

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

3
4 ELIEZER WILLIAMS, et al.,) No. 312 236

5 Plaintiffs,)

6 v.)

7 STATE OF CALIFORNIA;)

8 DELAINE EASTIN, State)

9 Superintendent of Public)

10 Instruction; STATE)

11 DEPARTMENT OF EDUCATION;)

12 STATE BOARD OF EDUCATION,) VOLUME II

13 Defendants.) Pages 223 - 436

14)

15
16
17 DEPOSITION OF:

18 LLOYD HOUSKE

19 WEDNESDAY, JUNE 20, 2001

20 9:50 A.M.

21
22 Reported by:

23 C. JANE HARMAN

24 CSR No. 5266

25

1 Deposition of LLOYD HOUSKE, the witness,
2 taken on behalf of DEFENDANT STATE OF CALIFORNIA, at
3 9:50 A.M., WEDNESDAY, JUNE 20, 2001, at 400 South Hope
4 Street, Fifteenth Floor, Los Angeles, California,
5 before c. jane harman, CSR No. 5266.

6
7 APPEARANCES OF COUNSEL

8
9 FOR PLAINTIFFS:

10 MEXICAN AMERICAN LEGAL DEFENSE
11 AND EDUCATIONAL FUND
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18 FOR DEFENDANT STATE OF CALIFORNIA:

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1 APPEARANCES CONTINUED
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3 FOR CROSS-DEFENDANT AND INTERVENER LOS ANGELES
4 UNIFIED SCHOOL DISTRICT:

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11
12 ALSO PRESENT:

13 JESUS MUNOZ, Mexican American Legal
14 Defense and Educational Fund
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8 INSTRUCTED NOT TO ANSWER
9 (None)

10
11
12 INFORMATION REQUESTED
13 (None)
14

15
16 EXHIBITS
17 No. Page Description
18 8 399 LAUSD year-round school calendar
19 1999-2000, 1 page
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1 LOS ANGELES, CALIFORNIA
2 WEDNESDAY, JUNE 20, 2001
3 9:50 A.M.
4 -oOo-

5
6 LLOYD HOUSKE,
7 having been first duly sworn, was
8 examined and testified further as follows:
9

10 EXAMINATION

11
12 BY MR. VILLAGRA:

13 Q. Mr. Houske, you understand that we're still
14 operating under the same instructions as last time?

15 A. (Nods head.)

16 Q. Is that "yes"?

17 A. Yes. I forgot. Speak up.

18 Q. I know we've already been introduced, but I
19 just want to tell you that I'm Hector Villagra. I'm
20 counsel for plaintiffs in this action.

21 I know we've already been through one day
22 of deposition, but I just want to clarify a few
23 things about the lawsuit before we go into the
24 questions.

25 The plaintiff schoolchildren in this case

1 have filed a lawsuit against the State of
2 California, the State Superintendent of Public
3 Instruction, the State Board of Education and the
4 State Department of Education about state-level
5 oversight of delivery of public school education in
6 California.

7 The plaintiffs whom I represent have not
8 sued any school districts or any schools or any
9 principals, including yourself. The lawsuit
10 concerns only the question of whether the state and
11 state-level agencies appropriately support schools
12 in the difficult task of providing education.

13 Today I'm going to ask you questions
14 regarding information that might be relevant to the
15 lawsuit against the state and the state agencies.

16 Do you understand that?

17 A. Yes, I do.

18 Q. How -- how did you first hear about this
19 case?

20 MS. GODFREY: To -- you can answer that
21 question except I'm a little bit nervous that that
22 might have something to do with the attorney -- with
23 communications with his attorneys.

24 ///

25 ///

1 on your part?

2 A. No, there wasn't.

3 Q. There was no other communication with the
4 person who sent it to you?

5 A. No, because I don't even remember who the
6 person was.

7 Q. And you don't recall reading any newspaper
8 articles about the case?

9 A. Not really.

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

12 BY MR. VILLAGRA:

13 Q. Have you had any discussions with anyone
14 about the case other than with your attorneys?

15 A. Well, Channel 28 came out from
16 Life & Times, and they were really the first ones
17 that contacted me. And they said, you know, that
18 they didn't believe the charges against the school,
19 and they came out to do a video.

20 Q. Do you recall who it was that came out from
21 KCET?

22 A. Well, the one who did the videoing and the
23 interviewing was not really the one who was -- who
24 was the star of the program. So, no, I really
25 don't.

1 BY MR. VILLAGRA:

2 Q. When did you first hear about this case?

3 A. I'm afraid I don't remember. It just -- I
4 don't change.

5 (Laughter.)

6 MS. STRONG: That's good to know.

7 THE WITNESS: It seems to me that I saw a
8 copy of it that was sent. And more as a point of
9 information rather than anything other than that.

10 BY MR. VILLAGRA:

11 Q. And do you recall who sent you a copy of
12 the complaint?

13 A. No, I really don't.

14 Q. Do you believe that it was sometime soon
15 after the filing of the lawsuit?

16 MS. GODFREY: Objection. Assumes facts.

17 BY MR. VILLAGRA:

18 Q. Do you know when the lawsuit was filed?

19 A. No, I do not.

20 Q. Did you read -- excuse me.

21 Did you read any newspaper articles about
22 the case?

23 A. No, I don't think I did.

24 Q. The copy of the complaint that was sent to
25 you, do you recall whether there was any follow-up

1 Q. Do you believe it was a producer for
2 Life & Times?

3 A. I'm not sure what his title would be.

4 Q. But it was a he?

5 A. Yes, it was a he, but I don't remember.

6 Q. And do you recall what you told him about
7 the case?

8 A. I'm sure that -- you know, that the issue
9 that they were most concerned about was the issues
10 of cleanliness and lack of books and things like
11 that. Because they had visited the school before
12 and just felt that those things were not true.

13 Q. Do you recall any other part of the
14 discussion with them?

15 A. I'm sure that there was a discussion about
16 the overcrowding of the school because they had been
17 to the school before to highlight that.

18 Q. What do you mean that they had been there
19 before to highlight the overcrowding?

20 A. That they have videoed it, as many
21 others -- TV channels had.

22 Q. And what about the overcrowding did they
23 video?

24 A. Children standing in line waiting for the
25 buses.

1 Q. Anything else?
 2 A. Not that I recall.
 3 Q. Did they say anything to you about the
 4 allegations about overcrowding?
 5 A. No, because I think we all -- all of us --
 6 I assumed everybody knew that we were an overcrowded
 7 school. That wasn't a secret.
 8 Q. Have you had any discussions with teachers
 9 at Cahuenga about the lawsuit?
 10 A. Other than telling them about going through
 11 the ordeal of the depositions.
 12 (Laughs.)
 13 Q. So that's the only topic that you've
 14 discussed with them?
 15 A. As I say, I maybe have mentioned to them
 16 that there was a lawsuit.
 17 You know, my role as a principal in the
 18 school is to make the community and the staff and
 19 the children believe it's the best school possible.
 20 So I'm sure that I didn't dwell on some of the other
 21 charges with them.
 22 Q. What do you mean "some of the other
 23 charges"?
 24 A. Regarding the cleanliness of the school,
 25 which we thought was false, and the lack of books.

1 Q. Were there some topics that you did dwell
 2 on with them?
 3 A. No, other than it was just that it was
 4 really -- my -- my feeling about it was that we were
 5 brought into the lawsuit because we bus away so many
 6 children; and then the other issues were just kind
 7 of things that they were tacked on but that wasn't
 8 the major reason.
 9 Q. So is it fair to say that you agree with
 10 the allegations about busing?
 11 MS. GODFREY: Objection.
 12 MS. STRONG: Objection. Calls for
 13 speculation.
 14 MS. GODFREY: My objection is that that
 15 question is vague and Mr. Houskie's opinion is
 16 irrelevant to the lawsuit.
 17 MR. VILLAGRA: Mr. Houske testified it was
 18 his feeling that the school was named in the lawsuit
 19 because of busing.
 20 Q. Do you agree with the school being included
 21 because of the busing?
 22 MS. GODFREY: I'm going to object because
 23 that mischaracterizes his testimony and also that
 24 question is still vague, in terms of what you mean
 25 by "allegations of busing."

1 BY MR. VILLAGRA:
 2 Q. You can answer the question.
 3 A. Now I forgot what the question is.
 4 Q. I believe you testified that it was your
 5 feeling that the school was in the lawsuit because
 6 of busing; is that correct?
 7 A. That's correct.
 8 Q. And do you agree with Cahuenga being
 9 included in the lawsuit because of busing?
 10 MS. GODFREY: Same objection.
 11 MS. STRONG: I join.
 12 THE WITNESS: I don't -- I don't really say
 13 I agree with it being in the lawsuit. I think that
 14 there is a problem that needs to be addressed. I'm
 15 not sure that that problem has to be addressed
 16 through a lawsuit.
 17 BY MR. VILLAGRA:
 18 Q. And just to be specific, what is the
 19 problem that needs to be addressed?
 20 A. The lack of space for children to attend
 21 school.
 22 Q. And how do you believe that problem should
 23 be addressed?
 24 A. Well, the way the district is doing right
 25 now, that --

1 MS. STRONG: Objection. Calls for expert
 2 testimony.
 3 BY MR. VILLAGRA:
 4 Q. Now I'm asking for your opinion about how
 5 it should be addressed.
 6 A. Well, as I said, the district has been
 7 working diligently trying to figure out a way to
 8 find land to build schools and they run into
 9 constant obstacles over it -- there's problems with
 10 funding.
 11 And some of those problems have been
 12 changed now. So I really feel that the district is
 13 making a real effort to solve the problem, but it's
 14 a very complex problem.
 15 Q. You mentioned that there are, or have been
 16 funding issues.
 17 A. Uh-huh, that's correct.
 18 Q. What do you understand the funding issues
 19 to be?
 20 A. This is not from an expert.
 21 Q. Uh-huh.
 22 A. That some -- some -- some of the problems
 23 are -- are the bigness of the city, the school
 24 system, that it is hard to get plans done in a
 25 timely manner in order to get the funding from the

1 state.

2 So I think the state has addressed that,
3 too. And they were changing -- from my -- from my
4 understanding, changing dates and things so that
5 it's more possible for the district to secure money.

6 Q. And what do you base this understanding on?

7 A. What I've read and heard. Nothing from the
8 district, that's why it's not expert.

9 Q. And you've read these things where?

10 A. Probably in the Los Angeles Times.

11 Q. Anywhere else?

12 A. Probably on the news.

13 Q. Any other source?

14 A. No.

15 Q. You said you've also heard these things.

16 Is that right?

17 A. Well, yeah, if I listen to the TV, then
18 I've heard it.

19 Q. So it would be TV news reports?

20 A. Yeah, right.

21 Q. Any other source?

22 A. No.

23 Q. And I should have asked this a second ago.

24 Was that a complete description of what you
25 understood the funding issues to be?

1 A. Well, I've attended meetings at my school
2 where community members come and they talk about
3 saving craftsman-style homes and saying, "This is
4 not a good location." And then you find a business
5 location, and they say "No, that's" -- "we need the
6 business." And so that it's a very complex issue.

7 Q. I had asked whether you had discussions
8 with teachers at the school about the lawsuit. Have
9 you had any discussions with administrators at the
10 school about the lawsuit?

11 A. Only just what I told you earlier.

12 Q. Nothing else?

13 A. Nothing else. I don't know that much.

14 Q. Did you attempt to do any follow-up
15 investigation to see if what was said in the
16 complaint was true or not?

17 MS. GODFREY: Objection. Vague.

18 BY MR. VILLAGRA:

19 Q. Do you understand the question?

20 A. Uh-huh.

21 MS. GODFREY: And my objection goes to the
22 complaint, the generality of the question.

23 MR. VILLAGRA: Uh-huh.

24 Q. As far as what you understood the complaint
25 to be about, did you do anything to follow up on

1 A. I'm not sure what you mean by that
2 question.

3 Q. You talked about the bigness of the city,
4 how it's hard to get plans done in a timely manner,
5 the state is doing things to change dates and make
6 it more possible for schools to be built.

7 A. Uh-huh.

8 Q. Is there anything else that you understand
9 the funding issues to be about?

10 A. Well, I suppose just that the -- the
11 tremendous cost of land in the inner-city schools.
12 It costs more money to build on land in the
13 inner-city school area than it does to go out to a
14 more expensive area.

15 And it -- and it's also -- it's also not
16 just funding, it's also, I think, a political
17 problem, where communities get up -- up in arms,
18 they don't want it. They want to save the homes,
19 yet they need the schools.

20 Q. Is there anything else that you mean by
21 "funding issues"?

22 A. No.

23 Q. And these last few things that you've
24 mentioned, you've also read and heard in published
25 or broadcast news reports?

1 what you took the complaint to be about, with
2 respect to Cahuenga?

3 A. Oh, of course I did. You know, part --
4 part -- part of it is, is it's a little bit like
5 someone who loses their reputation. And that
6 reputation is -- people hang on to something
7 forever.

8 And so the incident about the mops was
9 something that we had heard a long time back. And
10 it's sort of like, you know, a story that goes
11 around after once, people believe something. I
12 really didn't -- I didn't have a lot of concern
13 about that because I knew that was not the case
14 because I had investigated that before that.

15 When it came to the books, I have -- I was
16 concerned because we have so many books that I don't
17 even know where to put them all. And so -- but,
18 again, I did check to make sure that there was no
19 one complaining about -- about a lack of books. And
20 I found nothing to substantiate that.

21 Q. Well, were there any other allegations
22 that you took to be part of the complaint that you
23 investigated?

24 A. No.

25 Q. So the incident about the mops -- you had

1 investigated that previously?
 2 A. Oh, a long time ago.
 3 Q. Do you recall when that was?
 4 MS. STRONG: Asked and answered.
 5 Objection.
 6 THE WITNESS: You know how I am with dates.
 7 BY MR. VILLAGRA:
 8 Q. And how is it that you had investigated
 9 that incident?
 10 MS. STRONG: Objection. Asked and
 11 answered.
 12 MS. GODFREY: Join. And also vague.
 13 THE WITNESS: I went to the plant manager
 14 and I was very concerned about it, naturally, when
 15 you hear a charge like that. And then I was
 16 reassured that this was the procedure that was to
 17 be followed.
 18 Does that mean that it could not possibly
 19 have happened once? Well, it's possible where
 20 happened once, where you have a substitute come in.
 21 And I have a feeling that probably was it, because I
 22 can't hardly believe that parents could be so mis --
 23 misunderstand something.
 24 But then, they have -- parents and
 25 community have long memories and so they remember

1 these things. And so as I say, it was a long time
 2 past. It is not -- it is not in the recent period
 3 even when this one child -- he wasn't even in school
 4 when it happened. But it's just the stories that
 5 carry on.
 6 BY MR. VILLAGRA:
 7 Q. Is it possible that it's happened since
 8 then?
 9 MS. STRONG: Objection. Mischaracterizes
 10 the testimony. There's been no testimony that
 11 anything actually did ever happen.
 12 MS. GODFREY: Join. And also that question
 13 calls for speculation.
 14 THE WITNESS: And -- and of course, you
 15 know that to say nothing is possible would -- would
 16 not be correct either.
 17 So the answer would have to be, of course,
 18 anything is possible when you're not there.
 19 BY MR. VILLAGRA:
 20 Q. You mentioned that with respect to the
 21 allegation about books that you have so many books
 22 at the school that you didn't think it would be
 23 true; is that correct?
 24 A. That's correct.
 25 Q. When you're referring to "books," are you

1 referring to textbooks?
 2 A. Yes. Well, textbooks and library books.
 3 If you remember, in my school, children do
 4 not have one textbook for reading, they have two,
 5 because they're going to reading in Spanish and
 6 they're going to read in English. So they have
 7 twice the amount of textbooks that most youngsters
 8 have and --
 9 Q. Do you --
 10 A. Excuse me.
 11 Q. Go ahead.
 12 A. I was going to say, plus I'm not a -- I'm
 13 not a poor school. I'm not like a school that's in
 14 the Valley or something that they don't have
 15 additional funds. So there would be no reason for
 16 me not to have books.
 17 Q. Is it your understanding that there are
 18 schools -- poor schools that lack books?
 19 A. Not poor school --
 20 MS. STRONG: Objection. Calls for
 21 speculation.
 22 THE WITNESS: Not poor schools. Schools
 23 that -- when I think of poor, I think of communities
 24 who are on Title 1 and who are receiving free lunch.
 25 Those schools automatically get the funding from the

1 state and from the federal government. And so that
 2 they are the normal school rather than that. And do
 3 normal schools have enough? No, I don't think so.
 4 BY MR. VILLAGRA:
 5 Q. What's that understanding based on?
 6 A. The complaints of those principals.
 7 Q. And when do you hear those complaints?
 8 A. Well, at -- at -- when you have a citywide
 9 meeting and you're talking about what you're doing
 10 and you're -- you're saying, "You could do this,"
 11 and they're saying, "We wish we had the money, too."
 12 Q. And do some of the complaints regard
 13 textbooks?
 14 A. They're not that specific. I'm sure
 15 that -- I'm sure that textbooks is an issue; books
 16 are very, very expensive.
 17 MS. GODFREY: I would just like to
 18 interpose an objection to this line of questioning
 19 as irrelevant and ... as irrelevant.
 20 BY MR. VILLAGRA:
 21 Q. Are there any particular principals that
 22 are making these sorts of complaints?
 23 A. No, it was like cocktail talk when you're
 24 drinking coffee.
 25 Q. Are they elementary school principals?

1 A. Yes.
 2 Q. Are any of them high school principals?
 3 A. No, we don't meet together.
 4 Q. When was the last time you had a citywide
 5 meeting of elementary school principals?
 6 MS. GODFREY: Objection. Assumes facts.
 7 THE WITNESS: You know how I am with dates.
 8 This year.
 9 BY MR. VILLAGRA:
 10 Q. Sometime this calendar year?
 11 A. Yes.
 12 Q. Was there one prior to that?
 13 A. Oh, sure. Every year there are -- there
 14 are meetings, and more than one.
 15 Q. Every year?
 16 A. Uh-huh.
 17 Q. How many would you say a year?
 18 MS. GODFREY: Objection. How many? What
 19 are you --
 20 MR. VILLAGRA: Of these citywide meetings
 21 of elementary school principals.
 22 MS. GODFREY: Thank you.
 23 THE WITNESS: I'm sure that there are
 24 probably eight at least.
 25 /// ///

1 BY MR. VILLAGRA:
 2 Q. What sorts of topics are discussed at these
 3 meetings, citywide meetings of elementary school
 4 principals?
 5 A. Their staff development.
 6 Q. And what do you mean by that?
 7 A. As an example, the superintendent is very
 8 interested in starting learning walks within the
 9 school. This is where -- where a principal and
 10 his -- maybe his APE and other teachers would go
 11 into classrooms to observe. And so he invited
 12 Lauren Resnick to come and -- she actually did --
 13 she did a video for us. And he -- that's his
 14 interest, is trying to improve instruction.
 15 We've also had meetings where we've heard
 16 discussions about open court. And again, that's
 17 another thrust of the superintendent to improve
 18 instruction. So they're always based on that kind
 19 of -- of topics.
 20 Q. Is it also a forum for principals to raise
 21 issues that they have at their schools?
 22 A. No, no. Only over coffee.
 23 Q. Why is that, that's only over coffee?
 24 MS. GODFREY: Objection. Calls for
 25 speculation.

1 BY MR. VILLAGRA:
 2 Q. If you know.
 3 A. I don't know. Maybe just the size of the
 4 group. You're talking about a group that is maybe
 5 over 400 people, so it's not really a place for an
 6 open forum.
 7 Q. I'm sorry for repeating a few things we
 8 talked about last time but I just wanted to sort of
 9 direct you to these issues.
 10 I believe you said last time that the
 11 enrollment -- I'm sorry. Cahuenga is a K through 5
 12 elementary school?
 13 A. That's correct.
 14 Q. Enrollment is 1300 students?
 15 A. That's correct, yes.
 16 Q. What's the capacity of Cahuenga?
 17 MS. STRONG: Objection. Asked and
 18 answered.
 19 MS. GODFREY: And also just to clarify,
 20 when you say "capacity," you're speaking about the
 21 number of students that Cahuenga can accommodate?
 22 MR. VILLAGRA: Yes.
 23 THE WITNESS: That was asked the last time.
 24 Just to be consistent, I said we're at capacity.
 25 /// ///

1 BY MR. VILLAGRA:
 2 Q. So you understand, is it fair to say
 3 capacity to be 1300 students?
 4 A. Thirteen hundred on a year-round schedule.
 5 Q. Okay. That's what I want to clarify.
 6 What's the capacity of the school to accommodate
 7 students on any given school day?
 8 A. It would be one-third less.
 9 Q. So somewhere around 850?
 10 A. If that's one-third, that's correct.
 11 Q. What percentage of students at Cahuenga are
 12 eligible for free or reduced lunch?
 13 MS. GODFREY: If you know.
 14 THE WITNESS: I don't know the exact
 15 figure. All I know is that we have enough that
 16 qualified that the whole school is on free.
 17 BY MR. VILLAGRA:
 18 Q. Is there a cutoff when the entire school
 19 becomes eligible?
 20 A. What do you mean "a cutoff"?
 21 Q. A set percentage, where if you meet that
 22 percentage --
 23 A. That's correct, that's correct.
 24 Q. -- the entire school ...
 25 What is that percentage?

1 A. I don't recall.

2 MS. GODFREY: And point of clarification.
3 I believe your question was compound, you said "free
4 or reduced lunch."

5 BY MR. VILLAGRA:

6 Q. Is there a free or reduced, I'm sorry, meal
7 program at Cahuenga?

8 A. There is the possibility of a free or
9 reduced lunch program, but when you have enough
10 qualify, everyone becomes free.

11 Q. I'm sorry for having phrased it that way,
12 but I think the program is -- actually is free or
13 reduced --

14 MS. GODFREY: Oh, okay. I just wasn't
15 sure. I'm not sure if the students were getting
16 free lunches or getting reduced lunches. I didn't
17 know.

18 THE WITNESS: No, reduced means you pay a
19 certain amount of money. You don't pay the full
20 price but you pay something. And -- and -- so then
21 that was the way -- until you reached this, whatever
22 that magic percentage is, and then at that point no
23 one pays.

24 MS. GODFREY: I understand. Thank you.

25 ///

///

1 MS. STRONG: I also would like to object on
2 this line of questioning to the extent in that there
3 are no allegations regarding special education
4 classes, and it seems beyond the scope of what this
5 lawsuit is about.

6 BY MR. VILLAGRA:

7 Q. Is it fair to say that your understanding
8 is that approximately 85 students receive some form
9 of special education services?

10 A. If that's what you added up.

11 Q. So it's three times the 15 or more, plus
12 the 40?

13 A. Uh-huh. Approximate.

14 Q. Do you know what percentage of students, if
15 any, participated -- participate in the schools
16 gifted program?

17 MS. GODFREY: Objection. Assumes facts.

18 MS. STRONG: Calls for speculation.

19 BY MR. VILLAGRA:

20 Q. If any.

21 A. Well, I know that we had a testing last --
22 maybe two Saturdays ago. And I think we have 30
23 children tested on that Saturday for the program.
24 And we already have children in -- in the gifted
25 program. I don't know the number.

1 BY MR. VILLAGRA:

2 Q. How long has that been true at Cahuenga,
3 that all of the students are eligible for free
4 lunches, free meals?

5 A. Oh, I would say about one year.

6 Q. Do you know the racial/ethnic breakdown of
7 the enrollment at Cahuenga?

8 A. Approximately two-thirds are Latino and a
9 third Asian.

10 Q. Is there any percentage of Anglo students?

11 A. Not significant.

12 Q. What percentage of students, if any, are
13 eligible to receive special education services?

14 MS. STRONG: Objection. Calls for
15 speculation.

16 MS. GODFREY: Yeah, I would have to join
17 that.

18 BY MR. VILLAGRA:

19 Q. If you know.

20 A. Well, we have -- we have three special
21 ed classes. And each of them probably have 15
22 children, more or less, in them. And then we have
23 a resource specialist who deals with children on a
24 consultation basis and she probably sees maybe 40.

25 Q. Is it fair --

1 Q. Are there documents that show the number of
2 students participating?

3 A. Yes.

4 Q. Do you believe it's a number less than a
5 hundred?

6 A. Yes.

7 Q. Less than 50?

8 A. Yes.

9 Q. Less than 30?

10 A. No.

11 Q. So your --

12 A. With the -- with the ones we just tested.

13 Q. Including those you just tested?

14 A. (Nods head.)

15 One of the things that happens when you
16 identify children for gifted programs is that when
17 the children have a chance to have choices, then
18 they opt out to go to a gifted school or to a --
19 they go to a school that has some special emphasis.
20 And so that you don't get to keep them as long then.

21 Q. Do you know the drop-out rate at Cahuenga?

22 MS. GODFREY: Objection. Vague.

23 BY MR. VILLAGRA:

24 Q. Do you understand the term "drop-out rate"?

25 A. I do, but it's almost a nonexistent term in

1 elementary school.

2 Q. Because the figure is insignificant, or is
3 it some other reason?

4 A. Children just go to school. That is
5 something that happens, if it happens, when they get
6 older. Children basically like to go to school,
7 contrary to what people think.

8 (Laughter.)

9 Q. You testified on June 14th about
10 after-school activities at Cahuenga.

11 A. Uh-huh.

12 Q. I don't believe that the question was
13 asked, who is eligible to participate in those
14 after-school programs?

15 MS. STRONG: Objection. Asked and
16 answered.

17 MS. GODFREY: I'm just going to object as
18 to vague in terms of "after-school" programs or
19 "activities."

20 MR. VILLAGRA: I can go into the subject
21 again to have him lay those out.

22 MS. GODFREY: I just want to make sure the
23 witness has a very clear understanding as to what
24 you mean, "after-school activities."

25 ///

1 So it's a much more complex kind of an
2 organization than what it used to be. This has just
3 happened this year.

4 Q. Now, when it comes to the remediation
5 programs, is it only open to students currently
6 enrolled at Cahuenga?

7 A. That is correct because the school where
8 the children would be attending would be receiving
9 that service at their school. All schools offer
10 this.

11 Q. Okay. And when it comes to the enrichment
12 activities, is that only open to students currently
13 enrolled at Cahuenga?

14 A. Again, it's because of grants. There
15 are -- and that's what a school -- if you write for
16 your grant, then there are restraints on it. So,
17 yes, but it's based on what the grant says.

18 Q. Okay. But the initial cutoff is whether
19 you are a currently-enrolled student; there may be
20 other criteria as well?

21 A. Oh, for some, for some. Remember I said
22 that others come back on the yard. And plus they're
23 taking advantage of the classes at the other
24 schools. Because we have so many changes in -- in
25 bus schedules because children are staying late at

1 BY MR. VILLAGRA:

2 Q. What do you understand the after-school
3 activities at Cahuenga to be?

4 A. Well, normally -- this is in the past,
5 after-school activities meant the playground, where
6 the playground is open, and that's open to
7 everybody. So that if children have been bused away
8 there, they were welcome to come back onto the
9 grounds.

10 But with the increased monies that are
11 available for remediation classes and for enrichment
12 kinds of things, there are more types of activities
13 going on after school. And we don't think of those
14 as necessarily after school in the same context as
15 we do a playground.

16 Q. And with respect to the remediation
17 after-school programs, who is eligible to
18 participate in that?

19 A. In some, those who are identified by
20 teachers. For some, by length of time in the
21 country. For some, everyone takes part in it. For
22 some -- and this -- this is because there are --
23 there are grants and they have special restraints on
24 them, that they have to have a certain level of
25 income.

1 their own schools.

2 Q. But I just want to be clear that the
3 playground is open to all kids in the neighborhood?

4 A. Absolutely.

5 Q. The enrichment and remediation programs, is
6 it fair to say that they are limited to students who
7 are currently enrolled at Cahuenga?

8 MS. STRONG: Objection. Compound.

9 THE WITNESS: Yes.

10 MS. GODFREY: Can -- can we take a break?

11 MR. VILLAGRA: Uh-huh.

12 (Conference held off the record
13 between the witness and Ms. Godfrey.)

14 BY MR. VILLAGRA:

15 Q. And I hope -- I guess the list is right, we
16 went over it last time, the schools that you have
17 worked at?

18 A. I hope you do, too, because I didn't bring
19 the list with me.

20 (Laughs.)

21 Q. I had you down as having worked at 61st
22 Street?

23 A. That's correct.

24 Q. Sixth Avenue?

25 A. That's -- yes, that's correct.

1 Q. Vermont Avenue?
 2 A. Right.
 3 Q. 66th Street?
 4 A. That's correct.
 5 Q. Hoover?
 6 A. That's correct.
 7 Q. All before coming to Cahuenga?
 8 A. That's correct.
 9 Do you have Vermont in there, too?
 10 Q. Yes.
 11 A. Good.
 12 Q. And I wasn't clear on this, were all of
 13 these schools on the traditional school year while
 14 you worked there?
 15 A. Not Hoover.
 16 Q. And I believe the last time you mentioned
 17 that Hoover, at least for some period, was on double
 18 session?
 19 A. Complete double sessions. And then to
 20 relieve the overcrowding, they went on a year -- on
 21 a year-round schedule. It was really the first time
 22 that Los Angeles Unified started having year-round
 23 schedule.
 24 Q. What type of year-round schedule was used
 25 at Hoover; do you recall?

1 A. We used many different ones actually. So
 2 we had a 45/15; I think we had a 30/60. And then we
 3 went -- and then when I went to Cahuenga it was
 4 Concept 6.
 5 Q. But that was after you left Hoover?
 6 A. That was after I left Hoover.
 7 Q. And 45/15, is that a four track?
 8 A. Yes.
 9 Q. And 30/60, how many tracks is that?
 10 A. Three tracks.
 11 Q. And was that 30 days on and 60 days off?
 12 A. Uh-huh, uh-huh.
 13 How do you spell "uh-huh"?
 14 Q. It's one of the Kato Kaelin comments, where
 15 you need the button for that.
 16 And all the schools that we talked about,
 17 61st Street, Sixth Avenue, Vermont, 66th Street and
 18 Hoover, you worked there as a teacher, training
 19 teacher, assistant principal and principal?
 20 MS. STRONG: Objection. Asked and
 21 answered.
 22 MS. GODFREY: Compound.
 23 THE WITNESS: Yes.
 24 BY MR. VILLAGRA:
 25 Q. In your experience as a teacher and an

1 administrator at schools, what does a teacher do to
 2 set up a classroom to prepare for an incoming class?
 3 MS. GODFREY: Objection. Calls for
 4 speculation and incomplete hypothetical.
 5 THE WITNESS: It's the same thing that
 6 happens today as happened I suppose forever. You go
 7 in and you set up bulletin boards, you get your
 8 materials organized, get supplies that -- and then
 9 get your textbooks and start looking at them and
 10 planning your lessons.
 11 MS. GODFREY: I would also like to
 12 interpose a late objection, that question was also
 13 vague.
 14 BY MR. VILLAGRA:
 15 Q. Is there anything else that a teacher does
 16 to set up a classroom?
 17 MS. GODFREY: Same objections.
 18 THE WITNESS: Sometimes they -- they
 19 change, move furniture around and -- and ... and
 20 that's basically it.
 21 BY MR. VILLAGRA:
 22 Q. And you mentioned setting up the bulletin
 23 board. What does that entail?
 24 A. Well, putting up construction paper
 25 and putting up things that are instructionally

1 motivating for youngsters. Sometimes standards and
 2 things like that. Each teacher in the school has a
 3 three-hour aide, and that person is very good about
 4 helping to set up the room environment.
 5 Q. And you're talking specifically now about
 6 Cahuenga?
 7 A. Well, and Hoover, too.
 8 Q. Okay. You mentioned ordering materials?
 9 A. Uh-huh.
 10 Q. What does that entail?
 11 MS. STRONG: Objection. Calls for
 12 speculation to the extent he's testifying beyond his
 13 own experience.
 14 MS. GODFREY: Join.
 15 THE WITNESS: Well, you know, that in a
 16 year-round school, things have been packed away. So
 17 you unpack and you put them into cupboards and
 18 things like that so they're more readily available
 19 for you.
 20 BY MR. VILLAGRA:
 21 Q. Is there anything else with respect to
 22 materials?
 23 A. Huh-uh.
 24 It is the same thing that happens in a
 25 traditional school.

1 Q. And in terms of the physical setup of a
2 classroom, how long do you think it takes?
3 MS. GODFREY: Maybe I could just interpose
4 a running objection -- the objections that I've
5 stated to this whole line of questioning so I don't
6 interrupt Mr. Villagra's questions each time.
7 MR. VILLAGRA: Okay.
8 MS. STRONG: And I would like to join.
9 THE WITNESS: I think -- I think it varies.
10 You know, it varies upon the teacher. I don't think
11 you could -- some teachers could come -- come in and
12 they could be done in a couple of hours and some
13 teachers will spend more time.
14 BY MR. VILLAGRA:
15 Q. And why is that?
16 MS. STRONG: Objection. Calls for
17 speculation. Same objections.
18 THE WITNESS: Right. It's that -- it's
19 that thing inside of you that drives you, you know.
20 BY MR. VILLAGRA:
21 Q. And what you've been testifying about
22 teachers doing and setting up classrooms, how do you
23 know this?
24 A. Well, I observe it.
25 Q. And you've observed it at Cahuenga?

1 A. That's correct.
2 Q. You've observed it at the other schools
3 that you've worked at?
4 A. Yes, absolutely.
5 Q. When do teachers on a traditional calendar
6 move into a classroom and set up the classroom?
7 MS. GODFREY: Objection. Calls for
8 speculation and vague and incomplete hypothetical.
9 Perhaps you could limit your question to a
10 specific year, or school, and that would alleviate
11 the problems of my objection.
12 THE WITNESS: Again, it depends upon that
13 individual teacher. You know, some teachers come in
14 the -- the day before. Some teachers come in the
15 morning of the start of the school. They're -- you
16 know, if -- it's -- it's a voluntary thing. If they
17 come in beforehand, they're not being paid for it.
18 And so that's up to them.
19 BY MR. VILLAGRA:
20 Q. And when you say some come the day before,
21 you mean the day before school officially starts?
22 A. Yes. Yes.
23 Q. So it would be over the summer vacation?
24 A. Well, it could be over the summer vacation,
25 or it could be that they come in the day before the

1 track ends and they -- they start getting themselves
2 ready. That's not unusual.
3 MS. STRONG: And a point of clarification.
4 To the extent that Mr. Villagra was questioning
5 about Mr. Houskie's experience at a traditional
6 calendar school, I would like to clarify that
7 Mr. Houskie has not been at traditional calendar
8 school for over 16 years, if not more.
9 Is that correct?
10 THE WITNESS: That is correct.
11 BY MR. VILLAGRA:
12 Q. And I -- just to be clear. I was asking
13 specifically about traditional schools, when
14 teachers move in based on your experience at
15 traditional schools.
16 I believe your answer was, some do it the
17 day before school starts; some do it the morning
18 that school starts.
19 Is that correct?
20 A. That's correct.
21 Q. What do you believe the priorities for
22 teachers are in the first few weeks of school in a
23 new school year?
24 MS. GODFREY: Objection. Calls for
25 speculation. Incomplete hypothetical and vague.

1 MS. STRONG: Join.
2 THE WITNESS: You know, one of the first
3 things that teachers do is they establish standards
4 for behavior. They want consistency. They want to
5 have children know what the expectations are for the
6 year. They want to do diagnostic evaluations on
7 youngsters to find out levels of where they're
8 working. And then they -- they want to get children
9 into books.
10 That's really ...
11 BY MR. VILLAGRA:
12 Q. Anything else that you can think of?
13 A. Not really.
14 Q. Is there a single diagnostic assessment
15 that teachers at Cahuenga give their students at the
16 beginning of a school year?
17 A. No.
18 Q. How many are there?
19 MS. STRONG: Objection. Calls for
20 speculation.
21 THE WITNESS: I would say that there are
22 three. They do one in reading; they do one in math;
23 and they do one in language development.
24 BY MR. VILLAGRA:
25 Q. How do you know that?

1 A. Observation.

2 Q. How long would you say that it takes to
3 give these assessments?

4 MS. GODFREY: Objection. Calls for
5 speculation. Compound, based on the fact that
6 you're referring to -- referring to more than one
7 assessment, and vague.

8 MR. VILLAGRA: I'll rephrase.

9 Q. How long does it take to give the reading
10 assessment?

11 MS. STRONG: Objection. Calls for
12 speculation still.

13 MS. GODFREY: Yeah, join.

14 THE WITNESS: And again, it varies
15 depending upon the type of assessment. There's many
16 different reading assessments that they use, so that
17 it isn't just one. So it -- it would vary by each
18 teacher as to whether they make up their own or
19 whether they use a commercial.

20 Assessment is not something that happens
21 once a year. Assessment is an ongoing process that
22 is done throughout the year, so that's how you would
23 shape your instructional program.

24 BY MR. VILLAGRA:

25 Q. And at Cahuenga, when does the assessment

1 This year we have a new assessment for
2 language development that -- that has to be given
3 once a year. And so that's new.

4 In the past, we have portfolios, which is a
5 type of an assessment. And that -- that is done
6 probably three times a year, because that's reported
7 for the parents at parent conference times.

8 The reading assessment is built in to the
9 system. And so it depends upon how fast the teacher
10 goes through the series. And then when it comes
11 time for that assessment, then it is given. So
12 that's why -- it is required, but it isn't required
13 as to a specific time.

14 BY MR. VILLAGRA:

15 Q. You mentioned the priorities over the first
16 two weeks of school. Is one of the priorities also
17 to review material that was covered the prior school
18 year?

19 MS. GODFREY: Objection. Calls for
20 speculation. Incomplete hypothetical.

21 THE WITNESS: Well, I -- I would say that
22 maybe one of the advantages of year-round school is
23 that the time that children have away from school is
24 not as great, and that we find that when we -- when
25 we -- because every time children come back from off

1 happen? We've identified obviously the start of the
2 school year --

3 MS. GODFREY: Objection. Mischaracterizes
4 his testimony.

5 THE WITNESS: Again, it varies by teacher
6 by teacher. One of the -- and I think that's
7 probably one of the reasons Superintendent Romer
8 wants open court. Open court has a built-in
9 assessment period where it's every six weeks.

10 I'm sure that the math program, the new
11 math program also has that in it.

12 In the past, it has been left more up to
13 teacher judgment, especially when it came time to
14 change books and things like that, that they want to
15 be sure that it's the correct placement for them.

16 BY MR. VILLAGRA:

17 Q. Is it fair to say, the assessments are up
18 to the discretion of the teachers at Cahuenga?

19 MS. GODFREY: Objection. Compound. Vague.
20 Incomplete hypothetical.

21 MS. STRONG: Objection. Mischaracterizes
22 his testimony.

23 THE WITNESS: Assessments are built -- are
24 built in. There are -- there are -- and it's like a
25 moving target, it changes almost every year.

1 track, we usually do an assessment. And we find
2 that many times the children, when they've been off
3 track time, they have changed a whole level in
4 reading and we can put them up to the next book.

5 Because when children are off track, we
6 give very thorough sets of -- of work for -- for
7 youngsters. And so that when they come back, many
8 times their reading has improved.

9 BY MR. VILLAGRA:

10 Q. You said "we find," who is the "we"?

11 A. It is the royal we.

12 Q. And this is actually one of the things I
13 was trying to get at. So there are assessments that
14 are done when children come back on track at
15 Cahuenga; is that right?

16 A. Uh-huh, uh-huh, uh-huh.

17 Q. Is that a requirement at the school?

18 A. No, I can't -- I can't really say it's --

19 it's a requirement. I -- I have a feeling that it
20 is because of my expectations that children are
21 going to read above grade level and so that teachers
22 are anxious to fulfill that as my vision.

23 And so then in order for children to get
24 above grade level, you've got to cover more than a
25 year's worth of work in that year.

1 Q. You mentioned that as a result of these
2 assessments many times you find that kids have gone
3 up a level in reading?

4 A. That's correct.

5 Q. What do you mean by "up a level"?

6 A. Our -- our -- our reading books are all
7 level books, and so that there is one that is
8 designed for the grade level. And of course,
9 everyone wants their children at grade level, but I
10 want mine above grade level.

11 So that in -- in our classrooms, we usually
12 will have those at -- that are grade level and those
13 above grade level and those, too, that are below
14 grade level.

15 Q. And in any given assessment, how many kids
16 would you say have gone over grade level?

17 MS. GODFREY: Objection. Compound and
18 vague. What assessments are you referring to?

19 MS. STRONG: Objection. Calls for
20 speculation.

21 BY MR. VILLAGRA:

22 Q. Let's focus on the last time that an
23 assessment was done when kids went -- came back on
24 track. When would that have been?

25 MS. GODFREY: In a particular subject area?

1 Q. -- numbers?

2 A. No.

3 Q. Do you believe that teachers, nonetheless,
4 do some review when they come back on track to cover
5 material that was covered before the kids went off
6 session?

7 MS. GODFREY: Objection. Calls for
8 speculation. Incomplete hypothetical. And vague as
9 to time.

10 THE WITNESS: Well, the textbooks are built
11 for traditional years. The first part of a textbook
12 is always review. And so if you say, do they
13 review? Yes, because that's built in to the system.

14 And so one of the recommendations that I
15 make to my teachers is that skip some of that first
16 part of the textbooks because our youngsters don't
17 need it as much.

18 BY MR. VILLAGRA:

19 Q. Do you have any idea if teachers are
20 skipping some of the review that's built in to the
21 textbooks?

22 A. No.

23 Q. Do you know how much review time is built
24 in to a textbook?

25 MS. GODFREY: Objection. Vague.

1 MR. VILLAGRA: Actually let me go back.
2 That's a good question.

3 Q. When you're talking about going up one
4 level, it's only in reading?

5 A. Yes.

6 Q. Okay. So it's not in any other subject?

7 A. No.

8 Q. When was the last time the kids came back
9 on track and were assessed to see what reading level
10 they were at?

11 MS. GODFREY: At Cahuenga this past year?

12 MR. VILLAGRA: Yes.

13 THE WITNESS: You know how I am on dates,
14 so you're really asking me a question that you're
15 not going to get a good answer on.

16 I just -- I don't recall the month. I --
17 what I'm judging that statement on is from what
18 teachers tell me. It isn't -- it isn't something
19 that's from an official report that's given to me.
20 But teachers will come to me very enthusiastic and
21 say, "Gee, you know, I'm just so happy that they
22 came back and are performing at a better level."
23 BY MR. VILLAGRA:

24 Q. Okay. So you don't have any specific --
25 A. No.

1 THE WITNESS: In -- no, I would not know.

2 BY MR. VILLAGRA:

3 Q. Okay. In your experience at traditional
4 calendar schools, at the start of a school year,
5 would you be able to give any estimate as to how
6 much time is spent reviewing what was covered the
7 prior school year?

8 MS. GODFREY: Objection. Vague.

9 THE WITNESS: No.

10 BY MR. VILLAGRA:

11 Q. At a traditional calendared school, do you
12 have any idea how much time teachers spend reviewing
13 after the Christmas holidays?

14 MS. GODFREY: Objection. Vague and calls
15 for speculation.

16 BY MR. VILLAGRA:

17 Q. In your experience.

18 A. I never found them reviewing after
19 Christmas vacation.

20 Q. And that's based on ...

21 A. The fact that it didn't seem to be needed.

22 Q. Do you know that from speaking with
23 teachers?

24 A. From -- no, I don't know that we've ever
25 discussed it. I mean, I know from my own experience

1 as being a teacher that I never felt that it was
 2 necessary.
 3 Q. At all?
 4 A. No.
 5 Q. What are the last couple of weeks before
 6 the end of school like at Cahuenga?
 7 MS. GODFREY: Objection. Vague.
 8 MS. STRONG: I'll join.
 9 THE WITNESS: Busy.
 10 BY MR. VILLAGRA:
 11 Q. Why do you say "busy"?
 12 A. A lot to do.
 13 Q. What is there to do?
 14 MS. STRONG: And objection. Also, for
 15 verification, what last couple of weeks are we
 16 referring to?
 17 MR. VILLAGRA: Before kids go on vacation.
 18 MS. STRONG: For each track?
 19 MR. VILLAGRA: Let's actually keep it for
 20 now, before they end the school year.
 21 THE WITNESS: Don't forget, right now --
 22 MS. STRONG: Objection. What school year
 23 are we talking about?
 24 MR. VILLAGRA: Before the kids end their
 25 school year.

1 MS. STRONG: So for each track?
 2 MR. VILLAGRA: (Nods head.)
 3 THE WITNESS: For each track?
 4 BY MR. VILLAGRA:
 5 Q. Yes.
 6 A. Of course I was going to say, this is the
 7 end of a track period right now.
 8 Q. Uh-huh.
 9 A. And of course it's like in any kind of a
 10 schedule, that it's very hectic because you have
 11 culminating activities, there are reports that have
 12 to be done, you have to check on our cumulative
 13 records.
 14 And -- and that's the closing of a school.
 15 The -- whenever you close down -- and of course
 16 going off track is closing down for one set of
 17 teachers, it's -- it's -- you know, doing a lot of
 18 packing and checking in books and checking a lot of
 19 different things that are required.
 20 Q. This activity goes on whenever a school or
 21 a track closes down?
 22 A. Yes.
 23 Q. And I started by asking you about the last
 24 couple of weeks. Over how many weeks or how many --
 25 or is it -- sorry.

1 How long would you say that this period of
 2 business lasts when you're closing down?
 3 MS. GODFREY: Objection. Vague.
 4 THE WITNESS: Teachers are basically
 5 procrastinators, so many times it is the last couple
 6 days that are -- where things really get busy for
 7 them.
 8 One of the things that helps a great deal
 9 is having that teacher assistant. That teacher
 10 assistant is very actively involved with the closing
 11 down. Probably does a lot of the packing for the
 12 teacher.
 13 BY MR. VILLAGRA:
 14 Q. You say "probably"?
 15 A. Uh-huh.
 16 Q. Is that because you don't know for sure?
 17 A. Well, you know, I have a -- I have a lot of
 18 teachers, so I certainly couldn't say for sure for
 19 all of them. But I do know that teachers use their
 20 aides in that way --
 21 Q. How do you know --
 22 A. -- from observation.
 23 Q. Do all teachers have a TA?
 24 A. Yes.
 25 Q. For the entire day?

1 A. No. For three hours.
 2 Q. For three hours.
 3 You mentioned when the school or a track is
 4 closing down, there is a lot of packing. What are
 5 you referring to?
 6 MS. GODFREY: Objection. Vague.
 7 THE WITNESS: When teachers are putting
 8 away the -- their things in order to make cupboards
 9 available for the teacher who is coming on.
 10 BY MR. VILLAGRA:
 11 Q. Anything else?
 12 A. Returning textbooks, library books.
 13 Q. Anything else?
 14 A. Well, maybe in our school because it's
 15 unique, they prepare these packets of materials for
 16 children to take home on their off-track time.
 17 Every time the children go off track, they have this
 18 work they have to do.
 19 Q. Is there anything else that you can think
 20 of?
 21 A. Not really.
 22 Q. And with respect to returning books, what
 23 is it that the teachers have to do?
 24 MS. GODFREY: Objection. Vague.
 25 THE WITNESS: Well, usually the aide will

1 take the children and they'll return to the book
 2 room. There's usually -- there's a schedule
 3 established for when books are returned.
 4 BY MR. VILLAGRA:
 5 Q. How many days prior -- or when in relation
 6 to the end of a teaching session do books get
 7 returned?
 8 A. It -- well, you don't collect books on one
 9 day. So it -- it probably is -- is a period of --
 10 of a week where the schedule starts in.
 11 Q. So beginning about a week before the end of
 12 a session, children start returning books?
 13 A. For some classrooms, yes.
 14 Q. You mentioned that there were a lot of
 15 other things that were required of teachers to do.
 16 A. Uh-huh.
 17 Q. I believe that was the phrase you used.
 18 Can you explain further what the things that they're
 19 required to do are?
 20 A. At the end of a track?
 21 Q. Yes.
 22 A. Well, they -- they have to make sure that
 23 their room is ready for their partner coming in.
 24 Q. And what does that mean?
 25 A. Leaving it in a condition where it's going

1 to be easy for another teacher to move in.
 2 Q. So they have to take down whatever bulletin
 3 boards they've put up?
 4 A. Some do and some don't. Sometimes they
 5 leave the backing and the borders up. And some
 6 things -- again, it depends upon the working
 7 relationship between the two teachers. Because
 8 they -- everyone that goes into a room, it is the
 9 same grade level, so it's not a matter of having to
 10 worry that you've got the wrong stuff up.
 11 Q. Is there anything else that teachers are
 12 required to do before making -- other than making
 13 sure the room is ready for their partner teacher?
 14 A. I can't think of anything else.
 15 Q. In your experience, when are intervention
 16 services offered on the traditional calendar?
 17 MS. GODFREY: Objection. Vague as to --
 18 intervention services?
 19 BY MR. VILLAGRA:
 20 Q. Do you understand the phrase "intervention
 21 services"?
 22 A. Yes, I do.
 23 Q. What do you understand it to be?
 24 A. I've never been in a traditional year where
 25 they have had interventions. That is something

1 that's just started.
 2 Q. Okay. Do you have any understanding as to
 3 when --
 4 MS. STRONG: Objection. Nonresponsive.
 5 BY MR. VILLAGRA:
 6 Q. Do you have any understanding of what
 7 intervention services occur on a traditional
 8 calendar?
 9 MS. STRONG: Objection. I don't think
 10 we've established what intervention services are and
 11 what the witness understands them to be.
 12 BY MR. VILLAGRA:
 13 Q. I'm sorry. What do you understand
 14 intervention services to be?
 15 A. Well, there are a whole variety of
 16 interventions. There are some that are after
 17 school. And I would assume that the traditional
 18 school year would probably have theirs after school,
 19 too.
 20 And then there are summer school
 21 interventions. And the summer school would be done
 22 during their summer period when the school is
 23 closed. Because our summer intersessions are
 24 scattered throughout the year, our children would be
 25 bused to another location for that.

1 But that's something very new. As I
 2 said, you know, this whole pocket of money for
 3 interventions is very recent.
 4 Q. You were talking about, I think, the
 5 scheduling of intervention. What is an intervention
 6 service? What is it designed to address?
 7 A. Intervention services are designed for
 8 children who need remediation.
 9 Q. And you testified that you believe at
 10 traditional schools some intervention services are
 11 offered after school and some during summer school?
 12 A. That's right.
 13 Q. What's that understanding based on?
 14 A. Assumptions.
 15 Q. You don't know one way or the other?
 16 A. (Laughs.)
 17 I'm only -- because, you know, we have
 18 summer interventions, and so I -- they certainly
 19 won't do it the same way we would. They would do it
 20 during the time when the school is, I think, closed.
 21 Q. Okay.
 22 A. But of course, then it is a matter of will
 23 they pay for a principal to be on duty or not, I
 24 don't know.
 25 MS. STRONG: Can we take a break?

1 MR. VILLAGRA: Sure.
 2 (Recess taken from 11:00 to 11:05.)
 3 BY MR. VILLAGRA:
 4 Q. Mr. Houske, just -- just to be absolutely
 5 clear, I wanted to ask you a little more about
 6 intervention, intervention services.
 7 You mentioned that there are several types
 8 depending on what the programs are designed to do.
 9 Can you catalog for me the different types of things
 10 that you consider to be intervention services.
 11 A. Well, one is the traditional one where it
 12 is remediation, let's say, for reading.
 13 The other would be for language
 14 development. A youngster that has been in the
 15 country less than two years and that child needs
 16 extra help.
 17 There are some that are more enrichment,
 18 like working with a computer in the computer room,
 19 which is through a grant program.
 20 There are -- there is a two-week one that
 21 we provide, but, again, this is -- this is through
 22 grants. This is not part of the district where we
 23 offer test-taking skills and every youngster in the
 24 school except kindergarten has to take.
 25 Q. Is that Stanford 9 test-taking skills?

1 A. Yes.
 2 In our dual language program, the children
 3 in kindergarten receive an extra hour of instruction
 4 every day.
 5 Children who are in the dance -- Diversity
 6 Dancers, they practice an hour after school,
 7 probably four nights a week.
 8 We have another program that is really
 9 supervision of children after school and that's
 10 based on income. And it offers many different
 11 things for -- for the youngsters. Some of it is
 12 enriching, some of it is -- they are given an
 13 extra meal in the process of being in that
 14 after-school ...
 15 We have performances at school where
 16 children get a chance to see a Flamenco dancer last
 17 week. And Friday they saw a play.
 18 Now, while that is financed through this --
 19 again, through a grant, all children are -- are
 20 allowed to go in to see these performances, if they
 21 want to.
 22 Q. Is there anything else that you consider
 23 to be an intervention program that's offered at
 24 Cahuenga?
 25 A. Well, they -- many of the classroom

1 teachers keep the -- keep the children after school
 2 and offer them more time on task.
 3 Q. Anything else that you would consider to be
 4 an intervention service that's offered at Cahuenga?
 5 A. They're growing and changing so rapidly
 6 that I'm sure I left some out because there is a
 7 great deal of money being spent on this now.
 8 Q. But sitting here today, you don't recall
 9 any others?
 10 A. No.
 11 Some of it has just started and so that
 12 some -- the programs are coming so fast that it's
 13 hard for us to even keep a handle on the curriculum
 14 that we're establishing for them.
 15 Q. Are you familiar with the Capacity
 16 Adjustment Program?
 17 A. The CAP program?
 18 Q. Yes.
 19 A. Yes.
 20 Q. What is that?
 21 MS. GODFREY: Are you asking him for his
 22 understanding?
 23 MR. VILLAGRA: Yes.
 24 THE WITNESS: Well, this whole program came
 25 about because of the lack of space for children in

1 schools.
 2 And so what happens is -- is that your
 3 school is surveyed and it's determined the number of
 4 children that you can have in your school so that
 5 it's not overcrowded; that the children have a --
 6 have the opportunity to have regular classrooms and
 7 have all the things that they need.
 8 And then those children that -- that exceed
 9 that number that has been established by them, then
 10 are bused to different locations.
 11 And then based on the number of children
 12 that you bus, they assign busing aides and things
 13 like that to you, to be of assistance.
 14 BY MR. VILLAGRA:
 15 Q. How many busing aides are you assigned?
 16 MS. GODFREY: When you say "you," are you
 17 speaking of Cahuenga?
 18 BY MR. VILLAGRA:
 19 Q. At Cahuenga.
 20 A. Well, I just received the allotment for the
 21 coming year and that would be six. However, I feel
 22 that will not be enough, I'll probably have to have
 23 eight.
 24 Q. What is it that the busing aides do for you
 25 at Cahuenga?

1 A. The busing aides stand out on the -- on the
2 street to see the children get onto the buses safely
3 and to answer questions of parents out there, to be
4 there when the children return, to let parents know
5 if a bus is late.

6 Q. Do they have any other duties, as far as
7 you know?

8 A. Mainly -- mainly it's just to make sure
9 that it's safe out there for everybody.

10 Q. Once the buses depart from Cahuenga, do
11 they have any other duties between then and when the
12 buses start arriving?

13 A. They work on a staggered schedule.

14 Q. What are their hours?

15 A. Some start in at 6:30. And then probably

16 all of them are off at 8:00. And then at
17 10:00 o'clock, again, there are some assigned,
18 because children are going to go to the primary
19 schools for kindergarten for the afternoon session.

20 And then some are there at noon because they're
21 returning from primary centers. And they're there
22 again in the afternoon around 2:30 until sometimes
23 5:30.

24 Q. And you mentioned that you've been allotted
25 six for the upcoming school year?

1 to busing.

2 A. That's correct.

3 Q. And that's Pamela Hughes?

4 A. No, Adeline Shoji.

5 Q. Adeline Shoji.

6 And what are her duties with respect to the
7 busing program?

8 A. She supervises the bus aides. She assists
9 with the orientation of parents to the busing
10 programs. She helps supervise the enrollment of the
11 number of children that we have to bus. She helps
12 with the numbers of children that come back and that
13 sometimes comes on the playground.

14 Q. Anything else that you can think of?

15 A. That's about it.

16 Q. Are her duties limited to the busing
17 program?

18 A. No, they're not.

19 Q. What additional duties does she have?

20 A. Oh, the regular school duties within the
21 school.

22 Q. And what would those be?

23 A. Well, evaluation of teachers, ordering of
24 textbooks, making sure that there are enough books
25 for the youngsters, discipline. Working on

1 A. That's correct.

2 Q. And you believe that eight are necessary?

3 A. That's correct.

4 Q. Do you believe that you will have eight?

5 A. Yes.

6 Q. And how will you go about getting the
7 additional two?

8 A. Fuss.

9 Q. Do the busing aides get paid out of
10 Cahuenga's budget?

11 A. No, they do not. They are paid out of the
12 CAP program.

13 MS. GODFREY: I'm just going to interpose a
14 late objection. To the extent that he knows, or he
15 doesn't, it calls for speculation.

16 BY MR. VILLAGRA:

17 Q. How do you know that they're paid out of
18 the CAP budget?

19 A. Because that's why I have to ask for -- for
20 additional positions.

21 Q. I believe you also mentioned last time on
22 the --

23 A. On that date?

24 Q. Yes, the 16th, I think it was.

25 -- that you have a vice principal assigned

1 instruction with teachers. Checking on the records
2 and things that have to be done by teachers.

3 That's about it. I mean, there's hundreds
4 of other items, but --

5 Q. Those are the general topics?

6 A. General things.

7 Q. I believe you mentioned last time on the
8 16th --

9 MS. STRONG: Actually I believe it's the
10 14th.

11 MR. VILLAGRA: The 14th?

12 MS. GODFREY: The last session of his
13 deposition; is that what you're referring to?

14 MR. VILLAGRA: Yes.

15 THE WITNESS: See, see. Now I feel better.

16 BY MR. VILLAGRA:

17 Q. I told you last time that I can't tell you
18 what happened last week, and now you know.

19 A. (Laughs.)

20 Q. I believe you mentioned last session
21 that prior to this school year -- this school
22 year 2000/2001 -- you did not have an assistant
23 vice principal in charge of busing.

24 Is that correct?

25 A. That's correct, that's correct.

1 Q. And I think you mentioned that because you
2 had so many students this year, that's why Ms. Shoji
3 was assigned?

4 MS. GODFREY: Mischaracterizes his
5 testimony.

6 MS. STRONG: Join. And also asked and
7 answered.

8 THE WITNESS: Yes.

9 BY MR. VILLAGRA:

10 Q. Is that correct?

11 A. Yes.

12 Q. Do you know what that point is at which
13 there are sufficient numbers of students that a
14 school would be assigned an administrator --

15 MS. GODFREY: Assumes facts.

16 BY MR. VILLAGRA:

17 Q. -- if there is one?

18 A. There isn't.

19 It -- Cahuenga is unique in -- in that we
20 have so many families moving into the community that
21 have -- we just have a lot of children there, so
22 it's not a typical situation.

23 Q. How do you know that?

24 A. I am the only one that has an AP.

25 Q. As far as you know, you are the only

1 Q. Is there any other way that children get
2 assigned to Cahuenga and not to the busing program?

3 MS. STRONG: Objection. Calls for
4 speculation.

5 THE WITNESS: Yes.

6 BY MR. VILLAGRA:

7 Q. How is that?

8 A. Special education. Special education
9 students are assigned by the district and they
10 determine placement. And then those rooms, you
11 don't take other children unless, you know, they
12 have been qualified for the program.

13 I'm not talking about resource now, I'm
14 talking about the three special ed classrooms.

15 Q. And is there any other way that a child can
16 be assigned to Cahuenga and not to the busing
17 program?

18 A. Not that I know of.

19 Q. Okay. And how do you know that special ed
20 students are assigned by the district to a
21 particular school?

22 A. They call us up and tell us and give us the
23 names of the children that are going to be there.

24 Q. Is there any category of students that
25 cannot be assigned to the busing program, as far as

1 principal who has an assistant principal --

2 A. That's correct.

3 Q. -- assigned to busing?

4 A. That's correct.

5 Q. Do you know how it is decided what students
6 remain at Cahuenga and what students participate in
7 the busing program?

8 A. Yes, I do.

9 Q. How is that decided?

10 A. It is basically decided on the -- the
11 majority of children that enter the school, enter in
12 at kindergarten. And then as children move out, if
13 someone walks in the next day or that same day when
14 the child checks out, then they have that space.

15 Q. And is there someone at Cahuenga who would
16 make that decision?

17 A. The office people would make that decision.

18 Q. Ms. Shoji and her staff?

19 A. No, really it's just -- it's almost like an
20 apartment building, if there is an apartment, you
21 can rent it. And it's just like if there is a space
22 in the school, it isn't a matter of looking at
23 someone and saying, "Yes, this is the person I want
24 to come in or not." It's, if there is an opening,
25 that child comes in.

1 you know?

2 MS. STRONG: Objection. Vague and calls
3 for speculation.

4 MS. GODFREY: Can we just clarify what you
5 mean by "busing program."

6 MR. VILLAGRA: I'm sorry. When I've been
7 referring to the "busing program," I've been
8 referring to the CAP program.

9 Thanks.

10 MS. STRONG: And again, objection. Vague
11 as to category of students.

12 MS. GODFREY: Maybe we can just read that
13 question back, I don't remember.

14 (The record was read as follows:

15 Question: Is there any category of
16 students that cannot be assigned to
17 the busing program, as far as you
18 know?)

19 MS. STRONG: Same objection.

20 THE WITNESS: Yes.

21 BY MR. VILLAGRA:

22 Q. And what categories are those?

23 A. They would be medical.

24 Q. And what do you mean by "medical"?

25 A. A doctor would give a note saying that this

1 child is not capable of riding a bus.
 2 Q. Is that limited to students not being
 3 physically capable of riding a bus?
 4 MS. STRONG: Objection. Calls for
 5 speculation.
 6 THE WITNESS: I've never had anyone for
 7 emotional reasons not being able to ride the bus.
 8 It's always been medical/physical kind of
 9 conditions, and there have been very few of those.
 10 BY MR. VILLAGRA:
 11 Q. Do you see these requests?
 12 A. Oh, yes.
 13 Q. How many would you say you saw last year,
 14 if any?
 15 A. If one, that would be -- that would be it.
 16 Q. Is there any other category of students
 17 that cannot be assigned to the CAP program?
 18 A. No.
 19 Q. How early, or how young do children start
 20 participating in the CAP program?
 21 MS. GODFREY: Objection. Vague.
 22 BY MR. VILLAGRA:
 23 Q. At Cahuenga, as far as you know.
 24 A. They start as young as four and five.
 25 Q. Kindergarten students?

1 A. Uh-huh.
 2 MS. GODFREY: "Yes" or "no."
 3 THE WITNESS: Yes.
 4 BY MR. VILLAGRA:
 5 Q. In assigning students to Cahuenga as
 6 opposed to the CAP program, is there any
 7 consideration given to whether a child has a
 8 sibling that's enrolled at Cahuenga?
 9 MS. GODFREY: Objection. Vague.
 10 MS. STRONG: Calls for speculation.
 11 THE WITNESS: No.
 12 BY MR. VILLAGRA:
 13 Q. How do you know that?
 14 A. Because it's -- it's based on a parent
 15 being there at the right time, when there is an
 16 opening, or having been in the line soon enough
 17 to -- for kindergarten.
 18 Q. Do you know whether parents whose children
 19 are assigned to the CAP program are given a choice
 20 between schools to have their kids bused to?
 21 MS. GODFREY: Objection. Are given a
 22 choice by whom?
 23 MR. VILLAGRA: I'll leave it as "a choice."
 24 MS. GODFREY: Okay. Objection. Vague.
 25 And incomplete hypothetical. And calls for

1 speculation.
 2 THE WITNESS: Most of the time they are.
 3 But sometimes schools get filled up, and so then we
 4 have to find a new location. Or I should say that
 5 the CAP people have to find a new location.
 6 BY MR. VILLAGRA:
 7 Q. And how do you know this, that most of the
 8 time parents are given a choice?
 9 A. Because I'm in the office and I hear what
 10 parents are being told.
 11 Q. Do you -- do you have any idea how many
 12 options parents are typically given?
 13 A. Well, no more than -- well, normally it's
 14 two. And if there is space at other schools, then
 15 we'll also offer that to them.
 16 Q. Did someone at Cahuenga decide what the
 17 options of schools to be bused to will be?
 18 A. No.
 19 Q. Is that done by the CAP --
 20 A. That is correct.
 21 Q. And those are -- is that an office at the
 22 district?
 23 A. Yes, that is right.
 24 Q. Do you know what the office is called?
 25 A. They have a new word -- name for it. No, I

1 don't know the new name.
 2 Q. Do you know whether in deciding what the
 3 options will be, any consideration is given to the
 4 services the child may need and the services the
 5 school they are being bused to offer?
 6 MS. STRONG: Objection. Compound.
 7 MS. GODFREY: Can you read that question
 8 back, I just didn't hear it.
 9 (The record was read as follows:
 10 Question: Do you know whether in deciding
 11 what the options will be, any
 12 consideration is given to the services
 13 the child may need and the services
 14 the school they are being bused to
 15 offer?)
 16 MS. GODFREY: Objection. Compound and
 17 vague.
 18 THE WITNESS: No.
 19 BY MR. VILLAGRA:
 20 Q. Do you believe that someone in your office
 21 may give consideration to the -- to that issue?
 22 MS. STRONG: Objection. Vague. What
 23 issue?
 24 THE WITNESS: Yes.
 25 MS. GODFREY: Join.

1 BY MR. VILLAGRA:
 2 Q. You do believe?
 3 A. Yes.
 4 Q. Who would that be?
 5 A. The clerks in the office.
 6 Q. Why do you believe that?
 7 A. I've heard them make telephone calls.
 8 Q. To find out what?
 9 A. Let's say that there -- one parent already
 10 has a sibling in one school and they are really
 11 desirous of having both children together, and then
 12 the clerks will call and really ask, "Can't you just
 13 squeeze one more in so we don't break the family
 14 up?"
 15 Sometimes we -- we call schools and they
 16 will ask for the language needs of the child, and
 17 then they will tell us, "Well, we don't really have
 18 a good spot for that child." And then we will call
 19 other schools trying to find the best location for
 20 them.
 21 Q. Best location being a school that has the
 22 service --
 23 A. The service.
 24 Q. -- the child requires?
 25 A. Right, that's correct.

1 MS. STRONG: Objection. Misstates the
 2 testimony to the extent that there's been no
 3 testimony that Mr. Houske knows that the child
 4 requires any particular services in these
 5 circumstances.
 6 BY MR. VILLAGRA:
 7 Q. Are there some children enrolled in LAUSD
 8 that require particular services?
 9 MS. GODFREY: Objection. Calls for
 10 speculation and vague.
 11 MS. STRONG: Join.
 12 THE WITNESS: Well, yes, we talked about
 13 special education. And so those children are
 14 identified with IEPs. And whenever we receive a
 15 child like that, we don't place those youngsters.
 16 We call immediately to the branch and they are the
 17 ones that determine where the child goes.
 18 BY MR. VILLAGRA:
 19 Q. Are there some children that have language
 20 development needs?
 21 MS. GODFREY: Objection. Vague and calls
 22 for speculation.
 23 MS. STRONG: Join.
 24 THE WITNESS: And language development
 25 needs is not very clear. If you're talking in terms

1 of a child that needs special help with speech, that
 2 would be one thing, that would be a special ed
 3 problem, maybe.
 4 Or if you're talking about someone who is
 5 non-English speaking and has a need, that would be
 6 another one.
 7 And that is usually always one of the
 8 questions that when we call up the school where
 9 we're going to send the child, they will ask us, you
 10 know, "What language does the child speak, and
 11 what -- what kind of a program does the parent want
 12 the child in?" And if they don't have it, then we
 13 call another school.
 14 BY MR. VILLAGRA:
 15 Q. You are referring to English language
 16 development programs?
 17 A. Yes.
 18 Q. Do you understand there to be a requirement
 19 to provide an English language development program
 20 to a child who is an English language learner?
 21 MS. GODFREY: Objection. Vague.
 22 THE WITNESS: Yes.
 23 BY MR. VILLAGRA:
 24 Q. What do you understand the requirement to
 25 be?

1 A. That a parent has a choice as to what they
 2 want, whether they want their child -- there are
 3 three different models, they can either be in
 4 model A, where the child is completely in an
 5 English-only program; or a model B program, where
 6 the child is given assistance in their primary
 7 language; or the third choice is being in a
 8 bilingual program where the children are learning to
 9 read in both English and another language.
 10 Q. Are you aware of any situations where you
 11 have a child in the CAP program who needs a
 12 particular English language development program and
 13 the schools to which he would be bused, he or she
 14 would be bused, do not provide those programs?
 15 A. I don't have that personal knowledge.
 16 Q. But you do believe that an effort is made
 17 to find schools that will provide the programs that
 18 meet the children's needs?
 19 A. Well, I have -- it's the law. And I don't
 20 think it has anything to do with whether you are a
 21 CAP school or a regular school, I think it is the
 22 law and you have to do it, so ...
 23 Q. Do you know whether any effort is made for
 24 children who are in the CAP program and attend a
 25 Concept 6 school to have them put on the same track

1 as any siblings they may have who attend Cahuenga?
 2 MS. GODFREY: Objection. Vague. Calls for
 3 speculation. And incomplete hypothetical.
 4 THE WITNESS: Normally that would -- well,
 5 you know, I said earlier that if a child had -- if
 6 they have a sibling in another school, we try to get
 7 them together, and that would assume that they would
 8 be on the same track.
 9 BY MR. VILLAGRA:
 10 Q. Uh-huh.
 11 A. Can we get the ones who are in middle
 12 school and high school and one in elementary school
 13 on the same track? No. And so that -- so more than
 14 likely there is a possibility they could not be on
 15 the same track.
 16 Q. And how do you know that?
 17 A. Just the complexity of the issue.
 18 MS. STRONG: Clarification. But they could
 19 be put on the same track, you don't know one way or
 20 the other; is that correct?
 21 THE WITNESS: That is correct.
 22 BY MR. VILLAGRA:
 23 Q. Is there any kind of a wait list for
 24 students who are not able to obtain a space at
 25 Cahuenga?

1 A. No, there is not.
 2 Q. Do you know how many students Cahuenga is
 3 busing out currently under the CAP program?
 4 A. Approximately 1900.
 5 Q. Has Cahuenga been busing kids out since you
 6 got there as principal some 16 years ago?
 7 A. No.
 8 Q. When did busing begin under the CAP program
 9 at Cahuenga?
 10 A. Approximately ten, 11 years ago.
 11 Q. Do you know whether the number of students
 12 participating in the CAP program from Cahuenga is
 13 expected to increase into the new school year?
 14 MS. STRONG: Objection. Calls for
 15 speculation.
 16 THE WITNESS: I suppose you have to reach a
 17 peak sometime, but it's -- it has been historical
 18 that each year it goes up.
 19 BY MR. VILLAGRA:
 20 Q. Do you recall what the increase had been
 21 from the 1999 school year to the 2000 school year?
 22 A. It seems like it's usually around anywhere
 23 from a hundred to 200 students.
 24 Q. Have you seen any projections for the
 25 number of kids expected to participate in the CAP

1 program from Cahuenga in the 2001 school year?
 2 MS. GODFREY: Objection. Assumes facts not
 3 in evidence.
 4 MS. STRONG: Objection. Vague as to
 5 "projections."
 6 THE WITNESS: I've not seen any
 7 projections, but I was told that they thought that
 8 was going -- the number would go down.
 9 BY MR. VILLAGRA:
 10 Q. Who told you that?
 11 A. Someone in the CAP office.
 12 Q. Do you remember who?
 13 A. No, I do not.
 14 Q. Do you remember when that was?
 15 A. This year.
 16 Q. Approximately ...
 17 A. Early spring.
 18 Q. Did they say by how many students it was
 19 expected to decrease?
 20 A. No, they did not.
 21 MS. GODFREY: Could we take a break?
 22 MS. STRONG: Sure.
 23 (Recess taken from 11:40 to 11:45.)
 24 BY MR. VILLAGRA:
 25 Q. Are there any other elementary schools in

1 the Cahuenga neighborhood?
 2 MS. GODFREY: Objection --
 3 THE WITNESS: Yes.
 4 MS. GODFREY: -- vague.
 5 That's okay.
 6 BY MR. VILLAGRA:
 7 Q. How many schools would you consider to be
 8 in the Cahuenga neighborhood, elementary schools?
 9 A. There is no such thing as a Cahuenga
 10 neighborhood, but I would say there are six
 11 adjoining schools.
 12 Q. What do you consider to be an adjoining
 13 school?
 14 A. Alexandria, Commonwealth, Third Street,
 15 Hobart, Wilton. Maybe Bellevue and Whitehouse, too.
 16 Q. And when you use --
 17 A. And maybe Union.
 18 But sometimes -- sometimes they are part of
 19 the Cahuenga family because of my relationships with
 20 the principals, too.
 21 Q. And that's what I was actually going to ask
 22 you, is what you consider to be an adjoining school.
 23 What characterizes it as an adjoining school?
 24 A. Schools with similar-type students. All of
 25 them are -- I believe, are on year-round schedules

1 like I am. And the proximity.
 2 Q. Which of the schools that you identified is
 3 the closest to Cahuenga --
 4 MS. GODFREY: Go ahead.
 5 THE WITNESS: Alexandria is within walking
 6 distance. Commonwealth is really within walking
 7 distance, if you're not lazy.
 8 BY MR. VILLAGRA:
 9 Q. If you're not from Los Angeles?
 10 A. Right.
 11 Q. And as far as Alexandria is concerned,
 12 several blocks? How far is it, from Cahuenga?
 13 MS. GODFREY: If you know.
 14 THE WITNESS: I don't know. It's walking
 15 distance.
 16 BY MR. VILLAGRA:
 17 Q. If you know, which -- which school do you
 18 believe to be the farthest from Cahuenga?
 19 A. Union Avenue.
 20 Q. Do you have any idea how far that is from
 21 Cahuenga?
 22 A. No.
 23 Q. You mentioned that these are all -- all
 24 these schools are on similar types -- I'm sorry.
 25 Are all on year-round calendars like Cahuenga?

1 A. That's correct.
 2 Q. They are all Concept 6 schools?
 3 A. I'm not sure about that.
 4 Q. So some of them might be on some other
 5 multi-track calendar?
 6 A. Yes.
 7 Q. And within LAUSD, how many multi-track
 8 calendars are there?
 9 MS. GODFREY: Objection. Vague. Calls for
 10 speculation.
 11 MS. STRONG: Join.
 12 BY MR. VILLAGRA:
 13 Q. Not number of schools, but types of
 14 calendars.
 15 MS. STRONG: Same objection.
 16 THE WITNESS: I don't know.
 17 BY MR. VILLAGRA:
 18 Q. Okay. But you don't believe any of those
 19 schools you've identified is on a traditional school
 20 calendar?
 21 MS. GODFREY: Objection. Vague.
 22 THE WITNESS: No, I do not believe that
 23 they are.
 24 BY MR. VILLAGRA:
 25 Q. Do you know how long any of those schools

1 have been on the Concept 6 calendar?
 2 MS. GODFREY: Objection. What do you mean,
 3 "any of those schools"? What are you referring to?
 4 MR. VILLAGRA: The schools he identified as
 5 being adjoining schools.
 6 MS. GODFREY: I'm sorry.
 7 MS. STRONG: Objection. Misstates
 8 testimony. I don't know that there is any testimony
 9 as to which, if any, were on Concept 6 calendars.
 10 MR. VILLAGRA: I'll rephrase the question.
 11 Q. Do you have any idea how long those
 12 adjoining schools have been on multi-track
 13 calendars?
 14 A. Probably -- oh, no. As far as year-round
 15 calendar? I would have a feeling they were -- they
 16 were probably all about the same length of time as
 17 what Cahuenga has been on.
 18 Q. Why do you believe that?
 19 A. Because in the -- what was once called the
 20 Belmont cluster, there were so many schools that
 21 were year-round.
 22 Q. The Belmont cluster has been changed to a
 23 district?
 24 A. A district, yeah.
 25 Q. Do you know whether any of those adjoining

1 schools that you identified have enrollments that
 2 are under the school's capacity?
 3 A. No.
 4 Q. Do you know whether any of those adjoining
 5 schools that you identified participate in the CAP
 6 program?
 7 A. I didn't mention Logan as being a school
 8 close to me, but Logan receives children from
 9 Alexandria.
 10 Q. You consider Logan to be an adjoining
 11 school to Cahuenga?
 12 A. It's part of the old Belmont cluster, and
 13 so in that way, we're close. I mean it -- it --
 14 it --
 15 Q. Is Logan also on a multi-track calendar?
 16 A. That's correct.
 17 Q. Is it on Concept 6?
 18 A. I don't think so.
 19 MS. STRONG: And objection -- or a point of
 20 clarification, with respect to -- I don't believe
 21 that there's been testimony that all of the schools
 22 identified were all on multi-track as opposed to
 23 year-round.
 24 To the extent that your question inferred
 25 that Mr. Houske has testified that those schools

1 were all multi-track schools, I believe that
 2 misstates the testimony.
 3 MR. VILLAGRA: I don't think it does, but
 4 I'll clarify.
 5 Q. Do you believe all the adjoining schools to
 6 be on multi-track calendars?
 7 A. No.
 8 Q. What calendars do you believe them to be
 9 on?
 10 A. Third Street is on a traditional calendar.
 11 Q. Any other of those that you identified as
 12 adjoining schools?
 13 A. No.
 14 Q. So all of the others are on some form of
 15 multi-track calendar?
 16 A. That is correct.
 17 Q. And I believe I was asking you whether
 18 you thought or believed that any of the adjoining
 19 schools participate in the CAP program.
 20 Do you?
 21 A. Yes.
 22 Q. Which ones?
 23 A. I --
 24 MS. STRONG: Objection. Calls for
 25 speculation.

1 THE WITNESS: Alexandria, Commonwealth. I
 2 believe Hoover.
 3 BY MR. VILLAGRA:
 4 Q. What about Hobart?
 5 A. I'm not sure.
 6 Q. What about Wilton?
 7 A. I'm not sure.
 8 Q. What about Bellevue?
 9 A. Well, Bellevue is a receiver. Bellevue and
 10 Whitehouse were set up to receive kindergarten and
 11 first and second grade children. They were designed
 12 especially for that.
 13 Q. What about Union?
 14 A. I believe Union is capping out, sending
 15 children.
 16 Q. And Logan?
 17 A. Logan is receiving.
 18 Q. And why is it that you believe some of
 19 these schools are CAP schools and others to be
 20 receiver schools?
 21 A. Conversations with the principals.
 22 Q. Do you know some of these schools to
 23 be receiver schools of Cahuenga students who
 24 participate in the CAP program?
 25 A. Say it again.

1 Q. You mentioned, I think, three schools as
 2 receiver schools.
 3 A. Right.
 4 Q. Logan, Bellevue and Whitehouse?
 5 A. Right.
 6 Q. Do any of those schools receive students
 7 from Cahuenga?
 8 A. Bellevue and Whitehouse do.
 9 Q. In the schools that children are sent to
 10 under the CAP program, they are called receiver
 11 schools?
 12 A. That's correct.
 13 Q. How many receiver schools does Cahuenga
 14 have?
 15 A. Fifteen.
 16 Q. And I believe last time you had a list of
 17 the schools?
 18 A. I did.
 19 Q. Do you know the receiver schools?
 20 MS. GODFREY: Objection. Vague.
 21 MS. STRONG: Join.
 22 THE WITNESS: Yeah, I know -- I know --
 23 yes, I know some of them. I may -- I may forget
 24 just because there are 15 of them. I don't memorize
 25 it like that.

1 BY MR. VILLAGRA:
 2 Q. Uh-huh.
 3 You know some by name?
 4 A. Yes.
 5 Q. Have you visited some of the receiver
 6 schools?
 7 A. Yes.
 8 Q. If I went through the list of receiver
 9 schools for Cahuenga, would you be able to tell me
 10 what calendars those schools are on?
 11 A. No, I would not. I know that some of them
 12 are traditional, because in the summertime we don't
 13 have anywhere near the number of buses outside and
 14 lines of children waiting to go.
 15 Q. Would you know how many of the receiver
 16 schools are on a traditional calendar?
 17 A. It would be quite a large number. Because
 18 most schools that go year-round it's because of the
 19 reason that they want to get more space for children
 20 within the school. So if they have space to receive
 21 children, that means that they don't have that same
 22 need.
 23 Q. You mentioned that -- at the last session,
 24 the English language development programs offered at
 25 Cahuenga.

1 A. That's correct.
 2 Q. And specifically, a dual immersion program?
 3 A. That's correct.
 4 Q. And two different types of bilingual
 5 programs, one in Spanish, one in Korean?
 6 A. That's correct.
 7 Q. Do you know whether any of the receiver
 8 schools offers a dual immersion program like
 9 Cahuenga's?
 10 A. They do not.
 11 Q. Do you know whether any of the receiver
 12 schools offers a bilingual program in Korean?
 13 A. No, I do not.
 14 Q. And just to be clear, you don't know one
 15 way or the other, or you don't believe them to have
 16 those programs?
 17 A. I don't know.
 18 Q. Do you know whether any of the receiver
 19 schools offers bilingual programs in Spanish?
 20 A. I don't know for sure.
 21 Q. Do you believe that some of them do?
 22 A. I would hope so.
 23 Q. Why would you hope so?
 24 A. Because I think it's important that
 25 children receive help in their primary language when

1 Q. I believe I asked you whether some are more
 2 than ten miles away. Do you believe that many of
 3 the receiver schools for Cahuenga are more than ten
 4 miles away?
 5 MS. STRONG: Objection. Vague as to
 6 "many."
 7 MS. GODFREY: I would also just like to put
 8 an objection on the record in terms of this line of
 9 questioning, its relevance. Mr. Houske has already
 10 identified what schools are the receiver schools and
 11 their location and the maps, and all that, speak for
 12 themselves. I'm not sure whether he knows how far
 13 they are is relevant.
 14 MR. VILLAGRA: Okay.
 15 THE WITNESS: You're right.
 16 BY MR. VILLAGRA:
 17 Q. Do you know whether many of the schools are
 18 more than ten miles away from Cahuenga?
 19 MS. STRONG: Objection. Calls -- vague as
 20 to "many."
 21 THE WITNESS: It's -- it -- it's an
 22 uneducated response I'm giving you. I would say
 23 yes.
 24 BY MR. VILLAGRA:
 25 Q. What is the response based on?

1 they're -- when they're just starting school.
 2 Q. Do you know where the various receiver
 3 schools are located relative to Cahuenga?
 4 A. No. We have maps in the office where they
 5 are, but I really have not visited that many.
 6 Q. How many would you say you have visited?
 7 A. Probably two.
 8 Q. Have you looked at the maps to see where
 9 the receiver schools are?
 10 A. I have.
 11 Q. Are ... do you know whether many of the
 12 schools are more than ten miles away from Cahuenga?
 13 MS. GODFREY: Objection. Compound.
 14 BY MR. VILLAGRA:
 15 Q. Do you know whether any of the schools are
 16 more than ten miles away from Cahuenga?
 17 A. I would assume that they are.
 18 Q. Why would you assume that?
 19 A. Because the schools that are close to me
 20 are in similar situations as I am, that there are
 21 not empty classrooms. If there were classrooms that
 22 were empty closer than that, the district would
 23 utilize those.
 24 Bellevue and Whitehouse are, of course --
 25 are close.

1 A. The lack of education.
 2 Q. Is it based on your having seen the maps?
 3 A. Yes.
 4 But even that, when you look at a map, it
 5 doesn't really give you the distance -- there
 6 certainly aren't miles indicated on there. And so
 7 it's you looking at it, trying to just to find out,
 8 when you're telling a parent where to go and how to
 9 get there. And so, as I say, it's a very uneducated
 10 answer on my part.
 11 MS. GODFREY: I'm just going to instruct
 12 the witness against, don't guess. If you know an
 13 answer and can answer, that's fine. But don't
 14 guess.
 15 MS. STRONG: And the record is unclear what
 16 constitutes "many." The only testimony we have
 17 about the distance of schools are with respect to
 18 Bellevue and Whitehouse, and those are both far less
 19 than ten miles based on the witness's testimony.
 20 BY MR. VILLAGRA:
 21 Q. What do you understand the word "many" to
 22 mean?
 23 You've identified 15 receiver schools.
 24 What would be many in terms of 15?
 25 A. It would have to be -- it would have to be

1 eight.

2 Q. If you know, what's the farthest in terms
3 of distance that students are bused from Cahuenga
4 under the CAP program?

5 MS. STRONG: Objection. I believe that's
6 been answered.

7 THE WITNESS: I really can't -- I really
8 can't say.

9 BY MR. VILLAGRA:

10 Q. As far as you know, what's the farthest in
11 time that students are bused from Cahuenga under the
12 CAP program?

13 A. I really can't say.

14 Q. Do you believe that some of the children
15 ride buses for more than an hour each way?

16 A. No.

17 Q. In your experience over the ten or 11 years
18 that Cahuenga has been participating in the CAP
19 program, have the receiver schools been getting
20 farther and farther away from Cahuenga?

21 A. Because I don't have a sense of -- of the
22 distance, I really can't answer that.

23 Q. But I believe you said that if closer
24 schools could receive students, they would; is that
25 correct?

1 Q. Do you know whether the district is
2 undertaking any program to convert the buses from
3 diesel to some other form of fuel?

4 MS. GODFREY: Objection. Calls for
5 speculation.

6 THE WITNESS: It seems to me that I have
7 read, or heard it on TV that that was something that
8 was being looked into.

9 BY MR. VILLAGRA:

10 Q. What do you recall reading or hearing?

11 A. Well, Los Angeles is notorious for smog, so
12 of course, they're doing everything they can to
13 clean up the air. And so that one of the things
14 that was being proposed was that -- the changing of
15 diesel into another form of fuel.

16 Q. Anything else that you can recall?

17 A. No. Basically that's it.

18 Q. Where do the buses congregate around
19 Cahuenga to pick children up in the morning?

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

22 THE WITNESS: On -- on all four sides of
23 the block that we're in.

24 BY MR. VILLAGRA:

25 Q. How do you know that?

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

3 THE WITNESS: I'm just not really sure as
4 to all the -- I have a feeling that it's not just
5 the availability of space, but there are probably
6 other factors that enter into it, too. So it's
7 probably a much more complex decision.

8 BY MR. VILLAGRA:

9 Q. Do you know how many buses there are that
10 take students away from Cahuenga under the CAP
11 program?

12 MS. GODFREY: This year?

13 MR. VILLAGRA: Yes.

14 MS. STRONG: Is that the 2001 year?

15 MS. GODFREY: (Nods head.)

16 THE WITNESS: Again, this is an estimate.
17 I would say that there are probably 25, if not more.

18 BY MR. VILLAGRA:

19 Q. Do you know for sure?

20 A. No, I do not.

21 Q. Okay. Do you know whether the buses are
22 diesel?

23 A. They are.

24 Q. All of them?

25 A. I do not know that.

1 A. I've observed them.

2 Q. Do you know whether the buses are idling as
3 they wait for children to board?

4 A. Sometimes they are.

5 Q. But not necessarily always?

6 A. I never say always.

7 Q. As some of the buses are idling, is there
8 exhaust fumes?

9 MS. STRONG: Objection. Calls for
10 speculation.

11 THE WITNESS: Yes.

12 BY MR. VILLAGRA:

13 Q. How do you know that?

14 A. Because I'm making an assumption.

15 Q. You've never observed that?

16 A. I've observed the buses, but I can't really
17 say that I was paying particular -- I was looking at
18 children, not looking at whether there was exhaust
19 coming out. But I would assume there would be.

20 Q. Is there more exhaust as the buses
21 depart --

22 MS. STRONG: Objection. Calls for
23 speculation. He is no expert in buses and how
24 exhaust is produced by buses or anything of that
25 nature.

1 THE WITNESS: Yes.
 2 BY MR. VILLAGRA:
 3 Q. And how do you know that?
 4 A. Well, when I drive to work sometimes, I'm
 5 behind the bus.
 6 Q. So from your personal experience --
 7 A. Yes.
 8 Q. -- you know that as buses take off, there's
 9 more exhaust?
 10 A. That's right.
 11 MS. STRONG: Objection as to the term
 12 "exhaust." Vague.
 13 BY MR. VILLAGRA:
 14 Q. Have you ever experienced the exhaust as
 15 the buses depart from Cahuenga?
 16 MS. GODFREY: Objection. Vague.
 17 THE WITNESS: Well, no. Because when I'm
 18 out there, I'm really not there focusing on that as
 19 I am on the children and the parents and busing
 20 aides, and so my attention is diverted.
 21 BY MR. VILLAGRA:
 22 Q. Would you say it's an unpleasant experience
 23 when all of a sudden the buses start leaving and you
 24 have all of the exhaust fumes to contend with?
 25 MS. GODFREY: Objection. Calls for

1 speculation. Vague and irrelevant.
 2 MS. STRONG: And objection, misstates the
 3 testimony. Mischaracterizes his testimony and
 4 vague. There was no testimony that there was all
 5 kinds of exhaust when the children are leaving on
 6 the buses.
 7 MS. GODFREY: Join.
 8 MS. STRONG: And vague as to "unpleasant."
 9 MR. VILLAGRA: Anything else?
 10 Q. Do you remember the question?
 11 A. I think I do.
 12 As I said, my attention has not been
 13 focused on that, so I really cannot say that that's
 14 ever come to my attention.
 15 Q. Do you know how many students ride each bus
 16 that departs from Cahuenga under the CAP program?
 17 A. Probably close to 70.
 18 Q. And there is an aisle down the middle of
 19 the bus; is that right?
 20 A. That's correct.
 21 Q. And there are two sets of rows?
 22 A. Two sets of --
 23 Q. How many children sit in each seat in a
 24 row?
 25 MS. STRONG: Objection. Calls for

1 speculation.
 2 BY MR. VILLAGRA:
 3 Q. If you know.
 4 MS. STRONG: And vague as to what buses
 5 we're talking about.
 6 THE WITNESS: Some buses, I -- I think you
 7 can have sometimes two, sometimes three in a seat.
 8 BY MR. VILLAGRA:
 9 Q. And you've observed this?
 10 A. Yes.
 11 Q. And what time in the morning do buses begin
 12 arriving to bus students out under the CAP program?
 13 A. 6:30.
 14 Q. And when -- when does the last bus depart
 15 from Cahuenga to get kids off to school in the
 16 morning?
 17 And I'm sorry, just to clarify. You
 18 mentioned that there were some buses later for the
 19 kindergarten kids?
 20 A. Uh-huh.
 21 Q. Let's focus first on the first through
 22 fifth graders.
 23 A. Okay.
 24 Q. When is the last bus that leaves in the
 25 morning for the first through fifth graders?

1 MS. STRONG: Objection. Vague as to what
 2 time period we're dealing with here, and calls for
 3 speculation.
 4 THE WITNESS: Most of the buses are gone by
 5 7:30.
 6 BY MR. VILLAGRA:
 7 Q. But there are still some after 7:30?
 8 A. Sometimes there will be.
 9 Q. And in your experience, what's the latest
 10 that a -- that a bus will leave?
 11 MS. STRONG: Vague as to -- are we talking
 12 about his experience in the 16 years that he was at
 13 Cahuenga? What's the time limit on this question?
 14 THE WITNESS: It would -- it would -- you
 15 know, the only thing I can think of is if there were
 16 some kind of a bus problem and then they might stay
 17 there longer, but it would be such an irregular
 18 event that ...
 19 BY MR. VILLAGRA:
 20 Q. And are you speaking over your entire
 21 experience --
 22 A. Yes.
 23 Q. -- with the busing program?
 24 A. Uh-huh.
 25 Q. As far as last year's concerned and the

1 time more or less that buses are supposed to leave,
2 what time is the last bus supposed to leave, if you
3 know?

4 MS. STRONG: Objection. Vague as to
5 "supposed to leave."

6 THE WITNESS: Well, I really can't --
7 without having looked at a schedule, I couldn't tell
8 you definitely. But, as I say, I know that when I
9 drive up to school, usually by around 7:30 they've
10 all left, because they have to get to the other
11 school in time.

12 BY MR. VILLAGRA:

13 Q. Is there a schedule that you have of when
14 the buses are scheduled to arrive and leave?

15 A. Yes, there is a schedule in the office.
16 Because when parents are -- are assigned to go to a
17 school, they are given the information as to when to
18 pick up the bus and when they will be returning at
19 the location.

20 Q. Does the schedule that you referred to also
21 refer to when buses are scheduled to arrive at the
22 receiver schools?

23 A. I don't think so.

24 Q. Do you have any idea when it is that --

25 A. No.

1 MS. GODFREY: Okay.

2 THE WITNESS: Basically it is my assistant
3 principal that does the meeting with them.

4 BY MR. VILLAGRA:

5 Q. How often does she meet with the busing
6 aides, if you know?

7 A. In the beginning it was very often, but
8 because we've been on the busing program a long time
9 and we have great stability with our busing aides,
10 our busing aides are very knowledgeable and very
11 skilled in what they do so that the meetings are not
12 as often now, maybe twice a semester or so.

13 But then there is a lot of individual
14 conferencing. We have one person who is kind of the
15 head of the busing aides out there.

16 Q. Who is that?

17 A. Linda. And I'm sorry, I don't remember her
18 last name.

19 Q. What are her duties as the head of the
20 busing aides?

21 MS. GODFREY: If you know.

22 THE WITNESS: Well, she's -- she's there to
23 make sure the busing aides are there. And she helps
24 report to us as to things that go on, so she's kind
25 of our point person. She doesn't -- she doesn't

1 Q. And speaking again of the first through
2 fifth graders, what time do the buses start arriving
3 in the afternoon?

4 A. Returning, you mean?

5 Q. Yes.

6 MS. STRONG: Objection. Calls for
7 speculation.

8 THE WITNESS: It -- it -- it's probably
9 around 2:30 to -- to 3:30. And then later
10 sometimes, depending upon changes in schedules and
11 things like that.

12 BY MR. VILLAGRA:

13 Q. But in your experience, 3:30 is pretty much
14 the outer limit?

15 A. No, no. I would say maybe 4:00.

16 Q. And what are you basing your testimony on?

17 A. Seeing the busing aides.

18 Q. Do you have meetings with the busing aides?

19 A. Yes, we do.

20 Q. How regularly do you meet with them?

21 A. It's --

22 MS. GODFREY: I just want to clarify. When
23 you say "you," are you referring to Mr. Houske
24 himself, or --

25 MR. VILLAGRA: Mr. Houske.

1 have a line-staff relationship, but because she's so
2 capable and so skilled, we utilize her as that.

3 BY MR. VILLAGRA:

4 Q. And when you say "reports to us," is that
5 to Ms. Shoji?

6 A. Ms. Shoji and myself.

7 Q. And what sorts of things does she report on
8 to you and Ms. Shoji?

9 A. Well, she reports that cars aren't stopping
10 when they should when children are getting on the
11 bus; that there are too many buses on one side of
12 the street and we need to re -- re -- reposition
13 where pickups are.

14 Q. Anything else?

15 A. Well, we -- we hold a, really a huge safety
16 meeting with -- with community members, with the
17 Wilshire police, with our bus transportation people
18 and representatives from the council district and
19 representatives from the assembly district
20 sometimes.

21 And we may have as many as 15 or 20 people
22 in attendance at that meeting, where we discuss ways
23 in which we can make the situation better, because
24 that is a large number of children to be out there,
25 so we're constantly taking a look.

1 They've assisted us with changing parking
 2 limits, and -- and we've talked about safety
 3 patterns, things like that.
 4 Q. And what -- what is encompassed by
 5 safety -- what are you referring to when you say --
 6 A. Safety matters?
 7 Q. Yes.
 8 A. Well, as a -- as an example, we got a stop
 9 put in on the corner of Harvard and 2nd because of
 10 our efforts. We had the loading zone changed where
 11 parents were bringing children to school, have a
 12 place where they can park in the morning now. And
 13 so we readjusted that. Had to have more -- more
 14 street signs changed.
 15 We had busing patterns changed so that the
 16 buses don't all go down certain streets now, but
 17 they have a more diversified way of leaving. And
 18 we've come out with -- there's a tremendous fine for
 19 parents now if they double park and let children
 20 out. And so we've stopped that as a result.
 21 We've worked with them regarding vendors
 22 who want to come by there. This is a large group of
 23 people out there who look like good customers, so
 24 they've come and helped us with problems like that,
 25 which becomes a safety problem.

1 Another one that has helped was that the
 2 children were standing on the lawn a lot to -- to --
 3 to wait for buses. And so as a result, the grass
 4 was going and the dust was -- was really creating a
 5 problem for the teachers in the classrooms. And so
 6 the district put up a wrought-iron fence around the
 7 whole grass area now so that problem has been
 8 eliminated.
 9 We've talked about particular bus drivers,
 10 ones that we felt were not doing the job the way we
 11 felt they should be, and they were changed.
 12 And so they're really important meetings.
 13 Q. How much of your time is taken up dealing
 14 with the busing program at Cahuenga?
 15 A. A lot. And -- and it -- and it differs
 16 from time of year.
 17 MS. STRONG: Objection. Vague as to taken
 18 up with the busing program, what that means exactly.
 19 THE WITNESS: Well, to me it means, the
 20 conferencing with parents. It is very difficult for
 21 parents who are enrolling children to understand
 22 that their child can't attend the school. And each
 23 one wants to talk to the principal.
 24 BY MR. VILLAGRA:
 25 Q. Do you have a lot of those conferences?

1 MS. STRONG: Objection. Vague as to "a
 2 lot."
 3 THE WITNESS: I would -- I would -- I
 4 do not have a lot. I would say it's a small
 5 percentage, but the ones you do talk to take a lot
 6 of time. And -- which means that they can -- it may
 7 be a half-hour discussion.
 8 BY MR. VILLAGRA:
 9 Q. Last school year, 2000/2001, how many of
 10 these conferences with parents about their children
 11 being bused out of Cahuenga do you believe you had?
 12 A. That I'm thinking about right now, I -- I
 13 would say that it wouldn't be more than eight.
 14 Q. And generally -- these discussions are
 15 generally about 30 minutes, you said?
 16 A. Uh-huh.
 17 Q. Are there other ways in which the fact that
 18 Cahuenga buses out children takes -- occupies your
 19 time, other than these conferences with parents that
 20 we've just talked about?
 21 A. No.
 22 And holding the meetings with the busing
 23 aides and holding the safety meetings. They all
 24 take time. And I'm sure that's why I was given the
 25 assistant principal.

1 Q. But even with the assistant principal, some
 2 of your time --
 3 A. Oh, yes.
 4 Q. -- is occupied?
 5 A. Uh-huh.
 6 Q. Do you have any idea what it is that
 7 children do on the bus who are bused out of
 8 Cahuenga?
 9 MS. GODFREY: Objection. Vague and calls
 10 for speculation.
 11 MS. STRONG: Join.
 12 THE WITNESS: I'm sure they do what all
 13 children do: they look out the window and they
 14 talk.
 15 BY MR. VILLAGRA:
 16 Q. How do you know that?
 17 A. Because I've gone on bus rides with
 18 children before. That's a pretty normal thing for
 19 them to do.
 20 Q. In the bus rides that you've gone on, have
 21 they been part of the CAP program?
 22 A. Several times.
 23 Q. On those bus rides, have you seen students
 24 reading?
 25 A. No.

1 Q. The bus rides you took, were they in the
2 morning?
3 A. Yes.
4 Q. Were some also in the afternoon?
5 A. No.
6 Q. Are there children who are bused away from
7 Cahuenga as part of the CAP program who later find a
8 spot at Cahuenga?
9 A. Yes.
10 Q. Last year how many of those children would
11 you say there were?
12 A. Very few.
13 Q. How many would that be? Less than ten?
14 A. I would think so.
15 Q. Would you have any idea as to those
16 students who were bused out and later got a spot at
17 Cahuenga, how long were they being bused out?
18 A. You mean length of trip or --
19 Q. No, was it the entire school year? More
20 than one school year?
21 MS. STRONG: I'm sorry. I missed the
22 question, could you read it back.
23 (The record was read as follows:
24 Question: Would you have any idea as to
25 those students who were bused out and

1 later got a spot at Cahuenga, how long
2 were they being bused out?)
3 MS. STRONG: Yeah, objection. Vague. I
4 don't understand the question.
5 BY MR. VILLAGRA:
6 Q. If you're able to say.
7 A. I would not really be able to say.
8 Q. Okay. Does it sometimes happen, in the ten
9 or 11 years that you've been at Cahuenga having kids
10 bused out under the CAP program, that a child is
11 bused out for a year or more and then comes back to
12 Cahuenga?
13 A. Yes.
14 Q. That does happen?
15 A. That does happen.
16 Q. Do you have any idea of how well those
17 students perform as compared to students who have
18 always been at Cahuenga?
19 MS. STRONG: Objection. Calls for
20 speculation.
21 MS. GODFREY: Yeah, join.
22 MS. STRONG: And also objection, vague as
23 to how well they perform. In what regard? And what
24 does "well" mean?
25 THE WITNESS: Well, I like to think that my

1 children do better.
2 BY MR. VILLAGRA:
3 Q. And by "my children," what ones are you
4 referring to?
5 A. The ones that are at Cahuenga.
6 But I'm very -- I'm a typical principal, so
7 I like to think that our program is the best.
8 Q. Is it just because you think your program
9 is the best?
10 A. No, I like to think that I have
11 documentation.
12 Q. Is there any other reason other than that
13 that you think your program is the best?
14 A. Teacher comments.
15 Q. Their observations of kids who come to
16 Cahuenga from other schools?
17 A. That's correct.
18 Q. Anything else?
19 A. No.
20 MS. STRONG: I'm at a pretty good stopping
21 point.
22 (At 12:30 p.m. the deposition
23 was adjourned for noon recess.)
24 /// (Please see next page.) ///25

1 (At 1:55 p.m., the deposition
2 of LLOYD HOUSKE was reconvened
3 with the same persons present.)
4 -oOo-
5
6 EXAMINATION RESUMED
7
8 BY MR. VILLAGRA:
9 Q. Mr. Houske, I wanted to show you a
10 newspaper article. And I was hoping to not
11 introduce it, but ...
12 I just want to state for the record that
13 I've handed Mr. Houske a newspaper article. It's an
14 online printout of a November 25th, 2000, Saturday
15 home edition article from the L.A. Times. The
16 headline of which is, "A Long and Tiring Road to
17 School; For Many Inner-City Schoolchildren, Going to
18 Class Can Mean Catching a Bus at 6:45."
19 Please take your time to look at it, if
20 you'd like. There's one page I would like to direct
21 your attention to.
22 MS. STRONG: Are you directing his
23 attention to that page right now, or --
24 MS. GODFREY: No, go ahead and take your
25 time to read the document.

1 THE WITNESS: (Reading.)
 2 BY MR. VILLAGRA:
 3 Q. Have you had a chance to review it?
 4 A. Uh-huh.
 5 Q. I would like to direct your attention to
 6 page 4. The pages are indicated in the upper
 7 right-hand corner.
 8 A. Uh-huh.
 9 Q. The first full paragraph begins:
 10 "Lloyd Houske, principal
 11 of Cahuenga Elementary in Koreatown."
 12 Do you see that?
 13 A. Uh-huh.
 14 Q. The sentence goes on to read:
 15 "Lloyd Houske, principal
 16 of Cahuenga Elementary School in
 17 Koreatown, believes some immigrant
 18 parents are intimidated by schools
 19 outside of their neighborhood and
 20 avoid visits for fear of
 21 embarrassment."
 22 Is that an accurate paraphrase of what you
 23 told the reporter who prepared this story?
 24 MS. GODFREY: Objection.
 25 MS. STRONG: Objection. Assumes facts.

1 MS. GODFREY: Join.
 2 THE WITNESS: Yes.
 3 BY MR. VILLAGRA:
 4 Q. Do you recall speaking with Margaret
 5 Ramirez, the reporter on this story?
 6 A. I have spoken to many different reporters
 7 so I don't recall this particular one. But I do --
 8 I'm sure I said this.
 9 Q. Why do you believe you're sure you said
 10 that?
 11 A. Well, you know, I'm not -- I'm not in favor
 12 of having children leave my school. I really feel I
 13 could do a better job with them. And if I had my
 14 way, I would have all the children at my school.
 15 Q. In the next paragraph, there's a quote
 16 that's attributed to you.
 17 Do you see it?
 18 A. Uh-huh.
 19 Q. Do you believe that quote to be accurate?
 20 A. Yes.
 21 Q. And down at the bottom, there's a further
 22 quote, it is the ... the paragraph before the
 23 asterisk. It begins: "They just don't understand."
 24 A. Yes.
 25 Q. Is that an accurate quote?

1 MS. GODFREY: Objection. Well -- I'm
 2 sorry. I withdraw that objection.
 3 THE WITNESS: Yes, that's true.
 4 BY MR. VILLAGRA:
 5 Q. And just to be clear, the first paragraph I
 6 was talking about:
 7 "These parents don't have
 8 much contact with the school"?
 9 A. That's true.
 10 Q. The last one says:
 11 "They just don't understand"?
 12 A. They do not understand why they cannot come
 13 to their home school, that's true.
 14 Q. Okay. I would like to show you a second
 15 newspaper article.
 16 MS. GODFREY: Counsel, are you attaching
 17 these as exhibits to the deposition transcript?
 18 MR. VILLAGRA: No.
 19 THE WITNESS: (Reading.)
 20 MR. VILLAGRA: The article that I've just
 21 handed Mr. Houske is dated January 9th, 2000.
 22 Again, it's an online printout from an
 23 article from the L.A. Times, this one from the
 24 Sunday home edition. The headline is: "District
 25 Weighs Evictions to Make Way for Schools; L.A.

1 Unified: Officials concede the need to preserve
 2 affordable housing, but saying new campuses are
 3 essential." And the author -- and the byline is
 4 attributed to Jim Newton.
 5 THE WITNESS: (Reading.)
 6 BY MR. VILLAGRA:
 7 Q. And, again, please feel free to read
 8 the entire article if you'd like, but there is
 9 a particular passage I would like to refer your
 10 attention to.
 11 A. Okay. Which one?
 12 Q. I'm looking at page 17. Again, the page
 13 number is in the upper right-hand corner.
 14 A. Uh-huh, uh-huh.
 15 Q. If you look at the first, second ... third
 16 full paragraph, there is a quote that's attributed
 17 to you:
 18 "I bus away more children
 19 than I have."
 20 Do you see that?
 21 A. Yes.
 22 Q. Is that an accurate quote?
 23 A. That's correct.
 24 Q. And the very next paragraph says, quote:
 25 "Some of those children ride

1 buses more than an hour each way.
 2 Their parents aren't as involved in
 3 their schools. They can't be; many
 4 don't have cars. There is not as much
 5 language support," followed by an
 6 ellipses.
 7 And the quote continues:
 8 "It's harder for the children
 9 to make friends because they live so
 10 far from school," closed quote.
 11 Is that an accurate quote?
 12 A. Yes, it is.
 13 Q. I would like to show you one last article.
 14 Again, it's an online printout of an
 15 article. This one is from the Scripps Howard News
 16 Service, dated May 8th, 2000, Monday. The headline
 17 is "L.A. Schools Need Improvement." The byline is
 18 attributed to Laura McCoy.
 19 And again, feel free to read the entire
 20 article, if you'd like, but there's one passage that
 21 I would like to refer your attention to.
 22 A. (Reading.)
 23 Q. I would like to direct your attention to
 24 page 9, as indicated in the upper right-hand corner,
 25 the second full paragraph identifies 1700 youngsters

1 as traveling to other schools from Cahuenga.
 2 A. Yes.
 3 Q. The very next paragraph says:
 4 "Principal Lloyd Houske said
 5 these children usually score lower on
 6 standardized tests than those
 7 attending" --
 8 MS. STRONG: Objection. It actually
 9 misstates the document. Your prior question
 10 misstates the document, I believe.
 11 MR. VILLAGRA: The first question?
 12 MS. STRONG: Correct.
 13 BY MR. VILLAGRA:
 14 Q. Okay. I'll go back one paragraph.
 15 The second full paragraph says:
 16 "At Cahuenga Elementary
 17 School, the overcrowded campus
 18 where Rodriguez's three daughters
 19 catch their buses, most of the 1700
 20 youngsters who travel to other
 21 schools are Latino, Asian or
 22 African-American."
 23 Do you see that?
 24 A. Yes, I do.
 25 Q. And the very next paragraph says:

1 "Principal Lloyd Houske said
 2 these children usually score lower
 3 on standardized tests than those
 4 attending neighborhood schools because
 5 their parents can't be as involved in
 6 their education."
 7 Is that an accurate paraphrase of what you
 8 said?
 9 MS. STRONG: Objection. Mr. Houske has
 10 already testified to some of these issues, and so
 11 his position on these issues have been answered
 12 previously in his testimony.
 13 THE WITNESS: Yes.
 14 BY MR. VILLAGRA:
 15 Q. That's an accurate paraphrase?
 16 A. That's right.
 17 Q. Okay. And in the very next paragraph
 18 there's a quote that says:
 19 "If you are not in a school
 20 where you are known, you may not get
 21 the help you need. It's just not
 22 right."
 23 And that quote is attributed to you.
 24 Do you see that?
 25 A. Yes, I do.

1 Q. Is that an accurate quote?
 2 A. Yes, it is.
 3 Q. Thank you.
 4 Do you believe that being bused to a school
 5 affects a student's achievement?
 6 MS. GODFREY: I'm going to object as
 7 irrelevant as to what Mr. Houske believes.
 8 THE WITNESS: I base that information on --
 9 MS. GODFREY: Wait a second.
 10 MS. STRONG: Objection. Vague as to
 11 "affects."
 12 MS. GODFREY: Okay. Answer the question he
 13 asked you.
 14 THE WITNESS: Would you answer -- ask me
 15 again.
 16 MR. VILLAGRA: Sure.
 17 Q. Do you believe being bused to school
 18 affects a student's achievement?
 19 MS. STRONG: Objection. Vague as to
 20 "affects."
 21 MS. GODFREY: And "achievement." Join.
 22 THE WITNESS: It can.
 23 BY MR. VILLAGRA:
 24 Q. How can it affect a student's achievement?
 25 MS. STRONG: Objection. Calls for

1 speculation.
 2 MS. GODFREY: And vague.
 3 MS. STRONG: And calls for expert
 4 testimony.
 5 THE WITNESS: It can because of lack of
 6 parental involvement.
 7 BY MR. VILLAGRA:
 8 Q. Do you believe it has -- that busing has a
 9 negative effect on student achievement?
 10 MS. STRONG: Objection. Vague as to the
 11 term "negative" and "achievement"?
 12 MS. GODFREY: I'm going to object to this
 13 line of questioning. To the extent that you're
 14 calling for Mr. Houske's opinion or belief, it's
 15 irrelevant. And I'll just let that objection stand
 16 running so I don't interrupt each one of your
 17 questions.
 18 MR. VILLAGRA: I appreciate that.
 19 MS. STRONG: Join in the objection.
 20 THE WITNESS: It can.
 21 BY MR. VILLAGRA:
 22 Q. Busing can have a negative effect on
 23 student achievement; is that right?
 24 A. It can.
 25 It's almost like there are so many factors

1 that can influence and that could be a factor.
 2 Q. Why do you believe that busing can have a
 3 negative effect on student achievement?
 4 A. Well, one is -- is the -- that the
 5 tremendous belief system that I have in my staff at
 6 school, that I tell everyone at my school that this
 7 is the finest staff that I've ever worked with. And
 8 so ... it is like believing that our school is a
 9 special school. And so if you don't come to that
 10 special school, you may not get the same things.
 11 But that's based on my perception.
 12 Q. Is it your belief that busing can have a
 13 negative effect on student achievement based on
 14 anything else?
 15 MS. GODFREY: Can you repeat that question.
 16 (The record was read as follows:
 17 Question: Is it your belief that busing
 18 can have a negative effect on student
 19 achievement based on anything else?)
 20 MS. GODFREY: Objection. Vague.
 21 THE WITNESS: I -- I really wouldn't have
 22 any basis for saying it, you know, it could be
 23 something that might be a factor.
 24 BY MR. VILLAGRA:
 25 Q. Have you seen -- ever seen any documents

1 regarding the effects of busing on student
 2 achievement?
 3 MS. STRONG: Objection. Vague.
 4 THE WITNESS: The only thing that I've --
 5 I've seen is what I just read now and which I've
 6 heard before, Gordon Wohlers stating that the
 7 children who are bused away, that their scores were
 8 lower.
 9 Now, I don't know whether their scores were
 10 lower because they were bused away or because they
 11 went to a lower-performing school.
 12 BY MR. VILLAGRA:
 13 Q. Who is Gordon Wohlers?
 14 A. He is head of the CAP program.
 15 Q. At LAUSD?
 16 A. At LAUSD, right.
 17 THE REPORTER: Gordon Waller?
 18 MR. VILLAGRA: Just for the record, I
 19 believe it is W O H L E R S.
 20 Q. Is that right?
 21 A. Sounds good to me.
 22 Q. Do you know how long he's been head of the
 23 CAP program?
 24 A. A long, long time.
 25 Q. And what has Gordon Wohlers told you about

1 the effects of busing on student achievement?
 2 MS. STRONG: Assumes facts. Objection.
 3 THE WITNESS: Just that one statement. It
 4 wasn't in depth, it was -- it was just an
 5 observation that he made.
 6 BY MR. VILLAGRA:
 7 Q. Was this in a person-to-person
 8 conversation?
 9 A. No. Over the phone.
 10 Q. Do you recall when this conversation
 11 occurred?
 12 A. Several years back.
 13 Q. Do you have any idea how many years ago?
 14 A. Several.
 15 Q. More than three?
 16 A. I don't think so.
 17 Q. Is that the only time you've ever discussed
 18 the effects of busing on student achievement with
 19 Mr. Wohlers?
 20 A. Well, I didn't really discuss it with him,
 21 it was just a statement in discussing probably some
 22 other problem that I was calling about. I was
 23 probably bragging about my test scores.
 24 Q. Do you recall what the context was in which
 25 he brought up the effects of busing on student

1 achievement?

2 MS. STRONG: Objection. Assumes facts.

3 THE WITNESS: It was -- it was because I
4 was talking about my test scores, that I was happy
5 about what my test scores were. And that was just a
6 comment that was made in passing, it wasn't a
7 pronouncement or anything.

8 BY MR. VILLAGRA:

9 Q. And just to be clear for the record, what
10 do you recall the comment from Mr. Wohlers to have
11 been?

12 A. That the test scores of children who were
13 bused were not as high as the test scores in my
14 school.

15 Q. And you understood him to be speaking
16 specifically with reference to students at Cahuenga
17 who were not bused to school; is that fair?

18 A. You mean that the ones in Cahuenga were
19 doing better?

20 Q. (Nods head.)

21 A. That's correct.

22 Q. Have you ever spoken with anyone else at
23 the district about the effects of busing on student
24 achievement?

25 A. No.

1 might be taken as part of that connotation.

2 Q. Do you tell them anything specifically
3 about busing?

4 A. Well, I tell them that they're fortunate to
5 be in the school. Don't move away.

6 Q. Do you ever speak to parents whose kids are
7 being bused away from the school about the possible
8 effects of busing on student achievement?

9 A. Never.

10 Q. Do you believe you have ever spoken with
11 other reporters, other than the one whose article we
12 saw, about the possible effects of busing on student
13 achievement?

14 A. I may have.

15 Q. Do you have any idea when that might have
16 been?

17 A. No, I do not.

18 Q. Have you ever had discussions with anyone,
19 any state official, about the possible effects of
20 busing on student achievement?

21 A. I don't think so.

22 MS. GODFREY: I'm going to interpose a late
23 objection, just to the extent that, you know, vague
24 as to the extent who is a state official, or what is
25 a state official.

1 Q. Have you ever spoken with anyone else
2 outside of the district about the effects of busing
3 on student achievement other than --

4 A. Well, I was just going to say --

5 MS. STRONG: Objection to the extent -- I
6 mean, there's been no testimony that the discussion
7 was about the effects of busing as opposed -- I
8 think that mischaracterizes Mr. Houske's testimony
9 as to the conversation between Mr. Houske and
10 Mr. Wohlers.

11 BY MR. VILLAGRA:

12 Q. Have you spoken with anyone else about the
13 effects --

14 A. I maybe have. It would have been very --
15 as I -- as I -- as a casual thing.

16 Q. And would that include, for example, the
17 reporter in the article that I showed you?

18 A. Yes, yes.

19 Q. Who else would it include?

20 A. I probably have talked to parents in
21 that -- in trying to make your school be one that
22 they really value and so that they don't move away.
23 I'm always concerned about transiency. I tell them,
24 "You found a good school, you need to be here," and
25 that we perform better than other schools. So that

1 BY MR. VILLAGRA:

2 Q. Have you ever spoken with anyone at the
3 California Department of Education about the
4 possible effects of busing on student achievement?

5 A. With both of these groups, I have very
6 little contact with these people. So I doubt it
7 very much. I don't see them.

8 Q. What about anyone at the California Board
9 of Education?

10 MS. STRONG: I'm going to object and move
11 to strike that last testimony as nonresponsive.

12 THE WITNESS: I can't remember having
13 spoken to anyone from the ... about it.

14 BY MR. VILLAGRA:

15 Q. What about anyone at the State
16 Superintendent of Instruction's Office?

17 MS. STRONG: Objection. Vague.

18 THE WITNESS: I don't think I've ever met
19 her.

20 BY MR. VILLAGRA:

21 Q. Do you have much contact with the people at
22 the California Department of Education?

23 MS. GODFREY: Objection to "people at the
24 California Department of Education."

25 THE WITNESS: Sometimes if I attend a

1 conference I may socially meet somebody from there.
2 I may attend a meeting where they speak, but not
3 really to hold on a conversation.

4 BY MR. VILLAGRA:

5 Q. Do you have contact with officials from the
6 California Board of Education?

7 A. Not to my knowledge.

8 Q. And I believe --

9 MS. STRONG: Objection. Vague as to
10 "contact."

11 BY MR. VILLAGRA:

12 Q. And I believe you've testified that you
13 have never met the Superintendent of Public
14 Instruction for California; is that right?

15 A. Not what I would call having met with, no.

16 Q. And have you had contact with anyone from
17 the Superintendent of Public Instruction's office?

18 MS. STRONG: Objection. Vague.

19 THE WITNESS: We -- we had a meeting at the
20 school where Governor Davis came, I do not know all
21 the people that were with him. And it is possible
22 that there was somebody at that meeting, but I
23 wasn't introduced to them, so I really don't know.

24 BY MR. VILLAGRA:

25 Q. And when I say "contact," what are you

1 to schools, but I'm not sure.

2 Q. Do you know whether the policy research and
3 development unit has studied what, if any, effects
4 busing has on student achievement?

5 A. I'm not sure about that.

6 Q. Do you know whether Gordon Wohlers works in
7 the policy research and development unit?

8 A. No, he does not.

9 Q. I believe we touched on this earlier when I
10 asked you what your belief was based on that busing
11 can have a negative effect on student achievement.
12 I believe that you identified parental involvement
13 as a factor?

14 A. Uh-huh, that's correct.

15 Q. Apart from parental involvement, are there
16 other factors that could explain, in your opinion,
17 why busing has a negative effect on student
18 achievement?

19 MS. STRONG: Go ahead.

20 MS. GODFREY: Just objection to the extent
21 it calls for Mr. Houske's opinion, it's irrelevant
22 to the issues in this lawsuit.

23 MS. STRONG: And objection, vague as --
24 vague.

25 THE WITNESS: Now I forgot the question.

1 taking that to mean?

2 A. That I've gone to talk to them about a
3 problem, or maybe asking for help from them.

4 Q. So using that definition of contact --

5 A. No.

6 Q. -- you haven't had contact with the
7 agencies --

8 A. No.

9 Q. -- or officials I've named?

10 A. No.

11 Q. Do you know whether LAUSD has a policies
12 research and development unit?

13 A. Yes, they do.

14 Q. Do you know who, if anyone, heads that
15 unit?

16 A. No, I do not.

17 Q. Do you know what the responsibility of that
18 unit is?

19 A. Testing would certainly be one of them, and
20 I'm certain there are other items that I'm not
21 acquainted with.

22 Q. What do you mean by "testing"?

23 A. I am sure they took a -- look at the tests,
24 Stanford 9 and Aprenda test scores and things like
25 that. They possibly prepare the tests that go out

1 MR. VILLAGRA: Would you read the question
2 back, please.

3 THE WITNESS: You forgot, too.

4 MR. VILLAGRA: The problem is, if I go to
5 restate it, I'll say it completely differently.

6 (The record was read as follows:

7 Question: Apart from parental involvement,
8 are there other factors that could
9 explain, in your opinion, why busing
10 has a negative effect on student
11 achievement?)

12 THE WITNESS: Well, it's -- it's an
13 interesting question because so many times people
14 think of busing as being something negative. But if
15 you think in terms of the choices that parents have,
16 to go to Magnets, to go to programs that are
17 special, those are all bus programs.

18 And so that I'm not sure that necessarily
19 busing in itself can be labeled negative, because
20 many parents are going to schools that they are
21 considered superior by busing.

22 BY MR. VILLAGRA:

23 Q. Your belief that busing can have a negative
24 effect on student achievement, were you discussing
25 the CAP program by itself, or were you including

1 other programs?

2 MS. STRONG: Objection. Incomplete
3 hypothetical.

4 THE WITNESS: I am sure I was thinking in
5 terms of the children who were capped out.

6 BY MR. VILLAGRA:

7 Q. So you were not thinking of students who
8 were bused because their parents wanted to send them
9 to a Magnet; is that right?

10 A. That's right.

11 I guess you kind of opened up my eyes a
12 little bit because of the question because I hadn't
13 thought about all the parents who do so as an
14 option. And I never thought about that as being a
15 negative thing for them, so perhaps I was wrong when
16 I thought that.

17 Q. If we limit our focus to children who
18 participate in the CAP program, do you think that
19 their being bused to another school can have a
20 negative effect on their achievement?

21 A. I -- I still probably think yes. And it's
22 partly based on the fact that it's not a choice. It
23 isn't.

24 Q. Okay. So getting back to the factors. I
25 think we have parental involvement is one.

1 concrete.

2 BY MR. VILLAGRA:

3 Q. Anything else that you can think of?

4 A. Well, the other thing that I can see and
5 some people might look upon it as being a more
6 positive thing. In my school there are basically
7 two cultures. And when the children are bused out,
8 they may end up with a third culture, and that that
9 may be good or that may not be good.

10 And I don't mean that, you know, in a
11 negative kind of way, but in that it's one more
12 adjustment to make.

13 Q. Are there any other reasons?

14 A. Not really.

15 Q. Do you believe that students from Cahuenga
16 who participate in the CAP program have to get up
17 earlier for school?

18 A. Yes, they do.

19 MS. GODFREY: Objection. Calls for
20 speculation.

21 MS. STRONG: Calls for speculation.

22 BY MR. VILLAGRA:

23 Q. What do you base that belief on?

24 A. Bus schedule.

25 Q. And what do you mean by that?

1 A. Uh-huh.

2 Q. You just mentioned it's not a choice.

3 A. Uh-huh.

4 Q. Are there any other factors, in your
5 opinion, that explain why busing can have a negative
6 effect on student achievement? And I'm talking
7 about kids who participate in the CAP program.

8 MS. GODFREY: I just want the -- my
9 objection regarding Mr. Houske's opinion to still
10 stand. And also just that I don't believe any
11 testimony has established that there -- that busing
12 has a negative effect. But if we operate under that
13 understanding, I'll just let these questions
14 proceed.

15 MR. VILLAGRA: I'm operating on the
16 assumption that this is his belief --

17 MS. GODFREY: Okay.

18 MR. VILLAGRA: -- and I'm trying to plumb
19 the basis for it.

20 MS. GODFREY: Okay.

21 THE WITNESS: I suppose in some ways maybe
22 it's prejudice on my part in -- just that the
23 children are taken away from the community and that
24 they don't have some of the advantages. And so that
25 I'm looking at it that way. I have nothing

1 A. When the buses arrive to pick up the
2 children, that the children are picked up at 6:30,
3 that implies that they probably have to get up
4 earlier.

5 Q. Do you believe that the early morning
6 hours -- strike that.

7 Do you believe that getting up earlier
8 causes fatigue for children in the CAP program?

9 MS. STRONG: Objection. Mis- -- misstates
10 the testimony that -- he doesn't know one way or the
11 other whether children actually do have to get up
12 earlier. He says it might, but there's no testimony
13 that in fact children do get up earlier.

14 THE WITNESS: And because I do not deal
15 with the children when they get to school, I really
16 would not accurately be able to tell you.

17 BY MR. VILLAGRA:

18 Q. In your opinion, could getting up earlier
19 explain why kids who participate in the CAP program,
20 in your opinion, achieve less than students who are
21 not bused?

22 MS. STRONG: I'm sorry. Could you -- I
23 didn't get that question. Can you read it back.

24 (The record was read as follows:

25 Question: In your opinion, could

1 getting up earlier explain why kids
 2 who participate in the CAP program, in
 3 your opinion, achieve less than
 4 students who are not bused?)
 5 MS. GODFREY: And my running objection
 6 still stands.
 7 THE WITNESS: No.
 8 BY MR. VILLAGRA:
 9 Q. Why do you believe that?
 10 A. I think children are remarkably adaptable.
 11 And I really do not feel that that is what would
 12 determine academic progress.
 13 Q. Do you believe that busing under the CAP
 14 program causes stress for students?
 15 MS. STRONG: Objection. Vague and calls
 16 for speculation.
 17 THE WITNESS: It can.
 18 BY MR. VILLAGRA:
 19 Q. Why do you believe that?
 20 A. Well, I think in terms of children coming
 21 into kindergarten at my school, their first attempts
 22 at going to school, that's stressful for them and it
 23 takes them a while to adjust. And I'm sure it would
 24 be the same thing for busing.
 25 Q. Do you believe it's more stressful for the

1 MS. GODFREY: Objection. Assumes facts.
 2 MS. STRONG: Assumes facts. Vague, also.
 3 THE WITNESS: I -- when I said that there
 4 was stress, I certainly didn't mean to imply that
 5 that was something that lasted over a long period of
 6 time.
 7 I was thinking in terms of the initial
 8 going to a new place that you have never been
 9 before. And that after a few days, I would have a
 10 feeling that that stress is reduced and they don't
 11 have it as a problem.
 12 BY MR. VILLAGRA:
 13 Q. What do you base that on?
 14 A. Having worked with children over the years.
 15 Q. Is that based on your discussion, if any,
 16 with the busing aides?
 17 MS. STRONG: Objection. Asked and
 18 answered.
 19 THE WITNESS: Busing aides have never
 20 talked about -- about stress with children other
 21 than during that first few days of busing, you know.
 22 And when you talk about younger children, perhaps
 23 maybe so, more so with kindergarten, where parents
 24 are putting children on the bus for the first time.
 25 It's stressful for the parent, too.

1 younger students to ride the bus?
 2 MS. STRONG: Objection. Calls for
 3 speculation.
 4 THE WITNESS: I really would have no way of
 5 knowing that.
 6 BY MR. VILLAGRA:
 7 Q. Do you know whether any of the children who
 8 participate in the CAP program from Cahuenga ever
 9 have accidents -- I'm talking about bathroom
 10 accidents -- on the bus?
 11 A. I can think of only one time that I have
 12 known that that has happened.
 13 Q. Okay. And when is that one time that
 14 you're aware of?
 15 A. Several years back.
 16 Q. And what was the accident?
 17 A. They didn't get to the bathroom in time.
 18 Q. In your opinion, could the stress of riding
 19 the bus and participating in the CAP program
 20 explain the lower achievement of kids who are bused
 21 to school?
 22 A. Say it again.
 23 Q. In your opinion, could the stress of riding
 24 the bus explain the lower achievement of kids who
 25 ride the bus?

1 BY MR. VILLAGRA:
 2 Q. Have you ever had discussions with the bus
 3 drivers about the stress that kids may experience on
 4 the bus?
 5 A. That's never been an issue.
 6 Q. Have you had discussions with bus drivers?
 7 A. Yes.
 8 Q. When?
 9 A. Last -- two weeks ago, I think.
 10 Not drivers, driver. And -- but as I say,
 11 it's never -- that has never been an issue.
 12 There are more concerns about discipline or
 13 things like that. That's more apt to be the topic
 14 of conversation.
 15 MS. STRONG: Object. Point of
 16 clarification. When you say you've had discussions
 17 with bus drivers, not about this issue; is that
 18 correct?
 19 THE WITNESS: That's correct.
 20 BY MR. VILLAGRA:
 21 Q. And the issue being, the stress that the
 22 children may or may not experience?
 23 A. No. It had to do with discipline, the
 24 discussions. Stress has never been brought up.
 25 Q. Do you believe it's more difficult for

1 children bused to school to make friends at school?

2 MS. STRONG: Objection. Calls for
3 speculation.

4 MS. GODFREY: Join.

5 THE WITNESS: Well, if you remember in the
6 article -- I think they have two groups of friends.
7 You have the group of friends that -- in school, the
8 school you go to. You don't have them when you go
9 back to your neighborhood. So they have another
10 group of friends when they go back to their own
11 neighborhood.

12 BY MR. VILLAGRA:

13 Q. Do you believe that it's harder for the
14 children bused to school to make friends because
15 they live so far from school?

16 MS. STRONG: Objection. Misstates the
17 testimony.

18 THE WITNESS: I guess it has to do with
19 your interpretation of what friends means.

20 You know, I think -- it's ideal, I think,
21 to have a friend that's -- you're in school with
22 that lives close to you after school so you can see
23 them on weekends and things like that. So in that
24 context, I think that you make probably deeper
25 friendships. But I think you can also make friends

1 Q. To your knowledge, do children bused to
2 school have the same opportunity to participate in
3 after-school programs at their receiver schools as
4 children who live in the neighborhood?

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

7 If you know.

8 THE WITNESS: You said bused to school, you
9 mean bused away to my school?

10 BY MR. VILLAGRA:

11 Q. Yes.

12 A. And you say it -- what did you want to
13 know?

14 Q. The same opportunity to participate in
15 extra -- I'm sorry, in after-school programs at the
16 receiver school as kids who live in the neighborhood
17 of the school.

18 MS. STRONG: Objection. Vague, as well as
19 the prior objection.

20 THE WITNESS: Well, I think there is a
21 requirement that they have the same opportunities,
22 and that's why we have different bus schedules. And
23 so that when children have to stay after school for
24 special events, the bus schedule is changed.

25 /// ///

1 with people in another setting. I feel like I made
2 a friend with you.

3 BY MR. VILLAGRA:

4 Q. But for the children who are bused, it's
5 not an ideal situation; is that your testimony?

6 A. Oh, no. I don't think it's an ideal
7 situation.

8 Q. And I assume that the problem isn't for
9 them to make friends with those other children who
10 live in the same neighborhood, but with the friends
11 who go to the school that they are sent to; is that
12 correct?

13 MS. STRONG: Objection. Vague.

14 THE WITNESS: No, I didn't mean -- if you
15 felt that, no, I don't mean that. Because I think
16 children make friends, you know, unless they are shy
17 or something, that they make friends with the person
18 that they're sitting next to or they go out and play
19 with on the playground at lunch and recess time.
20 So, no, I think they make friends there.

21 BY MR. VILLAGRA:

22 Q. Why do you think that?

23 A. It's the nature of children. Children are
24 wonderful that way in that they are very open and
25 have so much to give.

1 BY MR. VILLAGRA:

2 Q. What is a special event that would result
3 in a different bus schedule?

4 A. It would be some of the intervention
5 programs that are being offered that are mandated.
6 And so those children would remain after school to
7 take part in that. If there was some kind of a
8 special event, something was taking place, they
9 would remain for that.

10 Q. So is it your understanding that if
11 children who were bused to a receiver school stay
12 after school to participate in an intervention
13 program --

14 A. Yes.

15 Q. -- that there is a bus to bring them back
16 after the intervention program is over?

17 A. That's correct, that's correct.

18 Q. What do you base that belief on?

19 A. Bus schedules.

20 Q. Are those bus schedules that you have at
21 Cahuenga?

22 A. Yes.

23 However, the -- when I say that we have
24 them at Cahuenga, because it's a moving target and
25 so that sometimes the busing schedules change. They

1 change in that there is one bus that comes back, but
2 then there's a later bus that comes back. And so
3 that -- that -- it isn't the regular schedule.

4 Q. And what time does a bus come back -- let's
5 take a specific school like Rosewood, for example.
6 Do you know whether they have any after-school
7 intervention programs?

8 A. I would not be able to say that. I would
9 think they would have to have it. I can't imagine
10 them not. It's a requirement.

11 Q. Are there some schools that are receiver
12 schools for Cahuenga that you know have intervention
13 programs after school?

14 A. I could not tell you by name, but, yes, I
15 do know because of us talking about the change in
16 schedules.

17 Q. And how long does an intervention program
18 typically run after school?

19 A. It depends --

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

22 THE WITNESS: It depends upon the
23 organization of the school. It varies.

24 Some -- you know, they're finding it
25 difficult to get teachers who are willing to put

1 they're there the full day.

2 MS. GODFREY: Would it be okay if we took a
3 quick break.

4 (Recess taken from 2:39 to 2:55.)

5 BY MR. VILLAGRA:

6 Q. Mr. Houske, you identified parental
7 participation as one of the reasons why children who
8 are bused to school may achieve lower than kids who
9 are not.

10 Is that right?

11 A. That's correct.

12 Q. In your opinion, is parental participation
13 important to student achievement?

14 A. Absolutely.

15 Q. Why?

16 MS. STRONG: Objection. Vague as to
17 "important."

18 THE WITNESS: Well, I believe it's so
19 important that I spend the first month of school
20 meeting with each individual class, parents in just
21 that one room, and I do it K through 2, and we're
22 expanding it up to other grades now.

23 And we talk about the expectations of the
24 school. And we teach parents as to how to be
25 effective in helping children at home. I tell them

1 in the extra time, so sometimes the schedules are
2 adjusted to the teacher's schedule because sometimes
3 they're taking classes or something, so it varies.

4 BY MR. VILLAGRA:

5 Q. And these buses that would bring kids
6 home back -- back home after participating in
7 intervention programs at a receiver school, are
8 they still buses that are part of the CAP program?

9 A. Yes.

10 Q. Do you have any idea how many buses there
11 are --

12 A. No.

13 Q. Just to finish the thought.

14 -- that come back to Cahuenga following
15 intervention programs at receiver schools?

16 A. No, I have no knowledge of how many.

17 Q. Do you believe that children who are bused
18 to school under the CAP program are as well-known at
19 their receiver schools as kids who live in the
20 neighborhood?

21 MS. STRONG: Objection. Calls for
22 speculation and vague.

23 MS. GODFREY: I'm just going to reiterate
24 my running irrelevance objection.

25 THE WITNESS: I would think they would be,

1 that they're going to go to college, that they have
2 to stay at my school, they can't move away. They're
3 indentured.

4 And when I came to Cahuenga, the children
5 were reading below grade level. And I identified
6 the children that were not working well. I held
7 meetings with each class separately with those
8 parents and said, "You've got smart children and how
9 can they be reading at this level? What is wrong?"
10 And I said, "You have to help."

11 And then I taught them how -- how to help
12 their children with reading. And it made a
13 tremendous difference.

14 BY MR. VILLAGRA:

15 Q. And parental participation, what does that
16 concept mean for you?

17 A. Well, there is -- there's two. To me the
18 one that's the most effective is that participation
19 in the instructional program with the child, making
20 sure they do the homework, being there to act as a
21 reinforcer for them, encouraging them to do the
22 best.

23 And then there's the other phase where
24 parents get involved in school themselves as
25 volunteers. We have parent volunteers at the door

1 who make sure that people from the outside don't
2 come in. We have parents on advisory councils. We
3 have four different councils that they take part in.
4 They volunteer in classrooms.

5 Q. How is it that you try to encourage --
6 well, strike that.

7 Do you try to encourage as much parental
8 participation as possible at Cahuenga?

9 A. Oh, absolutely.

10 Q. How do you encourage it?

11 A. By being nice, for one. Serving coffee and
12 cookies and donuts and making them feel like they're
13 important. Using their primary language so they
14 understand what's going on.

15 Q. Any other ways that you encourage parental
16 participation at Cahuenga?

17 A. It's establishing a climate within a
18 school. And those that have been in education for a
19 while know that you can walk up to a school and get
20 the vibes from it and there are vibrations that
21 come. And if you get the right vibrations, you're
22 comfortable coming in.

23 It starts with -- it really starts as you
24 walk in the door. And then the office staff is
25 trained to treat every parent with respect. If

1 A. Yes.

2 Q. How?

3 A. They're just not close --

4 MS. STRONG: Calls for speculation.

5 THE WITNESS: They're not close to the
6 school. It's not like walking over and dropping in.

7 BY MR. VILLAGRA:

8 Q. When you say they're not close to school,
9 the parents of children who are --

10 A. Bused away.

11 Q. -- bused to a receiver school?

12 A. That's right.

13 Q. And I believe you said they are not close
14 to school?

15 A. That's right. Meaning that they're not
16 able to get there easily to communicate. They're
17 not as apt to know the principals. They're not as
18 apt to know the other teachers.

19 MS. STRONG: Objection. All of this calls
20 for speculation. And nonresponsive to the extent
21 Mr. Houske is guessing as to what the answer is.

22 BY MR. VILLAGRA:

23 Q. Are there any other factors that in your
24 mind explain how busing affects parental
25 participation?

1 parents want to see me, I have an open-door policy.

2 Q. Would you say that parental participation
3 is one of the most important factors in student
4 achievement?

5 MS. STRONG: Objection. Vague.

6 MS. GODFREY: And calls for speculation.

7 MS. STRONG: Join.

8 THE WITNESS: I'm not sure you can say
9 it's the most important thing. It may be the most
10 important thing for some children. And for some
11 other children, they seem remarkably resilient and
12 they're able to do sometimes without the support of
13 a parent because a parent is too busy. But it
14 certainly would never hurt.

15 BY MR. VILLAGRA:

16 Q. When you say it would be -- could be the
17 most important for some, what do you mean by that?

18 A. Well, because all children are different,
19 and that some children need that reinforcement of
20 someone almost sitting beside them, helping them to
21 stay on task to get things done. And then there are
22 some children that are very independent and they can
23 do it by themselves.

24 Q. Do you believe that busing affects parental
25 participation?

1 A. Well, I know that with -- especially with
2 my Latino parents, they really like watching the
3 children. And so that you'd be amazed the number of
4 people that stand outside the fence and look in and
5 want to watch their children. There's a security
6 issue as being close to them. There's a security
7 feeling for them knowing and seeing me on the yard
8 every day.

9 Q. And do you allow parents at Cahuenga to
10 watch their kids?

11 A. Yes. From the outside.

12 Q. From the outside.

13 Are there any other factors or ways in
14 which busing affects parental participation, in your
15 opinion?

16 MS. STRONG: Calls for speculation and
17 expert testimony beyond the capacity of this
18 witness.

19 THE WITNESS: No, I'm not sure I can think
20 of anything right now.

21 BY MR. VILLAGRA:

22 Q. What do you base your opinion of the
23 factors -- I'm sorry, the ways in which busing
24 affects parental participation? What are you basing
25 your opinion on?

1 A. On observations and projections of my own
2 feelings, I suppose.

3 Q. Is -- are these -- is it fair to say that
4 it's your observations of 11 years of running a
5 busing program at Cahuenga?

6 MS. STRONG: Objection. Mischaracterizes
7 his testimony. There's been no testimony that he's
8 been running the busing program for 11 years at
9 Cahuenga.

10 BY MR. VILLAGRA:

11 Q. Is it based on your experience of having a
12 busing program at Cahuenga for the last ten or 11
13 years?

14 A. Yes.

15 Q. Speaking with parents?

16 MS. STRONG: Objection. Vague.

17 THE WITNESS: No, not really. I don't have
18 parents coming to me complaining that, "Oh, gee, I
19 can't be involved, I don't do this." If -- if that
20 happens, it's so rare.

21 BY MR. VILLAGRA:

22 Q. I believe the first factor you mentioned is
23 that parents aren't able to participate as much at a
24 receiver school because they're not as close to the
25 school; is that right?

1 A. Yes, that's correct.

2 Q. And how does not being close to the school
3 affect parental participation, in your opinion?

4 MS. STRONG: Objection. Calls for
5 speculation.

6 THE WITNESS: Well, it's -- it's -- it's a
7 comfort zone. A neighborhood school, in my mind, is
8 the heart of the community. It has a reputation.
9 It has a -- almost a folklore about it, and it's --
10 it's very real to them.

11 BY MR. VILLAGRA:

12 Q. You mentioned that for some parents they're
13 not able to get there as easily, to the receiver
14 school?

15 A. (Nods head.)

16 Q. Is that a transportation issue, in your
17 opinion?

18 MS. STRONG: Objection. He never stated
19 that he knew the parents were not able to get there.
20 It was merely speculation on his part saying that
21 maybe parents weren't going to be able to, but he
22 didn't know one way or the other. Misstates the
23 testimony.

24 MS. GODFREY: Yeah, I join that.

25 THE WITNESS: It -- it is -- I think

1 parents can get there, but I -- it isn't as easy
2 because I think they have to make arrangements for a
3 day ahead to ask for permission to ride on the bus.
4 And sometimes, I'm not always sure that there's room
5 on a bus for parents either.

6 BY MR. VILLAGRA:

7 Q. And what do you base that opinion on?

8 A. Well, looking at the rules and regulations
9 for parents getting on buses.

10 Q. Do you believe that some parents are
11 intimidated about going to a school outside their
12 neighborhood?

13 MS. STRONG: Objection. Calls for
14 speculation. Lacks foundation. Assumes facts.

15 MS. GODFREY: Join.

16 THE WITNESS: Yes.

17 BY MR. VILLAGRA:

18 Q. Why do you believe that?

19 A. I think the unknown is always more
20 threatening to you than the known.

21 Q. Anything else?

22 A. It could be a language issue. I don't
23 know. I don't know whether other schools in the
24 office have translation available. In my office I
25 have a Korean and three Spanish-speaking people who

1 can provide that language. And if the other office
2 is not as lucky, than it would be hard for that
3 parent.

4 Q. And you don't know whether the other
5 receiver schools have the same level of translation
6 services as Cahuenga?

7 A. No, I do not know.

8 Q. In your opinion, do the lower levels of
9 parental participation caused by busing explain the
10 lower achievement of bused students?

11 MS. STRONG: Objection. Assumes facts.
12 Calls for opinion testimony outside the expertise --
13 there is no expertise of this witness that has been
14 established. Calls for opinion testimony or expert
15 opinion testimony.

16 MS. GODFREY: Join.

17 BY MR. VILLAGRA:

18 Q. Do you remember the question?

19 A. I remember it. I wouldn't really know.

20 Q. Do parents complain to you about the busing
21 of their children to other schools?

22 MS. GODFREY: Objection. Assumes facts.

23 MS. STRONG: And asked and answered
24 objection.

25 THE WITNESS: Yes.

1 BY MR. VILLAGRA:

2 Q. I would think that it couldn't be both,
3 but --

4 A. Yes.

5 MS. STRONG: It's like different
6 interpretations.

7 BY MR. VILLAGRA:

8 Q. And what is it that they complain to you
9 about with respect to busing?

10 A. Most parents want their children close to
11 home. I -- and -- and so parents will come and
12 they'll say, "Isn't there room? Isn't there some
13 way that we can come in?"

14 And then I suppose the other thing is that
15 there's always a comparison of things that happen
16 within schools. And I know that parents are really
17 good about this, that they know where this teacher,
18 or what level she's at and whether or not -- how
19 they're working.

20 And many -- not many, some of the schools
21 where children are being bused do not have the
22 funding sources that we have.

23 Q. Do you mean to say that they have less
24 funding?

25 MS. STRONG: Objection. Calls for

1 BY MR. VILLAGRA:

2 Q. You mentioned, in terms of busing
3 complaints, that most parents want their children
4 close to home, parents ask if there isn't room at
5 Cahuenga, some way to have them in there, and that
6 there is always the comparison of things going on at
7 other schools.

8 Are there any other things that parents
9 complain about to you with respect to busing?

10 A. No, I think those are the major ones.

11 And I don't think they complain really
12 about money because they don't really know that as
13 much. I think it's just ... just more looking at, I
14 guess, what children are doing and comparing.

15 Q. How often do parents complain to you that
16 they want their children closer to home?

17 MS. STRONG: Objection. Misstates prior
18 testimony. Assumes facts. He hasn't stated that
19 parents want their children closer to home
20 necessarily.

21 THE WITNESS: I would say weekly someone
22 would come in to talk me about it.

23 BY MR. VILLAGRA:

24 Q. Someone comes in to say what?

25 A. To say is there no way that their child can

1 speculation.

2 THE WITNESS: Well, they have less money in
3 that they haven't written grants.

4 And, also, that with the Rodriguez case,
5 schools that have more experienced teachers were --
6 appear to be getting more money. And so what the
7 Rodriguez case did was that then if you had a
8 younger staff, you were given the additional money
9 to purchase additional things with that to make
10 equalized money spent on schools. So we have that,
11 plus we have the other funding sources.

12 BY MR. VILLAGRA:

13 Q. Do you believe you would have enough
14 funding at Cahuenga if you didn't have the funds you
15 were able to obtain through grants?

16 MS. STRONG: Objection. Calls for
17 speculation. Calls for expert testimony outside the
18 scope of this witness's capacity.

19 MS. GODFREY: That's a vague question.

20 BY MR. VILLAGRA:

21 Q. Do you understand the question?

22 A. I like money. Yes, I wouldn't mind having
23 more money.

24 MS. STRONG: Objection. Move to strike as
25 nonresponsive.

1 come back.

2 Q. By coming back, to take --

3 A. Cahuenga.

4 Q. -- them off of the bus and have them come
5 back to Cahuenga?

6 A. That's correct.

7 Q. How often would you say that parents whose
8 children are bused to other schools come to complain
9 to you about the difference between their
10 children's -- their child's receiver school and
11 Cahuenga?

12 MS. STRONG: Objection. Vague.

13 THE WITNESS: I wouldn't say that happens
14 more than maybe a couple times every semester.

15 BY MR. VILLAGRA:

16 Q. Did you have any last semester? That type
17 of complaint.

18 A. I'm not sure I would always want to label
19 it just because the instructional program was -- at
20 our school was better. It might be because the
21 children weren't getting along and the parents had a
22 feeling that if they were closer to home they would
23 be able to keep a closer eye on them and their
24 behavior would change.

25 Q. Do you believe that that's true?

1 MS. STRONG: Objection. Calls for
 2 speculation and expert testimony.
 3 THE WITNESS: Well, I don't think -- I
 4 think not just being closer to home would make the
 5 difference. I think that the fact that the mother
 6 maybe could come to school every day and go to the
 7 teacher and say, "How did Johnny perform today?" I
 8 think that would make a difference if the mother
 9 really followed through that way.
 10 BY MR. VILLAGRA:
 11 Q. Do parents at Cahuenga follow through in
 12 that way?
 13 MS. GODFREY: Objection. Vague.
 14 MS. STRONG: Calls for speculation.
 15 THE WITNESS: Yes.
 16 BY MR. VILLAGRA:
 17 Q. How often do you -- what do you base your
 18 opinion on?
 19 A. Seeing that the parents go to the teachers.
 20 Q. Does that happen daily?
 21 A. Yes.
 22 Q. When parents complain to you about the
 23 busing of their children to other schools, what do
 24 you say to them?
 25 A. I say, "I understand your concerns and I

1 wish I could do something to help you."
 2 Q. Do you believe that there is anything you
 3 can do to help them?
 4 MS. STRONG: Objection.
 5 THE WITNESS: Yes.
 6 MS. STRONG: Vague and calls for
 7 speculation.
 8 THE WITNESS: Yes.
 9 BY MR. VILLAGRA:
 10 Q. What?
 11 A. That was one of the reasons I was willing
 12 to be interviewed by newspapers. That's why I was
 13 willing to have people come, because I felt that
 14 people needed to be aware of the fact that there was
 15 a problem with not enough classrooms for children to
 16 attend.
 17 Q. You wanted to make the public aware that
 18 there was a problem of not enough classrooms for
 19 kids?
 20 A. That's right.
 21 Q. Do you have any understanding of whether
 22 that's a problem only at Cahuenga Elementary?
 23 MS. STRONG: Objection.
 24 THE WITNESS: No, it's not only a problem
 25 at Cahuenga, but it's at -- at other schools as

1 well.
 2 MS. STRONG: Vague as to the term
 3 "problem."
 4 BY MR. VILLAGRA:
 5 Q. What do you mean by the problem of not
 6 enough classrooms?
 7 A. Well, if we had enough classrooms, children
 8 would not have to be bused. They could stay in
 9 their own community.
 10 Q. Would that be your preference?
 11 A. Yes.
 12 Q. If all the kids in the neighborhood
 13 attended Cahuenga, what would the capacity of the
 14 school have to be?
 15 MS. STRONG: Objection. Calls for
 16 speculation.
 17 MS. GODFREY: Vague.
 18 BY MR. VILLAGRA:
 19 Q. Do you have any idea?
 20 A. Thirty-two hundred.
 21 Q. And that's the 13 or a hundred -- 1300 or
 22 so that are at Cahuenga and the 1900 or so that are
 23 bused out?
 24 A. That's correct.
 25 Q. Do parents line up in May to get a spot for

1 their children at Cahuenga?
 2 A. Yes, they do.
 3 Q. What is it that they do to try to get a
 4 spot?
 5 A. On a Sunday afternoon, this year, from what
 6 I was told, they lined up at 3:00 o'clock in the
 7 afternoon and stayed in line all night long until
 8 8:30 the next morning.
 9 Q. Who told you this?
 10 A. The parents.
 11 Q. One parent, or --
 12 A. No, a lot of parents.
 13 And then when I came to school, there were
 14 lawn chairs all around the perimeter of the school
 15 where people were camped out overnight.
 16 Q. Do you have any idea how many parents lined
 17 up to get a spot for their children -- for their
 18 child at Cahuenga?
 19 A. Not really. Not really. I do know that if
 20 you lined up at 3:00 o'clock in the morning, you
 21 didn't get in.
 22 Q. How many spaces are there?
 23 A. Approximately --
 24 MS. STRONG: Objection. Vague question.
 25 THE WITNESS: A little over 200.

1 MS. STRONG: Spaces for incoming students
 2 to the school?
 3 THE WITNESS: Yes.
 4 BY MR. VILLAGRA:
 5 Q. So if you lined up at 3:00 a.m., you would
 6 have been well beyond the 200 --
 7 A. Yes, that's correct.
 8 Q. Are parents given numbers based on where
 9 they are in line?
 10 A. They're given appointments based on how
 11 they're in line.
 12 Q. Does the school make any accommodations for
 13 the parents who have lined up?
 14 MS. STRONG: Objection. Vague.
 15 THE WITNESS: No, not really.
 16 BY MR. VILLAGRA:
 17 Q. Are portable toilets set up for the parents
 18 by --
 19 A. No, we didn't receive any.
 20 Q. This year?
 21 A. Uh-huh.
 22 Well, ever.
 23 Q. You mentioned that parents are given an
 24 appointment based on where they are in line.
 25 A. Uh-huh.

1 Q. Who is the appointment with?
 2 A. With the office to do the -- to fill out
 3 the enrollment papers.
 4 And so when they make their appointment,
 5 they're given the papers along with a list of
 6 requirements of shots and things like that that
 7 children have to have. So that when they come in,
 8 they should be all ready for processing.
 9 Q. Now, you mentioned that you've spoken with
 10 the press to try to highlight the problem of lack of
 11 classroom space?
 12 A. Absolutely.
 13 As the district has, too.
 14 Q. Do you do anything with parents' complaints
 15 about the busing of their children?
 16 MS. GODFREY: Objection as to "do
 17 anything."
 18 THE WITNESS: There isn't much I can do
 19 other than listen and be sympathetic and -- and, you
 20 know, try to let them understand that it isn't -- it
 21 isn't something that we're doing against them, it's
 22 just that we have no options.
 23 BY MR. VILLAGRA:
 24 Q. And the "we" being?
 25 A. The office staff, myself, my assistant

1 principal.
 2 Q. Do you forward parents' complaints about
 3 busing to anyone at the district, LAUSD?
 4 MS. STRONG: Objection. Vague as to
 5 "complaints."
 6 THE WITNESS: I really don't, because there
 7 isn't anything that the district can really do about
 8 it. The district is aware of the problem. They
 9 want to -- they want to solve it. And if a parent
 10 really is that concerned, they may take that step
 11 themselves. But then it's just referred back to me
 12 again.
 13 BY MR. VILLAGRA:
 14 Q. And is it fair to say, based on your prior
 15 answers about contact with the officials at the CDE,
 16 that you don't forward parental complaints about
 17 busing to the California Department of Education?
 18 A. That's true.
 19 Q. You don't forward parents' complaints about
 20 busing to the State Department of Education?
 21 A. That's true.
 22 Q. And you don't forward complaints to the
 23 Superintendent of Public Instruction?
 24 MS. STRONG: I would like to interpose a
 25 late objection as to that each of those questions

1 were vague as to "complaints."
 2 THE WITNESS: And there is a line-staff
 3 relationship that's established in the district as
 4 to how you work.
 5 BY MR. VILLAGRA:
 6 Q. And is it that line-staff relationship
 7 that prevents you from contacting the California
 8 Department of Education or the State Board --
 9 MS. STRONG: Objection. Misstates
 10 testimony.
 11 BY MR. VILLAGRA:
 12 Q. -- or the State Superintendent?
 13 A. No.
 14 Q. Why don't you forward complaints to the
 15 California Department of Education, for example?
 16 A. They are far away. And I just have a
 17 feeling that people who are closer to the problem
 18 would be more able to help me.
 19 Q. Thinking on this most recent school year,
 20 2000/2001, to your knowledge, did any of the buses
 21 in the CAP program break down?
 22 MS. STRONG: Objection. Vague.
 23 THE WITNESS: I'm sure that they have.
 24 MS. GODFREY: Answer his question.
 25 THE WITNESS: Yes.

1 BY MR. VILLAGRA:
 2 Q. Buses in the CAP program leaving from
 3 Cahuenga?
 4 A. Meaning has any one ever broken down? Yes.
 5 Q. In the last year?
 6 A. Yes.
 7 Q. Do you recall how many times that happened?
 8 A. No.
 9 Q. Would you necessarily become aware if a bus
 10 had broken down?
 11 A. I would be -- I would be aware of it in
 12 that I would be called so that I could notify the
 13 parents who were outside waiting so that they
 14 wouldn't worry.
 15 Q. When's the last time that that happened?
 16 A. It doesn't happen that often, and so I
 17 really can't recall a particular time when it
 18 happened, but I'm certain that it has.
 19 And -- and the term "break down" can, in my
 20 mind, means many -- to me it means a delay. And I'm
 21 not always sure whether the delay is because, you
 22 know, there is a traffic thing, you know, when
 23 they're coming back, or whether delay means there
 24 could even be a problem with the bus where they have
 25 to send a new bus for them.

1 So I just don't have that kind of
 2 information. Its lateness, that's all I am aware
 3 of.
 4 Q. So it's not necessarily the specific reason
 5 for the lateness, just the lateness?
 6 A. Can be.
 7 Sometimes I'm told that there is a special
 8 event and the children are going back late because
 9 of that. But then some other times they just say
 10 the bus is going to be late and that's about as far
 11 as we go.
 12 Q. You mentioned that the breaking down
 13 doesn't happen that often. Were you using breaking
 14 down in terms of any sort of delay with buses?
 15 A. Yes.
 16 Q. Okay. How often would you say in a given
 17 week buses are delayed?
 18 A. I'm afraid I wouldn't be able to tell you.
 19 Q. Okay. Do you know who would know?
 20 A. The busing supervisors.
 21 Q. Would that be Adeline Shoji?
 22 A. She would know sometimes, yes.
 23 Q. The busing aides?
 24 A. Yes.
 25 Q. To your knowledge, in the last year, did

1 any buses from the CAP program, from Cahuenga, were
 2 any of them involved in traffic accidents?
 3 MS. GODFREY: If you know.
 4 THE WITNESS: Yes.
 5 BY MR. VILLAGRA:
 6 Q. And how many times last year were buses
 7 from Cahuenga in the CAP program involved in traffic
 8 accidents?
 9 A. I think only once, that I know of.
 10 Q. Do you recall when that was?
 11 A. I believe it was this spring.
 12 Q. Do you recall any more specifically?
 13 A. No.
 14 Q. What happened? What was the traffic
 15 accident?
 16 A. The bus was parked and the children were
 17 let -- had been let out, and a car either bumped
 18 into it, or -- there was minor damage, very, very
 19 minor.
 20 But anything that happens to buses, they're
 21 very scrupulous about taking notation on things like
 22 this. And so a report was made.
 23 Q. Is a report made any time a traffic
 24 accident involving a CAP bus occurs --
 25 MS. STRONG: Objection --

1 BY MR. VILLAGRA:
 2 Q. -- to your knowledge?
 3 A. I'm afraid I don't know that. I think so,
 4 but I don't know for sure.
 5 Q. Is there any kind of report that's created
 6 if a bus is delayed?
 7 A. No.
 8 MS. STRONG: Objection. Calls for
 9 speculation as to that last one.
 10 BY MR. VILLAGRA:
 11 Q. Is that typical with your experience with
 12 the CAP program, to have one accident in a year?
 13 A. I wouldn't know.
 14 Q. Are you aware of whether LAUSD is planning
 15 to end the CAP program?
 16 A. Well, if they are, it sure isn't soon.
 17 MS. STRONG: I would like to move to strike
 18 as nonresponsive.
 19 BY MR. VILLAGRA:
 20 Q. Why do you say that?
 21 A. Well, because it takes a long time to build
 22 schools.
 23 Q. And how long, in your experience, does it
 24 take to build a school?
 25 MS. STRONG: Objection. There is no

1 foundation. There is no testimony that he's got
2 experience as to this issue. Calls for expert
3 opinion testimony.

4 THE WITNESS: It has to do with the type of
5 school that's being built.

6 BY MR. VILLAGRA:

7 Q. In your experience, how long does it take
8 for an elementary school to be built?

9 MS. STRONG: Same objection.

10 MS. GODFREY: Do you know?

11 THE WITNESS: Well, I can only think in
12 terms of the addition that we put on just to our
13 school, which is a three-story building. If you
14 count the planning time and everything that goes
15 into it, getting the funding, it can take six, seven
16 years.

17 But I think that some of the new schools
18 are not as -- they're -- they're being built
19 differently than, say, the one I'm in.

20 BY MR. VILLAGRA:

21 Q. How do you believe they're being built
22 differently?

23 A. They're more bungalow-type schools. At
24 least that's how they appear to me when I look at
25 them.

1 quick turn-around time. Bellevue presently is being
2 redone again and now more permanent-type buildings
3 are being put in.

4 Q. What about Whitehouse?

5 A. Again, it's -- it's -- it's a primary
6 center. And so it has -- it just doesn't encompass
7 as much. And usually those places do not have
8 cafeterias and auditoriums and things like that.

9 Q. They don't have all of the amenities that
10 Cahuenga has, for example?

11 MS. STRONG: Objection. Vague.

12 THE WITNESS: Yes.

13 BY MR. VILLAGRA:

14 Q. And by "amenities," I'm referring to a
15 cafeteria?

16 A. Correct.

17 Q. Auditoriums?

18 A. That's correct.

19 Q. What about libraries?

20 MS. STRONG: Calls for speculation.

21 Objection.

22 THE WITNESS: I'm not sure about that.

23 BY MR. VILLAGRA:

24 Q. What about playground space, does Bellevue
25 have playground space?

1 Q. And what do you mean by that?

2 A. Rather than having a building with
3 classrooms in it, that there may be two classrooms
4 in this unit, two classrooms in another unit, and
5 they're separate.

6 Q. And I hope I'm getting the schools right.
7 I believe when we talked about the adjoining schools
8 to Cahuenga, what must seem years ago, you
9 identified Bellevue --

10 A. Yes.

11 Q. -- and Whitehouse --

12 A. Right.

13 Q. -- as schools that were built specifically
14 as receiver schools?

15 A. That's correct.

16 Q. When was Bellevue built, if you know?

17 A. I really don't recall.

18 Q. Do you have any idea when Whitehouse was
19 built?

20 A. I really don't remember that, either.

21 Q. Do you remember how long it took to build
22 Bellevue?

23 A. Well, Bellevue didn't take too long,
24 because Bellevue, again, was -- was done with
25 portable bungalows brought in. So that was a really

1 A. Yes, it does.

2 Q. Do you know how much?

3 A. No.

4 Q. Smaller than Cahuenga's?

5 A. Yes.

6 MS. STRONG: Objection.

7 BY MR. VILLAGRA:

8 Q. Is that true both of -- well, I shouldn't
9 say.

10 For Bellevue, it doesn't have a cafeteria,
11 as far as you know?

12 A. No. I'm -- I'm sure that they have -- the
13 food is prepared outside and brought in. Because
14 it -- it -- it's just a more efficient way of
15 handling it rather than having a staff for that,
16 because there aren't as many children.

17 MR. VILLAGRA: I would like to mark this as
18 exhibit -- I believe it's 8.

19 Is that right?

20 MS. STRONG: That sounds correct.

21 (The document referred to was marked by the
22 Reporter as Deposition Exhibit 8 for identification
23 and is attached hereto.)

24 MR. VILLAGRA: Do you mind if we take a
25 look at this off the record?

1 (Recess taken from 3:35 to 3:49.)
 2 BY MR. VILLAGRA:
 3 Q. Mr. Houske, have you had a chance to review
 4 Exhibit --
 5 A. Eight.
 6 Q. -- 8? Thank you.
 7 A. Yes, I have.
 8 Q. I don't know why I wrote six. I'll
 9 probably start calling it Concept 8 now.
 10 Do you recognize this document?
 11 A. Yes, I do.
 12 Q. What is it?
 13 A. It's the calendar that my school operates
 14 under.
 15 Q. And the particular exhibit that I've put in
 16 front of you is for calendar year 1999/2000; is that
 17 right?
 18 A. That's correct.
 19 Q. Was the calendar, or is the calendar for
 20 2000/2001 different from this one?
 21 A. No, it -- you know, it's because of the
 22 change in the dates and things like that, but
 23 basically it's the same as this calendar.
 24 Q. So would it be fair to say that maybe a
 25 difference of a day or two here or there --

1 A. Right, because the way the days of the
 2 month fall --
 3 Q. But it basically lays out how tracks A, B
 4 and C work?
 5 A. Yes.
 6 Q. Thank you.
 7 Was Cahuenga on Concept 6 when you got
 8 there as principal 16 years ago?
 9 A. Yes, it was.
 10 Q. Do you know when Cahuenga went on to the
 11 Concept 6 calendar?
 12 A. Estimating, I would say it's been on a
 13 Concept 6 schedule probably for 21 years.
 14 Q. Do you have any idea when the district
 15 first started -- strike that -- when LAUSD first
 16 started putting schools on Concept 6?
 17 A. No, I really don't.
 18 Q. Do you know why Cahuenga was put on
 19 Concept 6?
 20 MS. STRONG: Objection. Calls for
 21 speculation.
 22 THE WITNESS: Because they had more
 23 children than they could house within the school.
 24 BY MR. VILLAGRA:
 25 Q. And how do you know that?

1 A. Because that's how Concept 6 and all
 2 the different concepts started, was to relieve
 3 overcrowding.
 4 Q. Is there any other reason why you believe
 5 Cahuenga went on Concept 6?
 6 A. No.
 7 Q. And I believe this was touched on last time
 8 but I just want to set up the proposition. Students
 9 on Concept 6 are assigned to one of three tracks; is
 10 that right?
 11 A. Yes, that is true.
 12 Q. How are students assigned to the different
 13 tracks?
 14 MS. STRONG: Objection. I believe this has
 15 been asked and answered.
 16 THE WITNESS: In my school, because of
 17 language programs, they are assigned by language
 18 need.
 19 BY MR. VILLAGRA:
 20 Q. What do you mean by that?
 21 A. "A" track --
 22 MS. STRONG: Objection. Asked and
 23 answered.
 24 THE WITNESS: "A" track basically has the
 25 Korean students on it that are in -- in waived

1 programs.
 2 BY MR. VILLAGRA:
 3 Q. And B track?
 4 A. B track is basically a Spanish track.
 5 Q. Spanish bilingual?
 6 A. Spanish bilingual.
 7 Q. And C track?
 8 A. C track is a mixed track. It has
 9 Spanish-speaking children as well as non-Spanish
 10 speaking children, and English speaking.
 11 Q. Who at Cahuenga handles the assignments of
 12 students to different tracks?
 13 A. The people in the office. Meaning the
 14 secretaries.
 15 Q. Who would that be by name, if you can
 16 recall?
 17 A. Mrs. Rayford. Minga (phonetic).
 18 THE REPORTER: Minga?
 19 THE WITNESS: Uh-huh.
 20 You're on your own.
 21 THE REPORTER: How about Rayford?
 22 THE WITNESS: R A Y F O R D, Adele Rayford.
 23 Minga Andrews, Andrews is easier. Marco Gonzales.
 24 BY MR. VILLAGRA:
 25 Q. Anyone else?

1 A. Basically those are the three.
 2 Q. And how is it decided that a child will be
 3 assigned to a particular track?
 4 A. Well, basically, as I told you, the
 5 children come in kindergarten, and so it is based on
 6 home language.
 7 Q. And is it up to Mr. Rayford --
 8 A. Ms. Rayford.
 9 Q. I'm sorry, Ms. Rayford, Ms. Andrews and
 10 Mr. Gonzales to make that determination of what the
 11 home language is for a child?
 12 A. The parent writes it on their application.
 13 And they also indicate what language their child
 14 speaks.
 15 Q. Do the parents also indicate in what type
 16 of program they would like to have their child
 17 placed?
 18 MS. STRONG: Objection. Asked and
 19 answered.
 20 THE WITNESS: Not at that time.
 21 MR. VILLAGRA: Not at the time.
 22 Q. So Ms. Rayford, Ms. Andrews and
 23 Mr. Gonzales, they see this form that has the home
 24 language indicated, the language the child speaks,
 25 what do they do with the form?

1 A. They keep it.
 2 Q. How do they determine, based on the home
 3 language of a child, what track the child will be
 4 placed on?
 5 A. Because the -- the classrooms are
 6 designated.
 7 Q. If a child has a home language of
 8 Spanish -- I'm just trying to get at the specifics
 9 of how the decision is made.
 10 If the child has a home language of
 11 Spanish, how are Ms. Rayford, Ms. Andrews, or
 12 Mr. Gonzales to know what particular track to put
 13 that child on?
 14 A. Because each -- each track -- each
 15 classroom is designated as to the -- to its program.
 16 And so that if they see a child who looks like he
 17 should be in a bilingual program, he's put into that
 18 classroom.
 19 And then I hold meetings with parents and
 20 explain the options that parents have as far as
 21 language programs go. And then if the parent opts
 22 for another program, then we transfer the child into
 23 another room.
 24 Q. Thank you. That was that step that I was
 25 trying to get clear on.

1 Do you ever become involved in the
 2 assignment of students to particular tracks?
 3 MS. STRONG: Objection. Vague as to time
 4 and involvement.
 5 THE WITNESS: Not really.
 6 BY MR. VILLAGRA:
 7 Q. Would you get involved, for example, if a
 8 parent wants all of their children placed on the
 9 same track?
 10 A. Yes.
 11 Q. Does that happen very often that a parent
 12 will come in to see you with that request?
 13 A. Not often.
 14 Q. Okay. When was the last time, if you
 15 recall?
 16 A. This week.
 17 Q. How many times would you say this happened
 18 last year?
 19 A. Maybe six, seven times.
 20 Q. Do you know the demographics -- and by
 21 "demographics" I mean race, ethnicity -- of students
 22 on each track?
 23 A. No.
 24 I mean I -- generally I know, but not --
 25 not --

1 Q. Not specifically?
 2 A. Not specifically.
 3 Q. Is any record of that kept?
 4 A. Not by track. It is kept by school.
 5 Q. Do you know the percentage of special
 6 education students on each track?
 7 A. No.
 8 Q. Do you know the number of special education
 9 students on each track?
 10 A. No.
 11 Q. Do you know the percentage of gifted
 12 students on each track?
 13 A. No.
 14 Q. Do you know the number of gifted students
 15 on each track?
 16 A. No.
 17 Q. Are all of the special education students
 18 on one track --
 19 A. No.
 20 Q. -- do you have any idea?
 21 A. No.
 22 Q. Are all of the gifted students on one
 23 track?
 24 A. No.
 25 Q. How are teachers assigned to the different

1 tracks?

2 A. A lot has to do with the language. At my
3 school, many of my teachers are -- speak another
4 language. And so that those Spanish-speaking
5 teachers are more apt to be on track B and C. And
6 if you are a Korean-speaking teacher, you're more
7 apt to be on track A. Do you have -- I have Korean
8 teachers on other tracks? Yes.

9 Q. How is it that that has happened, that a
10 Korean-speaking teacher is on a track other than
11 track A?

12 A. They speak Spanish.

13 Q. Is there any kind of lottery that's held
14 for teachers to chose the track they want to be on?

15 A. You could call it a lottery. It isn't
16 really a lottery.

17 Q. How would you describe the process?

18 A. It has to do with union contracts.

19 Q. And what does the union contract require in
20 terms of teacher assignment to tracks?

21 A. That senior teachers --

22 MS. STRONG: Calls for speculation.

23 THE WITNESS: -- who are credentialed,
24 permanent, that they have options for choosing
25 tracks and grade levels.

1 non-permanently credentialed?

2 A. Once you've --

3 MS. STRONG: Objection. Vague as to the
4 terminology "non-permanently credentialed."

5 THE WITNESS: In my mind that means
6 teachers who were either on probation, working
7 toward permanency, provisional or interns, or the --
8 and they --

9 Probably interns have more of, because
10 they're in the district program, have a little bit
11 better choice. This has just been changed this
12 year. This was not true in the prior years.

13 BY MR. VILLAGRA:

14 Q. So this was true for the 2000/2001 school
15 year?

16 A. That's correct.

17 Q. Okay.

18 A. Wait a minute.

19 Q. Or this will be true for the new school
20 year?

21 A. It will be true for the new year.

22 Q. Okay. Have you actually gone through the
23 process of assigning teachers to the different
24 tracks?

25 A. Yes.

1 BY MR. VILLAGRA:

2 Q. Do they get the highest priority when it
3 comes to their preferences?

4 A. Yes.

5 Q. And how do you know that?

6 A. Because we -- we send out a wish list to
7 them and we get them back and we do the assignment
8 based on that.

9 Q. Is there a category of teachers with the
10 second highest level of priority?

11 A. No.

12 Q. So after --

13 A. Anyone else who is not permanent, does not
14 have that right.

15 Q. So for the non-permanently credentialed
16 teachers, it is just a question of their seniority
17 and whatever --

18 A. Say it again.

19 Q. It's just based on their seniority?

20 A. Who?

21 Q. The non-permanently, credentialed teachers.

22 A. No, it is not based on seniority for
23 non-permanent. It is for the permanent that it's
24 based on seniority.

25 Q. Okay. And then what's done for the

1 Q. For the new school year?

2 A. Yes.

3 Q. You sent out a wish list to the --

4 A. Permanent.

5 Q. -- permanent, credentialed teachers?

6 A. Uh-huh.

7 Q. And it was based on their seniority they
8 were allowed to decide what grade level and track
9 they wanted?

10 A. Correct.

11 Q. And after they made their selections, what
12 happened?

13 A. Then I did the assignment of the other
14 teachers.

15 Q. Okay.

16 A. But I did -- I did get their input, too. I
17 did not need to, but I did.

18 Q. When you say you didn't need to, does that
19 mean you weren't required to?

20 A. I was not required to.

21 Q. Based on what the permanently credentialed
22 teachers select, is there one track that you would
23 describe as the most popular among teachers?

24 MS. STRONG: Objection. Vague.

25 THE WITNESS: I would suppose it would be

1 either A or C.
 2 MS. GODFREY: He didn't ask you if you
 3 supposed, he asked you if there was a track that was
 4 more popular than the others.
 5 THE WITNESS: Yes.
 6 BY MR. VILLAGRA:
 7 Q. And what track is that?
 8 A. A or C.
 9 Q. A or C.
 10 Why do you believe that? Based on ...
 11 A. Observation.
 12 Q. Do teachers ever discuss with you why they
 13 prefer tracks A and C over B?
 14 A. No.
 15 MS. STRONG: Objection. Mischaracterizes
 16 the testimony to the extent that Mr. Houske didn't
 17 testify as to which ones they preferred, but just
 18 that they appeared to be more popular.
 19 BY MR. VILLAGRA:
 20 Q. Do you know what the percentage of teachers
 21 with permanent credentials is on track A?
 22 A. No, I do not.
 23 MS. STRONG: Objection as to the term
 24 "permanent credentials," what --
 25 THE WITNESS: They have --

1 that you had received training from the district in
 2 how to administer a Concept 6 school; is that right?
 3 A. Organize, maybe. I'm not sure the word
 4 would be how to administrate.
 5 Q. Organize.
 6 When was that training?
 7 A. A long way back.
 8 Q. Before you started at Cahuenga?
 9 A. Yes.
 10 Q. While you were at Hoover?
 11 A. Yes.
 12 Q. Was it in preparation for your becoming
 13 principal at Cahuenga?
 14 A. No.
 15 Q. Do you recall how long that training was?
 16 MS. STRONG: Objection. Vague. The
 17 witness has already testified that he had ongoing
 18 training as to these issues.
 19 THE WITNESS: Well, that -- I don't -- you
 20 know, I suppose an afternoon, but it -- as -- as we
 21 changed schedules, we were retrained again. And so
 22 that when we first went in, it was a 45/15 schedule.
 23 And then later on we changed to a 60 -- 90/30 and
 24 then into a Concept 6 at Cahuenga.
 25 And then as schools have been on

1 MS. STRONG: What definition of
 2 "permanent" -- what definition of that term are we
 3 using for that question?
 4 BY MR. VILLAGRA:
 5 Q. What is your understanding of that term?
 6 A. That means that they have a clear
 7 credential and that they have had two years of
 8 service and then received permanency.
 9 Q. Do you know the number of permanently
 10 credentialed teachers on track B?
 11 A. No, I do not.
 12 Q. Do you know the number of permanently
 13 credentialed teachers on track C?
 14 A. No, I do not.
 15 Q. Based on what you've described about how
 16 seniority plays into the system and how tracks A and
 17 B seem to be the more popular, would you -- is it
 18 fair to say that there are more permanently
 19 credentialed teachers on track A and C than B?
 20 MS. STRONG: Objection. Lacks foundation.
 21 He's already stated that he doesn't know how many
 22 are on each track.
 23 THE WITNESS: That's ... I don't know.
 24 MR. VILLAGRA: Okay.
 25 Q. You testified -- you testified on June 14th

1 year-round, the organization changed.
 2 BY MR. VILLAGRA:
 3 Q. Okay. When did you receive training in
 4 the organization of Concept 6 school?
 5 A. The organization of Concept 6 school is not
 6 that different from a four track. It -- once you
 7 understand the concept that the school is always in
 8 operation, that's basically all you're doing.
 9 Q. Okay.
 10 A. It's not complex.
 11 Q. What was the first training you received in
 12 the organization of a multi-track school? Do you
 13 recall when that was?
 14 A. Well, I do. I don't recall the exact date.
 15 But I -- I recall what it was about because we had
 16 to make up our mind how we were going to determine
 17 which children went on which tracks.
 18 So at that time we decided to do it
 19 geographically. So all those children who lived in
 20 one section were placed on a track so they would
 21 have their friends.
 22 MS. STRONG: I would move to strike as
 23 nonresponsive. I believe the question was asking
 24 when.
 25 /// //

1 BY MR. VILLAGRA:
 2 Q. Do you recall when that was?
 3 A. No.
 4 MS. STRONG: Asked and answered.
 5 BY MR. VILLAGRA:
 6 Q. Was it while you were still at Hoover?
 7 A. Yes.
 8 Q. And was that on -- or was that training
 9 with respect to any particular calendar?
 10 A. Yes.
 11 Q. What calendar was that?
 12 A. 45/15.
 13 Q. Do you recall what topics the training
 14 covered?
 15 A. Basically organization.
 16 Q. Do you recall any topic besides how to
 17 assign kids to tracks?
 18 A. Not as a formal basis, no.
 19 Q. Okay. Do you recall any of the other
 20 topics?
 21 A. No. Basically it was just the organization
 22 of how to chose and select children in the beginning
 23 when you were starting a year-round calendar.
 24 Q. What's the next calendar that you received
 25 training on after the 45/15?

1 A. The 30/90.
 2 And again, it wasn't -- it's a mechanical
 3 kind of a thing that you're doing. It isn't the
 4 kind of training that you really -- once you
 5 understand the concept, we as principals got
 6 together and talked about the instructional needs
 7 of the year-round schools.
 8 And because it was a very innovative thing
 9 to have done, and so there wasn't a lot of material
 10 already developed, and so we worked on it.
 11 Q. Outside of the context of the district
 12 training?
 13 A. That's right.
 14 Q. Okay. How long has the district provided
 15 training on the 45/15 calendar; do you recall?
 16 MS. GODFREY: Do you mean how long did the
 17 district provide the training?
 18 MR. VILLAGRA: Yes.
 19 MS. STRONG: Objection. Calls for
 20 speculation.
 21 THE WITNESS: Or how long was -- was it an
 22 afternoon, is that what you mean?
 23 BY MR. VILLAGRA:
 24 Q. Yes.
 25 A. It was an afternoon.

1 Q. And the training on the 30/90 calendar, was
 2 that also an afternoon?
 3 A. Probably.
 4 Q. Did you and other principals get together
 5 to talk about the instructional program to be
 6 offered under the 45/15 calendar?
 7 A. I don't really remember, it's been so far
 8 back. That was many years back. I know we
 9 certainly did for Concept 6.
 10 Q. Okay. Do you recall having a meeting like
 11 that with respect to the 30/90 calendar?
 12 A. No.
 13 Q. Okay. After the 30/90 calendar, is that
 14 when you received --
 15 A. Concept 6.
 16 Q. By the district?
 17 A. Really, no, we didn't -- as I say, there
 18 isn't -- isn't that much to talk about.
 19 Q. That's an afternoon session on the
 20 mechanics about --
 21 A. Even the mechanics are the same, so I can't
 22 say that I really had any training on Concept 6,
 23 because it wasn't needed.
 24 Q. You do recall, though, meeting with other
 25 principals of Concept 6 schools?

1 A. Yes, uh-huh.
 2 Q. Do you recall -- I know this is a long
 3 time ago -- how many meetings you had with other
 4 principals on the instructional program to be
 5 offered on the Concept 6 calendar?
 6 A. Oh, maybe three or four times.
 7 Q. Was this over the course of a single school
 8 year or ...
 9 A. It probably was over the course of the
 10 first year where we were looking for -- to see what
 11 we could do to make it more effective.
 12 Q. And what was decided, if anything, about
 13 what you could do to make the Concept 6 calendar
 14 more effective?
 15 A. Well, I think at that time --
 16 MS. STRONG: Objection. Actually, assumes
 17 facts.
 18 THE WITNESS: I think at that time we --
 19 we started taking a look at textbooks and -- and
 20 saying, oh, the first part is review and that the
 21 children didn't need as much review when they
 22 didn't -- when they weren't off as long.
 23 BY MR. VILLAGRA:
 24 Q. Anything else that you can recall?
 25 A. Not really. We probably talked about staff

1 development and things like that as well.
 2 Q. Do you recall what you would have talked
 3 about with respect to staff development?
 4 A. Pacing of instruction.
 5 Q. Pacing of instruction for teachers?
 6 A. Pacing of instruction for students by
 7 teachers.
 8 Q. And what was discussed about the pacing of
 9 instruction?
 10 A. To make sure that all the material was
 11 covered in -- in a timely manner.
 12 Q. Was there a concern that the material might
 13 not be covered in a timely manner?
 14 A. There's always that concern.
 15 Q. Was there a concern that was particular to
 16 the Concept 6 calendar?
 17 A. Yes, because it had fewer days.
 18 Q. Do you recall any other topics that were
 19 discussed at these meetings of principals about the
 20 Concept 6 calendar and the instructional program to
 21 be offered?
 22 A. No, not really.
 23 Q. Have there been any other meetings that you
 24 have attended to discuss instruction on the
 25 Concept 6 calendar?

1 MS. STRONG: Objection. Vague.
 2 THE WITNESS: I think that we all kind of
 3 have the basic philosophy that what we're looking at
 4 is not calendars but instructional programs. And we
 5 dwell on that, not on the calendar.
 6 BY MR. VILLAGRA:
 7 Q. Do you know how many days of instruction
 8 are offered on the traditional calendar?
 9 A. Seventeen days more than I offer on a
 10 Concept 6.
 11 Q. Do you know how many are offered an
 12 Concept 6?
 13 A. No.
 14 MS. STRONG: Asked and answered.
 15 THE WITNESS: I think it's 163, but I
 16 didn't want to be quoted.
 17 BY MR. VILLAGRA:
 18 Q. As far as you know, do teachers in the
 19 district receive training on how to teach at a
 20 Concept 6 school?
 21 A. No.
 22 Q. No training by the district?
 23 A. No.
 24 Q. Do you provide any training like that for
 25 teachers?

1 MS. STRONG: Objection. Asked and
 2 answered. The witness has already testified to the
 3 training that he provides to his teachers of this
 4 nature.
 5 THE WITNESS: The -- well, as I say, we
 6 look upon ourselves as being regular schools, and we
 7 don't -- we don't look at it as being a Concept 6
 8 school. We're a regular school. And so we handle
 9 the same instructional focuses that you would handle
 10 in another school. We just don't treat ourselves
 11 differently, or other people don't look at us
 12 differently.
 13 MS. STRONG: As a point of clarification, I
 14 believe the witness has already testified that he
 15 encourages teachers not to spend as much time
 16 reviewing because they are on a multi-track schedule
 17 or year-round schedule.
 18 THE WITNESS: That we don't have to repeat
 19 that first part.
 20 BY MR. VILLAGRA:
 21 Q. And that's because the -- I believe your
 22 testimony was the textbooks are written for the
 23 traditional calendar?
 24 A. That's correct.
 25 Q. So that's an adjustment that the teacher

1 will have to make to teach on a Concept 6 calendar;
 2 is that right?
 3 A. That's correct.
 4 Q. Are there other adjustments that a teacher
 5 has to make to be able to teach on a Concept 6
 6 calendar?
 7 MS. GODFREY: Calls for speculation.
 8 MS. STRONG: Join.
 9 THE WITNESS: I'm not aware of any others
 10 than that one especially. That's the one that I
 11 would focus on the most.
 12 BY MR. VILLAGRA:
 13 Q. I believe you testified that you believe
 14 the Concept 6 calendar offers 163 days; is that
 15 right?
 16 A. That's right.
 17 Q. Is that the maximum number of days of
 18 instruction that can be offered on a Concept 6?
 19 A. That's correct.
 20 MS. STRONG: I'm going to object here just
 21 to the extent that it may mischaracterize his
 22 testimony that he thinks that that's what's
 23 provided.
 24 THE WITNESS: That's right. I didn't count
 25 the days.

1 BY MR. VILLAGRA:
 2 Q. I'm sorry. Whatever the number is --
 3 A. Right.
 4 Q. -- do you believe that you can provide more
 5 days of instruction?
 6 A. No, I cannot.
 7 Q. Are you familiar with any research about
 8 extending the school year?
 9 MS. STRONG: Objection. Vague.
 10 MS. GODFREY: Join.
 11 THE WITNESS: Yes.
 12 BY MR. VILLAGRA:
 13 Q. What do you understand that research to be
 14 about?
 15 MS. STRONG: Objection. Vague. I don't
 16 know what research we're talking about.
 17 THE WITNESS: I'm not sure that -- I'm not
 18 sure it's research. I'm hearing people say that it
 19 almost seems more of a political issue that the
 20 school year, if it was longer, that children will
 21 learn more.
 22 BY MR. VILLAGRA:
 23 Q. You said that you hear people say that?
 24 A. I read it.
 25 Q. Who are the people you read saying this?

1 A. Politicians.
 2 Q. Do you recall who they are?
 3 A. No, I do not.
 4 Q. Do you recall whether the governor has been
 5 one of those?
 6 MS. GODFREY: Which governor?
 7 MR. VILLAGRA: Hmmm.
 8 Q. Governor Davis.
 9 A. I believe so.
 10 Q. What about the Superintendent of
 11 Instruction?
 12 MS. STRONG: Again, who are we referring
 13 to, the current superintendent?
 14 BY MR. VILLAGRA:
 15 Q. Delaine Eastin.
 16 A. Oh, I don't know.
 17 Q. I'm almost afraid to ask. Any members of
 18 the California Board of Education?
 19 A. No.
 20 Q. Current?
 21 A. No. I don't know their names so well.
 22 Q. Do you agree with what you're reading
 23 people -- politicians say, that kids will learn more
 24 if they were in school longer?
 25 A. I would hope so.

1 MS. STRONG: Objection. There is no
 2 foundation that that's what politicians are saying.
 3 MR. VILLAGRA: I believe the foundation
 4 is that this is what he's read folks to say. I'm
 5 asking if he's agreeing with what he's read people
 6 as quoted as saying.
 7 THE WITNESS: Yes.
 8 BY MR. VILLAGRA:
 9 Q. Why do you believe that?
 10 A. Well, one of the fundamental things that
 11 children need is practice. So more time on task,
 12 I'm sure, would give a better product.
 13 Q. Do you recall how long politicians have
 14 been talking about extending the school year in
 15 these reports that you've read?
 16 A. I think it's fairly recent.
 17 Q. Do you recall how long they would like the
 18 school year to be?
 19 A. No, I do not.
 20 Q. Could the school year at Cahuenga be
 21 extended beyond whatever number of days it is -- it
 22 provides now?
 23 A. No, it could not.
 24 Q. Does implementation of the Concept 6
 25 calendar result in the rotation of classrooms?

1 MS. STRONG: Objection. Vague and
 2 ambiguous.
 3 THE WITNESS: Yes.
 4 BY MR. VILLAGRA:
 5 Q. How is it that it results in the rotation
 6 of classrooms?
 7 A. When the teacher goes off track, another
 8 teacher goes into that classroom.
 9 Q. And so on down the line?
 10 A. That's correct.
 11 Q. On track A, how many times does a teacher
 12 have to go off track?
 13 A. Once.
 14 Well, if you count the end, too, that would
 15 be twice.
 16 Q. So once off track and once at the end of
 17 the school year?
 18 A. Yes, that's correct.
 19 Q. What about on track B?
 20 A. They do it one ... two times, and one at
 21 the end of the year. Three.
 22 Q. And what about track C?
 23 A. They do it once, and then again at the end
 24 of the year. Which makes it two times.
 25 Really they do it less, come to think of

1 it, because they -- no, I'm right. It's still the
2 same number.

3 MS. STRONG: Are you -- just a point of
4 clarification. Are you basing your answers on the
5 calendar that you're looking at, or something other
6 than that? Exhibit 8.

7 THE WITNESS: Hopefully on the calendar
8 that I'm looking at.

9 BY MR. VILLAGRA:

10 Q. Is it also based on your experience with 16
11 years under the Concept 6 calendar?

12 MS. STRONG: Objection. Misstates the
13 testimony, I believe.

14 THE WITNESS: Well, I haven't had 16 years
15 under Concept 6 -- I guess it is 16 years, my gosh,
16 your dates are better than mine.

17 BY MR. VILLAGRA:

18 Q. I just go by your dates.

19 On a traditional calendar, how many times
20 would a teacher have to move out of a classroom?

21 A. They wouldn't.

22 MS. GODFREY: I'm going to just interpose a
23 late objection that it calls for speculation.

24 BY MR. VILLAGRA:

25 Q. What do you base that testimony on?

1 Q. So every teacher at Cahuenga has a
2 permanently assigned classroom?

3 A. No, that's not what rover means.

4 Rover means that -- it's a different
5 calendar. On a Concept 6, there's not -- we don't
6 have rovers, and everybody roves. But on the other
7 one, there is a roving position.

8 Q. Could you have teachers roving on a
9 Concept 6 calendar?

10 A. No.

11 Q. Not that you know of?

12 A. No.

13 Q. And when we're talking about teachers going
14 off track, just to be clear, we're talking about
15 them packing up their materials?

16 A. That's correct.

17 Q. And I think as you described earlier,
18 leaving the classroom ready for another teacher to
19 come into it?

20 A. That's correct.

21 Q. So they have to be moved out?

22 A. In a way, it's rearranging things, putting
23 things in other cupboards. And they probably are
24 still in the same room, but it is just they have to
25 leave space for the other teacher.

1 A. Based on my observation. The only time a
2 teacher in a traditional year would have to change
3 is if she changes grade level, and then she might
4 change to a different room.

5 Q. You mentioned that when one teacher goes
6 off, another comes into the classroom?

7 A. That's correct.

8 Q. Is there a lag -- is there a gap between
9 when one teacher goes off and the other teacher
10 comes into the classroom?

11 A. No.

12 Q. So is it fair to say it's from one day to
13 the next?

14 A. That's correct.

15 Q. Have you ever heard the term "rovers," or
16 "roving teachers"?

17 A. Yes.

18 Q. What does that refer to?

19 A. That's in a school where some teachers have
20 to rove and others don't.

21 Q. What does it mean, "have to rove"?

22 A. It means they rove every time. It's
23 usually in a 45/15.

24 Q. Do any of the teachers at Cahuenga rove?

25 A. No.

1 Q. Have they collected books?

2 A. Yes.

3 Q. Have they collected supplies?

4 A. Yes.

5 Q. Have they taken down displays in the
6 classroom?

7 A. Yes.

8 MS. STRONG: Objection. It misstates his
9 testimony to the extent that he previously stated
10 they don't necessarily take down everything in the
11 classroom.

12 THE WITNESS: (Nods head.)

13 MS. STRONG: I believe the witness is
14 nodding his head in agreement.

15 THE WITNESS: I am. I didn't know if I was
16 supposed to answer you.

17 MS. STRONG: No, not necessarily. I just
18 wanted the record to reflect that.

19 MR. VILLAGRA: That's like the beginning of
20 Hamlet.

21 Are we at a stopping point here? It's
22 almost 4:30.

23 MS. GODFREY: That's your --

24 MR. VILLAGRA: I can stop here.

25 MS. GODFREY: Okay.

1 (Discussion held off the record.)
 2 MS. GODFREY: I think we should put on the
 3 record also what we talked about in terms of when we
 4 might continue. It's just that Mr. Houske doesn't
 5 have his calendar here, there are some conflicts in
 6 counsels' schedule and we will be setting another
 7 date next week. I mean, if we can do it tomorrow, I
 8 don't know if you want to put it on the record, you
 9 can.
 10 MS. STRONG: This is all on the record.
 11 MS. GODFREY: Oh, fabulous.
 12 (Laughter.)
 13 MR. VILLAGRA: I think we can leave it up
 14 to the fact we're going to make all efforts to
 15 accommodate everyone's schedule and schedule the
 16 deposition as quickly as possible.
 17 MS. STRONG: Yeah, I think there's been
 18 talk of June 22nd as a potential date to continue
 19 this deposition, although at this point it is not a
 20 date that is available as to all counsel.
 21 July 6th is another date that has been
 22 discussed. And everyone still needs to check their
 23 calendars, I think. And there are some others in
 24 July, but those are the dates we're considering at
 25 this point.

1 Is that correct?
 2 MS. GODFREY: Yes.
 3 MS. STRONG: Do you want me to do the
 4 stipulation?
 5 MR. VILLAGRA: If you wouldn't mind.
 6 MS. GODFREY: We can just put the same
 7 stipulation as on the first volume.
 8 MR. VILLAGRA: That's fine.
 9 MS. STRONG: Okay. We'll have the same
 10 stipulation, then.
 11 (The following stipulation was
 12 incorporated at the request of counsel:
 13 MS. STRONG: And may we stipulate
 14 that the original of this deposition
 15 be signed under penalty of perjury;
 16 that the original be delivered to the
 17 office of Denise Godfrey; that the
 18 reporter is relieved of liability for
 19 the original of the deposition; that
 20 the witness will have 15 days from
 21 the date of the court reporter's
 22 transmittal letter to Denise Godfrey
 23 to sign and correct the deposition;
 24 and that Denise Godfrey shall notify
 25 all parties in writing of any changes

1 in the deposition; and if there are no
 2 such changes communicated or signature
 3 within that time, that any unsigned
 4 and uncorrected copy may be used for
 5 all purposes as if signed and
 6 corrected?
 7 MS. GODFREY: Yes.
 8 MR. VILLAGRA: So stipulated.)
 9
 10 (Whereupon, at 4:30 p.m.,
 11 the deposition of Lloyd Houske
 12 was adjourned.)
 13 -oOo-

1 STATE OF CALIFORNIA)
 2 COUNTY OF LOS ANGELES) ss.
 3
 4
 5 I, Lloyd Houske, hereby certify declare
 6 under penalty of perjury under the laws of the State
 7 of California that the foregoing is true and
 8 correct.
 9
 10 Executed this day of
 11 , 2001, at ,
 12 California.
 13
 14
 15
 16 _____
 17 Lloyd Houske
 18
 19
 20
 21
 22
 23
 24
 25

1 STATE OF CALIFORNIA)
2 COUNTY OF LOS ANGELES) ss.

3
4 I, c. jane harman, C.S.R. No. 5266, in
5 and for the State of California, do hereby certify:

6 That, prior to being examined, the
7 witness named in the foregoing deposition, to wit,
8 LLOYD Houske, was by me duly sworn to testify to the
9 truth, the whole truth and nothing but the truth;

10 That said deposition was taken down by me
11 in shorthand at the time and place therein named,
12 and thereafter reduced to typewriting under my
13 direction, and the same is a true, correct and
14 complete transcript of said proceedings;

15 I further certify that I am not
16 interested in the event of the action.

17 WITNESS MY HAND this 29th day of June,
18 2001.

19
20
21 _____
22

23 Certified Shorthand
24 Reporter for the
25 State of California