARD OF EDUCATION,)
) Defendants) Pages 1-222
-----)

DEPOSITION OF: LLOYD HOUSKE
) THURSDAY, JUNE 14, 2001
) 9:43 A.M.

REPORTED BY: SYLVIA P. SHEAR
) RPR, CSR NO. 3010

1 Deposition of LLOYD HOUSKE, taken on behalf of
2 the Defendant State of California, at 400 South Hope
3 Street, Fifteenth Floor, Los Angeles, California on
4 THURSDAY, JUNE 14, 2001, 9:43 A.M. at before SYLVIA P.
5 SHEAR, RPR, CSR NO. 3010.

6
7 APPEARANCES:

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9 FOR THE PLAINTIFFS:

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1 APPEARANCES (CONTINUED):

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14 MARTHA CASTILLO
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1 I N D E X

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5	LLOYD HOUSKE	(By Ms. Strong)	6
6		P.M. Session	122
10	NO.	PAGE	DEPOSITION EXHIBITS
11	1	33	First Amended Complaint for Injunctive and Declaratory Relief
14	2	187	Declaration of Herendida Bautista Bates Nos. PLTF 00069-70
17	3	190	Declaration of Yanira Salguero Bates Nos. PLTF 00076-77
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1 LOS ANGELES, CALIFORNIA
2 THURSDAY, JUNE 14, 2001
3 9:43 A.M.

4
5 LLOYD HOUSKE,
6 having been first duly sworn, was examined and
7 testified as follows:

8
9 EXAMINATION

10 BY MS. STRONG:

11 Q. Good morning, Mr. Houske.

12 A. Good morning.

13 Q. My name is Sabrina Strong and I represent the
14 State of California in this action. Would you please
15 state and spell your full name for the record.

16 A. Yes. Lloyd Houske, L-l-o-y-d, Houske,
17 H-o-u-s-k-e.

18 Q. Have you ever had your deposition taken before?

19 A. No.

20 Q. Now, I am going to briefly explain what is going
21 on today, some of the ground rules for today.

22 I am going to ask you a series of questions to
23 try and learn more about what you know about the facts of
24 this case. The court reporter will record my questions
25 and your answers and all of this will be transcribed into

1 Q. If at any time you do not understand one of my
2 questions, please let me know by explaining that you do
3 not understand. I will attempt to rephrase the question
4 if necessary. However, I will assume that you do
5 understand the question if you do not tell me that you do
6 not understand, okay?

7 A. Yes.

8 Q. You are required to answer my questions to the
9 best of your ability. If you do not know the answer, we
10 do not want you to guess. However, we are entitled to
11 your best estimate where you can provide one.

12 Do you understand that?

13 A. Yes.

14 Q. Because your testimony will be given under oath,
15 it will have the same force and effect as if you are
16 testifying in a court of law. You are therefore subject
17 to all of the penalties of perjury for giving false
18 testimony. So even though we are in an informal setting
19 today, you are testifying as if you were in a court of
20 law.

21 Do you understand that?

22 A. Yes.

23 Q. If you need a break at any time for any reason,
24 just let us know and we can go off the record and take a
25 break.

1 a booklet that you will have an opportunity to review and
2 then sign.

3 You can make any changes that you feel are
4 necessary to the transcript at that time. However,
5 whatever changes you make, any of the lawyers in this
6 action will be able to comment on those changes.

7 Do you understand that?

8 A. Yes, I do.

9 Q. It is important that you respond to the
10 questions fully and fairly under these circumstances.
11 It's also important that you verbalize your answers
12 because we have a court reporter who is taking down what
13 is being said. It's important that you not shake your
14 head or nod your head and that you say "yes" and "no" as
15 opposed to "unh-unh" and "uh-huh" so we can read it on
16 the transcript, okay?

17 A. Yes.

18 Q. It is also important that we have a clear
19 record, a clear transcript that we can read, and so it's
20 important that we not speak at the same time. I will
21 allow you to finish your answers and if you could do me
22 the return favor of waiting for me to finish my question
23 before you begin with your answer.

24 Do you understand that?

25 A. Yes, I do.

1 Do you understand that?

2 A. Yes, I do.

3 Q. If at any point during today's deposition a
4 question I ask or an answer you give triggers a memory
5 concerning something we talked about previously, please
6 feel free to bring that forward and discuss it at that
7 time. If you do not do that, we will assume that the
8 answers you give today are full and complete.

9 Do you understand that?

10 A. Yes, I do.

11 Q. Do you understand what I have said so far and do
12 you have any questions?

13 A. No.

14 Q. Is there any reason why you may be unable to
15 testify and give your best testimony here today?

16 A. No.

17 Q. Have you recently consumed any medication,
18 alcohol or other substance that clouds your mind and
19 would interfere with your ability to understand or answer
20 any of my questions?

21 A. No.

22 Q. Where do you live?

23 A. [REDACTED]

24 Q. And where did you go to college?

25 A. USC.

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1 Q. When did you graduate from USC, if you can
2 recall?
3 A. I lied so many years about my age that it is
4 difficult. I got my Master's in 1951.
5 Q. Was that also from USC?
6 A. Yes.
7 Q. Did you get a BA? What was your degree in USC
8 in undergrad?
9 A. BA and MA.
10 Q. What was your MA in, I'm sorry?
11 A. Administration.
12 Q. Do you have any teaching credentials?
13 A. Yes, I do.
14 Q. What type of teaching credentials do you have?
15 A. K through 8 and supervision and administration
16 credentials.
17 Q. When did you receive your K through 8
18 credential?
19 A. The same time I received my Bachelor's which I
20 don't remember the date of.
21 Q. And when did you receive your supervision
22 credential?
23 A. When I received -- in 1951.
24 Q. And when did you receive your administration
25 credential?

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1 A. The same time.
2 Q. 1951?
3 A. Yes.
4 Q. Do you have any other education-related
5 credentials?
6 A. No.
7 Q. What is your current job title?
8 A. Elementary principal.
9 Q. Is this at Cahuenga Avenue Elementary?
10 A. Yes, it is.
11 Q. Could you please describe your responsibilities
12 and duties as principal of Cahuenga Avenue Elementary.
13 A. Well, I am in charge of the school, the
14 educational program there. I am in charge of the plant.
15 I am in charge of the spending of monies, the finances.
16 I am in charge of the supervision of employees. Most of
17 all I am in charge of an educational program to meets the
18 needs of the children in that community.
19 Q. So are you also responsible for ensuring that
20 students have adequate textbooks and instructional
21 materials at the school?
22 A. Yes, I am.
23 Q. Are you responsible for ensuring students have
24 adequate supplies at the school?
25 A. Yes, I am.

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1 Q. Are you responsible for ensuring that the
2 bathrooms are cleaned and stocked on a regular basis?
3 A. Yes, I am.
4 Q. And are you responsible for ensuring that there
5 are adequate bathrooms open and available for students to
6 use at Cahuenga?
7 A. Yes, I am, to the best of my ability.
8 Q. Are you also responsible for ensuring that the
9 cafeteria is maintained in a clean manner?
10 A. Yes, I am.
11 Q. Who are the vice principals at Cahuenga?
12 A. Adeline Shoji, S-h-o-j-i, and Pamela Hughes.
13 Q. Is it common to have two vice principals at an
14 elementary school?
15 A. Well, it is depending upon the size of the
16 school.
17 Q. Does the size of your school merit two vice
18 principals?
19 A. No.
20 Q. Why is it that you have two vice principals at
21 your school, then?
22 A. One was given to me to help because of the
23 bussing, because we bus a large number of the children,
24 so that the administrative load was greater so they gave
25 me another one.

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1 Q. And who made the decision to give you an
2 additional vice principal for your school?
3 A. The district.
4 Q. And that's Los Angeles Unified School District?
5 A. Yes.
6 Q. Do you know when Adeline Shoji began as vice
7 principal at Cahuenga?
8 A. This year.
9 Q. Do you know who was vice principal prior to
10 Adeline Shoji?
11 A. Stella Lockett.
12 Q. I'm sorry, Stella Lockett?
13 A. Lockett, L-u-c-k-e-t-t.
14 Q. And do you know what years Stella Lockett served
15 as vice principal at Cahuenga?
16 A. I think she was there about three years, so
17 probably she started in '97.
18 Q. Through until 2000 or 1999?
19 A. 2000.
20 Q. And then Adeline Shoji began in the year 2000?
21 A. Both of them began, Pamela Hughes and Adeline
22 Shoji.
23 Q. Was there a vice principal at Cahuenga in
24 addition to Stella Lockett prior to 2000?
25 A. No.

1 Q. So Stella Luckett was the only vice principal?
 2 You didn't get a second vice principal --
 3 A. No.
 4 Q. -- until Pamela Hughes came on in 2000?
 5 A. Until the numbers of children bussed grew larger
 6 and then it was added.
 7 Q. Okay. And was that 2000?
 8 A. Yes.
 9 Q. When did you begin your career in education?
 10 A. I should have never told those stories all those
 11 years about my age. This is making it difficult for me.
 12 Q. Whatever the truth is, that's what we want
 13 today.
 14 A. I know.
 15 MR. VILLAGRA: The question is what reunion do
 16 you go to?
 17 THE WITNESS: I don't. They look too old. I
 18 think it must have been 1945.
 19 BY MS. STRONG:
 20 Q. Okay.
 21 A. That's real approximate. I am not even sure of
 22 that.
 23 Q. Why don't we start with your first position in
 24 education.
 25 A. Yes, I was a teacher at 61st School.

1 Q. Is this what you are referring to with the 1945
 2 date?
 3 A. Yes. That was my first experience in school.
 4 Q. And what did you teach?
 5 A. Third grade.
 6 Q. How long were you in this -- 66th?
 7 A. 61st.
 8 Q. -- 61st Street Elementary teaching third grade,
 9 if you recall, approximately?
 10 A. I would say maybe three years. This is really
 11 approximate.
 12 Q. And is that in Los Angeles Unified School
 13 District?
 14 A. Yes, it is.
 15 Q. Why did you leave that school?
 16 A. They wanted me to be a demonstration teacher, so
 17 then I went to 6th Avenue.
 18 Q. And who is it that wanted you to be a
 19 demonstration teacher?
 20 A. The district.
 21 Q. Were you a demonstration teacher at 6th Avenue?
 22 A. Yes, I was, but just a short time.
 23 Q. How long were you there for?
 24 A. Probably less than half a year.
 25 Q. What does it mean to be a demonstration teacher?

1 A. It means that you modeled lessons for students
 2 who were coming in wanting to be teachers.
 3 Q. So are you working with the incoming teachers,
 4 then, in that role?
 5 A. With student teachers, yes.
 6 Q. Why did you leave that school?
 7 A. The district wanted me to be an adviser.
 8 Q. And so what did they ask you to do?
 9 A. I was assigned to a district and each day I went
 10 to a different school and did in-service classes for the
 11 teachers and visited classrooms to help with
 12 instructional programs.
 13 Q. How long did you serve in this role,
 14 approximately?
 15 A. Maybe approximately two and a half years.
 16 Q. So in this capacity were you working with
 17 teachers?
 18 A. Oh, yes.
 19 Q. Full-time teachers?
 20 A. Full-time teachers, regular teachers.
 21 Q. As opposed to student teachers?
 22 A. Yes, that's right.
 23 Q. Were you working with any principals in that
 24 capacity as an adviser?
 25 A. Yes, I was. I conducted in-service for them,

1 too.
 2 Q. What does that mean to say "in-service"?
 3 A. It means you model new instructional techniques
 4 for principals and teachers so they gain new insights
 5 into teaching strategies that they might not have had.
 6 Q. So why did you stop your serving as an adviser?
 7 A. The district ran out of money so I went back to
 8 Vermont Avenue as a training teacher there, demonstration
 9 teacher.
 10 Q. And how long were you at Vermont Avenue
 11 approximately?
 12 A. A year and a half or two.
 13 Q. And this is in the capacity as a demonstration
 14 teacher?
 15 A. Uh-huh, and a training teacher.
 16 Q. Which you have already described to me; correct?
 17 A. Yes, that's right.
 18 Q. After Vermont what did you do?
 19 A. Then I became an assistant principal.
 20 Q. Where were you an assistant principal?
 21 A. At 66th Street School.
 22 Q. And how long were you an assistant principal at
 23 66th Street approximately?
 24 A. Two to three years.
 25 Q. Do you have an idea as to what time period we

1 are talking here when you were an assistant principal at
2 66th Street?

3 A. Well, I became a principal there and so I left
4 there in 1966.

5 Q. Okay. So after two to three years of serving as
6 assistant principal at 66th Street, you became principal;
7 is that correct?

8 A. That's right.

9 Q. And how long did you serve as principal at 66th
10 Street, approximately?

11 A. Well, maybe two years. When you add those
12 numbers up, they may not agree.

13 Q. That's okay. What were your responsibilities at
14 66th Street?

15 A. My responsibilities were to be in charge of a
16 school plant, to do the hiring, to do the ordering
17 materials, ensuring the safety of children, providing
18 strong educational program for youngsters also being in
19 charge of a building program and creating community
20 relations.

21 Q. Did your responsibilities at 66th differ in any
22 way from your responsibilities at Cahuenga currently?

23 A. Well, the only way that they differ is the large
24 number of children that we bus away from Cahuenga. That
25 was not at that school.

1 A. And one track.

2 Q. Why did you leave Hoover Street Elementary?

3 A. Well, because I had been there a long time and
4 they reassigned me.

5 Q. And where did you go after Hoover Street?

6 A. Went to Cahuenga.

7 Q. And did you come to Cahuenga as principal?

8 A. Yes, I did.

9 Q. And have you been at Cahuenga since that time?

10 A. That's right.

11 Q. So that's from approximately 1966 on; is that
12 correct?

13 A. No, no. That was when I went to Hoover.

14 Q. Oh, I'm sorry.

15 A. So subtract about 16 years and that's when I
16 left.

17 Q. Okay. You have been at Cahuenga approximately
18 16 years, then?

19 A. Yes.

20 Q. Other than what you have already described to
21 me, do you have any other experience in education?

22 A. Well --

23 MS. GODFREY: That's a little bit vague. Do you
24 have something in particular that you are looking for?

25 BY MS. STRONG:

1 Q. And this building program that you refer to,
2 what was that?

3 A. We built an auditorium and a classroom building.

4 Q. At 66th Street?

5 A. At 66th.

6 Q. After serving as principal at 66th Street, what
7 did you do?

8 A. I then was transferred to Hoover Street school.

9 Q. And what was your position at Hoover Street
10 school?

11 A. Principal.

12 Q. And how long were you a principal at Hoover
13 Street?

14 A. A long time. At least 13, 14, 15 years. Time
15 goes quickly.

16 Q. Was Hoover Street a multi-track school?

17 A. It wasn't when I went there. It was a small
18 school when I went and then it became a large school.

19 Q. So while you were there, was it on a traditional
20 calendar?

21 A. In the beginning, yes.

22 Q. And when I say "traditional calendar," what does
23 that mean?

24 A. That means where you have a summer off.

25 Q. Okay.

1 Q. Well, does anything come to mind? You can go
2 ahead and answer the question if you understand.

3 A. Well, I have done a lot of professional
4 development for administrators and that I was
5 instrumental in developing a new way of selecting
6 principals where we develop videotapes. And the
7 candidate had to watch the videotape and be able to
8 determine whether or not this was a good teaching lesson
9 and what recommendations they would make for that
10 teacher.

11 And it was a fascinating experience. Plus I
12 have done many, many in-services throughout the district
13 to help teach principals and teachers become more
14 effective in their roles.

15 Q. Did you have any special training to prepare you
16 for these roles other than your experiences that you
17 gained from teaching and serving as principal throughout
18 the years?

19 A. The district has provided me some wonderful
20 experiences in training me that once you graduate from
21 college doesn't mean that your training stops, and so I
22 have had the advantage of having wonderful experiences.

23 Q. And is there anything from -- is there any
24 training you have received other than what you have
25 described in your experience at each of the schools that

1 you have already identified?

2 A. Well, there's so much that I would hate to start
3 listing it all. You get training in very specific areas
4 in terms of helping children with special needs. You get
5 training in how to run a multiple track school. You
6 receive training in safety for the school, earthquake
7 preparedness. There's just -- the job is really a very
8 large job and there are many different things that you
9 have to have experiences and be trained in.

10 Q. Who is it that's providing this training to you,
11 the types of training you just mentioned?

12 A. The district. And then the district sometimes
13 hires outside organizations to come in and do it. UCLA
14 does quite a bit.

15 Q. For example, would you attend a seminar that was
16 put on by the district regarding earthquake safety in
17 schools?

18 A. Yes, I would.

19 Q. You were describing your role in professional
20 development. Were you involved in a program where you
21 developed videos to help train teachers and principals;
22 is that correct?

23 A. That's correct.

24 Q. When were you involved with this program?

25 A. When I was at Hoover.

1 Q. That's when you first became involved with the
2 program?

3 A. That's correct.

4 Q. Did you have any specific title with respect to
5 this program?

6 A. No.

7 Q. It was called a professional development program
8 put on by the Los Angeles Unified School District?

9 A. Correct, correct.

10 Q. And you were involved with it in the capacity as
11 a trainer as opposed to one that was learning from the
12 program?

13 A. I have been involved both ways.

14 Q. When you are referring to your start at Hoover
15 with the program, in what capacity were you involved with
16 the professional development program?

17 A. Well, I suppose you always start off first being
18 trained and as you show some expertise in it, then you
19 are asked to be a trainer.

20 Q. Did you ever proceed in the ranks with respect
21 to the professional development program?

22 A. I am not sure what you mean by that.

23 Q. Did you ever hold a leadership position with
24 respect to the professional development program like a
25 chair or something of that nature?

1 A. Yes, I have.

2 Q. What was that title that you held or what --

3 A. Chairperson.

4 Q. Chairperson? Okay. And when was that?

5 A. Well, that's been as recent as two years ago
6 when I was chairperson for professional development for
7 what was known then as the Belmont cluster.

8 Q. In your role as professional development
9 chairperson, did your responsibilities change or were
10 they the same as what you already described to me?

11 A. No, it was just an additional responsibility.

12 Q. What was that?

13 A. Being the chairperson of professional
14 development.

15 Q. What kind of responsibilities were unique to
16 being chairperson as opposed to what you had been doing
17 previously?

18 A. Well I helped plan the principal's meetings. So
19 we planned the focus as to how we thought the district
20 should go at local district and on what kind of
21 activities we could do that would improve instruction in
22 schools.

23 Q. And were you only working with the Belmont
24 cluster or were you working with other schools in the
25 Los Angeles Unified School District?

1 A. Well, as the chairperson it was only within the
2 Belmont cluster.

3 Q. What does it mean to say the "Belmont cluster"?

4 A. It's like a family of schools.

5 Q. Do you happen to know what schools are included
6 in the Belmont cluster?

7 A. No. I would not know that.

8 Q. Does the Belmont cluster still exist?

9 A. No, it does not.

10 Q. When did it cease?

11 A. This year.

12 Q. Why is that; do you know?

13 A. Because of the reorganization of the district.

14 Q. Are you still serving as a professional
15 development program chair?

16 A. Not as a chairperson, but as a member of the
17 committee. There isn't a chairperson now.

18 Q. Have you received any awards relating to your
19 work in education?

20 A. Yes, I have.

21 Q. Can you please describe the awards or list the
22 awards that you have received.

23 A. I received from Mayor Riordan, I believe it was
24 last year, being one of the Treasurer of Los Angeles. I
25 have received an award from the Wilshire Rotary. I have

1 received an award from the Korean American Educators
2 group several times. I have received the Peskalowski,
3 which I have a very hard time saying the name, Award. I
4 have received a proclamation from the State Assembly from
5 the City Council from the Board of Education and my
6 school has received awards.

7 Q. Let's focus on the ones you received which is a
8 long list. Are there any others you can think of right
9 now?

10 A. I received from the PTA and a lot of other ones,
11 but those are the major ones.

12 Q. Okay. The first award that you described was
13 the Treasurer of L.A. Award, awarded by Mayor Riordan, I
14 believe you said?

15 A. That's right.

16 Q. And you believe that that was awarded last year?

17 A. Uh-huh.

18 Q. Is that 2000?

19 A. Yes, it is.

20 Q. What was that for?

21 A. I suppose for the contribution that they felt I
22 had made to the school and to the community.

23 Q. And the Wilshire Rotary Award; is that correct?

24 A. That's right.

25 Q. When was that given, approximately?

1 Peskalowski you said?

2 A. Peskalowski.

3 Q. Do you know how to spell that by any chance?

4 A. Absolutely not. I can't even pronounce it well.

5 Q. The Peskalowski Award?

6 A. Right.

7 Q. When did you receive that?

8 A. When I was at Hoover.

9 Q. Do you know what that was for specifically?

10 A. It is an award that is given to Korean educators
11 who demonstrate superior efforts, I guess.

12 Q. Do you know who gives the award?

13 A. The Korean community.

14 Q. Then you stated that you received proclamations
15 from the state, the city and the Board of Education;
16 correct?

17 A. That's right.

18 Q. Have you received more than one of each of
19 these?

20 A. I have received more than one from the assembly.

21 Q. From the State Assembly?

22 A. Uh-huh.

23 Q. How many have you received from the State
24 Assembly, if you know?

25 A. Two.

1 A. I don't remember whether it was this fall or
2 whether it was last -- either the fall or spring of last
3 year.

4 Q. Of 2000?

5 A. Uh-huh.

6 Q. Do you know why you were given that award?

7 A. The Wilshire Rotary has adopted me and they come
8 to my school on many different occasions. They volunteer
9 as readers for the children and they really have adopted
10 the school and apparently they like what I do.

11 Q. You said the Korean Education -- what was the
12 name of that association?

13 A. Korean American Educators Association.

14 Q. Okay. When did you receive an award from them?

15 A. I have received it twice. And one maybe was ten
16 years ago and maybe the other one was maybe four years
17 ago.

18 Q. And what is the award that you received?

19 A. Again, it was recognition for working with
20 Korean American children and helping immigrants into the
21 country.

22 Q. And this is specific to your work at Cahuenga
23 Avenue Elementary?

24 A. Yes, right.

25 Q. And the next award you stated was the

1 Q. Do you know when these awards were given?

2 A. No.

3 Q. In the past ten years, for example?

4 A. They were given to me when I was at Hoover.

5 Q. Do you know what they were for?

6 A. I never asked them. I just accepted.

7 MR. VILLAGRA: When you are being proclaimed,
8 you don't ask questions.

9 THE WITNESS: Right.

10 BY MS. STRONG:

11 Q. For recognition for your work at Hoover, is that
12 what you understood it to mean?

13 A. Right.

14 Q. With respect to the proclamation you received
15 from the city, do you remember when you received that
16 proclamation?

17 A. When I was at Hoover.

18 Q. Again, do you remember anything distinct about
19 it other than recognizing your work that you did at
20 Hoover as a principal there?

21 A. That's right.

22 Q. Nothing more --

23 A. Nothing more.

24 Q. -- than that?

25 A. Nothing more.

1 Q. The Board of Education proclamation, is that
2 from the Los Angeles Board of Education?
3 A. Yes, it is.
4 Q. Do you know when you received that proclamation?
5 A. No, but I was at Cahuenga and it was for our
6 children in the primary grades reading so well. We had
7 taken children down who were in kindergarten and it was
8 for that and plus for the fact that our school was doing
9 well.
10 Q. You mentioned your school Cahuenga Avenue
11 Elementary has also received some awards. Can you
12 describe some of the awards that have been received by
13 your school?
14 A. Well, it received the Copy Seal of Excellence
15 for its bilingual program and it is the second school in
16 Los Angeles to receive exemplary status from the state.
17 Q. You said second in Los Angeles Unified School
18 District?
19 A. To receive the exemplary status.
20 Q. With Copy Seal of Excellence what does "CABE"
21 stand for?
22 A. California Association of Bilingual Educators.
23 Q. Do you know approximately when that award was
24 received?
25 A. I am consistent.

1 Q. All right.
2 A. It wasn't very long ago.
3 Q. Within the past five years, for example?
4 A. Yes, yes, yes.
5 Q. And what did that award recognize?
6 A. Well, it recognized the fact that our school
7 when bilingual programs were still not discouraged as
8 much as they are today, that our children had the top
9 apprentice scores in the city and our English reading
10 scores were extremely high as well, so it was recognition
11 for the quality of the program we were offering children.
12 Q. Do you believe that you have maintained that
13 quality of your bilingual program since you were given
14 that award?
15 A. I believe it. And our success is measured
16 differently now because children who are in bilingual
17 programs at second grade have to start taking the English
18 examination and so that the test scores do not look as
19 wonderful as they did because all of a sudden children
20 who don't speak English are taking an English test.
21 Q. Is that the Stanford 9 test, the English test
22 that you are referring to?
23 A. That's correct.
24 Q. And this change to require students to take this
25 English test, do you know who initiated the change?

1 A. The public and the legislature.
2 Q. So it is from the state?
3 A. Yes. 227.
4 Q. With respect to the award of an exemplary
5 status, can you explain to me what that is?
6 A. Again, this is an award that you apply for and
7 it is very rigorous as to the requirements. There's a
8 great deal of documentation that has to be provided on
9 test scores.
10 At our school we have a dual language program
11 where we teach Korean to English speakers and that award
12 was basically given for that program.
13 Q. So when you say you apply for this award, who
14 are you applying to?
15 A. The state.
16 Q. And you said that you were the second school in
17 the Los Angeles School District to receive the award. Do
18 you know who the first school or what the first school
19 is?
20 A. It was a Spanish program and right now I can't
21 think of the name of the school.
22 Q. Have you had an opportunity to review the
23 complaint that was filed in this action?
24 A. Yes. I have looked at it. I wouldn't want to
25 quote it.

1 MS. STRONG: Okay. Let's mark as Exhibit 1 --
2 actually can we stipulate that this is an accurate copy
3 of the First Amended Complaint for Injunctive and
4 Declaratory Relief and that it not be attached to the
5 deposition transcript?
6 MR. VILLAGRA: So stipulated.
7 MS. GODFREY: Agreed.
8 MS. STRONG: Do you want to go off record
9 (A discussion was held off the record.)
10 (Deposition Exhibit 1 was marked
11 for identification and retained by
12 Ms. Strong.)
13 MS. STRONG: Let's go back on.
14 Q. With respect to Exhibit 1 here the First Amended
15 Complaint for Injunctive and Declaratory Relief, I would
16 like you to turn to paragraph 169 of the complaint.
17 A. Page 169?
18 Q. No. It is paragraph 169. It is at page 41.
19 Would you please review those paragraphs relating to
20 Cahuenga Elementary School. And those are paragraphs 169
21 through 173. Okay. Do you understand these are
22 allegations the plaintiffs make in this lawsuit regarding
23 conditions at Cahuenga Avenue Elementary?
24 A. Yes, I do.
25 Q. We will come back to this.

1 What is the school term at Cahuenga Avenue
2 Elementary?
3 A. Well, we run a three-track system so school's
4 always in session.
5 Q. This is a multi-track system?
6 A. Three tracks.
7 Q. Is it a Concept 6 calendar?
8 A. Yes, it is.
9 Q. What does that mean to be a Concept 6 calendar?
10 Can you describe that?
11 A. Well, basically it means it has 17 days less of
12 instructional time as far as days go, but they tack on
13 extra time to each day so that the children have the same
14 amount of school time.
15 Q. So it's 17 days less of instructional time than
16 that which would be given on a traditional school
17 calendar?
18 A. That's correct. That's correct.
19 Q. But the instructional minutes per day are
20 increased --
21 A. Yes.
22 Q. -- when compared to a traditional school
23 calendar?
24 A. Yes.
25 Q. Wait for me to finish my question.

1 A. I'm sorry.
2 Q. That's okay.
3 And as a result, the students on this Concept 6
4 calendar receive the same if not greater instructional
5 minutes than those on a traditional calendar; is that
6 correct?
7 MR. VILLAGRA: Objection. That misstates
8 testimony.
9 MS. STRONG: Can you read back the question,
10 please.
11 (The record was read
12 by the reporter as follows:
13 "Q. And as a result, the students on this
14 Concept 6 calendar receive the same if not
15 greater instructional minutes than those on
16 a traditional calendar; is that correct?")
17 THE WITNESS: Now I am not sure I understand the
18 question.
19 BY MS. STRONG:
20 Q. Okay. That's fair.
21 You stated that on a Concept 6 calendar, the
22 instructional minutes that are given per day are greater
23 than those given on a traditional calendar; is that
24 correct?
25 A. That is correct. Yes, that is correct.

1 Q. So is it accurate to say that the students on a
2 Concept 6 calendar receive the same if not a greater
3 number of instructional minutes total as compared to
4 students on a traditional calendar?
5 A. They receive the same.
6 Q. The same number of instructional minutes as
7 those on a traditional calendar?
8 A. That's right, to my understanding.
9 Q. To your knowledge?
10 A. Right.
11 Q. They do not receive less?
12 A. They do not receive less, but they do not
13 receive more.
14 Q. Can you describe the school calendar in terms of
15 how many months the students are on and how many months
16 the students are off just for a general picture of how
17 the calendar works?
18 MS. GODFREY: At Cahuenga Elementary?
19 BY MS. STRONG:
20 Q. At Cahuenga Elementary on the Concept 6
21 calendar.
22 A. The Concept 6 calendar is the same for all
23 Concept 6 schools, of course, and basically A track which
24 starts at the end of August is what would be looked upon
25 as being more the traditional year. That has two large

1 blocks of time for instruction.
2 Green track, which would be -- I am used to
3 calling my color blue, green and red. And green also has
4 more of a traditional look to it. Red track is the one
5 there is one more break in there, but as far as actual, I
6 am sure we have submitted a calendar to you.
7 Q. Okay. How many students attend Cahuenga?
8 A. Approximately 1300.
9 Q. What is the capacity of Cahuenga?
10 A. Approximately 1300.
11 Q. So you are at capacity?
12 A. We are at capacity.
13 Q. You are not above capacity?
14 A. No.
15 Q. How many students are on each track at Cahuenga,
16 if you know?
17 A. One third.
18 Q. Of the 1300?
19 A. Of the 1300; right.
20 Q. So at any given time when classes are in
21 session, you have two thirds of the 1300 students; is
22 that correct?
23 A. That is correct.
24 Q. So you don't actually have 1300 students on the
25 campus at once in class?

- 1 A. No.
 2 Q. What grade levels are taught at Cahuenga?
 3 A. Kindergarten through fifth.
 4 Q. What time does the school day begin?
 5 A. School starts -- actually it starts at
 6 8:00 o'clock, we ring the bell five minutes earlier, but
 7 the official starting time is 8:00 o'clock.
 8 Q. Classes at Cahuenga proceed until what time of
 9 the day?
 10 A. 2:48.
 11 Q. Is that for grades 1 through 5?
 12 A. Yes. That's correct.
 13 Q. Does it differ for kindergartners?
 14 A. Kindergarten have two sessions, a morning and an
 15 afternoon.
 16 Q. What time? Can you give me the beginning and
 17 ending times for the morning session of kindergarten?
 18 A. They have just recently changed the times and so
 19 it's -- they start at 7:45 in the morning and --
 20 Q. Approximately?
 21 A. 11:30. Your hand moved back and forth saying
 22 it's okay.
 23 Q. Is 11:30 an approximation?
 24 A. An approximation; right.
 25 Q. And the second session?

- 1 A. And the second session gets out at 3:15.
 2 Q. And starts at what time approximately?
 3 A. Approximately 11:45, I think, or 11:30.
 4 Q. Is instruction ever provided to the students
 5 during intercession periods?
 6 A. Yes, it is.
 7 Q. And can you describe to me what kind of
 8 instruction is provided to the students during
 9 intercession periods?
 10 A. Most of it is remedial in nature.
 11 Q. Who is it that -- let me rephrase that.
 12 Are the intercession programs similar to summer
 13 school on a traditional calendar or is it distinct?
 14 A. Well, they differ because of the fact that we
 15 don't have the space and so that many of our
 16 intercessions are after school.
 17 Q. Okay.
 18 A. And on Saturdays.
 19 Q. Okay. How long is your intercession period
 20 approximately?
 21 A. It depends on funding. Sometimes we offer one
 22 that is two weeks in length. Sometimes we offer some
 23 that are four and six weeks in length.
 24 Q. But with respect to the total number of weeks
 25 that exist between going on and off track, how long is

- 1 that intercession period, not the program that's
 2 provided, but the time the students are off from school
 3 generally?
 4 A. Well, it's a very complex organization to run
 5 intercessions and programs like this because of the lack
 6 of space. And so like right now we are going to be
 7 offering a summer intercession, but the children will be
 8 bussed to another location.
 9 Q. Okay. Are intercession programs offered for all
 10 grade levels at your school?
 11 A. Yes.
 12 Q. And is it only provided for remediation or is it
 13 also provided for students who would simply like to
 14 participate in an intercession program, notwithstanding
 15 their educational performance?
 16 A. Yes.
 17 Q. Students can also participate without needing
 18 remediation?
 19 A. Yes.
 20 Q. Who teaches these intercession classes?
 21 A. Teachers on the staff and from other staffs.
 22 Sometimes teachers' aids.
 23 Q. What subjects are taught during intercession?
 24 A. We have a computer class that we offer after
 25 school. We have a dance class that's offered after

- 1 school. We have -- the majority of the others are
 2 remedial in nature.
 3 Q. Focusing on whatever subject matter the child
 4 needs assistance on; is that correct?
 5 A. Basically reading.
 6 Q. But if a child needed assistance in math, would
 7 he be able to receive that assistance during an
 8 intercession program?
 9 A. In my program the children really do well in
 10 math.
 11 Q. Do you know how many students participate in
 12 these intercession programs?
 13 A. Well, we had one, I know the two-week one,
 14 everybody in school participated in that for two weeks.
 15 I shouldn't say "everyone." Everybody was offered a
 16 chance to participate in a program to help children with
 17 test awareness skills.
 18 Q. When you say everyone was offered the
 19 opportunity --
 20 A. Except kindergarten.
 21 Q. Okay. Are you referring to all the students who
 22 are off track at that time?
 23 A. No. This was during, on school time, after
 24 school.
 25 Q. Okay. So it was offered to both students on

1 track and off track; is that correct?

2 A. When the children who were off track came back,
3 then they could stay after school for this program.

4 Q. So it is not necessarily an intercession
5 program. It could also be described as just simply an
6 after school program; is that correct?

7 A. Well, it could, but it -- most schools don't
8 have after school programs unless it is an intercession
9 type thing.

10 Q. Okay, but what you have explained to me is that
11 students who are in school at the time could participate
12 in this after school program; is that correct?

13 A. That's right.

14 Q. In addition to the program that you have
15 described to me, is there additional tutoring offered by
16 Cahuenga?

17 A. Yes, there is.

18 Q. Can you describe what is offered in terms of
19 tutoring at Cahuenga Avenue?

20 A. Well, we have volunteers that come in and work
21 with children. We have in one kindergarten program, we
22 offer an hour extra each day.

23 Q. And these volunteers, where do they come from?
24 Are they parents or are they students?

25 A. Some are parents and some are even older

1 that are being offered to the children in the school.

2 Q. Do you have anything in terms of music offered
3 at the school?

4 A. Yes. We have a fabulous orchestra that probably
5 has 70 members in it. The orchestra teacher has the
6 Young Musician Foundation, has other tutors that come in
7 along so we probably have four extra, probably five
8 teachers in all for that orchestra. These children do
9 not have private lessons and they performed beautifully.

10 We also have a vocal music teacher and she has a
11 chorus in which we are the primary children.

12 Q. With respect to the programs, rather than taking
13 each program individually, with respect to all of them on
14 a whole can any student participate in them or are there
15 eligibility requirements for the programs?

16 A. Yeah. You have to practice.

17 Q. But as long as they are willing to practice,
18 they can participate; is that how it works?

19 A. Basically; right.

20 Q. Okay. And with respect to the computer program,
21 you said that you referred to it previously. I think you
22 referred to it when you were discussing the after school
23 program that was offered.

24 What is it that is involved in the computer
25 program?

1 students that come back and some are the Wilshire Rotary
2 people, members who come over and work with youngsters.

3 Q. Do you have any students from UCLA that come to
4 campus to work with students?

5 A. No.

6 Q. Are there any extracurricular activities at your
7 school?

8 A. Well, we have a wonderful dance program in our
9 school. We are probably one of the few schools in
10 Los Angeles that has it. Our diversity dancers perform
11 throughout the city. We are sending children to Korea
12 this summer. The teacher and eight non-Korean children
13 are going to be visiting Korea. That is one program. I
14 told you about the computer program that goes on.

15 We have Spanish dancing taught after school. We
16 have a very active soccer team at the school. We have
17 another program we just started which has -- I have
18 forgotten the name of it. We just got the guide. It is
19 a program where children have after school care.

20 And we have I think approximately the
21 opportunity to have maybe up to 38 or 40 children in that
22 program. Like last night we had a Flamenco dancer and
23 guitar player as part of the program. Tomorrow and
24 Friday they will be having another play being presented
25 to the children, so there are some wonderful experiences

1 A. Well, the computer program was a result of a
2 grant that we wrote so that it was a Title 7 grant, so we
3 got the computer lab. And then the Riordan Foundation
4 has been generous as far as providing support. You have
5 to apply for it and we have -- it is an eight-week
6 program. If children come 0 after school consistently
7 every day, they receive a rebuilt computer as a gift for
8 completion of the course.

9 Q. Each child that participates will receive a
10 rebuilt computer if they complete the course
11 satisfactorily?

12 A. That's right.

13 Q. That means just attending it for eight weeks?

14 A. Right.

15 Q. And then they can take that computer home for
16 their personal use?

17 A. For their own.

18 Q. They get to have it?

19 A. What was the question again?

20 MR. VILLAGRA: I think we were all thinking what
21 a wonderful program.

22 BY MS. STRONG:

23 Q. I was asking you to describe the computer
24 program.

25 A. Okay.

1 Q. But I think you have done that. I want to ask a
2 few specific questions.

3 Is there a computer lab on your campus?

4 A. Yes, there is.

5 Q. How many computers are in the computer lab
6 approximately?

7 A. Well, I know they must have 30. They are
8 brand-new.

9 Q. And this is the lab that is used for the after
10 school computer program? I'm sorry, the after school
11 computer classes?

12 A. It is used for that plus every child in the
13 school, kindergarten through fifth, are scheduled to go
14 into that lab.

15 Q. As part of their regular program?

16 A. As part of their core program. It is also used
17 by adults on Saturdays as part of learning English.

18 Q. You said that the computers are new. Were they
19 recently purchased by the school?

20 A. Yes.

21 Q. When was that approximately?

22 A. Last year. And this year.

23 Q. When did you first get the computer lab on
24 campus?

25 A. We have had it a long time. It must be almost

1 written another grant and I think -- again from the
2 Riordan Foundation. I think we will probably be
3 receiving maybe 38 more so that every room has more than
4 one.

5 Q. Do the students use the computers in their
6 classes that you are aware of?

7 A. Yes, they do.

8 Q. Do the teachers incorporate computer use in the
9 curriculum within the class; is that correct?

10 A. That's correct.

11 Q. How do you know that?

12 A. I go into the classrooms.

13 Q. When was Cahuenga built, if you know?

14 A. I would have a feeling probably around 1901,
15 somewhere around there.

16 Q. Let's focus on your tenure as principal of the
17 school. Have there been any renovations to the school
18 since you have been principal?

19 A. Yes.

20 Q. Can you describe those renovations to me?

21 A. It seems like there has been a lot. And I don't
22 know whether you would call it a renovation, but the
23 school has grown, you know, in that time so we have added
24 bungalows onto the playground.

25 When I first went there, I saw a vacant lot next

1 ten years.

2 Q. And the computer lab has undergone renovations
3 throughout the ten years; is that correct?

4 A. That's correct.

5 Q. How many renovations is it?

6 A. Three.

7 Q. The most recent being last year with the new
8 computers; is that correct?

9 A. Well, actually this year because I guess it's
10 really four times because we are going on the Internet.

11 Q. Can you describe to me what is going on with the
12 Internet access?

13 A. That means the whole school is being rewired so
14 computers will be able to talk to each classroom and get
15 on the Internet with the library.

16 Q. Is that project ongoing right now?

17 A. Yes.

18 Q. When do you anticipate that project of providing
19 Internet access to your school will be complete?

20 A. I am hoping by the end of this month.

21 Q. And you stated that there are also computers in
22 classrooms; is that correct?

23 A. That's correct.

24 Q. How many computers in each classroom?

25 A. Some rooms have up to four. We have just

1 to the school and I called up the board and asked them to
2 buy it and they did.

3 We went into planning for the new three-story
4 building and we had that completed. And then with the BB
5 money, there was modernization of the other -- we call it
6 the Heritage Hall which is the original old building and
7 that was air conditioned and asbestos taken out and new
8 flooring put in.

9 And then there was another phase where they
10 worked on bathrooms where they did repiping and all the
11 pipes were replaced. Hollywood Beautification has been
12 to the school and helped with landscaping and doing tile
13 murals at the school.

14 The district provided me a beautiful wrought
15 iron fence around the school.

16 Q. I understand there might be others, but this is
17 what you can remember at this point; is that correct?

18 A. That's correct.

19 Q. Do you recall at what point bungalows were added
20 to the school?

21 A. Probably 10-11 years ago.

22 Q. Was that the only time bungalows were added to
23 the school?

24 A. Well, we have had replacements of bungalows that
25 were temporary and more permanent ones were put in.

1 Q. Okay. When were the more permanent bungalows
2 put in place?
3 A. I would say within the last three, probably
4 three years.
5 Q. So approximately three years ago?
6 A. Uh-huh.
7 Q. That put us at 1998; is that correct?
8 A. Your math is as good as mine.
9 Q. How many bungalows do you have on the campus, if
10 you know?
11 A. I was thinking in terms of rooms or thinking in
12 terms of buildings?
13 Q. Why don't we do both. How many bungalow
14 buildings are there on campus?
15 A. I would say there are 4, 5, 6, 7 bungalows that
16 probably make 14 rooms approximately.
17 Q. And you said that the bungalows that are in
18 place currently are more permanent than the ones that
19 were previously on campus?
20 A. Part of them are.
21 Q. How many are more permanent?
22 A. Let's do it the other way.
23 Q. Okay.
24 A. There are six rooms or three bungalows that are
25 not permanent.

1 Q. Okay. The bungalows that you are describing as
2 not permanent, why is it that they are not permanent?
3 What do you mean by that?
4 A. Well, they are easy to move and so that
5 eventually I am sure that they will be replaced probably
6 by a two-story building.
7 Q. Do they have a foundation?
8 A. No. One has wheels on it, I think.
9 Q. Are they connected to the electricity in the
10 school?
11 A. Yes.
12 Q. Do they have sinks in them so they have water in
13 any way?
14 A. No.
15 Q. But they have electricity is linked to the
16 school?
17 A. And they are air conditioned.
18 Q. Okay. When you are inside these more temporary
19 bungalows on your campus, are they noticeably different
20 from the other bungalows or classes on campus?
21 A. Well, I suppose they are because they are older.
22 Actually as far as square footage, they have more square
23 footage than what the new ones have, so in some way they
24 are much more spacious.
25 Q. The temporary bungalows you are saying are

1 older? Is that what you are saying?
2 A. Yes.
3 Q. But not older than the classrooms on campus?
4 A. The others are new. Remember they came on about
5 three years ago.
6 Q. I think I am getting lost here. What came on
7 about three years ago, the new permanent portables?
8 A. Right, or bungalows.
9 Q. Okay. But with respect to maybe the other
10 classrooms on campus, the ones that are in the buildings,
11 those are older than the --
12 A. See, what the difference is is that they changed
13 the size of classes. In the primary now, they only have
14 20 students and before they used to have 30 plus, so now
15 the rooms are -- the new rooms they are not making as
16 large. That's why the new ones are smaller.
17 Q. So these more temporary --
18 A. Have the old footage.
19 Q. -- have the old square footage?
20 A. Right.
21 Q. So they tend to be larger?
22 A. That's right.
23 MR. VILLAGRA: Sabrina, I don't mean to
24 interrupt, but if we are coming close to a break --
25 MS. STRONG: Yeah. Let me see. Yeah, we can

1 take one now. We can go off the record.
2 (Recess taken.)
3 BY MS. STRONG:
4 Q. With respect to the portable classrooms that you
5 consider to be more permanent, are those on cement
6 foundations?
7 A. Yes.
8 Q. And are those connected to the electricity of
9 the school?
10 A. Yes.
11 Q. Do you know if they have sinks in them?
12 A. Yes.
13 Q. And they are connected to the plumbing lines as
14 well?
15 A. Yes.
16 Q. Is there any anticipation that those will be
17 moved at any time in the near future, the more permanent
18 portable classrooms?
19 A. Well, Caprice Young would love to buy the
20 apartment building behind them. If she were lucky enough
21 to buy that, they might eventually be done, but that's
22 certainly not imminent. I wish it would happen.
23 Q. Caprice Young, who is that?
24 A. Our board member.
25 Q. With respect to the three bungalows that you

1 said are easy to move, you expressed a thought that there
2 may be a two-story building placed in that location
3 sometime soon. Can you describe what it is that you are
4 referring to?

5 A. Well, they would like us to have more playground
6 space, and of course if you had a two-story building,
7 that would give us more space for the playground.

8 Q. And "they," is that Los Angeles Unified School
9 District?

10 A. That's correct.

11 Q. Are there any plans at this time to make a
12 two-story building there?

13 A. No. It's still a dream.

14 Q. But is it being discussed with the district?

15 A. I don't know that.

16 MR. VILLAGRA: I would just like to clarify for
17 the record. I believe it is a two-story portable. It
18 wouldn't be a two-story building that would be put down;
19 is that correct?

20 MS. STRONG: I believe the testimony was it is a
21 two-story building.

22 Q. Could you clarify for us?

23 A. No.

24 Q. You don't know one way or the other?

25 A. I don't know one way or the other.

1 Q. Okay.

2 A. Again, there are so many unknown things. If
3 more land was purchased, then probably it would be
4 thought of as being a more permanent kind of a thing,
5 although any time you have a two-story building, it is
6 not exactly portable.

7 Q. In discussing the renovations that Cahuenga has
8 had during your tenure, you identified a vacant lot that
9 was purchased. What was done with that vacant lot?

10 A. If they had not bought the vacant lot, we
11 wouldn't have been able to add the three-story building.
12 It gave us the additional land needed.

13 Q. And what is this three-story building that you
14 are referring to?

15 A. It is the latest addition to the school. I
16 think it is approximately four years. It contains a
17 cafeteria, a library and classrooms and an outdoor
18 eating area.

19 Q. When you say "cafeteria," what does that mean?

20 A. It means that there is folding tables that go
21 into the wall so it can be used as an auditorium or in
22 case of inclement weather, the benches can be put down so
23 the children can eat indoors. There is also a lovely
24 outside area where children eat most of the time that has
25 an overhead covering and tile floor.

1 Q. With respect to the BB money you mentioned, you
2 stated that Heritage Hall, the older buildings on campus
3 or the older building on campus was renovated. When did
4 this take place, if you can recall, approximately?

5 A. Four years maybe.

6 Q. And you stated something with respect to air
7 conditioning. Is that the building that was given air
8 conditioning or at the time or can you describe the
9 renovations to me?

10 A. Yes. There was new flooring put in, new
11 cabinets for storage of things, new lighting, new sinks.

12 Q. Was air conditioning installed?

13 A. And air conditioning installed.

14 Q. Is there air conditioning in all classes on the
15 campus?

16 A. Yes, there is.

17 Q. And when was it that air conditioning was
18 installed in all classes in the campus? Was it at that
19 time or some other time?

20 A. Well, no. Basically all the other rooms had air
21 conditioning before that. That's the oldest building.
22 And of course the portables that are brought in all have
23 air conditioning with them. And so it was just Heritage
24 Hall that was lacking it.

25 Q. So at the time of the renovation of Heritage

1 Hall which you believe to have been approximately four
2 years ago, from that time forward there has been air
3 conditioning in all classes at Cahuenga Avenue
4 Elementary; correct?

5 A. That's correct.

6 Q. You mentioned renovations to bathrooms. Can you
7 describe to me -- let me rephrase.

8 When were the bathrooms renovated, if you can
9 recall?

10 A. It seems to me within the last year and a half
11 to two years ago.

12 Q. And which bathrooms are you referring to on
13 campus?

14 A. To the boys' and girls' bathroom in Heritage
15 Hall.

16 Q. And you explained that all of the pipes and
17 drains were replaced; is that correct?

18 A. I am not sure about the drains. I know that
19 pipes were done --

20 Q. Okay.

21 A. -- for water.

22 Q. Do you ever walk around the campus and have
23 opportunities to observe the conditions at your school?

24 A. Yes, I do.

25 Q. How often do you do that?

1 A. Daily.
 2 Q. And do you observe the bathrooms on your campus?
 3 A. Yes.
 4 Q. How often do you observe the bathrooms on your
 5 campus approximately?
 6 A. I would say maybe three and four times a week.
 7 Q. And do you observe the classrooms, the inside of
 8 the classrooms on your campus?
 9 A. Yes, I do.
 10 Q. How often would you say you do that?
 11 A. Maybe twice a week.
 12 Q. Do you have a supply room on campus?
 13 A. We have a supply room on campus plus we have two
 14 storage, large storage units outside for materials.
 15 Q. And you have been able to observe each of these
 16 storage rooms; is that correct?
 17 A. Oh, yes.
 18 Q. I would like to direct your attention to the
 19 First Amended Complaint which is marked as Exhibit 1.
 20 Paragraph 170. In part it states "Children at Cahuenga
 21 have no books to take home."
 22 Do you have any policies or procedures in place
 23 at Cahuenga for purchasing textbooks and other
 24 instructional materials for the school?
 25 A. Yes, I do.

1 Q. Can you describe to me what those policies and
 2 procedures are for purchasing textbooks and instructional
 3 materials?
 4 A. Well, one, as far as the textbooks goes, when I
 5 first went to the school, the children were not reading
 6 at a level that I thought was appropriate for how smart
 7 they were, and so he that we changed the system and I had
 8 every child was to take home a reader every night so that
 9 they could practice with their parents, because I believe
 10 that reading is only learned through practice.
 11 The supplies is --
 12 Q. We will get to supplies.
 13 A. I'm sorry.
 14 Q. You can put aside the Complaint for now.
 15 A. Okay.
 16 Q. I just wanted you to focus on the one
 17 allegation --
 18 A. Of books.
 19 Q. -- that there are no books to take home.
 20 I am specifically asking you apart from the
 21 allegation, what the procedures and policies are that are
 22 in place at Cahuenga Avenue with respect to purchasing
 23 textbooks and instructional materials for the students.
 24 So can you describe to me what policies and
 25 procedures are in place to purchase textbooks that are

1 needed for the students.
 2 A. The teachers are the ones that determine which
 3 textbooks that they want. They look at a variety of
 4 series and they make a selection. Every child has a
 5 textbook.
 6 Q. But with respect to the general policies and
 7 procedures in place, the teachers will identify what they
 8 need for their students is the first part of the process;
 9 is that correct?
 10 A. That's correct.
 11 Q. Then is that communicated to the administration
 12 at the school in some manner?
 13 A. There is an order form that they fill out where
 14 they request books.
 15 Q. Okay. So the teachers fill out an order form
 16 and submit it to someone in the administration; is that
 17 correct?
 18 A. They submit it to someone who is in charge of
 19 the textbook section.
 20 Q. Who would that be?
 21 A. It is a TA.
 22 Q. Then is an order then placed for the books or
 23 does the TA first look to see if the books are available
 24 on campus? What is the process at that point?
 25 A. The books are on campus so it is just a matter

1 of filling the order.
 2 Q. So what you are saying to me is the majority of
 3 the time any book that a teacher wants to have for his or
 4 her class is available and in stock on campus; is that
 5 correct?
 6 A. It is if they are using the current books. Some
 7 teachers, the state changed the reading focus when they
 8 determined which textbooks were going to be adopted and
 9 so when the textbook series that my staff really likes is
 10 an older series, that is based on a controlled
 11 vocabulary.
 12 And the new ones that were adopted were more of
 13 a core literature approach. And even though they were
 14 put into a single Basal reader, it still didn't have
 15 control of vocabulary.
 16 They were no longer available. Particularly
 17 among the Spanish children, the teachers really liked
 18 those books, but they also had the new ones that were
 19 available.
 20 MS. STRONG: Can you read back my question,
 21 please.
 22 (The record was read
 23 by the reporter as follows:
 24 "Q. So what you are saying to me is the
 25 majority of the time any book that a teacher

1 wants to have for his or her class is
 2 available and in stock on campus; is that
 3 correct?")
 4 BY MS. STRONG:
 5 Q. So is what I have said correct with respect to
 6 most of the books that the teachers use on campus?
 7 A. Yes. Yes. Yes.
 8 Q. And you were trying to distinguish those books
 9 that have been adopted by the state but ordinarily were
 10 not used by the teachers on the campus? Is that what you
 11 were explaining to me?
 12 A. No. I am just saying some teachers had a
 13 preference for a series that was outdated which were no
 14 longer -- you could not order anymore. The state funds
 15 could not be used for them.
 16 Q. At that point what would the teacher do then?
 17 A. She would use the new series.
 18 Q. Under those circumstances have you always had
 19 sufficient books of the new series available for the
 20 teachers to use?
 21 A. To the best of my knowledge.
 22 Q. Have you ever had a situation where a teacher is
 23 waiting for books because you have an order is in
 24 process, but not yet into the school and so there are no
 25 books available for the teacher? The teacher is waiting?

1 Have you had that situation or have you always had books
 2 available for teachers when they have needed them?
 3 A. Oh, no. I have had the situation where books
 4 are either coming and they just hadn't reached us yet.
 5 Q. So what was done during those circumstances?
 6 A. Well, they always had another book to fall back
 7 on.
 8 Q. The teachers always had books in their
 9 classroom. They never have been without books during
 10 your tenure at Cahuenga?
 11 A. That's right, that's right.
 12 Q. You explained that it's left to the individual
 13 discretion of the teachers to determine what books they
 14 need for the class; correct?
 15 A. Uh-huh.
 16 Q. Is it also left to the individual discretion of
 17 the teaches as to what books they want to send home to
 18 their students?
 19 A. Yes.
 20 Q. Are there standards and policies at Cahuenga
 21 that students be provided with textbooks and/or
 22 instructional materials?
 23 A. They are told to do that.
 24 Q. Okay. So the standard is that all students --
 25 A. Are to take.

1 Q. -- are to have a textbook in class and one to
 2 take home; is that correct?
 3 A. It would be the same textbook.
 4 Q. Okay. Is it possible for parents, students or
 5 teachers to complain about textbooks at school?
 6 A. Yes.
 7 Q. How would they complain about the textbooks if a
 8 teacher wanted to or a parent wanted to?
 9 A. I don't have parents complaining about that. I
 10 have teachers. If they have a problem, they will come to
 11 me directly and let me know.
 12 Q. But you don't have any complaints from parents?
 13 A. Not about books, no. That come to me.
 14 Q. Or that you are aware of?
 15 A. Or that I am aware of.
 16 Q. Do you know if there is a procedure in place for
 17 keeping the local school district informed about issues
 18 relating to textbooks on your school campus?
 19 A. Well, there certainly is this year because of
 20 going into open court and the mandate that everybody will
 21 be using one series now. But prior to that, it never
 22 seemed to be an issue.
 23 Q. Why is that?
 24 A. Because we didn't have the problem of shortage
 25 of books.

1 Q. Now, with respect to Open Court what is this
 2 program you are referring to?
 3 A. Open Court is a program that the superintendent
 4 has directed the schools to use in hopes of improving the
 5 student achievement.
 6 Q. And you need to purchase new materials for that
 7 reading program; is that correct?
 8 A. That's correct.
 9 Q. What grades does Open Court apply to?
 10 A. Kindergarten through fifth.
 11 Q. When do you need to purchase new materials for
 12 the Open Court reading program?
 13 A. They have been purchased.
 14 Q. Did you have any -- did you have sufficient
 15 funds to purchase the reading materials that you needed
 16 for the Open Court reading program?
 17 A. Yes.
 18 Q. Do you know if there are any classes on your
 19 campus in which teachers have chosen not to use a
 20 textbook?
 21 A. Oh, no. Now, there is a difference in
 22 description of the textbooks. Sometimes the textbook in
 23 kindergarten looks different, but it's still a textbook.
 24 Like in the new series, it's something that is
 25 mimeographed off or dittoed off and sent home with the

1 child to keep it home so the parent can practice with
2 him. And that's a change. Before that we always sent
3 home what we called the pre-primers. That was the first
4 books. But with the new system, it is a paper that's run
5 off.

6 Q. And so the fact that the children may be taking
7 home mimeographed or Xeroxed copied packets of material,
8 that's not a consequence of not having sufficient books
9 on the school?

10 A. No, no, not at all. It's following the
11 procedures of the Basal.

12 Q. I'm sorry, the Basal?

13 A. The Basal system, the textbook system.

14 Each textbook series has teachers' additions and
15 in there the teacher is told exactly the procedures to
16 follow and that's part of the procedure.

17 Q. Have you ever had a complaint from a teacher
18 that he or she wanted to send home books with the
19 students but couldn't because there were too few books on
20 the campus?

21 A. No.

22 Q. Is there a library at Cahuenga?

23 A. Yes, there is.

24 Q. Can you describe the facility in terms of the
25 number of books available to students?

1 A. From the librarian. We also have an automated
2 system so everything is computerized so there is a record
3 of which book a child has.

4 Q. These books that they check out from the
5 library, those are in addition to books that are given to
6 them by their teachers in their classes; is that correct?

7 A. That's true.

8 Q. Are the students able to take home the books
9 they check out from the library?

10 A. The older children do.

11 Q. When you refer to "older children," which grade
12 levels are you referring to?

13 A. Probably third, fourth and fifth.

14 Q. Do you know if kindergartners can take a book
15 home from the library if they would like to?

16 A. As a rule we don't. I am not sure if they do or
17 not because there is usually enough homework that is sent
18 home that the children don't really have much more time.

19 Q. But it wouldn't surprise you if a parent said a
20 child was taking home books from the library?

21 A. No, it wouldn't.

22 Q. Would you say that you have a surplus of books
23 at Cahuenga Avenue Elementary?

24 A. Well, I just got rid of a lot of them just
25 because I didn't have room to house all the new books

1 A. Well, we have a fantastic library. It's
2 probably one of the finest libraries in the city. It is
3 the size of two classrooms.

4 We received it through a grant that we got with
5 the Pacific Theaters. It is called The Wonder of Reading
6 Library.

7 We had to raise matching funds. The library,
8 last year we spent probably chose to \$50,000 on books
9 just for the library and our library has three languages
10 in it. It has Spanish, English and Korean. Every child
11 has books, checks out every week books from the library.

12 Some check out one, some check out two. We had
13 to add stacks to the library since it was built in order
14 to house all the books that we have. It is a tremendous
15 collection.

16 Q. You stated every child checks out one if not two
17 books a week; that is correct?

18 A. That is correct.

19 Q. How do you know that?

20 A. There is a library schedule and the teachers
21 really enjoy going up there to check out the books, and
22 that provides another resource for the children.

23 Q. But is that some school policy or procedure that
24 you are aware of or how is it that you know that every
25 child checks out a book every week?

1 coming in and so that we mark "discard" on them. We give
2 them to the children to take home.

3 Q. In the past few years, have you ever been made
4 aware of a complaint that there were not sufficient books
5 made available for students at Cahuenga?

6 A. Really, no.

7 Q. Is it accurate, then, to state that Cahuenga
8 Elementary has had sufficient funds during the past few
9 years to purchase all books necessary for the students at
10 the school?

11 A. We are a Title 1 school, a school improvement
12 school. We get bilingual funds, and so that Cahuenga is
13 not a poor school. We receive a lot of additional
14 federal monies and so that we are much better off than
15 some of the schools on the west side.

16 Q. So it is accurate to state that you have had
17 sufficient funds for the books necessary for the
18 students?

19 A. Absolutely, absolutely.

20 Q. Then based on your experience at Cahuenga, do
21 you believe the allegation at paragraph 170 of the First
22 Amended Complaint states "Children at Cahuenga have no
23 books to take home" is false?

24 A. Yes, I do.

25 Q. I would like to direct your attention to

1 paragraph 170 again of the First Amended Complaint,
2 Exhibit 1 which states in part that "Children at Cahuenga
3 are missing many school supplies. Parents have purchased
4 crayons, glue, scissors and pencils to provide the school
5 so their children may have supplies to use to learn."

6 Putting that aside now, are there procedures and
7 policies in place for purchasing supplies at Cahuenga
8 Avenue Elementary?

9 A. There is, yes.

10 Q. And can you describe?

11 A. There is an order form just as there is for
12 textbooks so when teachers want supplies, they fill out
13 an order, give them to the supply clerk. They in turn
14 deliver it to them. Then there is also a supply room
15 where there are some supplies kept where they can just go
16 in and take them.

17 Q. So is it accurate to say with respect to
18 supplies for Cahuenga Avenue Elementary, there are
19 sufficient supplies on campus at all times to fill the
20 requests of teachers; is that correct?

21 A. To the best of my knowledge.

22 Q. So any ordering that's done for supplies, it is
23 done in such a way that supplies are always maintained at
24 the campus so no teacher really needs to wait for an
25 order of supplies to come in; is that correct?

1 marking pens.

2 BY MS. STRONG:

3 Q. So are you referring to each of the things
4 identified in the Complaint and more when you refer to
5 supplies?

6 A. And more, and more.

7 Q. Thank you. So under ordinary circumstances when
8 a teacher puts in a request for supplies to either the
9 clerk or if a teacher walks to the supply room to get a
10 supply, teachers have the ability to get supplies within
11 a day, would you say, at your school?

12 A. It might be a little longer. It might be a
13 couple days.

14 Q. Okay.

15 A. At the start of the school year, each teacher is
16 given what we call a survival bag with all the crayons
17 and the pencils and those kinds of things that are used
18 up so quickly, and another one that they use a lot of are
19 journal books where children write in every day. Every
20 child has several of those during the year.

21 Q. So teachers know if they need supplies, they
22 have the ability to get them within a couple days or so?

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

25 BY MS. STRONG:

1 MR. VILLAGRA: Objection. Lack of foundation.

2 BY MS. STRONG:

3 Q. You can answer the question.

4 A. Oh, I am sure there is. Sometimes I mean you
5 can run out of construction colored paper or something
6 that they want. Or they decide they want something
7 special, you know.

8 Q. What would happen under those circumstances?

9 A. We would order it for them.

10 Q. Do you have any idea what the turnaround time
11 would be on an order for that for construction paper, for
12 example?

13 A. Again, it depends upon if it is in the
14 warehouse. If it is in the warehouse, we probably would
15 get it in a week's time.

16 Q. What warehouse are you referring to?

17 A. The district maintains a warehouse where we
18 order supplies from.

19 MS. GODFREY: I am going to interpose a late
20 objection as to the vagueness of the term "supplies."
21 Can the witness define when you speak about supplies what
22 you are referring to.

23 THE WITNESS: Well, we are referring to the
24 writing paper that children use, we are referring to
25 pencils, crayons, scissors, glue, rubberbands, staplers,

1 Q. Correct?

2 A. If they don't get it, they come to me
3 complaining.

4 Q. And what would you do if a teacher came to you
5 with a complaint regarding supplies?

6 A. The first thing I would do is check to make sure
7 we don't have it and the second thing, make sure that it
8 is ordered.

9 Q. Do you remember ever receiving a complaint that
10 a teacher didn't have supplies on your campus in the past
11 three years, say?

12 A. Oh, I am sure there has been one or so. Knowing
13 teachers, it is hard to believe that someone wouldn't
14 complain.

15 Q. But maybe the one that you remember, you handled
16 it in the manner that you described?

17 A. Yes.

18 Q. If a teacher ran out of pencils, for example,
19 and had an emergency request for pencils because they
20 didn't think ahead enough to place an order two days in
21 advance, could you get pencils for that teacher?

22 A. Yes. They would go to the supply clerk and tell
23 her, and everyone recognized that as an emergency and
24 then they would get it.

25 Q. Would that be the same for any of the supplies

1 identified in the Complaint, crayons, glue scissors and
2 pencils?

3 A. Well, I am not sure scissors would be considered
4 quite an emergency because every class gets scissors. It
5 isn't something that wears out. It is only carelessness
6 if it is gone.

7 Q. It may not be replaced immediately, scissors?

8 A. Not like an emergency where you make a special
9 trip to get it for them.

10 Q. But if a teacher believed that they needed
11 crayons, glue or pencils on an immediate basis, that
12 could be accommodated?

13 A. That's right.

14 Q. Do you know whether parents, students or
15 teachers are able to complain about supplies on the
16 campus at Cahuenga Avenue Elementary?

17 A. There is no doubt they can.

18 Q. How would a parent complain about the supplies
19 at Cahuenga Elementary?

20 A. I have never had a parent complain to me.

21 Q. Have you ever been made aware of any complaint
22 by a teacher with respect to supplies at Cahuenga
23 Elementary?

24 A. No, never.

25 Q. Have you ever had a complaint from a student

1 A. Yes. It looks like a railroad car.

2 Q. And that's full of supplies?

3 A. Full.

4 Q. And that includes supplies such as those
5 mentioned in the Complaint?

6 A. Absolutely.

7 Q. In the past few years have you ever denied a
8 teacher a request for any supplies identified in the
9 Complaint?

10 A. Never.

11 Q. Do you believe that anybody at your school has
12 denied a teacher a request for any of the supplies
13 identified in the Complaint, to your knowledge?

14 A. Well, if teachers constantly ask for scissors, I
15 am certain they would be questioned by the supply clerk
16 because they are an expensive item and they are not a
17 consumable item, so that if a teacher asks for a whole
18 new set of scissors, that probably would be questioned.

19 Q. Okay.

20 A. Sometimes teachers feel they should give the
21 supplies away and of course they are not supposed to do
22 that.

23 Q. But then other than scissors?

24 A. No, no.

25 Q. Do you believe the school has ever run out of

1 with respect to the adequacy of supplies at Cahuenga
2 Avenue Elementary?

3 A. Never.

4 Q. So do you believe that the school offers
5 sufficient supplies for the teachers and students at
6 Cahuenga Avenue Elementary?

7 A. To the best of my knowledge.

8 Q. You were explaining to me where the supplies are
9 kept. You said there was a storage room; is that
10 correct?

11 A. Right.

12 Q. In addition to something else?

13 A. In it there is a what would you call it -- a
14 metal bin that's placed on the yard that probably is --
15 it is probably the length of this room. And it's filled
16 with supplies.

17 And those are the supplies that if you know
18 teachers, teachers have a tendency to want to hoard a
19 little bit and so if everything is out and available,
20 they say "I have got to take it."

21 So those are the items that are kept in that
22 storage unit.

23 Q. Okay. I mean would you say it's the size of
24 like a railroad car? Would that be an accurate
25 description?

1 funds to purchase the supplies required for the students?

2 A. No.

3 Q. Are teachers ever required to buy supplies for
4 the school?

5 A. Only if I repay them. Say if they want to go
6 out and buy something. I say "Give me the receipt" and I
7 will pay them for it.

8 Q. Are they required to ever go out and purchase
9 supplies at the school?

10 A. No.

11 Q. So if they do so, it is at their own discretion?

12 A. Absolutely.

13 Q. If they do so, they have means of getting
14 reimbursed for that purchase; is that correct?

15 A. That's correct.

16 Q. Are students ever required to bring in supplies
17 to school?

18 A. Never.

19 Q. Are parents ever required to bring in supplies
20 to school?

21 A. Not to my knowledge they aren't.

22 Q. So based on your experience at Cahuenga, do you
23 believe that the allegation at paragraph 170 of the First
24 Amended Complaint that states "Children at Cahuenga are
25 missing many school supplies. Parents have purchased

1 crayons, glue, scissors and pencils to provide the school
 2 so their children may have supplies to use to learn" is
 3 fundamentally misleading, if not false?
 4 A. Correct.
 5 Q. I would like to direct your attention to
 6 paragraph 171 of the First Amended Complaint which states
 7 "At Cahuenga 83.7 percent of the students are still
 8 learning the English language, but 28 of the 65 teachers
 9 at the school lack full, nonemergency teaching
 10 credentials. That means that 43 percent of teachers at
 11 the school lack training to teach any children, much less
 12 specialized training to teach children who need English
 13 language instruction."
 14 Do you know how many teachers there are at
 15 Cahuenga?
 16 A. Approximately 75 probably.
 17 Q. Do you have any teacher vacancies at the school?
 18 A. I just found out about one yesterday so I will
 19 have one. I had a retiree, and I had one who is going to
 20 become a minister, so I hired three new teachers for the
 21 year.
 22 Q. So you have had three teacher vacancies for
 23 2001; is that accurate?
 24 A. For the coming year, 2001-2002, for the coming
 25 year. I don't have a vacancy during now.

1 Q. This past year, 2000-2001 school year, you
 2 haven't had vacancy?
 3 A. That's right, except I have had one teacher on
 4 an illness leave which has kind of extended over time
 5 which been filled by my teachers off track, and I had
 6 another teacher on leave one semester filled by off-track
 7 teachers, but it wasn't because I couldn't find teachers.
 8 Q. And those aren't considered actual vacancies --
 9 A. No they are not.
 10 Q. -- where you can fill in the positions; correct?
 11 A. That's correct.
 12 Q. So there were no teacher vacancies during the
 13 2000-2001 school year; correct?
 14 A. No.
 15 Q. Correct?
 16 A. Correct.
 17 Q. I have to be clear.
 18 Do you know if you had any vacancies during the
 19 1999-2000 school year?
 20 A. No. Our school is not a hard school to staff.
 21 Q. Do you have any vacancies at all you had to
 22 fill?
 23 A. No. There maybe was one where a teacher was
 24 being processed and maybe they were delayed for a month
 25 or two in coming in. That could have happened, but no.

1 That's not a problem school.
 2 Q. Can you describe the process to me for filling a
 3 teacher vacancy; for example, what you are going to have
 4 to do with the three or what you have already done with
 5 respect to the three vacancies for this upcoming school
 6 year? What is the process of filling a vacancy at
 7 Cahuenga Avenue Elementary?
 8 A. First of all, I look at the teacher assistants I
 9 have in my school. These are people who are working
 10 toward college degrees. And two of the vacancies that I
 11 am filling are from that rank so they have been trained
 12 in my own school and they probably have been at the
 13 school for six or seven years in the process of getting
 14 their credential, so I start there first.
 15 And then I hired another young man who is Korean
 16 for his language ability and I got him from the
 17 university.
 18 Q. Is there some involvement with the district in
 19 this process?
 20 A. Yes.
 21 Q. Can you explain to me how that works?
 22 A. Well, they do the processing. And the nice
 23 thing about what the district has done now is that no one
 24 is hired unless they have a school that wants them.
 25 In the past this has been -- several years in

1 the past some of the people downtown would hire the
 2 people and then they would have to be placed, and now the
 3 procedure has been reversed. And now I get to select
 4 everybody that I want and so that makes my staff so much
 5 stronger.
 6 Q. When you say the district does the processing,
 7 do you know what is entailed in that or what that means?
 8 A. The fingerprinting check to go make sure they
 9 have a credential or they are working toward a
 10 credential, make sure that they have a health exam, they
 11 have the police record checked, those kind of things, and
 12 then they have to pass CBest.
 13 Q. Essentially the district identifies individuals
 14 who are eligible to teach and then the schools can
 15 actually select which teachers they want to bring on to
 16 the campus; is that correct?
 17 A. No.
 18 Q. Okay.
 19 A. It may be correct, but the way it works for me,
 20 I select first. Then I send them downtown.
 21 Q. I see.
 22 A. Then they go through the process of doing the
 23 clearing and checking. The only thing they have to have,
 24 they have to have a bachelor's and they have to have a
 25 CBest pass.

1 Q. Do you know if you can turn to the district and
2 ask them for candidates to fill --

3 A. Oh, yes.

4 Q. -- positions at the school?

5 A. And some people go directly to the district and
6 they get processed down there, but they are not hired
7 until they are selected. So what the district does is
8 they give out a list of the names of schools that have
9 openings so then you get a flood of resumes and calls
10 that you can select from.

11 Q. What are you looking for when you are
12 interviewing applicants for a teaching position at
13 Cahuenga?

14 A. Probably different in that I look for who they
15 are as a human being, that I want people who are bright
16 and who are reflective about themselves, who can admit
17 they made a mistake, who are willing to learn, who have a
18 passion for teaching, who love children.

19 And I suppose the most important part is that
20 being able to reflect on oneself. If you can own up you
21 have made a mistake and you are willing to change, then
22 there is hope for creating a really fabulous teacher.

23 Q. Do you understand a full, nonemergency
24 credential to be the same as a clear credential?

25 A. I am not sure I understand you.

1 Q. As a matter of course, in the past few years
2 when interviewing for teachers at Cahuenga, how many
3 applicants have come to you with a full nonemergency
4 teaching credential?

5 A. Very few.

6 Q. So I understand that a teaching credential is
7 not what you look for when you are hiring a teacher. But
8 even if you were interested in hiring teachers with full
9 nonemergency teaching credentials, you rarely have the
10 opportunity to because there simply aren't candidates
11 with those qualifications; is that correct?

12 A. That is correct.

13 Q. And so is it correct to say that you have little
14 control over the number of teachers with full credentials
15 at Cahuenga?

16 A. That's correct.

17 Q. Other than the allegations that have been made
18 with respect to this lawsuit, have you ever received a
19 complaint or heard of any complaint regarding the number
20 of fully credentialed teachers or full nonemergency
21 credentialed teachers at Cahuenga?

22 A. I don't know whether you would call it a
23 complaint. The Rodriguez case which was seeking equal
24 funding for all schools, and so that when they looked at
25 schools that have credentialed experienced teachers with

1 Q. Do you know what a full nonemergency credential
2 is?

3 A. Full nonemergency? Oh, yes. A regular
4 credentialed teacher.

5 Q. Is that equivalent of a clear credential?

6 A. Yes. And the others are provisional credentials
7 or interns.

8 Q. Is it important to you when you are interviewing
9 that the candidate have a full nonemergency teaching
10 credential?

11 A. No.

12 Q. Why is that?

13 A. I believe that training is the polishing of the
14 stone. And I believe that innate part that you have to
15 have, if it is not there, you can't give it. And I tell
16 everybody I am working with the finest staff I have ever
17 had in my whole professional career.

18 Q. Out of the applicants that you receive or out of
19 the list of applicants that you receive for your school,
20 how many have full, nonemergency teaching credentials?

21 MS. GODFREY: "Applicant," I am going to have to
22 object. Applicants for? Are you narrowing it to a
23 specific incident or time?

24 MS. STRONG: No. That is good point of
25 clarification.

1 many years of practice, those schools look like more
2 money was being spent on them because of the salaries.

3 And so as a result of that, the Rodriguez decree
4 came out and so that my school then was given additional
5 money to make up for that discrepancy. I don't know
6 whether you would call that a complaint or not.

7 Q. Well, have you ever received a complaint from a
8 parent, for example, stating that they are unhappy with
9 the number of credentialed teachers, fully credentialed
10 teachers at your school?

11 A. Never.

12 Q. Have you ever received a complaint from a
13 student regarding the number of credentialed teachers at
14 your school or full credentialed teachers at your school?

15 A. No.

16 Q. Do you believe that the teachers at Cahuenga
17 Elementary credentialed with full credentials or not are
18 qualified to teach the students?

19 A. I most certainly do. The API scores that came
20 out this last year, we doubled what they wanted us to do.
21 Every teacher at school received, and I did, too,
22 approximately \$600 as a bonus from the state because we
23 had performed well.

24 Q. Can you think of an example of a teacher at your
25 school who you know has an emergency credential and who

1 you consider to be a good teacher?
 2 MS. GODFREY: Objection. It may call for
 3 confidential information regarding personnel information.
 4 I don't want you to name any specific teachers.
 5 THE WITNESS: Uh-huh.
 6 MS. STRONG: I don't believe that the name of a
 7 teacher is something confidential in this regard. If it
 8 was regarding disciplinary action or something of that
 9 nature, we may have a different issue, but identifying a
 10 teacher with an emergency credential is not anything that
 11 is covered by privacy concerns.
 12 MS. GODFREY: Well, I would like to go off the
 13 record for a second.
 14 MS. STRONG: Okay.
 15 (A discussion was held off the record.)
 16 MS. STRONG: Can we go back on. Can you please
 17 repeat the last question.
 18 (The record was read
 19 by the reporter as follows:
 20 "Q. Can you think of an example of a
 21 teacher at your school who you know has an
 22 emergency credential and who you consider to
 23 be a good teacher?")
 24 MS. GODFREY: And I am going to make an
 25 objection to that question that it may call for the

1 revelation of confidential personnel information related
 2 to a specific teacher or teachers. I am going to
 3 instruct Mr. Houske not to answer that question in terms
 4 of an example of a positive or good evaluation that he
 5 has given or would give a teacher, but allow Mr. Houske
 6 to answer that question based on an example that he might
 7 consider a quality of a good teacher.
 8 BY MS. STRONG:
 9 Q. First with respect to the question itself, I
 10 think the "yes" or "no" answer can be given without
 11 infringing upon any privacy concerns so would you first
 12 go ahead and answer the question in a "yes" or "no"
 13 fashion.
 14 A. Yes.
 15 MR. VILLAGRA: Sorry to interrupt, but I just
 16 would like to object to the vagueness of the question.
 17 Sorry. Go ahead.
 18 BY MS. STRONG:
 19 Q. Go ahead.
 20 A. Yes.
 21 Q. Can you explain to me who that teacher is.
 22 MS. GODFREY: And I am going to restate just for
 23 the record my last objection.
 24 MS. STRONG: Are you instructing the witness not
 25 to answer?

1 MS. GODFREY: In the way that I just stated,
 2 yes.
 3 MS. STRONG: Okay.
 4 Q. Are you going to follow your attorney's
 5 instruction not to answer?
 6 A. Yes.
 7 Q. Without identifying this individual by name, can
 8 you please describe to me an incident that you are
 9 thinking of or that can reflect what it is that you are
 10 thinking of when you answered my question?
 11 A. Well, actually I can think --
 12 MS. GODFREY: You can go ahead. I didn't say he
 13 couldn't identify a teacher by name. I said that he
 14 could provide an example of a teacher who didn't have a
 15 credential that was doing something good, albeit a party
 16 objected to that question as being vague and overbroad.
 17 He could not answer the question in terms of a
 18 positive or negative, for that matter, evaluation or his
 19 evaluation or critique of that teacher.
 20 MS. STRONG: But you are not objecting to him
 21 giving me a name of a person who he is thinking of has an
 22 emergency credential, but who he considers a good
 23 teacher?
 24 MS. GODFREY: Your question is overbroad and it
 25 is vague. If you are asking him if he has given an

1 emergency credentialed teacher a positive or good
 2 performance evaluation, if he, in fact, even does that, I
 3 am objecting and asking him not to answer the question.
 4 If you are asking him to describe an example of
 5 a teacher doing something good or something he thought
 6 was good, and again I am going to object to the term
 7 "good" because you haven't defined it more clearly for
 8 the witness, that would be something that I think is
 9 permissible for Mr. Houske to answer.
 10 BY MS. STRONG:
 11 Q. I am not after any of your performance
 12 evaluations that you have given any of your teachers, but
 13 you have explained to me that you have good teachers at
 14 your school, whether they have a full nonemergency
 15 credentialed credential or not.
 16 And I would like to understand if you have any
 17 specifics relating to your experience at Cahuenga that
 18 support your position that you have good teachers at your
 19 school who are qualified to teach the students even
 20 though they may not have a full nonemergency credential.
 21 So do you have something that is responsive to my
 22 question?
 23 A. I probably can tell you several. I am thinking
 24 in terms of a teacher who was off track. And he was so
 25 concerned about his children and he was wanting them to

1 perform well on the Stanford 9, so he gave four weeks of
2 his own time free and came to school and had the children
3 come back to school and he donated his services to those
4 children because he cared so much about them.

5 Q. And this individual you are thinking of, did he
6 have an emergency credential?

7 A. He had an emergency credential.

8 Q. And that is something that you would -- that
9 incident that you described is something that you would
10 believe to be indicative of a quality teacher; is that
11 correct?

12 A. That is correct, someone who gives more than
13 what is expected.

14 Q. Do you know who that teacher is? Can we go off
15 the record.

16 (A discussion was held off the record.)

17 MS. STRONG: Let's go back on. And can you read
18 back the last question.

19 (The record was read
20 by the reporter as follows:

21 "Q. And that is something that you would --
22 that incident that you described is
23 something that you would believe to be
24 indicative of a quality teacher; is that
25 correct?")

1 month where the teachers stay after school. We have
2 network meetings where grade levels meet together and
3 that's a very powerful learning tool for new teachers
4 because they get a chance to hear from the experienced
5 teachers and to share ideas.

6 Q. Can you think of any other training programs
7 that you have on campus to prepare your teachers for the
8 classroom?

9 A. Part of the evaluation process is for the
10 administrators to go into classrooms and to critique
11 lessons in the process of evaluation at the end of the
12 year.

13 Q. Do you have any training kind of at the
14 beginning of a school year on a regular basis?

15 A. Yes. Yes, we do.

16 Q. What would that be?

17 A. Again, it depends upon the way the teachers
18 select staff development days, that we have days where
19 they have no children, and at that time we plan extensive
20 in-service for them which usually ends up being for me
21 almost four days of continuous instruction of teachers.

22 MR. VILLAGRA: I just would like to object to
23 the question asking for the beginning of the year because
24 as I understand it there is --

25 THE WITNESS: Many beginnings.

1 MS. GODFREY: I am going to object to that
2 question on the grounds that it -- on the grounds of the
3 right of privacy of the teacher.

4 MS. STRONG: Are you instructing your client not
5 to answer?

6 MS. GODFREY: At this time I am, and we will
7 look into the issue. If we determine whether or not the
8 teacher has an emergency credential or clear credential
9 is not confidential, private personnel information, then
10 we would be happy to provide that information at a later
11 time.

12 BY MS. STRONG:

13 Q. Do you have any training on site to help prepare
14 your teachers for the classroom?

15 A. Yes, we do.

16 Q. Can you describe what that is?

17 A. We offer in-service classes, informal in-service
18 classes to teach them teaching strategies.

19 As an example, this year we taught thinking maps
20 and we bought a hundred-dollar notebook for each teacher
21 to help them learn a new strategy with their children
22 that's been extremely successful.

23 Q. So you have informal in-service training. Is
24 there anything else that you provide on campus?

25 A. We have faculty meetings probably three times a

1 MR. VILLAGRA: -- many beginnings.

2 BY MS. STRONG:

3 Q. Okay.

4 A. But it would be true for the beginning of each
5 new year for each track.

6 Q. With respect to the in-service informal
7 trainings that you described, when did that start at
8 Cahuenga?

9 A. As soon as I got there.

10 Q. How often is this performed?

11 A. Well, it seems like a lot. It's four days.

12 It's four days out of the school year that we have that
13 full day for them. And then there are the faculty
14 meetings where some faculty meetings are for the business
15 of running the school.

16 Q. I don't mean to interrupt you, but I want to
17 focus on the in-service informal training.

18 Is there something specific you were referring
19 to when you said, "We have in-service informal training
20 on the campus"? Is that a big description of all the
21 training you have or does that refer to something unique?

22 A. I guess I refer to it as all being informal. It
23 is not done by the district. The district has in-service
24 training for these new people as well. I consider ours
25 more informal because it is in house and they don't get

1 teaching -- they don't get in-service credit towards
 2 salary.
 3 Q. So when you are referring to in-service training
 4 that is informal provided by the school, you are
 5 referring to these items such as faculty meetings,
 6 network meetings, administrators critique and so forth;
 7 is that correct?
 8 A. That's correct.
 9 Q. So with respect to the faculty meetings that
 10 take place three times a month, when did those begin at
 11 Cahuenga?
 12 A. When I came.
 13 Q. And who attends the faculty meetings?
 14 A. All teachers who are on track.
 15 Q. How long are the meetings?
 16 A. One hour.
 17 Q. And when are they held?
 18 A. After school.
 19 Q. And what is covered during the meetings?
 20 A. There is two types of meetings. One is an
 21 informational meeting regarding the running of the school
 22 management activity kinds of things and then the second
 23 one is actually teaching more effective learning
 24 strategies.
 25 Q. There are three meetings a month so is it

1 divided up. One meeting is informational, two are
 2 teaching, or how is it divided up?
 3 A. It really varies depending on the needs that we
 4 have for each of those sections.
 5 Q. But would you say at least one meeting a month
 6 relates to teaching issues?
 7 A. Yes.
 8 Q. If not more; is that correct?
 9 A. That's correct.
 10 Q. How do you know what is covered at these
 11 meetings?
 12 A. I and the other administrators plan it with
 13 teacher input.
 14 Q. Do you ever attend these meetings?
 15 A. Always.
 16 Q. Do teachers have an opportunity to ask questions
 17 about any problems that arise in the classroom with
 18 respect to teaching during these meetings?
 19 A. Yes, they do. And outside of the meetings as
 20 well.
 21 Q. You also described network meetings. Can you
 22 please explain to me what a network meeting is.
 23 A. If you have read Closing the Learning Gap, it is
 24 a study on how Asian schools work. And in there teachers
 25 have a chance to share their successes and failures as to

1 what they are doing in classrooms. So networking is a
 2 little bit modeled under that principle of where teachers
 3 get together.
 4 Many schools have classrooms that are
 5 independent or practitioners. What we are trying to do
 6 is get away from that independence and make them
 7 co-dependent so that they learn from seeing what one
 8 class produces "oh, my goodness look at this. These
 9 youngsters are working at this level. Here mine aren't
 10 working that high. I have got to find out how this
 11 teacher got her children to work so well."
 12 We establish rubrics. Rubrics is a new way of
 13 looking at helping youngsters go up that learning ladder
 14 and so that rather than giving children grades, you talk
 15 about a rubric level 1, 2, 3 or 4. And the difference is
 16 that each rubric has to be defined so that a youngster
 17 would know if I am a level 1; now what can I do to become
 18 a level 2.
 19 And that was a real big step and that took, I
 20 would say, maybe two or three years with working with the
 21 staff at networking. And actually we were ahead of the
 22 state.
 23 The state has adopted this as a process and we
 24 were doing it long before they did.
 25 Q. When did you begin the rubric process at your

1 school?
 2 A. I would say at least four or five years ago.
 3 Q. And the state has already adopted this program
 4 now?
 5 A. Since then, yes. So that was a tremendous
 6 reinforcement for any efforts with the staff. They say
 7 "Oh, I guess he was on the right track after all."
 8 Q. From a logistical standpoint, how are the
 9 network meetings organized at your school?
 10 A. There is a grade level chairperson who is in
 11 charge of getting it together. In the beginning when it
 12 was a fledgling effort, I did a lot of direction of it
 13 and now it has taken on a life of its own.
 14 Q. When did you begin the network meetings at the
 15 school?
 16 A. About four years ago. No. Well, we have had
 17 informal networking for a long time, but the more formal
 18 we are doing now, I would say about the last four or five
 19 years.
 20 Q. Do you know how much the teachers -- you are
 21 saying that the teachers meet at grade level?
 22 A. Yes.
 23 Q. Same grade level teachers meet all together?
 24 A. That's right.
 25 Q. Do you know how often the teachers at the same

1 grade level meet for their network meetings?

2 A. In the fall and early spring probably once a
3 week or twice a month.

4 When testing comes in and testing takes up a
5 tremendous amount of time in the spring, the network
6 meetings have a tendency not to be as often because we
7 just don't have the time.

8 Q. And how long are the network meetings when they
9 do occur?

10 A. Usually an hour.

11 Q. I know you described to me the philosophy of the
12 network meetings, but at a network meeting can you give
13 me an example of what the content would be, what would be
14 discussed?

15 A. Well, I talked about establishing the rubrics
16 for writing levels, so there now is a -- another one
17 would be where there are developing prompts for writing
18 activities so that next year we will have six different
19 prompts children have to write on to make sure all the
20 genres of writing are covered, so there is a way of
21 teachers knowing are their children working at an
22 appropriate level within the school.

23 Another one is when you get a new series of
24 readers or something, discussions are held at grade level
25 as to how that book can be used.

1 Another one is at our school when children are
2 off track. We feel children shouldn't be left without
3 work to do. Large packets of work are produced and the
4 grade level gets together to make the job easier.

5 And then each child is given a large packet that
6 I would say probably has maybe 50 pages to it for
7 reinforcement work off track time. And there are other
8 things, too, I am sure.

9 Q. How do you know about the content of these
10 network meetings?

11 A. I attend them.

12 Q. And you attend them for each grade level?

13 A. As much as possible.

14 Q. You described that the administrators also
15 critique the teachers at the school on a yearly basis; is
16 that correct?

17 A. That's correct.

18 Q. Who was involved with critiquing the teachers?

19 A. The two administrators, co-administrators and
20 myself.

21 Q. Are those the two vice-principals?

22 A. There are two vice-principals, that's correct.

23 Q. So can you explain that process to me in a bit
24 greater detail?

25 A. I probably do stills a little bit differently

1 than other principals.

2 I like to teach something and then go into the
3 classroom to see that teacher replicating what I have
4 done as teaching them a new teaching strategy, and that
5 enables me to see whether I was effective as a teacher
6 and whether they learned what I had hoped they had.

7 And so that we direct what the teacher is to
8 teach that day. But then they have security because they
9 know I have modeled for them what is expected.

10 There are two types of observations. The
11 observation that you do for a teacher who is really a
12 good teacher and who you are trying to help grow, become
13 a better one, and then there are those few occasions
14 where you have a teacher that needs to be written up and
15 have to get rid of them. And that's a different type of
16 evaluation or process.

17 Q. But is there a point in the critique where you
18 sit down and discuss with the teacher their teaching
19 skills and methodology and so forth?

20 A. Absolutely. There is many times a pre-meeting
21 with that teacher where the teacher discusses what she is
22 going to do or he's going to do and then afterwards there
23 is also a closed conference.

24 Q. This takes place with respect to each teacher at
25 the school every year; is that correct?

1 A. Every provisional teacher and DI has it every
2 year. Teachers who are permanent, they only have it
3 every other year.

4 Q. And "DI," what do you mean by that?

5 A. That's a district intern. That means they do
6 not have a credential, but they are going through the
7 district program for getting a clear credential.

8 Q. I believe the last type of training you
9 described was the four days at the beginning of each
10 track. Or is that incorporated in what you already
11 described?

12 A. The four days aren't necessarily at the
13 beginning of each track. The teachers have a choice of
14 selecting when the days are going to be. Usually it is
15 either at the end or beginning of track, but it may be
16 two days here and another two days over here, but then
17 some days one track will end saying they want their two
18 days at the end, the other track will say they want their
19 two days at the beginning. I end up teaching four days
20 straight for them.

21 Q. So do the teachers get together themselves to
22 determine when they want to take the classes?

23 A. Yes.

24 Q. As a group they decide?

25 A. Yes. Each track.

1 Q. Who is giving this training?

2 A. It's planned by me and many times I do the
3 training and then other times I have some of my
4 coordinators or outside people come in.

5 Q. I am not sure if you already testified to this,
6 but what are the topics that are covered during these
7 periodic training sessions that you oversee?

8 A. Well, we talk about language acquisition. We
9 talk about -- as I say, like this year we spent time on
10 the thinking maps. We talk about brain research. We
11 talk about how to help children who are not successful in
12 reading. We talk about how to identify children who are
13 in need of special help and what is the process for
14 receiving that special help for those youngsters. Those
15 are the major ones.

16 Q. So there are other topics you cover --

17 A. Absolutely.

18 Q. -- other than the ones you identified?

19 A. Absolutely, absolutely.

20 Q. Do your teachers at Cahuenga have access to any
21 off-site training?

22 A. A great deal.

23 Q. What type of off-site training can your teachers
24 participate in?

25 A. Well, anyone that doesn't have a credential has

1 Q. Do you know what programs they are participating
2 in at UCLA by any chance?

3 A. No, I can't. UCLA offers special programs in
4 math and language development and things like that and
5 science.

6 Q. And you believe that some of your teachers --

7 A. Yes.

8 Q. -- participate in those programs?

9 A. Yes.

10 Q. Based on your knowledge of the teachers at
11 Cahuenga Avenue Elementary, do you believe that
12 plaintiffs' allegation at paragraph 171, that 43 percent
13 of the teachers at the school lack training to teach any
14 children is false?

15 A. Well, the figure has changed so now we have
16 50 --

17 Q. I want you to listen to my question.

18 A. Okay.

19 Q. Based on your knowledge. You don't need to read
20 the Complaint for this. You can just listen to my
21 question.

22 A. Okay.

23 Q. Based on your knowledge of the teachers at
24 Cahuenga Avenue Elementary, do you believe that
25 plaintiffs, allegation that 43 percent of the teachers at

1 to do university work or be a DI and go to the district's
2 program and so they have many opportunities for training
3 outside of school. And then they also, although they
4 seldom take advantage, there are in-service classes as
5 well, too.

6 Q. Do you encourage this off-site training?

7 A. Oh, absolutely.

8 Q. And how do you encourage the off-site training
9 to your teachers?

10 A. For one thing, it is put on their evaluation as
11 a recommendation that they continue on getting their
12 in-service -- not in-service, but their credential.

13 Q. Okay.

14 A. So that's a goal for them.

15 Q. Do you ever identify programs that exist off
16 site and kind of notify the teachers of the availability
17 that they participate in that program?

18 A. We do. It has a tendency to be more for
19 teachers whose university work is not as heavy because
20 when you are going to university, their time is really
21 spent. They don't have a lot of free time.

22 Q. Do you know if any programs are offered by UCLA
23 that your teachers participate in or USC?

24 A. I really -- I don't think too many of them -- I
25 know several go to UCLA. I don't think any go to USC.

1 the school lack training to teach any children is false?

2 A. I believe it's false.

3 Q. And why is it that you believe it's false, if it
4 is anything other than what you have testified to?

5 A. Well, I pause because I wasn't sure of exactly
6 what the word "training" meant as to whether -- you know
7 they have not had formal training to become teachers, but
8 they have a Bachelor's from the university, so of course
9 that has trained them as well, too. They have had 40
10 hours of mandatory training before they have come into
11 the school provided by the district and so --

12 Q. They also have the training that you have
13 described on site?

14 A. Exactly, exactly.

15 Q. So as far as you are concerned, are the teachers
16 that you have teaching students at Cahuenga qualified and
17 capable of teaching the students?

18 A. Yes, they are. Test scores show it.

19 Q. Okay. In the First Amended Complaint plaintiffs
20 also allege at paragraph 171 that the teachers are not
21 qualified to teach children who need English language
22 instruction.

23 Do you agree with this allegation?

24 A. I do not.

25 Q. Why is that?

1 A. Because many of these teachers who do not have
2 the clear credential are bilingual teachers.

3 Q. Can you describe for me the bilingual programs
4 at your school?

5 A. We have quite a few different language programs
6 at our school. We have the dual immersion program where
7 we are teaching Korean as a second language to English
8 speakers and in that same classroom are non-English
9 speaking children who are learning to speak English.
10 That is one program.

11 Then we have a Korean bilingual program, a
12 Spanish bilingual program and a waived program which is
13 English only.

14 Q. Can you describe to me in detail the dual
15 immersion program that you have at your school.

16 A. The dual immersion program at Cahuenga was the
17 first school in the world to start this. It is a program
18 which is designed to help youngsters to be able to
19 compete in this new global market and so that the
20 children in my school all have more than one language.
21 And the English speakers that go into kindergarten to
22 start learning Korean probably already speak another
23 language so this becomes their third language.

24 The program is now -- goes K through 5 in my
25 school. It has gone through middle school and next year

1 Q. When did you begin administering the Stanford 9
2 at Cahuenga?

3 A. Ever since it was established by the district as
4 the test we take.

5 Q. How do students get into the dual immersion
6 program at Cahuenga?

7 A. Well, No. 1, if you are English speaking, you
8 have got a real good chance because they have got few
9 English speakers, so anyone who speaks English, they get
10 a good sales job from us encouraging them to go into the
11 program. The Korean children who are going to be
12 learning English in that program almost fight to get into
13 the program.

14 Q. Is there an application process, then?

15 A. No. It happens during your enrollment time.

16 Q. So do parents choose to place their child in the
17 dual immersion program?

18 A. Yes.

19 Q. And theoretically it is open to all children who
20 attend Cahuenga Avenue Elementary?

21 A. Well, theoretically, but there is only 20
22 children that go in.

23 Q. You explained that there is a Korean bilingual
24 program at Cahuenga as well.

25 A. Uh-huh.

1 will be starting in high school and so before we are
2 through, we will have a K through 12 program where Korean
3 language and English language are really being developed.

4 The children in this program are almost like
5 gifted children, that their test scores are so amazingly
6 high, and it was one of the reasons that the school
7 received the exemplary status from the state.

8 Q. When was the dual immersion program started at
9 Cahuenga?

10 A. Approximately, approximately 11 years ago. No.
11 Ten years ago.

12 Q. And you said for some of these students it is
13 going to be -- they will have three languages?

14 A. That's right.

15 Q. Why is that?

16 A. Because their first language at home maybe was
17 Spanish or Tagalog and then their parents also spoke
18 English at home to them, so they had two languages when
19 they came to school. So Korean becomes their third
20 language.

21 Q. You said that the test scores of the students in
22 the dual immersion program are quite high.

23 A. Extremely high.

24 Q. What test scores are you referring to?

25 A. Stanford 9.

1 Q. Can you describe that to me?

2 A. Since 227 we have changed the way our bilingual
3 programs work. And the Korean -- because the state
4 really did not feel that Korean was a phonetic language,
5 we were given the opportunity of teaching Korean children
6 English right away. And so in the Korean bilingual
7 program children learn to read in English and Korean and
8 write in English and Korean and do an outstanding job.

9 Q. When was the Korean bilingual program
10 established at Cahuenga?

11 A. Ever since I have been here.

12 Q. Did you establish the program?

13 A. I have a feeling that not -- not to the extent
14 that it is now. When I came there, there were a few
15 classes. Now we have a whole strand in the school.

16 Q. And how is it that children are placed in the
17 Korean bilingual program at Korea?

18 A. Based on a language determination when the
19 parents enroll the child. If the parent says "My child
20 doesn't speak any English," then they are placed in that
21 program temporarily until they are given a language
22 assessment. Then the parent is given a choice as to
23 whether they want the child in the bilingual program or
24 whether they want the child into the waived program
25 where they do English only.

1 Q. The Spanish bilingual program at your school,
2 can you describe it to me, please.
3 A. It is very similar now to what the Korean
4 program was originally. Before 227 we were not allowed
5 to teach English reading. We were only allowed to teach
6 Spanish reading. And now since that, we have taken more
7 liberties with the program. We are now having the
8 children do the same simultaneous literacy and were
9 finding that children who read well in Spanish read well
10 in English.
11 Q. When was this program started at Cahuenga?
12 A. That really has started since I have been there.
13 When I came, most of the aids were teaching the Spanish
14 programs and now I have teachers that can do it.
15 Q. How is it that students are placed in the
16 Spanish bilingual program?
17 A. Again, based on the language they speak when
18 they come into the school. Most of the children coming
19 into Cahuenga do not speak English. Most speak either
20 Spanish or Korean or Tagalog.
21 Q. And the waiver program, what is that?
22 A. The waived program is for that parent who says
23 "No. We want our child to only speak English." We don't
24 care whether they maintain the first language or if a
25 parent has a language that we do not have the support

1 for. If they come from Pakistan or something or even
2 some from the Philippines, we don't have enough Filipinos
3 to have a true bilingual program for them or the
4 teachers, so they are put into a waiver -- into this all
5 English class, then. They are given support by an aid if
6 we have one that speaks the language.
7 Q. If they speak some language other than Korean or
8 Spanish?
9 A. Exactly.
10 Q. You often have aids that speak --
11 A. Right.
12 Q. -- other languages?
13 A. Right.
14 Q. For example, what kind of language, language
15 support --
16 A. Tagalog.
17 Q. -- do you offer through use of aids?
18 A. Tagalog is one offered through a teacher. We do
19 have one kindergarten teacher who can speak that language
20 and then we have one or two aids that speak that.
21 Q. Are there any other languages that you can think
22 of that you provide support for through the use of an
23 aid?
24 A. Not really. Only a token.
25 Q. And with respect to the waiver program, then, it

1 is the choice of a parent as to whether a student
2 participates in the waiver program?
3 A. By law it is.
4 Q. And is that by state law?
5 A. Yes.
6 Q. You say that you have many bilingual teachers at
7 your school I believe. How many bilingual teachers do
8 you think you have approximately on a percentage basis or
9 whatever you can try to do to assess that?
10 A. I would say probably 70 percent.
11 MR. VILLAGRA: I am going to object to the
12 question as vague.
13 THE WITNESS: The answer probably was vague.
14 BY MS. STRONG:
15 Q. So it is your best estimate that approximately
16 70 percent of the teachers are bilingual at your school?
17 A. That's correct.
18 Q. Since you have been there, has it always been
19 that way?
20 A. Oh, no, no. That has been because of the hiring
21 that I do. I would say that every teacher from
22 kindergarten up through third grade for most of them are
23 all bilingual so that the primary children have that
24 support.
25 Q. When you first arrived at the school, how many

1 teachers do you think were bilingual, approximately?
2 MS. GODFREY: If you know. Don't guess.
3 THE WITNESS: Okay. Then that rules that
4 question out.
5 BY MS. STRONG:
6 Q. You can give your best estimate. Approximately
7 how many teachers do you believe? Was it less than
8 10 percent, for example?
9 A. Yes. Maybe 15 percent. It was very few.
10 Q. So at the most 15 percent of the teachers were
11 bilingual?
12 A. 15 percent or so.
13 Q. So yes, the answer is yes?
14 A. Yes.
15 Q. We can't nod our head.
16 MR. VILLAGRA: I renew the objection as vague.
17 THE WITNESS: The nodding of the head was vague?
18 MS. GODFREY: Would now be a good time to take a
19 break?
20 MS. STRONG: Let me just finish this section if
21 that's okay.
22 MS. GODFREY: Uh-huh.
23 BY MS. STRONG:
24 Q. In addition to the awards that you identified
25 earlier, recognizing the success of the bilingual

1 programs at Cahuenga, has Cahuenga been chosen to share
2 its expertise with other schools in the area of English
3 language learning instruction?

4 A. Yes.

5 Q. In what way or can you describe how they have
6 been selected?

7 A. We have visitors all the time coming to our
8 school to observe and to go through classrooms. Last
9 Monday I had 30 teachers from Korea come to see how
10 language are developed.

11 One of the things that is nice is Mark Willis,
12 the publisher of Los Angeles Times, came to my school
13 because he was concerned about public education and he
14 was going to do a video promo trying to get his employees
15 to volunteer and work in schools. And he came kind of
16 with a negative attitude and he ended up spending the
17 whole day.

18 And he was so caught up in our school after
19 having visited the classrooms and being around us that he
20 changed what he was going to say. He actually cried
21 during the filming of it and when he left, he gave us
22 \$10,000 of his own personal money.

23 Q. Wow.

24 A. That to me was really a nice award. Not the
25 money.

1 Q. The recognition. Can we go off the record.
2 (A discussion was held off the record.)

3 BY MS. STRONG:

4 Q. In addition to the ongoing visits that you get
5 from teachers, did the California Association of
6 Bilingual Education select Cahuenga for site visits?

7 A. Yes, they did.

8 Q. When was that; do you know?

9 A. When CABE was here in Los Angeles and, in fact,
10 CABE which is a state organization, they have visited our
11 school twice when they have had conferences here in the
12 city, statewide conferences.

13 Q. Was your site selected for visitation by the
14 California Association of Bilingual Educators in the year
15 2000; do you know?

16 A. Yes.

17 Q. With respect to the site visits to observe the
18 bilingual education process at your school, is it focused
19 solely on the Korean/English education or do observers
20 also look at the Spanish/English bilingual education
21 taught at your school?

22 MR. VILLAGRA: Objection. Lack of foundation.

23 BY MS. STRONG:

24 Q. Go ahead. You can answer the question.

25 A. Okay. I was wondering what "lack of foundation"

1 meant.

2 Q. Don't worry about that. Just answer the
3 question.

4 A. No. I do not want -- I am in a school that has
5 two cultures, the Korean culture and the Spanish culture
6 predominantly, and I would never have one program
7 featured only because that would be a very detrimental
8 thing to the school. So whenever we have visits come,
9 we visit all programs in the school.

10 Q. Therefore the Spanish/English bilingual program
11 also serves as model to the others in addition to the
12 Korean/English program?

13 A. Absolutely.

14 MR. VILLAGRA: Objection. Calls for
15 speculation.

16 BY MS. STRONG:

17 Q. How do you know that the Spanish/English program
18 also serves as a model to other schools?

19 MR. VILLAGRA: Objection. Assumes facts.

20 BY MS. STRONG:

21 Q. Go ahead.

22 A. If you remember, I said that prior to 227, we
23 had the top apprentice scores, which are the tests that
24 are given, Spanish tests equivalent to Stanford 9. We
25 had the top scores in the city. That is indicator the

1 program is successful.

2 BY MS. STRONG:

3 Q. When people come to the school, do they ask
4 questions about your Spanish/English bilingual program?

5 A. Oh, yes. They are really interested in knowing
6 how well children are reading in English as well as
7 Spanish. And our school serves many times as a benchmark
8 for other schools because of the expectations that we
9 have for children.

10 Q. Are you aware of any test scores that reflect
11 other than the apprentice scores that you mentioned, any
12 other test scores that reflect the success of the
13 bilingual education program in the context of the
14 Spanish/English program at your school? For example, the
15 API scores.

16 A. When the API scores -- you know as I said, we
17 received -- everyone in the school received this extra
18 bonus money because we had met our goal. And our API is
19 a 4-10, which is a high score which is higher than what
20 the city is. And cities, L.A. schools, our writing
21 assignments that the children do are superior for the
22 children in the Spanish program.

23 Q. I just want to clarify. When you say 4-10, do
24 you mean that your rank on the API is a 4 across the
25 station?

1 A. It is band 4.
 2 Q. Okay.
 3 A. And when you get a 10, it means you are working
 4 at the highest level of that band.
 5 Q. So your similar schools rank as a 10; is that
 6 correct?
 7 A. That's correct.
 8 Q. Do you know whether the API score is divided
 9 into groups, is divided based on ethnicity?
 10 MR. VILLAGRA: Objection. That's vague.
 11 THE WITNESS: I'm not sure about that.
 12 BY MS. STRONG:
 13 Q. So based on your experience at Cahuenga, do you
 14 believe that the allegation at paragraph 171 that states
 15 43 percent of teachers at Cahuenga "lack training to
 16 teach any children, much less specialized training to
 17 teach children who need English language instruction" is
 18 fundamentally misleading if not false?
 19 MR. VILLAGRA: Objection. Vague.
 20 BY MS. STRONG:
 21 Q. Go ahead. You can answer.
 22 A. No. I believe they are capable of teaching.
 23 Q. So do you believe that this allegation is either
 24 fundamentally misleading, if not false?
 25 A. Yes.

1 MR. VILLAGRA: Objection. Vague.
 2 BY MS. STRONG:
 3 Q. Go ahead.
 4 A. Yes.
 5 Q. Do you base your response to that question on
 6 anything more than what you have already testified to
 7 here today?
 8 A. I also base it on classroom observation.
 9 Q. What do you mean by that?
 10 A. When you go into classrooms, and one of the
 11 first things I ask is what grade level are the children
 12 working at, and in every classroom I expect to see some
 13 children working above grade level.
 14 Q. Do you see that at your school?
 15 A. Yes, I do.
 16 Q. In every classroom at your school?
 17 A. I am not sure every class room, but I certainly
 18 see it in the majority of the classrooms.
 19 Q. So is it accurate to say that even if a teacher
 20 at your school does not have a full nonemergency
 21 credential, you believe that your teachers are qualified
 22 to teach the students in English and to teach those
 23 students who need English language instruction?
 24 A. I did not believe I would be writing them up.
 25 Q. And are you writing teachers up for that?

1 A. No.
 2 MR. VILLAGRA: Sorry to interpose a late
 3 objection, but I will object to the compound question.
 4 MS. STRONG: Would you do me a favor. Read back
 5 my question.
 6 (The record was read
 7 by the reporter as follows:
 8 "Q. So is it accurate to say that even if a
 9 teacher at your school does not have a full
 10 nonemergency credential, you believe that
 11 your teachers are qualified to teach the
 12 students in English and to teach those
 13 students who need English language
 14 instruction?
 15 "A. I did not believe I would be writing
 16 them up.
 17 "Q. And are you writing teachers up for
 18 that?
 19 "A. No.")
 20 MR. VILLAGRA: Just to be clear, for the record
 21 I was objecting to the question, to the "is it accurate
 22 to say" question.
 23 BY MS. STRONG:
 24 Q. And I would like to know the answer. Is it
 25 accurate as I described to you?

1 A. Yes.
 2 MS. STRONG: Okay. Why don't we go off the
 3 record and take our lunch break.
 4 (Whereupon a luncheon recess was
 5 taken at 12:43 P.M.)
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1 LOS ANGELES, CALIFORNIA
2 THURSDAY, JUNE 14, 2001
3 2:01 P.M.

4
5 LLOYD HOUSKE,
6 having been previously duly sworn, was examined
7 and testified further as follows:
8

9 EXAMINATION (Resumed)

10 BY MS. STRONG:

11 Q. Do you understand that you are still under oath,
12 Mr. Houske?

13 A. Yes, I do.

14 Q. Did you have anything at lunch that would affect
15 your ability to testify here today?

16 A. Only a Diet Pepsi.

17 Q. Would that affect your ability to testify?

18 A. I doubt it.

19 MR. VILLAGRA: The results aren't in yet. Who
20 knows.

21 BY MS. STRONG:

22 Q. I would like to direct your attention to
23 paragraph 172 of the Complaint which states that "The
24 school does not have enough bathrooms available to the
25 children. Two of the school's three sets of bathrooms

1 A. Eight.

2 Q. -- there are 12 bathrooms on the campus.

3 A. Right.

4 Q. And six sets of bathrooms, so six girls
5 bathrooms and six boys bathrooms. Is that accurate?

6 A. I am counting again.

7 Q. Okay.

8 A. That's correct.

9 Q. In the kindergarten class, is there also a
10 unisex bathroom?

11 A. Yes.

12 Q. Is that in addition to the sets we have
13 discussed?

14 A. No. That's counting that.

15 Q. Are you counting one bathroom as two, then, for
16 the kindergarten classes?

17 A. Yes, because there's two areas in there, boys
18 and girls, I think of it as.

19 Q. Okay.

20 A. It is one room.

21 Q. There is one room in the kindergarten area?

22 A. One bathroom in the kindergarten area with two
23 different toilets that are partitioned.

24 Q. I see, okay. That one bathroom, when you have
25 that number of 12, I just want to make sure we have this

1 are almost always closed so the children cannot go
2 inside. The bathroom that is most often open to children
3 is filthy and lacks toilet paper and soap."

4 How many bathrooms are on the campus at
5 Cahuenga?

6 A. 12.

7 Q. Does that include boys and girls counted
8 separately?

9 A. No. Both together. Six boys and six girls.

10 Q. So if you were to consider a boy and girl's
11 bathroom as one set of bathrooms, there is more than
12 three sets of bathrooms on the campus; correct?

13 A. Right. Sets? There's two sets on -- or three
14 sets on the ground level, although one is in the
15 auditorium, one set. And the other two sets are open to
16 the playground.

17 Q. Then are there additional sets of boys and girls
18 bathroom together --

19 A. Yes.

20 Q. -- on the campus?

21 A. Yes. There are three other sets.

22 Q. And where are those located?

23 A. One in the kindergarten and two in the new
24 building. How many did we say all together?

25 Q. I think you testified --

1 accurate, that one, you are counting that one as two
2 bathrooms?

3 A. That's right.

4 Q. Okay. Is there a procedure or practice at
5 Cahuenga for maintaining and cleaning the bathrooms?

6 A. Yes, there is.

7 Q. Can you describe that procedure to me?

8 A. Well, the head custodian makes an inspection,
9 especially on the ones on the ground level twice a day to
10 make sure that they are in proper order.

11 Q. And what else is done with respect to the
12 bathrooms?

13 A. Well, of course they have a thorough cleaning
14 every day.

15 Q. When is that?

16 A. All bathrooms do. After school.

17 Q. How many custodians are there on campus?

18 A. Four.

19 Q. Are those day custodians or night custodians?

20 A. One is a day custodian and three are night.

21 Q. So to make sure I have this accurately, the
22 bathrooms on the ground level, and there are three sets
23 of bathrooms on the ground level; is that correct?

24 A. Well, counting the kindergarten, there are two
25 sets, if you think in terms of the large bathrooms.

1 Q. Okay. So --
 2 A. Which is four bathrooms in my mind. Right.
 3 Q. Which are the bathrooms that are cleaned twice a
 4 day during the school day that you were just referring
 5 to?
 6 A. Inspected twice a day.
 7 Q. I'm sorry.
 8 A. And then cleaned if necessary. Those are the
 9 ones on the playground itself. They are the ones who get
 10 the most usage.
 11 Q. And that refers to four bathrooms, two sets;
 12 correct?
 13 A. Exactly.
 14 Q. So each of those bathrooms are inspected twice a
 15 day. Is that after nutrition and after lunch; is that
 16 correct?
 17 A. First thing in the morning and at noon.
 18 Q. When you say "at noon," is that before or after
 19 lunch?
 20 A. It can be either before or after. Usually
 21 it's -- the smaller one is probably before just to check
 22 on paper towels and tissue and things like that. And the
 23 other one is probably afterwards because it's a larger
 24 bathroom.
 25 Q. When you say it's inspected in the morning, what

1 time are you referring to when you say morning? Is that
 2 prior to nutrition or after nutrition?
 3 A. Prior to opening school.
 4 Q. Prior to opening school. Then you explained
 5 that all bathrooms are cleaned after school every day?
 6 A. That's correct. There is also cleaning crews
 7 from the outside come in and work on the bathrooms as
 8 well to do deep cleaning.
 9 Q. When you say cleaning crews from the outside --
 10 A. From the district.
 11 Q. The Los Angeles Unified School District?
 12 A. That's correct.
 13 Q. Provides a cleaning crew to come in and do a
 14 deep clean periodically?
 15 A. Exactly.
 16 Q. Do you know how often this crew comes to do a
 17 deep clean?
 18 A. Well, they do it -- we have year-round cleaning.
 19 When they come in, they always do a really thorough job
 20 then. And then in my inspections if I see a real need
 21 for it, I will call and ask for them to come again.
 22 Q. So you have a periodic on a yearly basis deep
 23 clean, and if you see it is necessary --
 24 A. If it is necessary.
 25 Q. -- if you believe it is necessary, you would

1 call and request deep cleaning?
 2 A. Absolutely.
 3 Q. In addition to your yearly cleaning?
 4 A. Absolutely.
 5 Q. Have you ever had the need to call for an
 6 additional deep clean?
 7 A. Yes.
 8 Q. When was the last time you recall doing that?
 9 A. It has probably been several years.
 10 Q. More than five years ago?
 11 A. No.
 12 Q. So more than three years ago?
 13 A. Probably.
 14 Q. And when you called and requested this
 15 additional deep clean, what happened?
 16 A. They came out and they spent the time that was
 17 needed on it. It usually has to do with the flooring in
 18 that when you are mopping floors, you have to be really
 19 careful that along the edges of the walls, that you don't
 20 get a dirt buildup. And I can't stand that dirt buildup
 21 in there. And then they have to come out and they have
 22 to scrub it by hand almost.
 23 Q. Do you recall how long it took for the district
 24 to come out in response to your request for an additional
 25 deep clean?

1 A. Within a week.
 2 Q. Do you know what time of day the district
 3 performs the deep cleans at Cahuenga?
 4 A. Well, when you do a deep cleaning, you are
 5 talking about a day's activity.
 6 Q. Do you know what time of day they do the deep
 7 cleans?
 8 A. It would be the whole day. During school time
 9 probably.
 10 Q. Do you know if they go from 3:00 to 11:00 P.M.?
 11 A. They do when they have the year-round cleaning,
 12 but if it is a special emergency, it is more apt to be
 13 done on school time and then they only just do one
 14 bathroom at a time.
 15 Q. So the yearly deep cleans when the district
 16 comes out, those are conducted from 3:00 to 11:00 P.M.;
 17 correct?
 18 A. That's correct.
 19 Q. And you recall that the one time approximately
 20 three years ago or so when you requested them to come out
 21 and do an additional deep clean, that may have taken
 22 place during school hours; is that correct?
 23 A. That's possible, yes. I am sure it was.
 24 Q. With respect to these inspections of the
 25 bathrooms during the school day, do you know what is

1 inspected?

2 A. The floors are inspected, the sinks are

3 inspected. They check to make sure that the soap

4 dispensers are filled, that the towels are filled, that

5 the tissue things are filled, that the toilets are clean

6 and that they clean, under the rims of the toilet, to

7 make sure that if there is any kind of marking on the

8 wall or anything, that that's removed. If there is paper

9 on the ceiling, that that's taken care of.

10 Q. And who is it that conducts this inspection?

11 A. The plant manager and, as I say, then

12 periodically I check, too.

13 Q. If the plant manager notices that a bathroom

14 needs cleaning during the day, what would the plant

15 manager do?

16 A. Do it.

17 MR. VILLAGRA: Objection. Lack of foundation.

18 BY MS. STRONG:

19 Q. How do you know that?

20 A. I see him.

21 Q. So, for example, if the plant manager went into

22 a bathroom and the soap dispenser was empty, he would

23 immediately fill the soap dispenser at that time?

24 A. Yes.

25 MR. VILLAGRA: Same objection.

1 MS. GODFREY: Calls for speculation.

2 BY MS. STRONG:

3 Q. And how do you know that, that he would do it

4 immediately?

5 A. Well, when I am aware that they are empty, it is

6 usually because someone has come and reported it to me.

7 And then we report it to him and the children come back

8 and tell me if it wasn't done.

9 When he does it on his own, I am not aware of

10 it. But it's an expectation that we have from him.

11 Q. And have you ever discussed these expectations

12 with your plant manager?

13 A. Oh, yes, absolutely.

14 Q. Has your plant manager confirmed that that's

15 what he does when he goes into the bathrooms?

16 A. That's correct.

17 Q. You explained that sometimes children will come

18 to you and identify that the supplies in the bathroom

19 need to be restocked. Is that the only way a child can

20 seek assistance with the supplies in a restroom?

21 A. No. If they see the custodian, they certainly

22 can go to him, too. But little children have a tendency

23 to like to tell the boss and that if the sink is

24 overflowing, which on a hot day they kind of like to have

25 happen, then they come quickly into the office to say the

1 sink is overflowing so we can do something about it.

2 Q. You are teaching them well.

3 So what happens when you become aware of a

4 complaint of this nature?

5 A. Usually they make it sound so terrible, I

6 usually go look myself and I call the custodian to come

7 in and have him take care of the matter.

8 Q. So is that something -- for example, a sink

9 overflowing, how long would it take you to address the

10 problem at the school?

11 A. It would take hardly any time at all. That's

12 something you take care of immediately because it's a

13 safety issue.

14 Q. So if you had to put your best estimate as to a

15 time that it would take to correct the problem, what

16 would that be?

17 A. I would say within ten minutes at the most.

18 Q. Can the students also identify any problems with

19 the bathrooms to their teachers?

20 A. They can, uh-huh.

21 Q. Can the students also identify any problems that

22 they may find in the bathroom with somebody in the main

23 office?

24 A. Yes. To the secretaries.

25 Q. Do the teachers have an ability to contact the

1 plant manager or you to see that the problem is addressed

2 if one is brought to their attention with respect to the

3 bathrooms?

4 A. Yes, they do.

5 Q. How would they do that?

6 A. They would either send a child to the office

7 with a message or if they have an intercom in their

8 office, they would call the office and let us know.

9 Q. If they have an intercom in their class you

10 mean?

11 A. Which means they have a telephone so they can

12 call the office.

13 Q. And how would a secretary in the office see that

14 a problem relating to the bathroom that was brought to

15 their attention would be addressed?

16 A. We have a walkie-talkie in the office that's on

17 the office manager's desk that has instant contact with

18 the custodian so wherever he is, she just calls him and

19 then he reports to take care of the matter.

20 Q. And so the custodian is available throughout the

21 day to respond to issues such as any needs that arise

22 with respect to the bathrooms?

23 A. That's right, because we have immediate contact

24 with them.

25 Q. Do you know if there are any procedures -- can

1 your custodian address all problems that relate to
2 bathrooms or do sometimes problems arise that are beyond
3 the capacity of the custodian at your school to address?

4 A. Yes.

5 Q. What happens under those circumstances?

6 A. Then he calls the region area office for
7 custodial help and for maintenance and he makes the
8 report. We are given a number of that report and then
9 they send out a crew to take care of it.

10 Q. This regional office you are referring to is at
11 the district; is that correct?

12 A. Yes.

13 Q. Do you know what types of problems your plant
14 manager would call into the district, if you know?

15 MR. VILLAGRA: Objection. Calls for
16 speculation.

17 BY MS. STRONG:

18 Q. If you know.

19 A. Like if a door falls off a stall that requires
20 special handling to get it put up, if soap dispensers
21 don't work, they need to be replaced, paper dispensers
22 that might need to be replaced, plumbing problems.

23 Q. Is it your understanding the district responds
24 in a timely manner to any requests of this nature?

25 A. Yes.

1 Q. Do you remember what you did in reference to
2 that complaint approximately four years ago?

3 A. I called the district office, had them come out
4 to do deep cleaning again. We also had parents that
5 helped us, too. It wasn't a matter of them getting us.
6 It was a concern for wanting the situation better and so
7 I welcomed their support and they helped us for a while.

8 Q. Do you believe that the situation has gotten
9 better?

10 A. Oh, yes, uh-huh.

11 Q. Have you ever received any complaint that your
12 custodial staff or that the district does not respond in
13 a timely manner to bathroom issues on the campus?

14 A. No.

15 Q. So you have explained that the bathrooms are
16 inspected, the ones by the playground areas are inspected
17 twice during the day and all bathrooms on the campus are
18 inspected and cleaned and restocked each night after
19 school; is that correct?

20 A. That's correct.

21 Q. Despite these efforts to keep the bathrooms
22 clean at Cahuenga, do the students do anything that makes
23 it difficult to maintain them in a cleanly manner at all
24 times?

25 A. Yes.

1 Q. Do you know if parents can report problems
2 regarding the bathrooms in the school?

3 A. Oh, yes, they can.

4 Q. Who would they report to or how would they do
5 that?

6 A. They come directly to me.

7 Q. Have you ever received a complaint from a parent
8 regarding the bathrooms at Cahuenga?

9 A. Yes, uh-huh.

10 Q. When was that?

11 A. Maybe three, four years ago.

12 Q. That was the last time you ever received a
13 complaint from a parent regarding the bathrooms at
14 Cahuenga that you can remember?

15 A. That I can remember.

16 Q. Do you remember what the complaint was?

17 A. I am sure it was due to the problem of
18 kindergarten children who do not have a separate bathroom
19 and so that those kindergarten children had to use the
20 regular bathroom. And I am sure that they were concerned
21 probably about cleanliness at times because it only takes
22 one child to do something when they decide they want to
23 flood the sink, put paper towels into it. And small
24 bathrooms are extremely difficult to take care of and so
25 it would be more apt to be the small bathroom.

1 Q. And what would that be, for example?

2 A. Well, children like to play, and this happens
3 all over, not just at one school, but they like to clog
4 the sinks and run the water and see if it will overflow.
5 They like to waste paper towels and if it is hot, they
6 like to soak them in water so they can cool themselves
7 off.

8 Q. Do they spill water on the floor in doing this?

9 A. Yes.

10 Q. Do the children sometimes clog the toilets?

11 A. Yes.

12 Q. Do the children sometimes rip the dispensers off
13 the walls?

14 A. I have not seen that.

15 Q. Do the students ever break any of the stall
16 doors?

17 A. The door that was broken was not the children's
18 fault. There were marble partitions and when they put
19 the doors on, they drilled too close to the edge of the
20 marble and so it was really just from the use of the door
21 that caused the door to fall. When I first came there,
22 there were no doors on the stalls and because parents
23 really wanted the doors on the stalls, too, that we had
24 them installed.

25 Q. This was 16 years ago approximately?

1 A. Maybe not that long ago. It might be more,
2 maybe within the last eight years.
3 Q. So approximately eight years ago you made sure
4 that doors were installed on the bathroom stalls; is that
5 correct?
6 A. That's right, for the boys. I think the girls
7 already had them if I remember right.
8 Q. You stated that there was one broken door that
9 you are referring to?
10 A. Uh-huh.
11 Q. That wasn't the child's fault.
12 A. Uh-huh.
13 Q. That wasn't the fault of the children. Has
14 there only been one broken door since they were installed
15 eight years ago?
16 A. Well, it is the most recent one. It is
17 something that I remember.
18 Q. Do you remember when there was a broken door on
19 a stall?
20 A. Well, it is just recently and that's why I
21 remember it, I suppose.
22 Q. Approximately how long ago?
23 A. Maybe a month.
24 Q. And how long was the door broken for?
25 A. Well, we are having the marble replaced now

1 because it wasn't repairable.
2 Q. I see.
3 A. So that that one stall, in fact, the bathroom
4 now is -- we are getting new stalls put in there.
5 Q. Okay. Were there other stalls available with
6 doors on it?
7 A. Yes.
8 Q. In that same bathroom?
9 A. Yes.
10 MR. VILLAGRA: That's actually what I was going
11 to ask.
12 BY MS. STRONG:
13 Q. When the students throw paper towels on the
14 floor, what do you do to address that problem?
15 MS. GODFREY: I am just going to object for a
16 second. Are you asking what he has done or what he would
17 do?
18 BY MS. STRONG:
19 Q. What are the policies and procedures that you
20 follow at Cahuenga regarding a situation where you see
21 that students have thrown paper towels on the floor?
22 A. I immediately call the custodian, have them come
23 and clean it up.
24 MR. VILLAGRA: Is this question directed to when
25 he learns that there is paper on the floor?

1 MS. STRONG: This is relating to the general
2 policies and practices at Cahuenga Avenue Elementary.
3 THE WITNESS: If the custodian sees it, of
4 course he cleans it up because that's a safety hazard,
5 and it's something that is usually reported almost
6 immediately to us because the children love telling on
7 the others.
8 BY MS. STRONG:
9 Q. And with respect to water that is spilled on the
10 floor, how is that situation addressed at Cahuenga?
11 A. The same way.
12 Q. And with respect to a clogged toilet, how is
13 that situation addressed at Cahuenga?
14 A. The stall is closed off and we call for the
15 plumbing people to come out to clear it if the custodian
16 can't do it.
17 Q. So the custodian will first try to clear the
18 clogged toilet?
19 A. (Nodded head up and down.)
20 Q. Is that correct?
21 A. Yes, that's right.
22 Q. And if the custodian is unable to clear the
23 clogged toilet, he will then contact the district for
24 assistance; is that correct?
25 A. Correct.

1 Q. So with respect to each of the potential
2 problems that you face of keeping the bathrooms clean, do
3 you feel there are procedures in place at your school
4 sufficient to address them in a timely fashion?
5 A. Yes.
6 Q. During your tenure at Cahuenga, have the
7 restrooms on campus been renovated?
8 A. Yes.
9 Q. When was that?
10 A. I believe within the last year or two.
11 Q. I think you mentioned earlier in your testimony
12 you discussed some BB fund --
13 A. Right.
14 Q. -- that were used to renovate the restrooms; is
15 that correct?
16 A. That's right. That's when they did the
17 repiping.
18 MR. VILLAGRA: When you say "the restrooms,"
19 some or all?
20 THE WITNESS: No. The ones in the Heritage
21 building.
22 BY MS. STRONG:
23 Q. Okay. Have there been other renovations to the
24 restrooms at your school other than the ones in the
25 Heritage building that you described earlier with respect

1 to the BB fund?
 2 A. There has been repainting in them.
 3 Q. How often are the bathrooms repainted,
 4 approximately?
 5 A. I don't think there's a regular basis. I think
 6 it is, again, kind of based on need.
 7 Q. Do you remember the last time the bathrooms were
 8 painted?
 9 A. Maybe four years ago.
 10 Q. Do you believe that if you thought that the
 11 bathrooms needed to be repainted again, there are
 12 procedures in place that would allow you to have them
 13 painted?
 14 A. Oh, absolutely. I have a big mouth.
 15 Q. And you believe that you could have them
 16 repainted in a timely fashion?
 17 A. Yes.
 18 Q. What do you base that belief on?
 19 A. In the belief that the district believes that
 20 children need sanitary conditions for things like that.
 21 They have high standards.
 22 Q. In your experience the district has been
 23 responsive in addressing those problems in a timely
 24 fashion?
 25 A. Very responsive.

1 Q. Are there any renovations planned for the
 2 restrooms at your school in the near future that you are
 3 aware of?
 4 A. Yes. They are going to become smart bathrooms.
 5 That means the children will no longer have the enjoyment
 6 of running water over into the sinks because they will
 7 automatically shut off and that the urinals will flush
 8 and there will be no paper towels because they will have
 9 the hot air things to dry their hands on.
 10 Q. Are those called smart bathrooms?
 11 A. Uh-huh.
 12 Q. When are the smart bathrooms going to be placed
 13 on your school campus?
 14 A. Hopefully this summer.
 15 Q. And does that apply to all restrooms on campus?
 16 A. Just to the ones that are on the ground level.
 17 Q. So two sets or three sets?
 18 A. That would be three sets. No. Two sets. Two
 19 sets.
 20 Q. So the set in the auditorium will not become
 21 smart bathrooms?
 22 A. In the teachers room -- kindergarten room, no.
 23 Kindergarten room will not be touched. It will be the
 24 Heritage building and the Hobart building.
 25 Q. Okay. Do you believe that this will help the

1 school keep the restrooms clean at all times during the
 2 school day?
 3 A. I certainly do. When I go to a hotel and see
 4 they have it and don't have little ones around, I know it
 5 must be useful for us.
 6 Q. Did you ever receive or were you made aware of a
 7 complaint regarding a student slipping on a bathroom
 8 floor and injuring himself at Cahuenga during the past
 9 two years?
 10 A. Well, if injuring meaning he really hurt himself
 11 seriously, no. If somebody maybe slipped in the
 12 bathroom, that is very possible, but nothing where anyone
 13 was really hurt.
 14 Q. Do you recall a specific incident where someone
 15 slipped and fell in the bathroom and it was brought to
 16 your attention?
 17 A. No, I do not recall that.
 18 Q. And you certainly aren't aware of any situation
 19 where a child was injured in the bathroom?
 20 A. Oh, no, no.
 21 Q. Are any of the bathrooms on campus ever closed
 22 to the students?
 23 A. Yes, during repairs.
 24 Q. Can you think of any other times when a bathroom
 25 might be closed to the students?

1 A. They might be closed on a temporary basis if
 2 let's say the custodian had to go in the girls' room
 3 because the floor was wet or there were paper towels
 4 there, so he would just close it for the few moments he
 5 is there cleaning it up.
 6 Q. So the times when the bathrooms are closed on
 7 the Cahuenga Elementary campus are temporary situations;
 8 is that correct?
 9 A. That's correct.
 10 Q. When a restroom is closed for repairs, how long
 11 is the restroom closed for?
 12 A. It depends upon the repair.
 13 Q. Do you recall a restroom having been closed on
 14 your campus for longer than a day in the past few years?
 15 A. Yes, I do.
 16 Q. What's your recollection?
 17 A. That was the remodeling, the BB money where they
 18 were doing the repiping. Repiping is a very big thing to
 19 do, so that took longer.
 20 Q. Other than the repiping period, can you think of
 21 a time when a bathroom on your campus was closed for more
 22 than a day for repairs?
 23 A. No, I can't.
 24 Q. What bathrooms did the students use during the
 25 period that some bathrooms were closed for repiping?

1 A. They used the ones in Hobart Hall.
 2 Q. So while -- I'm sorry. Which bathrooms were
 3 closed for repiping then?
 4 A. In Heritage Hall.
 5 Q. So while bathrooms in Heritage Hall were closed
 6 for repiping, there were bathrooms in --
 7 A. Hobart Hall.
 8 Q. -- Hobart Hall available for students to use?
 9 A. And also the children who were in Harvard Hall
 10 -- do you like my names?
 11 In Harvard Hall the children had the opportunity
 12 of using bathrooms on each floor, so they would use those
 13 before they went down.
 14 Q. Harvard Hall is the three-story building on
 15 campus; is that correct?
 16 A. That's correct.
 17 Q. Do you believe there were sufficient bathrooms
 18 available for the students to use during the period when
 19 the bathrooms were closed for repiping?
 20 MS. GODFREY: Vague as to the word "sufficient."
 21 BY MS. STRONG:
 22 Q. Do you know of any situation where a child
 23 wanted to use a bathroom but was unable to because the
 24 one bathroom was closed for repiping?
 25 A. No.

1 Q. Are any bathrooms on campus off limits to
 2 certain students?
 3 A. Boys can't go in the girls.
 4 Q. But, for example, can a kindergartner go to any
 5 bathroom he or she likes on campus?
 6 A. Yes.
 7 Q. Even those in Harvard Hall if the kindergartners
 8 choose to go to Harvard Hall to the restroom?
 9 A. No, because they have to go up flights of stairs
 10 and we probably would discourage the kindergartner from
 11 going there, but that would be the only situation.
 12 Q. But there is no policy a kindergartner cannot
 13 use a Harvard Hall bathroom?
 14 A. No.
 15 Q. Have you ever observed students waiting in line
 16 to use the restroom at Cahuenga Elementary?
 17 A. Never.
 18 Q. Are you out during the lunch periods when
 19 children are out for lunch in nutrition?
 20 A. Yes.
 21 Q. Are you out and walking around the campus?
 22 A. Yes.
 23 Q. Would you have an opportunity to view students
 24 standing in line if there were a line?
 25 A. Absolutely.

1 Q. And you have never seen that?
 2 A. Never seen that.
 3 Q. Has a parent ever made a complaint to you that
 4 there are insufficient number of bathrooms on Cahuenga
 5 campus for the students?
 6 A. Not to my knowledge.
 7 Q. Do you know what plaintiffs are referring to
 8 when they state in the complaint at paragraph 172 that
 9 "The bathroom that is most often open to children," do
 10 you know what bathroom they are referring to?
 11 A. Yes, I do.
 12 Q. Which bathroom?
 13 Go ahead.
 14 MS. GODFREY: Well, I am going to make an
 15 objection that it calls for speculation as to what the
 16 plaintiffs are referencing in the Complaint, but you can
 17 answer.
 18 MR. VILLAGRA: You can ask his understanding.
 19 MS. STRONG: Okay. That's fine.
 20 Q. What is your understanding of what plaintiffs
 21 are referring to?
 22 A. I would have a feeling it is Hobart Hall.
 23 Q. And why is that?
 24 A. It has the greatest proximity to the whole
 25 playground.

1 Q. But there is another bathroom children use
 2 during the lunch period?
 3 A. Yes there is.
 4 Q. That is located where?
 5 A. That's in Heritage Hall. That's the large
 6 bathrooms.
 7 Q. How many stalls are there in the Heritage Hall
 8 restrooms; do you know?
 9 A. Approximately seven or eight, I would think for
 10 the boys. And the girls probably maybe six.
 11 Q. And the Heritage Hall restrooms are larger than
 12 the Hobart Hall restrooms? Is that what you are saying?
 13 A. Oh, yes.
 14 Q. With respect to paragraph 172 of the First
 15 Amended Complaint where it states "Two of the school's
 16 three sets of bathrooms are almost always closed so that
 17 the children cannot go inside," do you believe that
 18 allegation to be false?
 19 A. Yes, I do.
 20 Q. And why is that?
 21 A. Because they are thinking of during that short
 22 period where we were having the repipes done and so that
 23 is not a normal occurrence.
 24 Q. How long were the pipes being renovated on the
 25 campus or replaced?

1 A. I am sure it was several months.
 2 Q. And again this was over a year ago?
 3 A. Uh-huh.
 4 Q. But two bathrooms weren't closed at the same
 5 time, correct, during that period?
 6 A. That's correct.
 7 Q. Only one bathroom was closed at a time?
 8 A. That's correct. One of the set.
 9 Q. Is there any other reason why you believe the
 10 allegation that "two of the school's three sets of
 11 bathrooms are almost always closed so the children cannot
 12 go inside" is false?
 13 A. Repeat that question again.
 14 Q. It might help to read it. Paragraph 172, the
 15 second sentence states "Two of the school's three sets of
 16 bathrooms are almost always closed so the children cannot
 17 go inside."
 18 A. Right. I understood that. I said no, that's
 19 not true. It is only just during that time when we were
 20 having the remodeling done.
 21 Q. And during that time there's only one set of
 22 bathrooms that was ever closed at a time; correct?
 23 A. That's right.
 24 Q. There are also more than three sets of bathrooms
 25 on the campus; correct? We have already established

1 A. Probably Hobart Hall more than any of them
 2 because they get such heavy usage.
 3 Q. But do you believe it's accurate to say that it
 4 is filthy and lacks toilet paper and soap?
 5 A. No.
 6 Q. And why is that?
 7 A. Because it's serviced. There are paper towels
 8 and soap and tissue placed in there as often as needed.
 9 And it's checked at noon to be replaced again. There is
 10 a difference between being filthy in my mind than being
 11 messy. And I think that children sometimes make things
 12 messy, but dirty is something else entirely.
 13 Q. And even when children make these restrooms
 14 messy, you have procedures in place to correct that as
 15 soon as possible; is that true?
 16 A. Absolutely.
 17 Q. So is it accurate to say that at times these
 18 bathrooms on campus may lack toilet paper and may lack
 19 soap, but it is replaced as soon as it is either
 20 inspected on a regular basis by the custodian or brought
 21 to the attention of any teacher or administrator at the
 22 school; is that correct?
 23 A. Absolutely.
 24 MR. VILLAGRA: Objection, vague. Sorry.
 25 BY MS. STRONG:

1 that?
 2 A. No. There's a set in Heritage Hall, a set in
 3 Hobart Hall and then the other what I called a set was in
 4 the kindergarten which was not open other than just to
 5 those two kindergarten classes.
 6 Q. There are also sets of bathrooms in Harvard Hall
 7 too?
 8 A. Oh, yes, yes.
 9 Q. So there are more than three sets of bathrooms
 10 on the campus; correct?
 11 A. Absolutely. I was thinking just on the ground
 12 level.
 13 Q. Okay. Do you believe that the allegation at
 14 paragraph 172 that states "The bathroom most often open
 15 to children is filthy and lacks toilet paper and soap" is
 16 false, if not fundamentally misleading?
 17 A. Well, it is not filthy. Is it as clean as the
 18 others? No, I don't think it is as clean.
 19 Q. And why is that?
 20 A. Because of the usage and because it's a smaller
 21 bathroom and so of all the bathrooms, I probably spend
 22 more time inspecting those two than I do any of the
 23 others.
 24 Q. You probably inspect Hobart Hall and Heritage
 25 Hall bathrooms more than the others?

1 Q. Go ahead.
 2 A. Absolutely.
 3 Q. To the extent that at paragraph 172 the
 4 allegation that states "The school does not have enough
 5 bathrooms available to the children" suggests that the
 6 children do not have bathrooms to use, do you believe
 7 that that allegation is false?
 8 A. Well, you know, the district has standards and
 9 so that based on the number of children you have, there
 10 are a required number of bathrooms that you have to have
 11 and I know the district feels that we are within that
 12 specification.
 13 Q. Paragraph 173 of the First Amended Complaint
 14 states that the --
 15 MS. GODFREY: I'm sorry, can we take a restroom
 16 break?
 17 MS. STRONG: Sure.
 18 MS. GODFREY: I'm sorry.
 19 MS. STRONG: Sure.
 20 (Recess taken.)
 21 BY MS. STRONG:
 22 Q. Paragraph 173 of the First Amended Complaint
 23 states that "The cafeteria area where the children eat is
 24 filthy. Parents have seen custodial staff wipe the
 25 tables with mops the custodians have used to clean the

1 floors."

2 Is there a procedure or practice at Cahuenga for
3 maintaining the cafeteria where the students eat?

4 A. Absolutely.

5 Q. What is that?

6 A. The policy is there is two sets of mops. One is
7 a string mop and one a dust mop. So both are mops, but
8 they are differentiated by use and there is separate
9 water used for both of them, separate containers, and
10 marked for tables only.

11 The lunch area is brand-new. It has a tile
12 floor which is very unique. Most lunch areas do not have
13 tile floors. And so this is an area that is easy to keep
14 clean, but it has to be worked at, but it certainly is
15 cleanable.

16 Q. So from a broader picture, though, what are the
17 procedures in place to see that the cafeteria is cleaned
18 on a regular basis?

19 A. Well, again, this is a safety issue and there
20 are very strict mandates established by the district.
21 And I don't think any of you at home could ever keep up
22 with the mandates that are required for cleanliness
23 within the school. Everything in the cafeteria is washed
24 before -- everything, every surface, every pot and pan is
25 washed before the employees go home.

1 In the morning when they come back again, they
2 have to rewash everything again before they can even
3 start preparing any food. The outdoor area is washed on
4 a periodic -- with deep -- with brushes whenever it is
5 needed because it is easy to see when that floor is
6 dirty. It is washed with a hose and with mops every day.

7 Q. Now, this cafeteria area that you are referring
8 to, is that connected with the cafetorium that you
9 described in the new Harvard Hall?

10 A. Yes.

11 Q. The new three-story building on the campus?

12 A. Yes.

13 Q. Do you know if there is a cleaning schedule for
14 the cafeteria, the eating area of the cafeteria? For
15 example, do your custodians clean it on a daily basis; do
16 you know?

17 A. Oh, absolutely.

18 Q. Do you know when that cleaning takes place?

19 A. They wash off the tables in the morning before
20 the children have breakfast. They have been cleaned the
21 night before, but again they are washed off in the
22 morning and then they are cleaned after breakfast. That
23 area has to be immaculate. Then they have nutrition. It
24 is cleaned again after nutrition. And then after lunch
25 it has a thorough cleaning again where there are two

1 custodians out there normally and who have the
2 responsibility of making sure that all the papers and the
3 plastics are all put in their proper containers and then
4 to make sure that the floor has been washed and the
5 tables washed to make sure that everything is clean
6 again.

7 Q. You said that there are two custodians. Does
8 that include a night custodian, then?

9 A. Both of them are night custodians. I take it
10 back. Sometimes it's two night custodians and sometimes
11 it is the plant manager and night custodian depending on
12 his scheduling.

13 Q. Do you know what time the night custodians come
14 on the campus?

15 A. They come in at 1:00.

16 Q. 1:00 P.M.?

17 A. 1:00 P.M.

18 Q. And you explained that there were two sets of
19 mops used to clean the cafeteria so when you explain that
20 the custodians come in and clean the tables, they are
21 using a particular mop for the tables?

22 A. Yes.

23 Q. Is there a mop for the tables that is used?

24 A. Yes, it is a dust type mop. The floor is one
25 with long strings on it so they are different.

1 Q. How do you know about this procedure that they
2 use, a separate mop for the tables than the mop that they
3 use for the floors?

4 A. Well, actually, it came about because a parent
5 did come to me and said to me that "The custodian is
6 using a mop out there on the table that he's using on the
7 floor." And of course I was extremely upset by it so I
8 went out there and cornered the custodians to find out
9 what was happening because that could not happen. And
10 that is when I found out there were two different types
11 of mops.

12 Q. When was this complaint made and the issue
13 brought to your attention, if you recall?

14 A. I think that happened probably about four years
15 or so ago, four or five years ago.

16 Q. Shortly after the building was built?

17 A. Yes. Yes. Once only.

18 Q. And do you have an opportunity to observe the
19 custodians when they are cleaning the cafeteria area
20 where the children eat?

21 A. Yes, I do.

22 Q. Do you think you would notice if they were using
23 the mop for the floor on the tables?

24 A. Yes, I would.

25 Q. And you have never noticed that; is that

1 correct?
 2 A. That's correct.
 3 Q. And you explained that not only are there
 4 separate mops, but they have separate buckets they use to
 5 wash the mops; is that correct?
 6 A. That's correct.
 7 Q. You explained the elaborate schedule for
 8 cleaning the cafeteria where the students eat. Is
 9 included in that those cleanings that take place
 10 throughout the day, do you know whether the custodians
 11 empty the trash during those cleanings?
 12 A. Oh, yeah, absolutely.
 13 MR. VILLAGRA: I object to the
 14 mischaracterization of the testimony.
 15 MS. STRONG: Can you read back my question.
 16 (The record was read
 17 by the reporter as follows:
 18 "Q. You explained the elaborate schedule
 19 for cleaning the cafeteria where the
 20 students eat. Is included in that those
 21 cleanings that take place throughout the
 22 day, do you know whether the custodians
 23 empty the trash during those cleanings?
 24 "A. Oh, yeah, absolutely."
 25 BY MS. STRONG:

1 Q. Have you ever received a complaint other than
 2 the one regarding the use of the mops that you described
 3 that the cafeteria area where the children eat is dirty?
 4 A. I think I had one.
 5 Q. When was that?
 6 A. Maybe three years ago.
 7 Q. Do you recall the nature of the complaint?
 8 A. It was a general complaint. And of course
 9 because I make a routine of going into the cafeteria
 10 every morning, the kitchen, to inspect to see what is
 11 going on, I go in at noon also.
 12 And to be very honest with you, I was really
 13 shocked by it because it's a brand-new kitchen, a
 14 brand-new area that is so spotlessly cleaned that it
 15 seemed to me more of an imagination on someone's part
 16 rather than reality.
 17 But I did go look again and that is when I
 18 really inquired about when they did the cleaning and
 19 that's when I was so surprised to find out they had to
 20 wash everything off the first thing in the morning again
 21 after they had washed everything the night before.
 22 Q. Do you know who made that complaint?
 23 A. A parent. Not directly to me. It came
 24 roundabout another parent told me "So and so said so and
 25 so."

1 Q. When you went to investigate the problem or to
 2 investigate the complaint, did you find there was
 3 anything wrong that you could notice?
 4 A. No, not at all.
 5 Q. Can you think of any other complaint you have
 6 received in the past few years regarding the cafeteria
 7 being too dirty where the students eat?
 8 A. No.
 9 Q. So based on your experience at Cahuenga, do you
 10 believe that the allegation at paragraph 173 of the First
 11 Amended Complaints that states that "The cafeteria area
 12 where the children eat is filthy. Parents have seen
 13 custodial staff wipe the tables with mops the custodians
 14 have used to clean the floors" is false?
 15 A. Yes, I do.
 16 Q. Do you base your response to this question on
 17 anything other than what you have already testified to
 18 today?
 19 A. No.
 20 Q. Paragraph 169 of the complaint says, in part
 21 that "At Cahuenga, overcrowding is so severe that the
 22 school has resorted to a three-track schedule for student
 23 attendance, such that two tracks of students attend
 24 school at any given time. The multi-track scheduling
 25 means that no school time exists when the school is

1 vacant, so it is difficult and sometimes impossible for
 2 the school to perform maintenance and repair without
 3 impeding children's education."
 4 You explained earlier today that Cahuenga Avenue
 5 Elementary is on a Concept 6 calendar; correct?
 6 A. That's correct.
 7 Q. And you discussed or you explained the number of
 8 instructional minutes are either equivalent to if not
 9 greater than those -- I'm sorry. You explained that it
 10 is your understanding that the instructional minutes at
 11 the school are equal to those given to students on a
 12 traditional calendar; is that correct?
 13 A. Correct.
 14 Q. Do you know whether the instructional minutes
 15 are promulgated by the district or the state?
 16 A. I believe they are by the state.
 17 MR. VILLAGRA: Objection. Do you mean a rule
 18 for the number of minutes?
 19 MS. STRONG: Yes.
 20 Q. The standards regarding instructional minutes
 21 that are required at schools. Correct?
 22 A. Yes, that's right.
 23 Q. And it is your understanding that Cahuenga
 24 complies with those standards that exist with respect to
 25 instructional minutes?

1 A. That's correct. There are schedules that are
2 sent for approval before we even enter into them.
3 Q. And it's your understanding that Cahuenga
4 complies with those schedules?
5 A. Absolutely.
6 Q. Do you believe that the Concept 6 calendar
7 hinders students from receiving an adequate education?
8 A. No, I do not.
9 MR. VILLAGRA: Objection. Vague.
10 BY MS. STRONG:
11 Q. Why is that?
12 A. The traditional year was built around the need
13 of children to work on farms and so that the summers were
14 really needed to have children to help in the fields.
15 And I find that children having less time off in between
16 their periods of instruction, they forget less. Would I
17 rather not have three tracks? Yes, I probably wouldn't
18 mind not having three tracks, but I still wouldn't mind
19 the schedule.
20 Q. Meaning the year-round schedule?
21 A. Right.
22 Q. Do you believe that the three tracks of students
23 hinder's a child's education at Cahuenga?
24 A. No, I do not.
25 MS. GODFREY: You know, I am going to object

1 during the last question or two about "hinders." It is a
2 little vague.
3 BY MS. STRONG:
4 Q. Just to make sure we are absolutely clear, do
5 you believe that having multiple tracks has a negative
6 impact on a child's education at Cahuenga?
7 A. No, I do not.
8 MS. GODFREY: Again, objection as to "negative
9 impact."
10 MR. VILLAGRA: Join the objection. Vague.
11 BY MS. STRONG:
12 Q. And what do you base that belief on?
13 A. On the performance of children as to how well
14 they are achieving in school.
15 Q. And you have explained that Cahuenga has good
16 scores.
17 A. That's correct.
18 Q. When you reflect upon the performance of the
19 students at your school, are you relying on anything
20 other than the scores of the students?
21 MS. GODFREY: Objection. Vague.
22 MR. VILLAGRA: Join in the objection.
23 BY MS. STRONG:
24 Q. Go ahead.
25 MS. GODFREY: Did you understand that question?

1 THE WITNESS: I understood the question, I
2 think.
3 BY MS. STRONG:
4 Q. Go ahead.
5 A. Well, you know, test scores are really
6 important. There's no doubt about that. But it's my
7 classroom observations of seeing the level where children
8 are working, establishing the rubric level of where
9 children are performing in writing activities. It's
10 seeing the enjoyment of children when children are happy
11 at school.
12 So there are a lot of other factors that help
13 you evaluate the success of the school.
14 BY MS. STRONG:
15 Q. And do you believe your children to be achieving
16 an education even though they are on a multi-track
17 schedule; is that correct?
18 A. I do believe that. I do believe I have the
19 smartest kids. I believe that my kids are going to go to
20 college and that they are in the best school they can be
21 in.
22 MR. VILLAGRA: Objection. Vague as to achieving
23 education.
24 MS. GODFREY: Join.
25 BY MS. STRONG:

1 Q. Given that your school has a multi-track
2 schedule, are there any special policies or procedures in
3 place for conducting maintenance and repair on the
4 campus?
5 MS. GODFREY: Objection as to the term
6 "special."
7 BY MS. STRONG:
8 Q. Go ahead. You can answer the question.
9 A. Well, because we are on year-round schedule,
10 that the deep cleaning and things like that have to be
11 done after school and so it means that we have night
12 crews come in and perform that service.
13 Q. Is there an effort to conduct repairs and
14 maintenance in a manner such that it does not disturb the
15 classes on campus?
16 A. Absolutely.
17 Q. Despite these efforts, there are times when the
18 school must conduct repairs or maintenance during school
19 hours; is that correct?
20 A. That's correct.
21 Q. And have you ever received a complaint that any
22 of these repairs or maintenance interfere with the
23 classes at Cahuenga?
24 A. No, I have not.
25 Q. Do you personally believe that these repairs or

1 maintenance work that is conducted on the campus has
2 interfered with the students' education at Cahuenga?

3 A. No, I do not. I feel the people who have come
4 in have been unbelievably considerate about that. If
5 there is any noise to be made, they make sure it happens
6 after school and that so much the school is done after
7 school that I am very impressed by the district.

8 Q. In your career in education with the Los Angeles
9 Unified School District, you have had an opportunity to
10 work at schools on a traditional calendar year; correct?

11 A. That's correct.

12 Q. Based on your experience, do you know whether
13 maintenance work and repairs ever take place during
14 school hours at those traditional calendar schools?

15 MR. VILLAGRA: Objection. Are you asking in his
16 experience or what goes on today at other schools?

17 MS. STRONG: His experience.

18 THE WITNESS: Well, I am sure they have to go on
19 during school sometimes because when there are
20 emergencies that happen, you can't always get everything
21 done at night.

22 BY MS. STRONG:

23 Q. So the fact that some maintenance and repair
24 work takes place during school hours at Cahuenga is not
25 something that's unique to a year-round school. That may

1 school time exists when the school is vacant so it is
2 difficult and sometimes impossible for the school to
3 perform maintenance and repair work without impeding
4 children's education." Based on your experience at
5 Cahuenga, do you believe that this allegation is false

6 MS. GODFREY: Objection. Vague.

7 THE WITNESS: I think the word "impede" really
8 hangs me up, too, because so many things can impede. I
9 would say for the most part that no, it doesn't, but
10 could it? Yes, it could, but that could also be true at
11 any school whether it be a traditional year school.

12 Q. Can you think of anything relating to
13 maintenance and repair that impeded a child's education
14 at Cahuenga?

15 A. No, I can't.

16 Q. So based on your experience, this allegation is
17 false?

18 A. That's correct.

19 Q. Do you base this response on anything other than
20 what you have testified to today?

21 A. Just my personal observations being there when
22 things take place.

23 Q. Are you aware of any standards or policies
24 relating to how many students may be assigned to any
25 given classroom at Cahuenga?

1 also occur on a traditional calendar school; is that
2 correct?

3 A. That is correct.

4 MS. GODFREY: In your experience?

5 THE WITNESS: In my experience even though I
6 speak like God.

7 MR. VILLAGRA: The royal "we."

8 BY MS. STRONG:

9 Q. So do you believe that paragraph 169 of the
10 First Amended Complaint which states that "The
11 multi-track scheduling means that no school time exists
12 when the school is vacant so it is difficult and
13 sometimes impossible for the school to perform
14 maintenance and repair work without impeding children's
15 education" is false?

16 MS. GODFREY: You can answer. I am objecting to
17 the term "impeding" as vague.

18 THE WITNESS: Now I have forgotten what the
19 question was.

20 BY MS. STRONG:

21 Q. That's fine.

22 A. Never impede.

23 Q. She's good.

24 Let me just read the sentence. Paragraph 169
25 states in part "The multi-track scheduling means that no

1 A. Yes.

2 Q. What is your understanding of the policies and
3 procedures?

4 A. From kindergarten to third it is 20 students,
5 and fourth and fifth has more potential for more
6 students. Most of them have 30 and some go up as high as
7 33.

8 Q. None of your classes have more than 33 students,
9 is that correct, with respect to core curriculum classes?

10 A. That's correct. I say that's correct. Could
11 there have been a month there was 34? Yeah, it could
12 have been one month, but for the overall period of the
13 year, I am sure that's true.

14 Q. But no class at your school has averaged more
15 than 33 students?

16 A. That's correct.

17 MR. VILLAGRA: Are you speaking of the last
18 school year or last several years?

19 THE WITNESS: I would say since we became 20 to
20 1, that the having such limited number of children you
21 can put in primary grades had a great effect when you got
22 to third grade, and you had only 20 in the room. All of
23 a sudden you have more third grades. You end up with
24 more children going into fewer rooms, so then it becomes
25 more of a problem.

1 BY MS. STRONG:
 2 Q. But in the past three years, for example, is
 3 your testimony with respect to these numbers accurate?
 4 A. I hope so.
 5 Q. You believe so?
 6 A. I believe so.
 7 I am not very good. Am I?
 8 MR. VILLAGRA: That's why we need stage
 9 directions. "Attorney wipes brow."
 10 BY MS. STRONG:
 11 Q. Do you know who sets forth the standards
 12 relating to the number of students in classes?
 13 A. I believe it is the state.
 14 Q. And do you believe that Cahuenga is in
 15 compliance with any and all state standards on the issue?
 16 A. Yes.
 17 MS. GODFREY: Objection. That's vague. That
 18 question is vague.
 19 MR. VILLAGRA: I also object to the extent I
 20 don't know there has been any testimony about a standard
 21 regarding grades beyond K through 3.
 22 BY MS. STRONG:
 23 Q. Have you ever received a complaint from anyone
 24 stating there are too many students in the classes at
 25 Cahuenga Elementary?

1 A. Yes.
 2 Q. When was that?
 3 A. Teachers who don't teach in the primary grades
 4 and when they see they have 20 to 1 in the primary
 5 grades, the upper grades then do not see the rationale as
 6 to why they should have the 30.
 7 Q. Have you ever had a parent complain about the
 8 number of students in a place?
 9 A. Never.
 10 Q. Do you know whether there are any collective
 11 bargaining restrictions on class size?
 12 A. Yes.
 13 MS. GODFREY: I just don't want you to guess.
 14 If you know.
 15 THE WITNESS: I thought you were saying yes.
 16 BY MS. STRONG:
 17 Q. Do you know the details of those restrictions?
 18 A. Yes.
 19 Q. What are they?
 20 A. Well, that the teacher has a right to grieve if
 21 there is more than 20 in her classroom.
 22 Q. For grades four and five?
 23 A. No. Primary. No. There are no -- as far as I
 24 know, any grievances for the upper grades four and five.
 25 Q. Do you know one way or the other whether there

1 are restrictions on class size in a collective bargaining
 2 agreement relating to grades four and five?
 3 A. I do not believe there are, but I do not know
 4 for sure.
 5 MS. GODFREY: And just for the record, you are
 6 talking about a collective bargaining agreement for
 7 teachers for L.A. Unified?
 8 MS. STRONG: Correct.
 9 MR. VILLAGRA: Just to add further
 10 clarification, are you talking about currently in effect
 11 CABE or prior versions of it?
 12 THE WITNESS: I think it has been in effect for
 13 quite a while.
 14 MS. STRONG: The one that he is referring to.
 15 Q. Is it accurate to state Cahuenga can't
 16 accommodate all the students in the neighborhood who are
 17 interested in attending the school?
 18 A. Yes.
 19 Q. What happens to the students who are interested
 20 in attending Cahuenga, but are unable to because there's
 21 not enough space in the school to accommodate them?
 22 A. In most cases they are offered a choice of two
 23 schools to be bussed to.
 24 Q. Do you know some of the other schools that
 25 children are given the choice of being bussed to?

1 A. Yes.
 2 Q. Can you identify those schools for me to the
 3 extent you can recall them?
 4 A. I have them written down on a piece of paper if
 5 you want me to look at it.
 6 Q. Do you have it with you?
 7 A. Yes. How embarrassing not to know the names.
 8 Q. That's okay. You have a lot to remember so it
 9 is understandable.
 10 A. Plus I do not do the assignment and they do in
 11 the outer office. Maybe I have that list.
 12 Q. Okay. We can wait. We can go off the record.
 13 (A discussion was held off the record.)
 14 MS. STRONG: Can you read to me the last
 15 question we are on?
 16 (The record was read
 17 by the reporter as follows:
 18 "Q. Can you identify those schools for me
 19 to the extent you can recall them?")
 20 THE WITNESS: Yes, I can. Lanai Road.
 21 BY MS. STRONG:
 22 Q. Can you spell that, please.
 23 A. L-a-n-a-i, I believe. Encino, Broadway,
 24 Harrison, White House, Bellevue, Brooklyn, Doris Place,
 25 Elysian, Emileta, Glenelta, Laurel, Mar Vista, Rosewood,

1 Walgrove.

2 MS. GODFREY: And can you clarify the time that
3 the question or the time of -- are these schools the ones
4 that currently students are sent to?

5 THE WITNESS: That's right.

6 BY MS. STRONG:

7 Q. Do you know if these were the schools that have
8 been options for students in the past three years, for
9 example?

10 A. Yes.

11 MR. VILLAGRA: Objection. Some or all of the
12 schools?

13 BY MS. STRONG:

14 Q. Are all of these schools schools that have been
15 included in the options given to parents to bus their
16 children to in the past three years that you know of?

17 A. There maybe may have been more.

18 Q. But you believe that these were included?

19 A. Yes.

20 Q. Are these LAUSD schools?

21 A. Yes they are.

22 Q. All of them?

23 A. All of them.

24 Q. Do you know whether any of these schools are on
25 a traditional calendar?

1 A. O, I do not know that.

2 Q. Do you know whether any of these schools have
3 well maintained facilities?

4 A. No, I do not.

5 Q. Do you know whether these schools have adequate
6 resources with respect to textbooks and supplies?

7 A. No, I do not.

8 Q. Do you know whether the district has articulated
9 any plans to build more schools throughout the district?

10 A. Yes, they have.

11 MS. GODFREY: Objection as to the term
12 "articulated."

13 BY MS. STRONG:

14 Q. Go ahead.

15 A. Yes, they have.

16 Q. Can you describe those plans to me?

17 A. Well, many community meetings have been held at
18 my school in trying to identify the sites, and some of
19 the members in the community contacted the Getty
20 Foundation and the Getty Foundation to my best knowledge
21 funded some of the community outreach groups. And then
22 when the district found out how well it was working, they
23 adopted that as a prototype. Some of the community
24 activists in a nice way are very active in trying to get
25 more schools in there, so we have had lots of involvement

1 A. Yes.

2 Q. Do you know which ones by any chance?

3 A. No.

4 Q. But you know that some of them are?

5 A. Yes.

6 Q. And how do you know that?

7 A. Because when summer comes, the buses aren't as
8 many around the school.

9 Q. Have you talked to any parents that are
10 bussed -- is there any other reason why you know some of
11 these are on a traditional calendar?

12 A. No.

13 Q. Do you ever talk to parents of children that are
14 bussed and they explain to you that the school that they
15 are bussed to is on traditional calendar?

16 A. Yes.

17 Q. So some parents have confirmed your belief that
18 some of the schools that they are bussed to are on
19 traditional school calendars; is that correct?

20 A. That is correct. And then also during the
21 summer when we have children that we are trying to enroll
22 in some of the other schools, we call the schools and
23 they are not open.

24 Q. Okay. Do you know whether any of these schools
25 has more clear credentialed teachers than Cahuenga?

1 with them.

2 Q. And I want to clarify. My question is geared
3 toward the district as a whole as opposed to the Cahuenga
4 community.

5 Are you referring to a district program that
6 expands beyond the Cahuenga community?

7 A. Yes, I am.

8 Q. Do you know whether the district has articulated
9 a plan to build a certain number of schools in a certain
10 time within the Los Angeles Unified School District?

11 A. Yes, they have.

12 Q. Do you know what the details are of that plan?

13 A. We have a new superintendent and he has made it
14 as one of his charges -- I don't know the exact number of
15 schools, but it is a staggering number that is needed and
16 there is a real commitment to do it. Every mayoral
17 candidate has also pledged that they wanted to back that
18 and help as much as they could.

19 Q. Does it sound accurate to say that the district
20 has a plan to build approximately 80 something schools in
21 the near future?

22 A. If not more.

23 Q. If not more?

24 A. Uh-huh.

25 Q. So the community meetings at Cahuenga that you

1 just were describing, are those geared towards the
2 Cahuenga community or do they cover communities beyond
3 Cahuenga?

4 A. We are taking care of Cahuenga first.

5 Q. And have you been involved with any of the
6 efforts at the district level to build support for new
7 schools?

8 A. Yes.

9 Q. Can you explain your involvement in that regard?

10 A. Well, I have a history of involvement with it
11 that when I was at Hoover, it was also a school that was
12 overcrowded. And at the time it was very difficult to
13 get bonds passed, so I have flown to Sacramento and
14 spoken to the assemblymen up there along with Mike Roos
15 and we got some legislation passed so that Tidewater,
16 Tide Oil, Water, whatever it is, can be used to help
17 build schools.

18 Since I came to Cahuenga, we have been
19 constantly in touch with the district office, making them
20 aware of the need for more schools in the area and their
21 commitment to wanting to help us.

22 Q. Just to clarify, when you said while you with
23 were at Hoover and it was overcrowded, you mean that the
24 school could not accommodate all of the students in the
25 area; is that correct?

1 A. Yes. He has been at my school also to hold
2 press conferences.

3 Q. Has he been there more than one time?

4 A. I don't recall.

5 Q. You can recall one press conference at least?

6 A. Oh, definitely, yes.

7 Q. Do you know when that press conference took
8 place?

9 A. You should know by now.

10 Q. To the extent that you can recall. Your best
11 estimate is all I am looking for.

12 A. Probably a couple years ago.

13 Q. Now with respect to the Cahuenga community
14 specifically, do you know whether there are plans to
15 build more schools in that area?

16 A. Yes, I do.

17 Q. Can you describe those plans to me?

18 MR. VILLAGRA: I'm sorry. Just to clarify,
19 LAUSD plans?

20 BY MS. STRONG:

21 Q. Any plans that exist with respect to building
22 schools in the Cahuenga community.

23 MR. VILLAGRA: Public schools?

24 THE WITNESS: Yes.

25 BY MS. STRONG:

1 A. That is correct.

2 Q. The school itself was not over its capacity;
3 correct?

4 A. No. That school was over its capacity.

5 Q. Okay. Is Cahuenga over -- you have already
6 testified that Cahuenga is not over its capacity?

7 A. Cahuenga is not over its capacity. It is at
8 capacity. At the time I was at Hoover, they did not bus
9 children. Instead they went on double sessions. That
10 meant you had two shifts of classes. You had morning
11 session and afternoon session for all grades.

12 Q. But that was over 16 years ago; correct?

13 A. Absolutely.

14 Q. Have you been involved with any meetings held by
15 Governor Davis on the issue of developing or building new
16 schools for the Los Angeles Unified School District?

17 A. He held a press conference at my school in order
18 to help the public realize that there was a need for more
19 schools and more support for them.

20 Q. Do you know when that was?

21 A. Maybe two years, two or three years ago.

22 Q. And have you been involved with any meetings
23 held by Mayor Riordan with respect to developing support
24 for new schools in the Los Angeles Unified School
25 District?

1 Q. Yes, public schools.

2 A. There are at least five schools being planned
3 for the immediate area around my school. One of the
4 schools is going to be built probably not more than two
5 blocks from me. And another school is already getting
6 toward completion.

7 Q. And these five schools that you have identified,
8 will they all serve to accommodate students?

9 A. From Cahuenga and Commonwealth and probably
10 Alexandria.

11 MS. STRONG: Can we go off the record.

12 (A discussion was held off the record.)

13 MS. STRONG: Back on the record.

14 Q. So the one you said is almost near completion,
15 do you know when --

16 A. No, I do not.

17 Q. -- the completion date is? Do you know the
18 completion date for that one school?

19 A. No, I do not.

20 Q. But you know it's in construction?

21 A. Yes.

22 Q. And there is an additional school that you
23 believe is scheduled to be built two blocks from you?

24 A. Correct.

25 Q. Do you know when that is scheduled to be built?

1 A. No, I do not.
 2 Q. Is it in the planning phases?
 3 A. Yes.
 4 Q. The remaining three schools that you have
 5 identified, are those also in planning phases?
 6 A. In planning phases and drawings having been
 7 completed for them.
 8 Q. So the sites have been chosen; is that correct?
 9 A. That is correct.
 10 Q. Are each of these five schools elementary
 11 schools?
 12 A. Yes, they are.
 13 MR. VILLAGRA: Just I object to the term
 14 "elementary school."
 15 BY MS. STRONG:
 16 Q. Do you know whether these new schools should be
 17 sufficient to alleviate the current need to bus students
 18 out of the Cahuenga Elementary neighborhood?
 19 A. I would not know that.
 20 Q. Do you have a rule at Cahuenga regarding school
 21 uniforms?
 22 A. Yes.
 23 Q. Can you describe that policy to me, please.
 24 A. The parents wanted the children to wear
 25 uniforms. And so a schoolwide process was developed

1 where parents had a chance to have involvement with it
 2 and so that they decided that they wanted to wear
 3 uniforms.
 4 The district, however, after they once
 5 encouraged us to have uniforms also said that we cannot
 6 mandate uniforms.
 7 Q. When was the policy regarding school uniforms at
 8 your school first discussed?
 9 A. Quite a few years back. I would say probably
 10 five-six years, if not more.
 11 Q. What type of policy then was implemented at your
 12 school?
 13 A. We would have uniform sales at the school. We
 14 would encourage children to wear the uniforms. At one
 15 time before -- we were not allowed to do anything to
 16 punish children that didn't wear uniforms. We used to
 17 let children eat first who wore a uniform. We thought
 18 that would motivate them to wear uniforms, and that
 19 worked well, but when we stopped that as a policy, then
 20 the uniforms fell off.
 21 Q. And you said this started at the request of
 22 parents?
 23 A. Yes.
 24 Q. Where did the parents articulate their desires
 25 to have school uniforms, in what forum?

1 A. At the advisory council meetings.
 2 Q. What are advisory council meetings?
 3 A. Advisory councils are made up of parents and
 4 teachers who are elected to help give guidance to the
 5 school.
 6 Q. And how often do advisory council meetings take
 7 place?
 8 A. Monthly.
 9 Q. So is it accurate to say that approximately four
 10 or five years ago, at the request of parents, Cahuenga
 11 adopted an optional school uniform policy?
 12 A. That is correct.
 13 Q. And have students ever been required to wear a
 14 uniform at Cahuenga that you know of?
 15 A. Not required. Encouraged.
 16 Q. With respect to the lunch program where you
 17 would allow those who wore uniforms to go to lunch first,
 18 when was that program stopped?
 19 A. After the first year.
 20 Q. So approximately three years if not more ago?
 21 A. Probably more than that, probably four.
 22 MR. VILLAGRA: Just to clarify, did the students
 23 go to lunch first or were they served their food first?
 24 THE WITNESS: The children line up outside and
 25 then as they are lined up, an aid calls this class to go

1 up, and so that the children would line up and those who
 2 had uniforms would be in the front of the line.
 3 BY MS. STRONG:
 4 Q. And then this program was stopped at least four
 5 years ago?
 6 A. Right, because of the district mandate that we
 7 couldn't do things like that.
 8 Q. How are parents informed about the uniform
 9 policy at the school?
 10 A. Every year I meet with each individual's
 11 classes, parents, so let's say it's a kindergarten. I
 12 meet with -- and I usually get almost a hundred percent
 13 turnout. I meet with those 20 parents. At that meeting
 14 I will explain my vision of what I expect for the
 15 children in the school. I help them learn how to help
 16 their children at home. I show the uniform and say "This
 17 is the kind of uniform that we would like our children to
 18 wear," that "the uniforms are available. We either have
 19 a sale here or you can buy them at Mervyn's or Penny's"
 20 or a lot of different places.
 21 And we have really a lot better results in
 22 kindergarten. And then I do that meeting with every
 23 kindergarten class, every first grade class, every second
 24 grade class, and the others, we talk to the children
 25 about it.

1 Q. And these meetings take place at the beginning
2 of each track; is that correct?

3 A. That's correct. I almost spend a month in
4 meetings meeting those parents. I do it daily.

5 Q. So during those meetings do you make it clear
6 that the program is optional?

7 A. Oh, yes.

8 Q. How do you make it clear to the parents that it
9 is optional?

10 A. Tell them. Because parents will sometimes say
11 "Is this mandatory?"

12 I will say "Of course it isn't mandatory. Would
13 we like it? Yes. But no, it isn't mandatory."

14 Q. At those meetings do you also explain to the
15 parents that you are available to respond to any concerns
16 that they have regarding the conditions or the services
17 provided at Cahuenga Avenue Elementary?

18 A. Yes, I do. And we talk about that if it is a
19 problem with something that's happening in the classroom,
20 they should go to the teacher first. Then if they don't
21 get satisfaction there, they could come see me, but I am
22 always welcome -- I have always an open-door policy for
23 parents to come to see me. Parents do not need an
24 appointment.

25 Q. Have you ever received a complaint from a

1 discriminatory to me."

2 Is this allegation true?

3 MS. GODFREY: Objection. That's a compound
4 question considering there are a few sentences in this
5 paragraph.

6 BY MS. STRONG:

7 Q. Okay. We will break it down.

8 With respect to the first sentence in paragraph
9 9, "My children are required to wear a school uniform, as
10 are all Hispanic children at Cahuenga," is that a correct
11 or incorrect statement?

12 A. It is an incorrect statement if you mean it
13 comes from me. Is it possible that a teacher who really
14 likes seeing their class all in uniform may have implied
15 that they should wear it? That's possible.

16 Q. Well, do you know of any teacher that requires
17 their students to wear a uniform at school?

18 A. I myself have always believed that the word was
19 "encouraged."

20 Q. And I am asking do you understand what I mean by
21 "require"?

22 A. Required says you must.

23 Q. Correct. Do you know of any teacher that
24 requires students to wear a uniform at school?

25 A. Not to my knowledge, no.

1 student -- let me rephrase this.

2 Have you ever received a complaint from a parent
3 regarding the uniform policy at Cahuenga?

4 A. No.

5 Q. Have you ever been made aware of a complaint by
6 a parent regarding the uniform policy at Cahuenga?

7 A. About the policy?

8 Q. Correct.

9 A. No.

10 Q. Have you ever received a complaint from any
11 students at the school regarding the uniform policy at
12 Cahuenga?

13 A. It's hard to complain about something that is
14 optional so no, I did not.

15 MS. STRONG: I would like to mark as Exhibit 2 a
16 declaration of Herendida Bautista.

17 (Deposition Exhibit 2 was marked
18 for identification and attached.)

19 BY MS. STRONG:

20 Q. I would like to direct your attention to
21 paragraph 9 of Exhibit 2. Paragraph 9 of exhibit 2
22 states "My children are required to wear a school
23 uniform, as are all Hispanic children at Cahuenga. They
24 wear blue pants and a white shirt. The Korean students
25 are not required to wear the school uniform. This seems

1 Q. So based on your knowledge, do you believe that
2 it is inaccurate to state that any students at Cahuenga
3 are required to wear a school uniform?

4 A. That's correct.

5 MR. VILLAGRA: Objection. Asked and answered.
6 BY MS. STRONG:

7 Q. Do you know of any distinction that is made
8 between the Korean students at the school and the
9 Hispanic students at the school with respect to school
10 uniforms?

11 MR. VILLAGRA: Objection. Vague.

12 BY MS. STRONG:

13 Q. Go ahead.

14 A. The difference is that the Korean parents come
15 from a society and a country where all children at that
16 age are required to wear uniforms. Those parents feel
17 that they are in America now and their children shouldn't
18 have to wear the uniforms and so that the Korean children
19 do not wear the uniforms as much as the Hispanic children
20 do. The Hispanic children's parents seem to appreciate
21 it more.

22 Q. And you base this on what?

23 A. Observation in the yard. It is very visible.

24 Q. Do you know whether any teacher at the school
25 makes a distinction with respect to the uniform policy

1 between the way it's applied to Hispanic students as
 2 opposed to the way it is applied to Korean students?
 3 A. No.
 4 Q. There is no distinction made; correct?
 5 A. That's correct.
 6 MS. STRONG: Can we take a break.
 7 (Recess taken.)
 8 MS. STRONG: I would like to mark as Exhibit 3 a
 9 Declaration of Yanira Salguero.
 10 (Deposition Exhibit 3 was marked
 11 for identification and attached.)
 12 BY MS. STRONG:
 13 Q. I would like to direct your attention to
 14 paragraph 7 of the Salguero declaration which states "My
 15 child is educated on trailer with many other Latino
 16 children. I believe this segregation is discriminatory."
 17 To your knowledge are there any trailers in
 18 Cahuenga?
 19 A. Yes.
 20 Q. What are you thinking of when you refer to a
 21 trailer?
 22 A. It is probably not a trailer like you are
 23 thinking about. It is probably much larger. It is two
 24 full-size classrooms in there and it is adjoining the
 25 kindergarten yard.

1 Q. Is that what is also known as a portable
 2 bungalow?
 3 A. Yes.
 4 Q. So is the proper term for that room a portable
 5 bungalow as opposed to a trailer?
 6 MR. VILLAGRA: Objection.
 7 THE WITNESS: We call it both.
 8 BY MS. STRONG:
 9 Q. And you explained -- the ones that you are
 10 referring to that are both trailers and portable
 11 classrooms, are these the larger facilities on campus?
 12 A. That's correct.
 13 Q. And so there are only three of these on the
 14 campus; is that correct?
 15 A. There's only one with two classrooms.
 16 Q. Okay.
 17 A. I think they are referring to a kindergarten
 18 room if I am not mistaken.
 19 Q. I want to clarify. Earlier you testified there
 20 are three portables on the campus that are of a more
 21 temporary nature.
 22 A. That's correct.
 23 Q. Is this one portable that you are now referring
 24 to that's at times called a trailer one of those three
 25 that you identified earlier?

1 A. That is correct.
 2 Q. How is it different from the two others that you
 3 identified?
 4 A. It really isn't physically much different than
 5 any of the others.
 6 Q. So why is there only one that you identify as a
 7 trailer and a portable classroom as opposed to three that
 8 are referred to as a trailer, slash, portable classroom?
 9 A. I suppose it's because when it was moved in, it
 10 was moved in on wheels, and in relationship to the
 11 others, I don't think people remember how they came in
 12 because this was the first one that came into the yard.
 13 Q. So there is one portable classroom at Cahuenga
 14 Avenue Elementary that is on wheels; is that correct?
 15 A. To the best of my knowledge; right. There are
 16 skirts around all of them so you can't see underneath,
 17 you know, so that it's just the memory of everybody.
 18 Q. So when you walk into that bungalow or walk up
 19 to that bungalow that has wheels, you cannot see the
 20 wheels?
 21 A. No, not at all. You can't tell it is any
 22 different than the others.
 23 Q. And when you say you can't tell it is any
 24 different from the others, what are the other ones you
 25 are referring to?

1 A. The others are those portable ones that are not
 2 on a foundation.
 3 Q. What classes are held in this one classroom or
 4 this one bungalow?
 5 A. The two classrooms --
 6 Q. Let me rephrase.
 7 What classes are held in the bungalow that is
 8 referred to as both a trailer and a portable classroom?
 9 A. In those two classrooms are kindergarten
 10 classes.
 11 Q. And they are kindergarten classes on all three
 12 tracts; is that correct?
 13 A. That's correct.
 14 Q. So how many classes are there per year in a
 15 bungalow in this one bungalow that we are referring to?
 16 A. Well, there are two classes in each room so
 17 that's four. And another trailer comes on and then it
 18 becomes eight so there would be eight classrooms in all
 19 in there.
 20 Q. Eight classes are held in this one portable
 21 throughout the year?
 22 A. Throughout the year because they have an
 23 A.M. and a P.M. session.
 24 MS. GODFREY: I am wondering for clarification
 25 of the record, does this bungalow, slash, trailer we keep

1 referring to have a number or a name?
 2 THE WITNESS: No. I call the others villas. I
 3 do.
 4 BY MS. STRONG:
 5 Q. Can you describe to me the classes that are held
 6 in this one bungalow that we are referring to?
 7 A. Well, because kindergarten is -- they are
 8 bilingual classrooms at times, there are Korean bilingual
 9 classes in that bungalow, as there is right now, that
 10 both rooms are occupied by Korean students.
 11 At other times during the school year there are
 12 Spanish children using those bungalows, in that bungalow.
 13 Q. Are children at Cahuenga separated based on
 14 race?
 15 A. Children are separated based on language need.
 16 MR. VILLAGRA: I am going to object to that as
 17 vague, the term "separated."
 18 BY MS. STRONG:
 19 Q. To clarify, how are children placed in a
 20 particular class? In other words, what factors are
 21 considered to place students in classes at Cahuenga? And
 22 we can focus on kindergarten classes here.
 23 A. Children are -- depending upon what language the
 24 parent puts down on the application, the language that's
 25 spoken at home and the language of their child, we try to

1 group the children for language needs. And so this does
 2 create separation of ethnic groups because the Korean
 3 children are with Korean children for Korean language
 4 support.
 5 The Spanish children are in rooms where they
 6 have Spanish support. And then if parent does not want
 7 their child in a bilingual program, then they have the
 8 opportunity to go into a waived program.
 9 Q. Do you know if the dual immersion class is ever
 10 held in that portable that we are referring to, the
 11 portable bungalow?
 12 A. No, it's not.
 13 Q. Is it accurate to state that children are placed
 14 in classes based on their language needs as opposed to
 15 their particular race?
 16 A. Absolutely, because we have some Korean children
 17 that were brought up in Brazil who speak Spanish, so
 18 those children are placed in a Spanish bilingual program.
 19 Q. So even in a Spanish bilingual class, you won't
 20 necessarily have all Spanish children or Hispanic
 21 children; is that true?
 22 A. That's correct. You probably will have the
 23 majority of them, though.
 24 Q. How many Korean bilingual classes per year are
 25 held in that portable classroom, if you know?

1 MS. GODFREY: For what year?
 2 BY MS. STRONG:
 3 Q. How about for the 2000 school year?
 4 MR. VILLAGRA: I am going object as vague to
 5 "that portable classroom."
 6 MS. STRONG: The one we are referring to with
 7 respect to --
 8 MR. VILLAGRA: The trailer.
 9 MS. STRONG: -- the trailer, slash, portable
 10 classroom.
 11 MR. VILLAGRA: I thought he already was asked a
 12 question about whether there are ever dual immersion help
 13 in the trailer.
 14 MS. STRONG: This is a Korean bilingual.
 15 THE WITNESS: This is teaching Korean to English
 16 speakers.
 17 Generally teachers don't like to move because
 18 they have so many materials, so as a rule, there are
 19 always in that trailer two classes of Korean children.
 20 BY MS. STRONG:
 21 Q. On each track?
 22 A. No, no. Because the Korean children are on one
 23 track basically. They are on the blue track, A track.
 24 Q. Why is it that Korean children tend to be on the
 25 blue track?

1 A. That was the way it was when they came.
 2 Q. Does that allow the children to take advantage
 3 of the resources that are provided, that are geared
 4 towards Korean students?
 5 A. Absolutely, because otherwise it would mean if
 6 you went from kindergarten, you might have to change
 7 tracks to another one and the whole family would be in
 8 chaos because they want all their siblings on the same
 9 track, so that they go all the way from kindergarten
 10 through fifth grade with language support, whether it be
 11 Korean or Spanish.
 12 Q. Is it accurate to say that you try to gather the
 13 resources, including teachers, that speak Korean together
 14 so the students can have the greatest access to those
 15 resources on a particular track? Is that true?
 16 A. Absolutely.
 17 Q. Have you ever received any complaints that the
 18 children at Cahuenga are taught in trailers?
 19 A. Never.
 20 Q. Have you ever been made aware of a complaint of
 21 that nature other than what appears to be a complaint to
 22 the Declaration of Yanira Salguero?
 23 MR. VILLAGRA: Objection to the term "appears to
 24 be a complaint."
 25 BY MS. STRONG:

1 Q. Go ahead.
 2 A. It has not come to my attention, no.
 3 Q. Have you ever received any complaints from
 4 either parents or students that the children at Cahuenga
 5 are segregated based on race?
 6 A. Maybe we have had one or two.
 7 Q. When was the last time you had a complaint of
 8 that nature?
 9 A. Probably three or four years ago.
 10 Q. And who made that complaint?
 11 A. A parent.
 12 Q. What did the parent complain about specifically,
 13 if you can recall?
 14 A. They complained because they didn't understand
 15 bilingual programs so that they just weren't
 16 sophisticated in understanding that in order to have
 17 children receive language support, that they had to be
 18 segregated in a way because for language needs.
 19 Q. Did you explain to that parent?
 20 A. Oh, yes.
 21 Q. The need to divide students based on language
 22 needs so they can take advantage of the adequate
 23 resources or the resources at your school?
 24 A. Absolutely.
 25 Q. Did the complaining parent then understand the

1 A. That's true.
 2 Q. And do you base your responses on anything more
 3 than what you have already testified to today?
 4 A. No. And of course my own personal philosophy
 5 that that would be a criminal thing to do.
 6 Q. I would like to direct your attention to
 7 paragraph 10 of the Salguero Declaration which states "On
 8 the first day of school I was not welcome to my child's
 9 classroom and was asked to leave. However, Asian mothers
 10 were welcome in the classroom."
 11 What are the policies and procedures, if any,
 12 relating to parents entering classrooms on the first day
 13 of school?
 14 A. Well, again, it has a lot to do with the
 15 teacher. The first day of school, if you have not had a
 16 small child, is a very traumatic day and there is a great
 17 deal of crying. And I think some mothers almost enjoy
 18 seeing their child cry because it makes them realize they
 19 don't want to leave them.
 20 So the longer the parent stays there, the longer
 21 the child cries. Once the parent leaves, the child stops
 22 crying and gets into the activity. So teachers have a
 23 tendency to say "Why don't you go. Why don't you go. He
 24 will stop crying."
 25 And so a lot of it depends on the number of

1 situation, to the extent that you know?
 2 A. I thought so.
 3 Q. Have you had any complaints since that time
 4 approximately three years ago?
 5 A. No. I normally don't get complaints.
 6 Q. You are lucky. You are doing well.
 7 So with respect to the allegation at paragraph 7
 8 of Salguero's Declaration, to the extent it states that
 9 "Latino children are segregated based on race at
 10 Cahuenga," do you believe this allegation is false?
 11 A. Absolutely.
 12 Q. Go ahead.
 13 MS. GODFREY: Well, objection that it
 14 mischaracterizes the declaration.
 15 BY MS. STRONG:
 16 Q. You can answer the question.
 17 A. Absolutely.
 18 Q. And again with respect to paragraph 7 of the
 19 Salguero Declaration, do you believe that this allegation
 20 is false to the extent it states that children are placed
 21 in portable classrooms based on race at Cahuenga?
 22 A. That is not true.
 23 Q. So do you believe -- you don't need to look at
 24 that. So do you believe that the allegation is false to
 25 the extent it suggests that?

1 criers that you have in the room. If you have a whole
 2 group of them crying, you are really anxious as a teacher
 3 just to have them leave the room. There is no formal
 4 policy regarding that. It's sort of a gut feeling the
 5 teacher has to have as to how they are going to get
 6 control in the room.
 7 Q. How do you know this?
 8 A. Because I go there to help the criers.
 9 Q. Are you aware of any teacher that allows Asian
 10 parents to stay in the classrooms while not allowing
 11 parents of a different ethnicity to stay in the
 12 classroom?
 13 A. I am not aware of it, no.
 14 Q. Would that surprise you if that were -- let me
 15 rephrase.
 16 Would that surprise you if you found that to be
 17 the situation in any of your classrooms?
 18 MR. VILLAGRA: Objection. Vague.
 19 BY MS. STRONG:
 20 Q. Well, let me clarify. Would it surprise you to
 21 find out that a teacher was permitting an Asian parent to
 22 stay in the classroom while asking a Hispanic parent to
 23 leave based on that individual's ethnicity?
 24 A. Well, if you remember that there would not be a
 25 Hispanic child in that room, so it would be a different

1 teacher. And do different teachers operate differently?
2 Yes, they do.

3 And so as I said, it's left up to the condition
4 of the class and how many criers there are in the room,
5 how secure the teacher is in trying to get the class
6 together and what kind of a role the parents are playing
7 in the room.

8 Q. You did explain that sometimes there may be a
9 Korean child in a Spanish bilingual class; correct?

10 A. But it would be so seldom that you would
11 ever -- that would never be the case where that child
12 wouldn't stand out that much that you felt that the
13 Korean child was getting a special preference.

14 Q. Would it surprise you to find out one of your
15 teachers at Cahuenga was distinguishing -- let me
16 rephrase.

17 Would it surprise you to find out one of your
18 teachers at Cahuenga was treating a parent differently
19 based on race?

20 A. I would be shocked.

21 Q. Have you ever received a complaint that a parent
22 was treated differently based on race at Cahuenga?

23 A. No.

24 Q. And were you ever made aware of a complaint
25 separate from what appears to be a complaint in

1 A. Your hands have to be clean in that you just
2 have to be sure that you don't do anything that can give
3 the illusion. It's just like when my dance teacher is
4 having this wonderful opportunity of taking eight
5 children to Korea. Well, she is not taking eight
6 Koreans, who probably would have loved to have gone. She
7 is taking eight Hispanic children with her. That makes
8 me extremely happy because I would have been criticized
9 tremendously if I would have sent Korean children.

10 MS. STRONG: Can we go off the record.

11 (Recess taken.)

12 BY MS. STRONG:

13 Q. Are you aware of any complaint procedures in
14 place either at the school or district level for parents
15 to complain about any of the conditions or services at
16 Cahuenga Avenue Elementary school?

17 A. Yes.

18 MR. VILLAGRA: Objection. Compound question.

19 BY MS. STRONG:

20 Q. What is it that you are aware of?

21 A. There is a hotline.

22 Q. Anything else?

23 A. We have parent reps that attend district
24 meetings and so that certainly if they don't get
25 satisfaction at the local school, they take it to the

1 Salguero's Declaration?

2 MR. VILLAGRA: Objection. Mischaracterization
3 of the declaration.

4 MS. STRONG: Let me rephrase.

5 Q. Were you ever made aware of a complaint separate
6 from what appears to be a complaint in the Salguero
7 Declaration that parents are treated differently based on
8 race at Cahuenga?

9 A. I think you are always going to hear something
10 when you have a two-race school, and when one is a
11 majority and one is a minority group, insecurities of
12 people have a way of looking at things differently and
13 thinking that. So that's one of the big battles a
14 principal has, is trying to create the feeling of equity
15 for everyone. And that -- but I am sure that is present.

16 Q. But do you recall any specific complaint of this
17 nature?

18 A. No. But I work hard at it.

19 Q. You work hard at?

20 A. At making sure that the parents feel there is
21 equity of treatment because, as I say, it is very easy in
22 the school where there are two races and you have to work
23 hard at it.

24 Q. What types of things do you do to see that
25 parents feel there is equity?

1 district meeting and seek help there, which they have not
2 had to do.

3 Q. Anything else you can think of as far as a means
4 that a parent can bring a complaint about either the
5 conditions or services at Cahuenga?

6 A. I think parents are remarkably sophisticated
7 about calling downtown to 450 North Grand to complain if
8 there is a problem.

9 Q. The hotline you are referring to, is that a
10 specific hotline?

11 A. Yes. It is a district hotline.

12 Q. Does that hotline take complaints about all
13 issues at a schools that you are aware of?

14 A. That's correct. That's correct.

15 Q. How are parents made aware of that hotline, if
16 at all?

17 A. It is in bulletins that are sent out. It has
18 been I think on Channel 58 where they discussed it.

19 Q. Are parents able to come directly to the school
20 to make these complaints, any complaints they may have?

21 A. Oh, absolutely.

22 Q. And who can they talk to at the school?

23 A. Usually they would talk to me or an assistant
24 principal or a coordinator, but mostly me.

25 Q. And how is it the parents know that they are

1 able to go to the school and talk to you or another
 2 administrator regarding any complaints that they would
 3 have regarding Cahuenga Avenue Elementary?
 4 A. I think it has to do with the reputation that
 5 you build within the community. I think when people find
 6 out you are open to listening to things, I think they
 7 feel free to come in and talk to you.
 8 Q. You have already explained that at the meetings
 9 you hold at the beginning of each track for grades K
 10 through 2?
 11 A. And some 3.
 12 Q. And some 3?
 13 A. And some 5.
 14 Q. You explain to the parents that you are
 15 available to address their concerns?
 16 A. Yes.
 17 Q. And meet with them whenever they would like; is
 18 that correct?
 19 A. Absolutely. I try to focus on the fact that we
 20 are a team and that they are a vital part of the team.
 21 It is the teacher, the child, myself and them. And that
 22 we have to work together. And that if the child is not
 23 happy or not doing well in school, that parent has a
 24 responsibility to come to me because that child will not
 25 learn effectively unless they are in an environment that

1 outside of the advisory committee meetings?
 2 A. Yes, I do.
 3 Q. Such as what?
 4 A. I think the one that had tremendous turnout, all
 5 my meetings are usually at 8:00 o'clock because we get
 6 the best turnout. And I had a meeting on Stanford 9, and
 7 we had -- I am sure I had 200 parents there at
 8 8:00 o'clock in the morning.
 9 Q. When you say 8:00 o'clock, is that 8 A.M.?
 10 A. 8:00 A.M.
 11 Q. What day of the week do you hold these meetings?
 12 A. It varies.
 13 Q. Do you ever hold a meeting for the parents on a
 14 weekend?
 15 A. No. Well, we have, but they are not as well
 16 attended because then they have children to take care of.
 17 And so for child care sake, it is much easier to do it
 18 when the children are in school.
 19 Q. In addition to the Stanford 9 meeting that you
 20 mentioned, are there other meetings of that nature that
 21 you will organize periodically to address various issues
 22 that arise at the school?
 23 A. Yes.
 24 Q. How often would you say per year do you hold
 25 meetings of this nature?

1 is conducive to them.
 2 Q. Other than that first meeting that you have just
 3 described, the meeting at the beginning of this track
 4 year, do you have other meetings throughout the year --
 5 A. Yes.
 6 Q. -- where parents are invited to attend?
 7 A. Yes, we do.
 8 Q. What meetings, for example?
 9 A. We have the advisory meetings. We talked about
 10 one advisory, but actually we have four advisories and we
 11 have a leadership team. These are all mandated
 12 advisories. You have a leadership, a bilingual, a Title
 13 I, a school improvement.
 14 Each of these are separate advisories. These
 15 advisories each require a planning meeting, so you are
 16 talking about eight meetings a month with parents to
 17 discuss issues.
 18 Q. How are parents made aware of the meetings,
 19 these eight meetings that you referred to?
 20 A. Publicized.
 21 Q. Where is it publicized?
 22 A. In bulletins that go home.
 23 Q. With the students?
 24 A. Invitations, yes.
 25 Q. Do you also hold meetings for the parents

1 A. It's kind of based on the need that we feel.
 2 One of the things that I did at the beginning of the
 3 school year, I did what you call a balcony walk. A
 4 balcony walk is where you and your staff, we would every
 5 morning visit the classroom not to critique the teacher,
 6 but to get a view from up above to see what is really
 7 happening in the classrooms, what are the children really
 8 doing, what kind of help do they need. And from that we
 9 created plans of what we want to do to help the teachers
 10 more, what kind of professional development we needed to
 11 do, how parents can help more effectively. So we have
 12 offered parent effectiveness training, parents how to be
 13 a parent more effective and how to help children at home.
 14 Q. Are you present at each of these meetings you
 15 hold for parents at the community?
 16 A. Yes, I am.
 17 Q. Wait until I finish.
 18 A. I'm sorry.
 19 Q. That's okay.
 20 And I believe you already testified that you
 21 tried to attend almost all of the advisory committee
 22 meetings at your school as well; correct?
 23 A. I try to be at every meeting in that school.
 24 Q. Are you available to meet with the parents and
 25 respond to their concerns at each of the meetings that

1 you have identified?

2 A. Yes, although I find that most concerns don't
3 come up at big meetings. Most concerns where parents
4 really want to talk to you is where they come in
5 separately.

6 Q. Have you had any parents come up to you after
7 any of these meetings, for example, to address any
8 concerns?

9 A. I am sure I have.

10 Q. When you say parents can come up to you
11 separately, what do you mean by that?

12 A. Usually they will come up to the office up to
13 the counter. They usually will walk right into my
14 office, but with luck the secretary will get them and
15 they will announce them.

16 Q. You explain that you have an open-door policy.
17 What do you mean by that in terms of meeting with the
18 parents?

19 A. Well, it means that parents don't have to call
20 up for an appointment. That if I possibly can, I will
21 see them right now and try to resolve the issue. Usually
22 they are not big issues.

23 The parents in my school really want to be at my
24 school, so if they are going to have to be out of the
25 country for anything, they will always come and ask for

1 (Deposition Exhibit 5 was marked
2 for identification.)

3 MS. STRONG: And I would like to mark as
4 Exhibit 6 the Declaration of Eulalia Nava.

5 (Deposition Exhibit 6 was marked
6 for identification and attached.)

7 MS. STRONG: And I would like to mark as
8 Exhibit 7 the Declaration of Rosa Tellechea.

9 (Deposition Exhibit 7 was marked
10 for identification and attached.)

11 BY MS. STRONG:

12 Q. Have you had an opportunity to review Exhibits 2
13 through 7 at any time?

14 A. Perhaps.

15 MS. STRONG: Can we go off the record for a
16 second.

17 (A discussion was held off the record.)

18 MS. STRONG: Okay. We can go on.

19 Q. Have you had an opportunity to review Exhibits 2
20 through 7, Mr. Houske?

21 A. I just did now briefly.

22 Q. With respect to Exhibit 2 which is the
23 Declaration of Herendida Bautista, did you ever receive
24 any complaints from a woman named Herendida Bautista of
25 the nature identified in her declaration which is

1 permission to leave.

2 If their child is out, they make sure I
3 understand that. If their child is having a problem and
4 they have a concern about that, they would come and see
5 me.

6 Some rare occasions the child is not getting
7 along with the teacher and then I will make a change of
8 that child in that classroom.

9 Q. What are the hours that you are on campus on a
10 daily basis at Cahuenga?

11 A. It fluctuates. I am there most of the time. I
12 would say from probably quarter of 8:00 until maybe 5:30
13 and then later many times.

14 Q. So are you available to meet with parents after
15 school as well during the 3:00 to 5:30, if not later?

16 A. Yes. Most parents don't wait that long. Most
17 parents in order to have nerve enough to come to talk to
18 a principal, they kind of want to get it over with. They
19 don't want to dwell on it.

20 MS. STRONG: I would like to mark as Exhibit 4
21 the Declaration of Elena Solano.

22 (Deposition Exhibit 4 was marked
23 for identification and attached.)

24 MS. STRONG: And I would like to mark as
25 Exhibit 5 the Declaration of Clementina Rios.

1 Exhibit 2?

2 MS. GODFREY: I am going to make an objection
3 for the record that that's vague as to time and it is
4 vague that it is asking about a question about everything
5 stated in Exhibit 2.

6 MS. STRONG: Can you read back the question.

7 MR. VILLAGRA: Not only that. Vague as to what
8 a complaint is, oral or written.

9 THE REPORTER: May we go off the record for a
10 second?

11 MS. STRONG: Of course.

12 (A discussion was held off the record.)

13 BY MS. STRONG:

14 Q. I will rephrase the question. Have you ever
15 talked to a woman named Herendida Bautista about any of
16 the issues identified in this declaration at Exhibit 2?

17 MS. GODFREY: Same objection as the last
18 question.

19 BY MS. STRONG:

20 Q. Go ahead.

21 A. Not to the best of my knowledge.

22 Q. With respect to Exhibit 3, have you ever talked
23 to a woman named Yanira Salguero regarding any of the
24 issues identified in her declaration which is Exhibit 3?

25 MS. GODFREY: Same objection.

1 THE WITNESS: Not to the best of my knowledge.
 2 BY MS. STRONG:
 3 Q. And with respect to Exhibit 4, have you ever
 4 talked to anyone named Elena Solano regarding any of the
 5 issues identified in her declaration which is Exhibit 4?
 6 MS. GODFREY: Same objection.
 7 THE WITNESS: Not to my knowledge.
 8 BY MS. STRONG:
 9 Q. And have you ever talked to a woman named
 10 Clementina Rios regarding any of the issues identified in
 11 her declaration which is Exhibit 5?
 12 MS. GODFREY: Same objection.
 13 THE WITNESS: Not to my knowledge.
 14 BY MS. STRONG:
 15 Q. And have you ever talked to anyone named Eulalia
 16 Nava regarding any of the issues raised in her
 17 declaration which is identified as Exhibit 6?
 18 MS. GODFREY: Same objection.
 19 THE WITNESS: Not to my knowledge.
 20 BY MS. STRONG:
 21 Q. Have you talked to anyone named Rosa Tellechea
 22 regarding any of the issues identified in her declaration
 23 which is Exhibit No. 7?
 24 MS. GODFREY: Same objection.
 25 THE WITNESS: Not to my knowledge.

1 BY MS. STRONG:
 2 Q. I would like to direct your attention to
 3 paragraph 11 of the Salguero Declaration which is
 4 Exhibit 3.
 5 MS. GODFREY: You know, I would like to just
 6 make a statement for the record because I believe you
 7 asked Mr. Houske this question for Exhibit 2 but not for
 8 any of the subsequent exhibits in the line of questioning
 9 that just passed, which is that Mr. Houske reviewed these
 10 exhibits briefly for between five and ten minutes during
 11 a break at the deposition. And I just wanted to let the
 12 record reflect that.
 13 BY MS. STRONG:
 14 Q. Turning to paragraph 11 of the Exhibit 3 which
 15 is the Declaration of Yanira Salguero. Paragraph 11
 16 states "The principal has made himself unavailable to
 17 parents of children at Cahuenga regarding parents'
 18 concerns of the inadequacies of the school."
 19 What is your response to that allegation?
 20 A. That's not true.
 21 Q. Why is it you believe that that's not true?
 22 A. Because it is a basic philosophy that I have. I
 23 am a competitive person and I really want to run a good
 24 school and I really want input and I want parents to be
 25 happy and so I have no reason not to want to listen to

1 their concerns.
 2 Q. I believe you stated earlier that you consider
 3 it to be a joint effort of the parents, the teachers, the
 4 principal, the students --
 5 A. Absolutely.
 6 Q. -- in terms of educating the children of the
 7 school; is that correct?
 8 A. That is correct.
 9 Q. Have you ever denied a parent an opportunity to
 10 speak to you at any time during your tenure at Cahuenga?
 11 A. Not to my knowledge.
 12 Q. Earlier today you explained that Cahuenga Avenue
 13 met or actually exceeded its growth target in terms of
 14 the API score?
 15 A. That is correct.
 16 Q. `and by exceeding the growth target for the API
 17 test or API score, did that make Cahuenga eligible for
 18 funding?
 19 A. That's correct.
 20 MS. GODFREY: Objection as to the term
 21 "funding."
 22 MR. VILLAGRA: Join in the objection.
 23 BY MS. STRONG:
 24 Q. What do you understand that to mean that
 25 Cahuenga became eligible for funding as a result of

1 meeting its growth target with respect to the API test
 2 score?
 3 A. My understanding there were two portions to the
 4 API rewards. One was a dollar grant to the school itself
 5 and then there was a second part where each teacher and
 6 each personnel who was working full time received a
 7 bonus.
 8 Q. Do you know what you want to do with the funds
 9 that you are eligible to receive as a result of meeting
 10 your growth target?
 11 MR. VILLAGRA: Objection. Vague. Are you
 12 talking about the funds in the first category?
 13 MS. STRONG: The funds the school receives.
 14 THE WITNESS: This Saturday I am going to go to
 15 Oxnard with my leadership team which includes the grade
 16 level chair people and at that time we will be discussing
 17 our professional development plans and the expenditures
 18 of funds and then that will be going to the leadership
 19 committee for approval.
 20 BY MS. STRONG:
 21 Q. So you haven't yet determined what you will do
 22 with these funds that will be received by Cahuenga as a
 23 result of the meeting its growth target; correct?
 24 A. More than likely it will go towards sub time to
 25 release teachers or have teachers come back during off

1 track time in order to have training, but that hasn't
 2 been decided until after this weekend.
 3 Q. Earlier in the day you explained that Cahuenga
 4 was receiving Rodriguez funding; correct?
 5 A. That's correct.
 6 Q. Does Cahuenga still receive Rodriguez funding?
 7 A. No, it does not.
 8 Q. Do you know at what point Cahuenga stopped
 9 receiving Rodriguez funding?
 10 A. This year.
 11 Q. Do you know why Cahuenga stopped receiving
 12 Rodriguez funding?
 13 A. Because the costs for teachers had reached the
 14 average for the city now, so that meant we had more
 15 experienced teachers, more credentialed people.
 16 Q. To make sure I understand, is it accurate to
 17 say, then, that the amount of funds spent on salaries for
 18 the staff at Cahuenga Avenue Elementary is in line with
 19 the average that is received by other schools in the
 20 Los Angeles Unified School District; is that correct?
 21 MR. VILLAGRA: Objection. Vague.
 22 THE WITNESS: To my understanding.
 23 MS. STRONG: Did you want to say something?
 24 MS. GODFREY: I thought we could clarify the
 25 record if we talked about times or school years.

1 THE WITNESS: It would be this school year.
 2 Before that we received Rodriguez funds.
 3 BY MS. STRONG:
 4 Q. So that's your understanding in terms of the
 5 status of your school this school year?
 6 A. That's correct.
 7 MS. STRONG: I don't think I have any other
 8 questions at this time, but I am sure I will have some
 9 questions after plaintiffs ask questions of Mr. Houske.
 10 Can we go off the record.
 11 (A discussion was held off the record.)
 12 MS. STRONG: We have just had a brief discussion
 13 off the record and we have agreed to continue Mr.
 14 Houske's deposition on the 20th of June which is
 15 Wednesday at 9:30 A.M. in the offices of O'Melveny &
 16 Myers in Los Angeles. Is that correct?
 17 MR. VILLAGRA: Yes.
 18 MS. GODFREY: Yes.
 19 MS. STRONG: May we stipulate that the copies of
 20 documents attached to the deposition may be used as
 21 originals?
 22 MR. VILLAGRA: Yes.
 23 MS. GODFREY: Yes.
 24 MS. STRONG: And may we stipulate that the
 25 original of this deposition be signed under penalty of

1 perjury; that the original be delivered to the office of
 2 Denise Godfrey; that the reporter is relieved of
 3 liability for the original of the deposition; that the
 4 witness will have 15 days from the date of the court
 5 reporter's transmittal letter to Denise Godfrey to sign
 6 and correct the deposition and that Denise Godfrey shall
 7 notify all parties in writing of any changes in the
 8 deposition.
 9 And if there are no such changes communicated or
 10 signature within that time, that any unsigned and
 11 uncorrected copy may be used for all purposes as if
 12 signed and corrected?
 13 MS. GODFREY: Yes.
 14 MR. VILLAGRA: So stipulated.
 15 (Whereupon at the hour of 5:16 P.M., the
 16 deposition was adjourned.)
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1 STATE OF CALIFORNIA)
 2) ss
 3 COUNTY OF LOS ANGELES)
 4 I, LLOYD HOUSKE, hereby
 5 certify under penalty of perjury under the laws of the
 6 State of California that the foregoing is
 7 true and correct.
 8 Executed this day of ,
 9 2001, at , California.
 10
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 14 _____
 15 LLOYD HOUSKE
 16
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1 STATE OF CALIFORNIA)
2) ss

3 COUNTY OF LOS ANGELES)

4 I, SYLVIA P. SHEAR, CSR #3010, in and for
5 the State of California do hereby certify:

6 That, prior to being examined, the
7 witness named in the foregoing deposition was by me duly
8 sworn to testify the truth, the whole truth, and nothing
9 but the truth;

10 That said deposition was taken down by me
11 in shorthand at the time and place therein named, and
12 thereafter reduced to typewriting under my direction, and
13 the same is a true, correct and complete transcript of
14 said proceedings.

15 I further certify that I am not
16 interested in the event of the action.

17 WITNESS MY HAND this 28th day of July, 2001.

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Certified Shorthand Reporter
for the State of California