

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

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

Plaintiffs,)

v.)

STATE OF CALIFORNIA;)

DELAINE EASTIN, State)

Superintendent of Public)

Instruction; STATE)

DEPARTMENT OF EDUCATION;)

STATE BOARD OF EDUCATION,)

Defendants.) Pages 1 - 217

AND RELATED CROSS-ACTION)

DEPOSITION OF:

BEATRIZ ISLAS

SATURDAY, JANUARY 19, 2002

9:45 A.M.

Reported by:

C. JANE HARMAN

CSR No. 5266

1 Deposition of BEATRIZ ISLAS, the witness,
2 taken on behalf of DEFENDANT STATE OF CALIFORNIA,
3 at 9:45 A.M., SATURDAY, JANUARY 19, 2002, at 400
4 South Hope Street, Fifteenth Floor, Los Angeles,
5 California, before c. jane harman, CSR No. 5266.

6
7 APPEARANCES OF COUNSEL

8
9 FOR PLAINTIFFS:

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15
16 FOR DEFENDANT STATE OF CALIFORNIA:

17 O'MELVENY & MYERS, LLP
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1 INDEX

2	WITNESS EXAMINATION	PAGE
3	BEATRIZ ISLAS	
4	BY MR. SIMMONS	5
5	Afternoon session	105
6	BY MS. McCALLUM	211

7
8

9 EXHIBITS

10	No.	Page	Description
11	1	11	Declaration of Beatriz Islas, 2 pages
12			
13	2	21	Class schedules, 1 page

14
15
16
17
18
19
20
21
22
23
24
25

1 APPEARANCES CONTINUED
2
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1 LOS ANGELES, CALIFORNIA
2 SATURDAY, JANUARY 19, 2002
3 9:45 A.M.
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10 BEATRIZ ISLAS,
11 having been first duly sworn, was
12 examined and testified as follows:

13 EXAMINATION

14 BY MR. SIMMONS:

15 Q. Good morning, Ms. Islas.

16 A. Good morning.

17 Q. My name is Shaun Simmons and I'm an
18 attorney representing the State in this litigation.
19 Would you please state your full name for
20 the record.

21 A. B E A T R I Z ; I S L A S .

22 Q. And would you prefer that I call you
23 Beatriz, Ms. Islas, or something else?

24 A. Betty.

25 Q. Betty?

26 A. Yes.

27 Q. Have you ever had your deposition taken

1 before?

2 A. Come to this, like a -- come like this?

3 No.

4 Q. Do you -- do you know what a deposition is?

5 A. Yeah, she explained to me.

6 Q. Okay. We'll just go over a few of the
7 ground rules before we start.

8 Basically I'm just going to be asking you a
9 few questions today about what it is that you know
10 about the facts that underlie this lawsuit.

11 The court reporter will transcribe my
12 questions and your answers into a booklet, which you
13 will receive, probably within a week or so after the
14 deposition today.

15 When you get the booklet, you'll be able to
16 go through it and read your answers to my questions.
17 And if you want to make any changes or supplement an
18 answer, you can do so.

19 You just should know that if you do change
20 an answer, that the attorneys in the case will be
21 able to comment on the changes that you make.

22 Do you understand that?

23 A. Yes.

24 Q. And it's important today that we give
25 verbal answers. Shakes of the head don't come over

1 well on plain paper. So if you can remember to
2 answer "yes" or "no," I would appreciate it; okay?

3 A. Yeah.

4 Q. Also, we'll try and do our best today to
5 have just one person speaking at a time. So if
6 you'll let me finish my questions before you start
7 the answer, I'll let you finish your answer before I
8 start another question. It just helps for us to
9 have a clean record, at the end of the day, if we're
10 not talking at the same time.

11 Do you understand that?

12 A. Yes. Yeah.

13 Q. Also, it's important that you listen to the
14 question carefully. If I ask you a question and you
15 don't understand it, just let me know and I'll do my
16 best to rephrase it.

17 And that's important, because if you go
18 ahead and answer a question without letting us know
19 that you didn't understand it, we'll just assume
20 that you did.

21 Do you understand that?

22 A. Yes.

23 Q. Okay. Also, we don't want you to guess
24 today, but we do want you to give your answers to
25 the best of your ability. If there's a point today

1 where you can give an estimate, that's great, we
2 want your best estimate, but we don't want you to
3 guess today.

4 Do you understand the difference between a
5 guess and an estimate?

6 A. Uh-huh, yeah.

7 Q. Okay. Also, we're in an informal setting
8 here today but your testimony will have the same
9 force and effect as if we were in a court of law.
10 So you're -- you're subject to all the penalties of
11 perjury if you give false testimony here today.

12 Do you understand that?

13 A. Yes.

14 Q. And if you need a break for any reason
15 today, just let me know and we'll go ahead and take
16 a break. The only thing that we would ask is if
17 there is a question pending, that you answer the
18 question and then we'll go to a break.

19 Do you understand that?

20 A. Yeah.

21 Q. Do you have any questions about the
22 deposition or the ground rules that I've set forth?

23 A. No.

24 Q. Okay. Is there any -- any reason why you
25 may be unable to give your best testimony here

1 today?

2 A. I'm sorry?

3 Q. Is there any reason why you wouldn't be
4 able to testify here today?

5 A. Hopefully, no.

6 Q. You're not ill, or you haven't taken any
7 medication that would affect your ability to
8 understand my questions?

9 A. No.

10 Q. Okay. Can you tell me what you did to
11 prepare for your deposition today?

12 A. Me and Sumako meet.

13 THE REPORTER: You know, I can't hear you.
14 Can you repeat your answer and speak up louder.

15 THE WITNESS: Me and Sumako meet each
16 other.

17 BY MR. SIMMONS:

18 Q. Yeah, I know it's hard and we'll have to
19 talk a lot today, but if we speak up, then we'll
20 just have to give our answers once during the course
21 of the day, so that will help.

22 A. Okay.

23 Q. So you met with your attorney?

24 A. Yes.

25 Q. When did you meet with your attorney?

1 A. On Thursday.
 2 Q. And did you meet with Ms. McCallum on any
 3 other occasions?
 4 A. Thursday and today.
 5 Q. Did you meet with anyone other than
 6 Ms. McCallum about your deposition?
 7 A. Yes.
 8 Q. Who else did you meet with?
 9 A. Some -- I don't remember the person's name,
 10 but it was in the Community Coalition.
 11 THE REPORTER: I'm sorry?
 12 THE WITNESS: It was in the Community
 13 Coalition.
 14 MS. McCALLUM: Let me clarify. Did you
 15 meet with that person to prepare for this
 16 deposition?
 17 THE WITNESS: No. She was asking me
 18 questions.
 19 BY MR. SIMMONS:
 20 Q. When did you meet with this person from the
 21 Community Coalition?
 22 A. I don't remember the date.
 23 Q. Do you know about how long ago it was?
 24 A. When I did the deposition. Or when I
 25 was -- when she was asking me questions about my

1 school.
 2 Q. So was it about the same time that you
 3 signed your declaration?
 4 A. Yes.
 5 Q. How long did you meet with Ms. McCallum on
 6 Thursday?
 7 A. About two hours.
 8 Q. Did you -- did you review any documents in
 9 preparation for the deposition today?
 10 A. Yes.
 11 Q. Can you tell me what documents you
 12 reviewed?
 13 A. The deposition and this other paper
 14 (indicating).
 15 Q. And when you say "deposition," do you mean
 16 your -- well -- here we go.
 17 A. Yeah.
 18 MR. SIMMONS: Can we mark this as
 19 Exhibit 1.
 20 (The document referred to was marked by the
 21 Reporter as Deposition Exhibit 1 for identification
 22 and is attached hereto.)
 23 BY MR. SIMMONS:
 24 Q. I'll just show you what's been marked as
 25 Exhibit 1. Can you take a look at the document.

1 Do you recognize the document?
 2 A. Yes.
 3 Q. And when you just earlier were saying that
 4 you looked over your deposition in preparation for
 5 this deposition here today, were you referring to
 6 the document that is marked as Exhibit 1?
 7 A. Yeah.
 8 Q. That's -- just for the future, can we refer
 9 to that as your declaration?
 10 A. Yes.
 11 MS. McCALLUM: It's confusing because they
 12 sound the same. You can just look up there and it
 13 will tell you it's a declaration (indicating).
 14 BY MR. SIMMONS:
 15 Q. And you say you reviewed your -- your
 16 declaration and one other document?
 17 A. Yes.
 18 Q. Do you know what that document was?
 19 A. To bring the documents I needed to bring.
 20 THE REPORTER: I'm sorry?
 21 THE WITNESS: To bring the documents I
 22 needed to bring.
 23 BY MR. SIMMONS:
 24 Q. And then you met with Ms. McCallum today as
 25 well about your deposition; is that correct?

1 A. Yes.
 2 Q. For how long did you meet?
 3 A. Since 8:00.
 4 Q. 8:00 a.m. this morning?
 5 A. Yeah.
 6 Q. Approximately?
 7 A. Yes.
 8 Q. Other than your meetings with Ms. McCallum,
 9 did you have any other conversations with anyone
 10 about this deposition?
 11 A. No.
 12 Q. How old are you?
 13 A. Sixteen.
 14 Q. What grade are you in?
 15 A. Eleventh.
 16 Q. And what school do you attend?
 17 A. Washington Prep High School.
 18 Q. And when you say "Washington Prep," is that
 19 Washington Preparatory?
 20 A. Yes.
 21 Q. But I'm sure no one calls it that, everyone
 22 calls it Washington Prep?
 23 A. Yeah.
 24 Q. Okay. Do you recall when you first learned
 25 about this lawsuit?

1 A. Yes.
 2 Q. Do you know about when that was?
 3 A. It was around when I got the declaration.
 4 Q. Would you look at page 2 of Exhibit 1.
 5 Do you see near the -- about two-thirds of
 6 the way down, do you see that there's a date there
 7 in the last sentence of the declaration?
 8 A. Yeah, June 20.
 9 Q. And so do you think it was about June 20th
 10 that you had this meeting?
 11 A. Yeah, it was like a week before.
 12 Q. And this is -- are we referring here to the
 13 meeting with someone from the Community Coalition?
 14 A. Excuse me?
 15 Q. The meeting that happened about a week
 16 before June 20th, was that with something from the
 17 Community Coalition?
 18 A. It wasn't a meeting, that was in the
 19 Community Coalition.
 20 Q. Oh, it took place at the Community
 21 Coalition?
 22 A. Yes.
 23 Q. Could you explain to me what the Community
 24 Coalition is?
 25 A. It is a group of Blacks and Latinos trying

1 to make schools better.
 2 Q. How many -- did you meet with more than one
 3 person?
 4 A. Yes.
 5 Q. How many people did you meet with?
 6 A. There was two, a lady and a man.
 7 Q. Do you recall their names?
 8 A. No.
 9 Q. Do you know whether they were lawyers?
 10 A. Yes.
 11 Q. And were they lawyers?
 12 A. I think, yeah.
 13 MS. McCALLUM: Do you -- you remember one
 14 of their names; right?
 15 THE WITNESS: I forgot.
 16 BY MR. SIMMONS:
 17 Q. I'll try and refresh your recollection.
 18 Was one of them Catherine Lhamon?
 19 A. Yes.
 20 Q. And if you recall, was the other attorney
 21 Peter Eliasberg?
 22 A. I don't remember his name.
 23 Q. Okay. About how long did that meeting last
 24 for?
 25 A. It was less than an hour.

1 Q. And this meeting that we've just been
 2 speaking about, was this the first meeting that you
 3 had with anyone about the Williams lawsuit?
 4 A. Yes.
 5 Q. And just to make sure, when I say "Williams
 6 lawsuit," do you know what I'm referring to?
 7 A. To this, State of California.
 8 Q. To -- let's see. The Williams lawsuit, if
 9 we can, that will be the litigation here that you're
 10 talking about --
 11 A. Uh-huh.
 12 Q. -- the case that you're testifying about
 13 here today.
 14 A. Yes.
 15 MS. McCALLUM: Do you understand what
 16 "litigation" means?
 17 THE WITNESS: No.
 18 BY MR. SIMMONS:
 19 Q. Do you understand what a lawsuit is?
 20 A. Yes.
 21 Q. Okay. And you know that you've been called
 22 here today to testify about a lawsuit?
 23 A. Yes.
 24 Q. And that lawsuit is sometimes referred to
 25 as "the Williams litigation" or "the Williams case."

1 If in the future, if I refer to it as "the Williams
 2 case," will you know what I mean by that?
 3 A. (Inaudible.)
 4 Q. So try that -- we'll try that one -- just
 5 another time.
 6 You mentioned having this meeting at the
 7 Community Coalition. Did you have any other -- have
 8 you had any other meetings, other than the meeting
 9 at the Community Coalition that you identified and
 10 your two meetings with Ms. McCallum, about the
 11 Williams case?
 12 A. That was the only meetings I had.
 13 Q. Have you talked about the Williams case
 14 with anyone, other than the individuals you've
 15 identified already today?
 16 A. Uh ...
 17 Q. Was that "no"?
 18 A. No.
 19 Q. Have you ever talked to your parents about
 20 the Williams case?
 21 A. Yeah, but not like that. I just told them
 22 what was going on and explained to them.
 23 Q. Do you recall generally what you told them?
 24 A. That I was going to make a declaration
 25 against the LAUSD and the State of California

1 because we don't have the stuff we need in our
2 schools.
3 Q. Have you discussed the Williams case with
4 your parents on more than one occasion?
5 A. No, only the day I went, on Thursday out,
6 and today.
7 Q. How was it that you came to meet with
8 Ms. Lhamon and the other individual at the Community
9 Coalition?
10 A. There's meetings on Tuesdays and Thursdays
11 at the Coalition, and they came and they're asking
12 us questions in the room.
13 Q. Do you recall whether it was a Tuesday or a
14 Thursday?
15 A. No. I think it was on Tuesday.
16 Q. And did you know that there would be an
17 attorney there speaking about the Williams case
18 before you attended?
19 A. Excuse me?
20 Q. Before you went to the Community Coalition
21 on this occasion where you learned about the
22 Williams case, did you know that there were going to
23 be attorneys speaking about the Williams case there?
24 A. No.
25 MR. SIMMONS: And, Counsel, it's my

1 Q. Did you have a homeroom class?
2 A. Yes.
3 Q. So you can recall having a health class, a
4 science class, an Algebra 1 class, a PE class, an
5 English class and a homeroom class during the ninth
6 grade?
7 A. Yes.
8 Q. And those are all the classes that you can
9 recall right now?
10 A. Yeah.
11 Q. Can you tell me what classes you took
12 during the tenth grade?
13 A. PE, English, geometry, world history and
14 Spanish. Homeroom.
15 THE REPORTER: I'm sorry?
16 THE WITNESS: Homeroom.
17 And that's all I can remember.
18 BY MR. SIMMONS:
19 Q. Okay. Do you recall whether you had a
20 science course during the tenth grade?
21 A. Biology.
22 Q. The science course that you took during the
23 ninth grade, did that have a particular subject
24 matter that it focused on?
25 A. It focused on everything.

1 understanding that you'll agree to accept service of
2 documents filed by us, or that need to get to
3 Ms. Islas; is that correct?
4 MS. McCALLUM: That's correct.
5 BY MR. SIMMONS:
6 Q. Is that okay, Betty, I guess? Is that
7 okay, if we want to send a document to you, can we
8 send it to your attorney?
9 A. Yes.
10 Q. Did you attend Washington Prep as a
11 freshman?
12 A. Yes.
13 Q. And you also attended as a sophomore, too;
14 is that correct?
15 A. Yes.
16 Q. Can you tell me what classes you took as a
17 freshman?
18 A. I can't remember my classes. I had health,
19 science, Algebra 1, physical education. I had
20 English. And that's all I can remember.
21 Q. Did you take a foreign language class?
22 A. No.
23 Q. Did you have an elective class at all that
24 you can recall?
25 A. No, it was only health class.

1 Q. Do you know whether -- are you familiar
2 with the differences between, say, physical sciences
3 and the life sciences? Does that distinction
4 make -- make sense to you?
5 A. No.
6 Q. That's fine.
7 And what classes are you taking this year?
8 A. American literature.
9 Q. And I'll just ask, can you recall them
10 without looking at your schedule, or would you like
11 to look at your schedule to ...
12 A. U.S. history, homeroom, electronics, and
13 geometry again, chemistry, and Spanish.
14 MR. SIMMONS: Can we mark this as
15 Exhibit 2.
16 (The document referred to was marked by the
17 Reporter as Deposition Exhibit 2 for identification
18 and is attached hereto.)
19 MR. SIMMONS: I'll hand Exhibit 2 to the
20 witness.
21 Q. Betty, do you recognize Exhibit 2?
22 A. Yes.
23 Q. Can you tell me what Exhibit 2 is?
24 A. The program card they gave me to see my
25 classes.

1 THE REPORTER: I'm sorry, I couldn't hear
2 you.
3 THE WITNESS: It is like a program card to
4 see what classes I'm taking.
5 MS. McCALLUM: Be sure you talk loud and
6 clear; okay? So she can write everything down.
7 BY MR. SIMMONS:
8 Q. I know it's hard, but if you can talk as
9 loud as you can, that will be helpful.
10 I think the first class you talked about
11 when I asked you what classes you took this year is
12 American literature; that what's identified as
13 contemp. comp.?
14 A. Yes.
15 Q. And I assume "contemp. comp." stands for
16 contemporary composition or ...
17 A. I don't know.
18 Q. Who knows, okay.
19 Do you recall who your teacher was for your
20 health class in the ninth grade?
21 A. Ms. Matthews.
22 Q. Can you tell me in your opinion what makes
23 a good teacher?
24 MS. McCALLUM: Objection. Calls for
25 speculation.

1 Go ahead.
2 THE WITNESS: Well, she teach the -- she
3 teach everything and explains everything.
4 BY MR. SIMMONS:
5 Q. And you say "she teaches," were you
6 referring to Ms. Matthews there?
7 A. Yes.
8 Q. So in your opinion, was Ms. Matthews a good
9 teacher?
10 A. Yes.
11 Q. One of the things that you identified was
12 she teaches and explains everything?
13 A. Yes.
14 Q. Were there other aspects of her teaching
15 style that led you to characterize her as a good
16 teacher?
17 A. Well, she explains everything. And if you
18 don't understand it, she'll explain it to you.
19 Q. Do you know about how many students were in
20 your health class at the beginning of the year in
21 the ninth grade?
22 A. I don't remember.
23 Q. Do you recall whether there were more
24 students in your class -- in your health class at
25 the beginning of the year in ninth grade then there

1 were a few weeks into the semester?
2 A. I don't remember.
3 Q. Do you recall whether any students in your
4 health class lacked a -- or strike that.
5 Were -- how were students seated in the
6 class? And by that I mean, did you sit at desks or
7 tables?
8 A. Every person had a desk.
9 Q. Were there any students who lacked a desk?
10 A. Who what?
11 Q. Were there any students in your ninth grade
12 health class that didn't have a desk to sit at?
13 A. No, everyone had.
14 Q. Did you have a textbook to use in your
15 health class?
16 A. No.
17 Q. Can you tell me some of the -- of the
18 things that you studied in your health class during
19 the ninth grade?
20 A. The body of humans.
21 Q. Did you have homework in your health class?
22 A. Yes.
23 Q. About how often, on average, would you
24 receive homework in your ninth grade health class?
25 A. I don't remember.

1 Q. Do you recall some of the kinds of homework
2 that you received in your ninth grade health class?
3 A. To name the skeleton and the muscles.
4 Q. Were those homework assignments provided on
5 worksheets, if you recall?
6 A. Yes.
7 And on the textbooks, I think -- I remember
8 there was books -- I don't remember what was the
9 name of the books, but they had books. And we'll
10 check in the back of the book to see the names of
11 the muscle and the skeleton.
12 Q. This book that you're referring to, was it
13 a hard-cover book?
14 A. I don't remember.
15 Q. Can you recall some of the types of
16 activities that you did to learn in your ninth grade
17 health class?
18 A. This group went inside to tell us about
19 sex.
20 Q. So a portion of your ninth grade health
21 class was dedicated to sex education; is that
22 correct?
23 A. Yeah.
24 Q. Now, I think, initially you said you didn't
25 recall having textbooks in your ninth grade health

1 class, but then you identified a book that had --
 2 the back cover of it had, I believe, a picture of
 3 the skeleton or the muscles?
 4 A. The back of the pages, like the end of the
 5 book, not the back cover.
 6 Q. Did every student have a copy of that book
 7 to use?
 8 A. Yes.
 9 Q. And was that a textbook that you ever took
 10 home?
 11 A. I don't think -- I don't remember.
 12 Q. Do you know whether you could take that
 13 textbook home?
 14 A. I don't remember.
 15 Q. Do you recall -- first of all, do you
 16 understand the term -- what the term "instructional
 17 materials" means?
 18 A. No.
 19 Q. Okay. Let's try and see if we can get a
 20 definition. Instructional materials means things
 21 like worksheets, or lab kits. Those would be
 22 examples of what instructional materials are. It
 23 would also include a textbook.
 24 But what I would like to know is if you can
 25 recall using instructional materials other than a

1 A. Everybody in the class had a book.
 2 Q. And were you assigned a specific copy of
 3 that textbook to use?
 4 A. No. The teacher would just pass them out.
 5 Q. Do you recall ever using a textbook that
 6 had pages missing from it?
 7 A. No.
 8 Q. And do you recall ever using a textbook in
 9 your ninth grade health class that had torn pages?
 10 A. No.
 11 Q. Can you describe the physical condition --
 12 oh, strike that.
 13 Do you recall what room number you had your
 14 ninth grade health class in?
 15 A. No.
 16 Q. I thought that might be a little too much.
 17 Do you recall the physical condition of the
 18 classroom that you had your ninth grade health class
 19 in?
 20 A. It was clean.
 21 Q. Were there any problems with the physical
 22 condition of that classroom that you can recall as
 23 you sit here today?
 24 A. No.
 25 Q. Who was your science teacher during the

1 textbook in your health class in the ninth grade.
 2 A. I don't remember.
 3 Q. The textbook -- or at least the book that
 4 you identified, or where the last few pages had the
 5 skeleton and the muscles of the human body in it --
 6 do you recall what the physical condition of those
 7 books was like?
 8 A. It would be like a C.
 9 MR. SIMMONS: I'm sorry. Did you catch
 10 that?
 11 THE REPORTER: No.
 12 THE WITNESS: It was a -- the book was
 13 okay.
 14 MS. McCALLUM: Did you say "like a C"?
 15 THE WITNESS: Yeah, like a C.
 16 MS. McCALLUM: Like from A to F?
 17 THE WITNESS: Yeah.
 18 BY MR. SIMMONS:
 19 Q. Okay. So you were trying -- you were
 20 trying to say that on a scale to A to F, you felt
 21 that the textbook that we were referring to was a C.
 22 And by "C," do you mean average?
 23 A. Yes.
 24 Q. Okay. Do you recall -- did you have your
 25 own copy of that textbook to use?

1 ninth grade?
 2 A. Mr. Brombach.
 3 Q. Could you spell that for us?
 4 A. I don't know.
 5 Q. Yeah, we can't spell it, either, so don't
 6 worry.
 7 A. Mr. Brombach.
 8 Q. And I think earlier you said one of the
 9 things that makes a teacher a good teacher is their
 10 ability to explain the material?
 11 A. Yes.
 12 Q. How did you feel Mr. Brombach explained the
 13 material in your science class?
 14 A. He explained everything okay.
 15 Q. Are there any other aspects that make up --
 16 or that makes someone a good or a bad teacher that
 17 you can think of as you sit here right now?
 18 A. No.
 19 Q. So the most important one, to you, is their
 20 ability to explain the material; is that right?
 21 A. Yes.
 22 Q. Okay. Do you recall how many students were
 23 in your science class in the ninth grade at the
 24 beginning of the year?
 25 A. No.

- 1 Q. How were students seated in that classroom?
 2 A. Tables.
 3 Q. So there were tables and chairs for
 4 students to sit at in that classroom?
 5 A. Yes.
 6 Q. Did any students in your ninth grade
 7 science class not have a place to sit at a table?
 8 A. No.
 9 Q. Do you recall using a textbook in your
 10 ninth grade science class?
 11 A. Yes.
 12 Q. Were you assigned a particular copy of that
 13 textbook?
 14 A. To take home?
 15 Q. Were you assigned -- well, let's start
 16 with: Were you assigned a specific copy of that
 17 textbook to use in class?
 18 A. No.
 19 Q. How did you go about getting a textbook in
 20 that class?
 21 A. The teacher had them and he would just pass
 22 them out.
 23 Q. Was there enough for each student in the
 24 class to use during class time?
 25 A. Yes.

- 1 Q. Do you know whether students could take the
 2 textbook home?
 3 A. I don't know.
 4 Q. Was that "I don't know"?
 5 A. Yes.
 6 Q. Okay. Did you ever take the textbook home?
 7 A. No.
 8 Q. Did you receive homework in your science
 9 class during the ninth grade?
 10 A. I don't remember.
 11 Q. Do you recall any of the -- the things that
 12 you learned in the science class during the ninth
 13 grade?
 14 A. The nucleus and ...
 15 Q. When you say "nucleus," does that refer to
 16 the cell structure?
 17 A. Yes.
 18 Q. Do you recall how you went about learning
 19 about the nucleus and cell structure?
 20 A. He had worksheets and we read the book.
 21 Q. Do you recall taking tests in your science
 22 class during the ninth grade?
 23 A. Yes.
 24 Q. Do you recall about how often you would
 25 have a test in your ninth grade science class?

- 1 A. No.
 2 Q. Do you know what grade you received in your
 3 ninth grade science class?
 4 A. I don't remember.
 5 Q. How about the ninth grade health class, do
 6 you recall what grade you received in that class?
 7 A. No.
 8 Q. Can you describe the physical condition of
 9 the books that you used in your science class?
 10 A. I don't remember the book.
 11 Q. Do you recall ever using a book in the
 12 science class that had pages missing from it?
 13 A. I don't remember.
 14 Q. How about, do you recall using a book in
 15 your science class during the ninth grade that had
 16 pages torn?
 17 A. In the ninth grade?
 18 Q. I'm sorry. Yeah -- yeah. Oh, no, that's
 19 during the ninth grade, yeah.
 20 A. I don't remember.
 21 Q. Did you do any laboratory work in your
 22 ninth grade science class?
 23 A. I don't remember.
 24 Q. I think you can recall using some
 25 worksheets and also the textbook in your science

- 1 class. Were there any other types of instructional
 2 materials that you made use of in your ninth grade
 3 science class?
 4 A. No.
 5 Q. Do you recall being assigned homework in
 6 your ninth grade science class?
 7 A. Yes.
 8 Q. Do you know about how often you received
 9 homework in that class?
 10 A. No.
 11 Q. Can you give me some examples of the types
 12 of homework you received in your ninth grade science
 13 class?
 14 A. Worksheets. I don't remember about what.
 15 Q. Do you recall what room number you had
 16 science in during the ninth grade?
 17 A. No. It was two different rooms.
 18 Q. It was -- did you say "two different
 19 rooms"?
 20 A. When we came, it was in that room. And
 21 then we went on vacations and came back and it was
 22 another room.
 23 Q. So you switched classrooms after vacation?
 24 A. Yes.
 25 Q. Which vacation, if you recall?

- 1 A. I don't recall.
 2 Q. Do you recall about how long you were in
 3 your science class before you switched rooms in
 4 terms of weeks?
 5 A. No, I don't remember.
 6 Q. And do you know why you switched
 7 classrooms?
 8 A. Because when we go on vacations, the other
 9 track comes in, so they come in the class and --
 10 when the other track goes out, when we come, we go
 11 in the class that the class -- that the other track
 12 was in.
 13 Q. Did you switch classrooms in your health
 14 class at all?
 15 A. No.
 16 Q. Can you describe the physical condition of
 17 the first classroom in which you had science during
 18 the ninth grade?
 19 A. I don't remember.
 20 Q. How about the second classroom?
 21 A. (Shakes head.)
 22 No.
 23 Q. You don't recall right now?
 24 A. (Shakes head.)
 25 No.

- 1 Q. Who was your Algebra 1 teacher?
 2 A. Mr. Lucey.
 3 Q. Can you spell that for us?
 4 A. L U C E Y.
 5 Q. Did you feel that Mr. Lucey was capable of
 6 explaining the material to you in your Algebra 1
 7 class?
 8 A. He gave us -- okay, we did the warm-up, it
 9 was on the board; and if we had a question, we would
 10 ask him, and he would explain.
 11 Q. And was that the warm-up?
 12 A. Yes.
 13 Q. Could you tell me what the warm-up
 14 consisted of?
 15 A. When you come in class, you do the warm-up
 16 which is ten problems, at least.
 17 Q. Are those problems placed on the board?
 18 A. Yes.
 19 Q. Are particular students assigned one of the
 20 problems to do on the board?
 21 A. Sometimes.
 22 Q. Or does -- does Mr. Lucey do the problems
 23 that are up on the board?
 24 A. After we finish the warm-up, he'll go to
 25 the front and ask the students if we understood.

- 1 And then everyone would do the warm-up together on
 2 the board.
 3 Q. And what kind of job did Mr. Lucey do
 4 explaining the problems that were put up on the
 5 board?
 6 A. Okay.
 7 Q. How were students seated in your Algebra 1
 8 classroom?
 9 A. At desks.
 10 Q. Were there any students that didn't have a
 11 desk in your Algebra 1 classroom?
 12 A. No.
 13 Q. Did you have a textbook to use in your
 14 Algebra 1 class?
 15 A. No.
 16 Q. Did Mr. Lucey make use of instructional
 17 materials other than a textbook to teach the class?
 18 A. I don't remember.
 19 Q. Do you recall ever using worksheets in that
 20 class?
 21 A. Only when we were about to do the Stanford
 22 9 test.
 23 Q. Did you receive homework in your Algebra 1
 24 class?
 25 A. If I didn't -- if we didn't finish the work

- 1 in class, yes.
 2 Q. So Mr. Lucey would come in daily and put up
 3 about ten problems on the board?
 4 A. Yes.
 5 Q. And then he would explain how to do those
 6 problems to the class?
 7 A. Yeah.
 8 Q. And then you would have to finish those ten
 9 problems, and -- but if you didn't, you would have
 10 to do those for homework; is that correct?
 11 A. Yeah, if we didn't finish them in class.
 12 Q. Then those -- what you didn't finish became
 13 your homework for the night?
 14 A. Yeah.
 15 Q. Do you recall taking any tests in your
 16 ninth grade Algebra 1 class?
 17 A. Yes.
 18 Q. Do you know about how often you would have
 19 a test in that class?
 20 A. Like -- no.
 21 Q. Can you recall about how often you would
 22 have a test in that class?
 23 A. No.
 24 Q. Do you recall the room number that you had
 25 your ninth grade Algebra 1 class in?

- 1 A. That would be B-4 and B-7.
 2 Q. Do you recall how long your math class was
 3 held in B-4?
 4 A. No.
 5 Q. Did you switch from B-4 to B-7 on -- was
 6 that part of the normal multi-tracking schedule at
 7 your school?
 8 A. Yes.
 9 Q. Do you recall the physical condition of
 10 your Algebra 1 classroom that was in B-4?
 11 A. No.
 12 Q. Do you recall any -- any problems with the
 13 physical condition of the B-4 room?
 14 A. No.
 15 Q. How about with respect to B-7, do you
 16 recall any problems with the physical condition of
 17 the B-7 classroom?
 18 A. No.
 19 Q. Do you recall what grade you received in
 20 your Algebra 1 class?
 21 A. I think it was a [REDACTED]
 22 Q. Who was your PE teacher for the ninth
 23 grade?
 24 A. Mr. Alvarez.
 25 Q. And did you have to dress down for PE?

- 1 A. Yes.
 2 Q. Is there a locker room --
 3 A. Yes.
 4 Q. -- where you do that?
 5 Can you describe the physical condition of
 6 the locker room in which you dressed down?
 7 A. The bathrooms, not all of them had locks.
 8 And only some of them had paper.
 9 Q. So if I understand you correctly, you
 10 testified that some of the bathrooms didn't have
 11 locks?
 12 A. Uh-huh -- yes.
 13 Q. And when you said some of the bathrooms,
 14 you were referring to the stalls; is that correct?
 15 A. Yes.
 16 Q. Were there doors on the stalls?
 17 A. Yes.
 18 Q. But some of them didn't have a lock?
 19 A. Yes.
 20 Q. Do you know about how many of them didn't
 21 have locks?
 22 A. I don't know.
 23 Q. When you say "some" -- I think earlier you
 24 testified that some had paper. Were you -- can you
 25 tell me what kind of paper you were referring to?

- 1 A. The white toilet paper.
 2 Q. And were there any of the bathroom stalls
 3 that lacked toilet paper?
 4 A. Excuse me?
 5 Q. Did any of the -- did any of the bathroom
 6 stalls lack toilet paper?
 7 A. What's -- explain.
 8 Q. Were there -- were there ever occasions
 9 where you tried to use a stall in a bathroom in
 10 the -- strike that.
 11 Were there any occasions where you tried to
 12 use one of the stalls in the locker room bathroom
 13 but found that there was no toilet paper?
 14 A. Yes.
 15 Q. Do you know how often that occurred?
 16 A. No.
 17 Q. Can you estimate? Is there an estimate
 18 that you would feel comfortable with giving about
 19 how often that occurred?
 20 A. No.
 21 MR. CUEN: Just for clarification, are we
 22 talking about ninth grade?
 23 THE WITNESS: Ninth.
 24 MR. CUEN: The time. So we're still in
 25 ninth grade?

- 1 MR. SIMMONS: Right. Thank you.
 2 Q. You also had a PE class during the tenth
 3 grade; is that correct?
 4 A. Yes.
 5 Q. Did you -- did you dress down in the same
 6 locker room during the tenth grade?
 7 A. Yes. We just had different lockers.
 8 Q. And how did the condition of the locker
 9 room during the tenth grade compare with the
 10 physical condition of the locker room during the
 11 ninth grade?
 12 A. It's the same.
 13 Q. Did the same -- were there also stalls that
 14 didn't have locks on them during the tenth grade?
 15 A. Yes.
 16 Q. Was -- was it the same stalls or different
 17 ones?
 18 A. I don't know. I didn't really use the
 19 restroom.
 20 Q. Do you ever recall using the -- one of the
 21 stalls in the locker room bathroom during the tenth
 22 grade that lacked toilet paper?
 23 A. I don't remember.
 24 Q. And I think you've identified some stalls
 25 that -- that didn't have locks on them. And then

1 also that you thought there may have been some times
2 where the bathroom -- the stalls didn't have toilet
3 paper.

4 Were there any other problems with the
5 physical condition of the bathrooms in the locker
6 room?

7 A. There were roaches.

8 Q. Did you see any roaches in the locker room
9 during the ninth grade?

10 A. I seen two, but I don't remember what grade
11 was it.

12 Q. You saw two roaches but you can't recall
13 whether it was during the ninth or the tenth grade
14 year?

15 A. Yeah.

16 Q. Did you see any other -- any other roaches,
17 just in the locker room, in either the ninth or
18 tenth grade year?

19 A. No.

20 Q. Did you ever see any -- did you ever see a
21 mouse in the locker room?

22 A. No.

23 Q. Did you ever see a rat in the locker room?

24 A. No.

25 Q. Who was your English teacher during the

1 Q. Was there -- you had a second English
2 teacher during the ninth grade; is that right?

3 A. Yes.

4 Q. Who was that?

5 A. Ms. Stolks.

6 Q. Can you spell that for us.

7 A. S T O L K S.

8 Q. And just to make sure, we've spoken about
9 your health, science, Algebra 1 and PE classes
10 during the ninth grade. And you identified one
11 teacher for each of those classrooms.

12 Did you have any other -- for each of those
13 classes, did you have any other teachers in any of
14 those classes than the ones you've identified for us
15 already?

16 A. No.

17 Q. Can you recall approximately how long
18 Ms. Beckford was your teacher during ninth grade
19 English?

20 A. I think I was with her maybe like two
21 months and then I moved with Ms. Stolks into a
22 shelter class. It was English, but it was an ESL in
23 middle school, so I needed to take a test in ninth
24 grade to pass.

25 Q. So is -- did Ms. Beckford remain a teacher

1 ninth grade?

2 A. At first it was Ms. -- I forgot the lady's
3 name.

4 Q. Did you have -- did you have more than one
5 teacher for your English class for the ninth grade?

6 A. Yes.

7 Q. Do you recall how many teachers you had for
8 your English class in the ninth grade?

9 A. About two.

10 Q. Your -- the -- the first teacher that you
11 had for your ninth grade English class was a woman?

12 A. Yes. Ms. Beckford.

13 Q. Could you spell that?

14 A. Beckford.

15 Q. B E C K F O R D; is that right?

16 A. I think.

17 Q. You're not entirely sure of the spelling,
18 but it was Ms. Beckford who was the first?

19 A. Yes.

20 Q. Do you recall how long Ms. Beckford was
21 your ninth grade English teacher for?

22 A. I don't remember.

23 Q. You didn't -- did Ms. Beckford cease being
24 your ninth grade English teacher at some point?

25 A. Excuse me?

1 at Washington Prep, you just switched classes to
2 Mrs. Stolks' classroom; is that it?

3 A. Yes.

4 Q. How were students seated in Ms. Beckford's
5 English class?

6 A. At desks.

7 Q. Do you recall whether any students didn't
8 have a desk to sit at in that classroom?

9 A. No.

10 Q. How were students seated in Ms. Stolks'
11 English classroom?

12 A. At a desk.

13 Q. Do you recall whether any students in that
14 class didn't have a desk to sit at?

15 A. No.

16 Q. Do you recall whether Ms. Beckford was able
17 to explain the material in your English class well?

18 A. No.

19 Q. How about Ms. Stolks, do you recall whether
20 she was able to explain the material in your English
21 class well?

22 A. Yes.

23 Q. And when you say "yes," she was able to
24 explain the material well?

25 A. Yes.

- 1 Q. Did you have a textbook to use in
2 Ms. Beckford's class?
3 A. Yes.
4 Q. Were you assigned a specific copy of the
5 textbook?
6 A. I don't remember.
7 Q. Do you recall ever having to share a
8 textbook with anyone in Ms. Beckford's class?
9 A. No.
10 Q. Do you recall ever taking a copy of the
11 textbook home in Ms. Beckford's class?
12 A. No.
13 Q. Do you recall whether you had a textbook to
14 use in Ms. Stolks' class?
15 A. Yes.
16 Q. And were you assigned a particular copy of
17 the text?
18 A. I don't remember.
19 Q. Did you ever have to share a book in
20 Ms. Stolks' class?
21 A. No.
22 Q. Were you able to take the textbooks -- were
23 you able to take an English textbook home in
24 Ms. Stolks' class?
25 A. I don't remember.

- 1 Q. Do you recall what the physical condition
2 of the textbooks were like in Ms. Stolks' class?
3 A. They were new.
4 Q. How about in Ms. Beckford's class, do you
5 recall the physical condition of the textbooks in
6 that class?
7 A. I don't remember.
8 Q. Do you recall receiving homework
9 assignments from Ms. Beckford in your ninth grade
10 English class?
11 A. No.
12 Q. Do you recall receiving homework
13 assignments from Ms. Stolks in your ninth grade
14 English class?
15 A. Yes.
16 Q. About how often did you receive homework
17 assignments from Ms. Stolks?
18 A. I don't remember.
19 Q. Do you recall being tested by Ms. Beckford?
20 A. No.
21 Q. Do you recall being tested by Ms. Stolks?
22 A. Yes.
23 Q. About how often would you receive a test in
24 Ms. Stolks' class?
25 A. I think it was a test every week.

- 1 Q. Do you recall the room number that you
2 had -- if any, that you had your English class with
3 Ms. Beckford?
4 A. No. It was in the main building.
5 Q. Do you recall any problems with the
6 physical condition of the classroom that you had
7 English with Ms. Beckford in during the ninth grade?
8 A. No.
9 Q. Do you recall the room number, if any, for
10 your English class with Ms. Stolks during the ninth
11 grade?
12 A. No. Twenty-two, 32 or --
13 Q. If you can't recall, it's okay.
14 A. Something -- I don't remember, 32
15 something.
16 Q. Okay.
17 Do you recall there being any problems with
18 the physical condition of Ms. Stolks' classroom?
19 A. No.
20 Q. Do you recall what grade you received in
21 your English class during the ninth grade?
22 A. No.
23 Q. Who was your homeroom teacher during the
24 ninth grade?
25 A. Mr. Bigham.

- 1 Q. Can you spell that for us?
2 A. B I G H A M.
3 Q. Was the last one an "M"?
4 A. Yes.
5 Q. Can you tell me what a homeroom class is?
6 A. A class -- when we went to the class, we
7 read books.
8 Q. How long does a -- how long does a homeroom
9 period last? Or how long -- actually, strike that.
10 How long was your homeroom period during
11 the ninth grade?
12 A. I think right now it's from 8:45 until
13 9:15.
14 Q. And you think right now it's from 8:45 to
15 9:15, are you referring to this year?
16 A. Every year it's the same.
17 Q. Every year it's the same.
18 Okay. And do you recall reading books in
19 that classroom?
20 A. Excuse me.
21 Q. Did you testify earlier that you recall
22 reading books in that classroom?
23 A. Yes.
24 Q. What books did you read in the homeroom
25 classroom?

1 A. Every student had to bring a book to read.
 2 Q. So this was your choice as to which book
 3 that you read?
 4 A. Yes.
 5 MR. SIMMONS: Before I move on to tenth, do
 6 you guys want to take a break or --
 7 MS. McCALLUM: Yeah, let's take a quick
 8 break.
 9 (Recess taken from 10:42 to 10:52.)
 10 BY MR. SIMMONS:
 11 Q. Who was your PE teacher during the tenth
 12 grade?
 13 A. At first it was Ms. Bly, and then
 14 Mr. Alvarez.
 15 Q. How long was Ms. Bly your teacher for?
 16 A. For two days.
 17 Q. And Mr. Alvarez was also your ninth grade
 18 PE teacher; is that correct?
 19 A. Yes.
 20 Q. What were the things about the tenth grade
 21 PE class that you enjoyed?
 22 A. Excuse me?
 23 Q. Did you enjoy any aspects of the tenth
 24 grade PE class?
 25 A. The sports? Basketball.

1 MS. McCALLUM: Do you know what he means by
 2 "aspects"?
 3 THE WITNESS: No.
 4 MS. McCALLUM: Don't be shy about asking
 5 about a word that he uses.
 6 MR. SIMMONS: That's fine. Definitely.
 7 Q. I just want to know if there were things
 8 about your tenth grade PE class that you liked.
 9 A. Basketball.
 10 Q. Anything else?
 11 A. No.
 12 Q. Who was your English teacher for the tenth
 13 grade?
 14 A. Ms. -- the lady, Ms. Brown, she never -- I
 15 don't remember the lady's name, but she never went.
 16 So we had another teacher. She wasn't the teacher
 17 for the whole room.
 18 Q. So you had Ms. Brown for some portion of
 19 the school year; is that right?
 20 A. Yes.
 21 Q. And then who was your other teacher?
 22 A. The second semester we had a regular
 23 teacher, Ms. Johnson.
 24 Q. Did you testify that Ms. Brown missed class
 25 a lot?

1 A. Every, like -- in the first semester, we
 2 didn't have a regular teacher.
 3 Q. Can -- can you tell me what you mean by not
 4 having a regular teacher during your first semester
 5 of your tenth grade English class?
 6 A. The teacher we were supposed to have for
 7 that class, she never went. Something happened to
 8 her, so we didn't have a regular teacher.
 9 Q. And when you say the teacher that was
 10 supposed to be there for that class, is that
 11 Ms. Brown?
 12 A. No, that was the lady that went -- for the
 13 first semester went to, like, three weeks, or a
 14 month.
 15 Q. Who was your teacher at the start of the
 16 tenth grade --
 17 A. I don't remember.
 18 Q. -- year?
 19 And do you recall Ms. Brown being there for
 20 about a few weeks?
 21 A. Yes.
 22 Q. Were there any other teachers that stayed
 23 that long during the first semester of your tenth
 24 grade English class?
 25 A. I don't remember.

1 Q. Do you recall about how many different
 2 teachers you had during the tenth grade for your
 3 English class?
 4 A. No.
 5 Q. The first semester?
 6 A. No.
 7 Q. Was it -- was it more than two?
 8 A. I don't remember.
 9 Q. So you recall Ms. Brown being one of your
 10 teachers for your English class during the tenth
 11 grade, but you can't recall any other people that
 12 might have been a teacher --
 13 A. No.
 14 Q. -- for that class?
 15 A. No.
 16 Q. You can't recall whether there may have
 17 been more than -- well, let's try it this way. You
 18 had Ms. Brown for three weeks. Was there another
 19 teacher other than Ms. Brown during the first
 20 semester of your tenth grade English class?
 21 A. I don't remember who was the teacher.
 22 Q. But you can recall at least having one
 23 other teacher for the first semester of that class?
 24 A. Yes.
 25 Q. So you can recall Ms. Brown, and then one

1 other -- one other person. Can you recall there
 2 being other teachers during the first semester of
 3 your tenth grade English class then those two?
 4 A. No.
 5 Q. Was Ms. Johnson your teacher for the entire
 6 second semester of your tenth grade English class?
 7 A. Yes.
 8 Q. Did you like Ms. Johnson as a teacher?
 9 A. Yes.
 10 Q. What about Ms. Johnson did you like?
 11 A. She explained everything.
 12 Q. Any other things that you liked about
 13 Ms. Johnson?
 14 A. That's it.
 15 Q. Do you recall -- do you recall what room
 16 number or room numbers you had your tenth grade
 17 English class in?
 18 A. No.
 19 Q. Did you have more than one physical
 20 classroom for your tenth grade English?
 21 A. I think it was only one class.
 22 Q. Do you recall the physical condition of
 23 that classroom at all?
 24 A. The desks, they were tagged.
 25 Q. Any other aspects of the physical condition

1 of that classroom that you can recall?
 2 A. No.
 3 Q. Was it kept in a clean fashion?
 4 A. The front was clean.
 5 Q. Were there any aspects of it that were
 6 dirty?
 7 A. I don't really recall.
 8 Q. I think you testified that the -- that the
 9 desks had some tagging on them; is that correct?
 10 A. Yes.
 11 Q. Can you tell me what you mean by "tagging"?
 12 A. Like crew names.
 13 THE REPORTER: Curled names?
 14 THE WITNESS: Crew. Gang stuff.
 15 MR. CUEN: Crude?
 16 THE WITNESS: Crew.
 17 MS. McCALLUM: C R E W.
 18 MR. CUEN: Oh, crew.
 19 MS. McCALLUM: Right.
 20 MR. CUEN: Like gangs, crews?
 21 THE WITNESS: Yeah.
 22 BY MR. SIMMONS:
 23 Q. Do you know how many of the desks had
 24 tagging on them?
 25 A. No.

1 Q. Could you estimate how many desks?
 2 A. I don't know, everybody had a certain
 3 chair.
 4 MS. McCALLUM: I think he wants to know
 5 about how many of the desks in that class had
 6 tagging on them.
 7 THE WITNESS: I don't know.
 8 BY MR. SIMMONS:
 9 Q. How were students seated in your tenth
 10 grade English classroom?
 11 A. Those desks, by name, the last name.
 12 Q. Did each student have a desk to sit in
 13 during your tenth grade English class?
 14 A. Yes.
 15 Q. Did you have a textbook to use in your
 16 tenth grade English class?
 17 A. We were reading The Pearl.
 18 Q. The Pearl is a novel?
 19 A. Yes.
 20 Q. Do you know who wrote it?
 21 A. Stein -- Stein -- Steinbeck something. I
 22 don't remember.
 23 Q. So you can recall reading The Pearl as part
 24 of your tenth grade English class?
 25 A. Yes.

1 Q. Did you read other books as part of your
 2 tenth grade English class?
 3 A. Othello.
 4 Q. Can you remember any others?
 5 A. Huh-uh, no.
 6 Q. Do you recall having a hard -- any
 7 hard-cover texts to use in your tenth grade English
 8 class?
 9 A. I don't remember.
 10 Q. Did you receive homework in your tenth
 11 grade English class?
 12 A. Yes.
 13 Q. Did you receive homework during the first
 14 semester of your tenth grade English class?
 15 A. When Ms. Brown was there, yes.
 16 Q. Did you receive it at any other times
 17 during the first semester of your tenth grade
 18 English class?
 19 A. I don't remember.
 20 Q. What kind of homework did you receive from
 21 Ms. Brown?
 22 A. From The Pearl.
 23 Q. She would assign you pages of The Pearl to
 24 read; is that correct?
 25 A. Yes.

- 1 Q. Can you recall any other types of homework
2 assignment from Ms. Brown?
3 A. No.
4 Q. Were you assigned your own copy of
5 The Pearl?
6 A. I don't remember.
7 Q. Do you recall taking The Pearl home,
8 though?
9 A. Yeah.
10 Q. How about Othello -- Othello, did you read
11 that during the first or the second semester?
12 A. The second semester.
13 Q. Do you recall whether you were assigned
14 your own copy of that text?
15 A. I don't remember.
16 Q. Do you recall ever taking that textbook
17 home, or that novel home?
18 A. Yes.
19 Q. Did you receive any assignments on
20 worksheets at all during the first semester of your
21 tenth grade English class?
22 A. No.
23 Q. How about during the second semester of
24 your tenth grade English class?
25 A. No.

- 1 Q. Were you tested during the first semester
2 of your tenth grade English class?
3 A. I don't remember.
4 Q. Do you recall whether you were tested
5 during your second semester of your tenth grade
6 English class?
7 A. Yes.
8 Q. About how often?
9 A. I don't remember.
10 Q. Do you recall what grades you received for
11 your tenth grade English class?
12 A. I don't know.
13 Q. Were there things about your tenth grade
14 class that you liked?
15 A. The projects.
16 Q. Can you tell me what you mean by "the
17 projects"?
18 A. We did projects in my English class with
19 Ms. Johnson.
20 Q. Ms. Johnson was your teacher during the
21 second semester?
22 A. Yes.
23 Q. What kind of projects did you do?
24 A. We did one on Othello, and the other one
25 was on the Nazis, about that guy ...

- 1 Q. One was on Othello and one was on ...
2 A. The Nazis, of Hitler.
3 Q. Can you tell me about the project that you
4 did on Othello?
5 A. We did an essay.
6 Q. Do you remember what you wrote about in
7 your essay?
8 A. No.
9 Q. And there was a project on the Nazis; is
10 that right?
11 A. Yes.
12 Q. And do you recall what that project was?
13 A. It was about Hitler's life.
14 Q. And were you asked to write another essay
15 for that?
16 A. I don't remember.
17 Q. What kind of things did you do for that
18 project, about Hitler's life?
19 A. Research on the Internet.
20 Q. Did you do this project in connection with
21 the book that you were reading?
22 A. Of Othello? No.
23 Q. Did you do the project in connection with
24 another book?
25 A. Yes, but I don't remember the book's name.

- 1 It was The Night. The book was called The
2 Night.
3 Q. The Night?
4 A. (Nods head.)
5 Q. Is that "the night," as in evening time, or
6 "the knight" as in a Middle Ages soldier?
7 A. It was when the Jews were taken to camp,
8 and they were burned in ovens, I think.
9 Q. And was it spelled -- was the book spelled
10 N I G H T?
11 A. I think.
12 Q. Who was your geometry teacher in the tenth
13 grade?
14 A. Mr. Campos.
15 Q. Did you think Mr. Campos was a good or a
16 bad teacher?
17 A. I don't know.
18 Q. How was Mr. Campos at explaining the
19 material in your geometry class?
20 A. On the board he explained stuff.
21 Q. So he would explain the geometry material
22 using the board in your classroom?
23 A. Yes.
24 Q. Did he do a good job of explaining the
25 material to you?

- 1 A. I didn't understand it.
 2 Q. Did you let him know that you were having
 3 difficulty understanding the material?
 4 A. Yeah.
 5 Q. Did you do this in a specific conversation
 6 that you can recall?
 7 A. After he explained -- finished explaining,
 8 I would go to the desk and tell him that I didn't
 9 understand it. He would explain, but I still didn't
 10 understand.
 11 Q. Do you recall about -- did you have a
 12 conversation like that on more than occasion?
 13 A. Yes.
 14 Q. Do you recall about how many times you had
 15 a conversation like that?
 16 A. No.
 17 Q. Do you think it was more than five times?
 18 A. Yes.
 19 Q. Do you think you had a conversation like
 20 that more than ten times?
 21 A. No.
 22 Q. Did you have a textbook to use in your
 23 geometry class?
 24 A. Yes.
 25 Q. Was it a hard-cover textbook?

- 1 A. Yes.
 2 Q. Were you assigned a specific copy of that
 3 textbook?
 4 A. Yes.
 5 Q. Could you take the textbook home?
 6 A. Yes.
 7 Q. Do you recall what the physical condition
 8 of the textbook was like?
 9 A. Average.
 10 Q. Were there any pages missing from your copy
 11 of the geometry textbook?
 12 A. Not that I know.
 13 Q. Was that, not that you can remember right
 14 now?
 15 A. Yeah.
 16 Q. Do you recall any of the pages in your
 17 geometry textbook being torn?
 18 A. No.
 19 Q. Do you know what the physical condition of
 20 other students' textbooks were like in your geometry
 21 class?
 22 A. No.
 23 Q. How were students seated in your tenth
 24 grade geometry class?
 25 A. We were -- not everybody had a seat. The

- 1 class was crowded.
 2 Q. Do you know about how many students were in
 3 your geometry class at the beginning of the school
 4 year?
 5 A. No.
 6 Q. And were students -- were there desks in
 7 that classroom?
 8 A. Yes.
 9 Q. Did some students not have a desk?
 10 A. Yes.
 11 Q. How many students?
 12 A. About five.
 13 Q. Was that the case during the entire -- the
 14 entire school year with your geometry class?
 15 A. The first semester, yes; and the second,
 16 no, because a lot of the students checked out or
 17 went to some other class.
 18 Q. So during the first semester of your tenth
 19 grade geometry class, you can recall about five
 20 students didn't have a desk?
 21 A. Yeah --
 22 Q. And --
 23 A. -- and we got the chairs from the next-door
 24 class.
 25 Q. And so during the first semester you

- 1 borrowed some chairs from a class next door?
 2 A. Yes.
 3 Q. Where were those chairs set up in the
 4 classroom in your tenth grade geometry class?
 5 A. Can you explain? Like, they were in the
 6 class.
 7 Q. Were they set by a table? Was there a
 8 place that the students who -- strike that.
 9 The students -- there were about five
 10 students who would need to sit at a chair instead of
 11 a desk; is that correct?
 12 A. Yeah.
 13 Like, the first week -- the first two
 14 weeks, there was two students in one seat. Like
 15 they had to -- like there was a desk and the other
 16 person needed to bring the chairs so they could see
 17 the book.
 18 Q. That happened during the first two weeks of
 19 school?
 20 A. Yes.
 21 Q. What happened after those two weeks of
 22 school? Did the situation change?
 23 A. Yes, we got the desks.
 24 Q. You received additional desks?
 25 A. Yes, for those students that needed them.

- 1 Q. So for two weeks in the first semester,
2 there were some students who had to sit in chairs
3 instead of desks?
4 A. Yes.
5 Q. And then after those two weeks, those
6 students received desks to sit at; is that correct?
7 A. Yes.
8 Q. And for the -- the second semester, there
9 were -- is it correct that there weren't any
10 students who didn't have a desk in your tenth grade
11 geometry class?
12 A. Everyone had them.
13 Q. Did you receive any homework in your tenth
14 grade geometry class?
15 A. Yes.
16 Q. Do you know about how often you received
17 homework in that class?
18 A. I don't remember.
19 Q. Do you remember the kinds of assignments
20 that you would receive?
21 A. From the book.
22 Q. So your teacher would assign problems from
23 the textbook for homework?
24 A. Yes.
25 Q. Were you tested during that -- during your

- 1 was in first period, and I live far from school.
2 Q. Do you know about how far you live from
3 school?
4 A. The school is on 108th and I live on [REDACTED].
5 Q. How do you get to school?
6 A. In tenth grade I got the bus, the MT; and
7 right now, my dad is taking me.
8 Q. How did you get to school during the ninth
9 grade?
10 A. The school bus.
11 Q. Was there a reason that -- during the ninth
12 grade you took the school bus and then you took the
13 MT during the -- during the tenth grade; is that
14 correct?
15 A. (Nods head.)
16 Q. Why did you take the MT during the tenth
17 grade?
18 A. Because when I was in the ninth, I used to
19 live on [REDACTED]. And the bus I got, the
20 school bus, was on [REDACTED] so it was closef.
21 Then I moved to [REDACTED], and it's not
22 close to [REDACTED].
23 Q. Do you know about how often you would be
24 late to your geometry class in the tenth grade?
25 A. Excuse me?

- 1 tenth grade geometry class?
2 A. Yes.
3 Q. Do you recall about how often?
4 A. No.
5 Q. Do you recall what grade you received in
6 your tenth grade geometry class?
7 A. An [REDACTED].
8 Q. And do you recall what grade you received
9 in your tenth grade English class that we already
10 talked about?
11 A. No. It was a [REDACTED].
12 Q. And do you -- do you receive grades on -- a
13 grade for each semester in your geometry class?
14 A. Yes.
15 Q. Was your grade the same for both semesters?
16 A. First it was [REDACTED] and then [REDACTED].
17 Q. I take it that those weren't the grades
18 that you wanted in that class; is that fair?
19 A. No.
20 Q. Do you -- do you know -- to what do you --
21 what do you think was responsible for the D that you
22 received in the geometry class?
23 A. Me coming late to class.
24 Q. Anything else?
25 A. And sometimes not going. It was because it

- 1 Q. Do you know about how often you would
2 arrive to your geometry class late during the tenth
3 grade?
4 A. No.
5 Q. So sometimes you would -- sometimes you
6 would miss the whole period of your geometry class?
7 A. Yes.
8 Q. Do you know about how many times you missed
9 your geometry class during the tenth grade?
10 A. No.
11 Q. Were there any things about your tenth
12 grade geometry class that you liked?
13 A. No.
14 Q. Who was your world history teacher during
15 the tenth grade?
16 A. [REDACTED].
17 Q. Did you think [REDACTED] was a good or
18 a bad teacher?
19 A. I didn't like the teacher.
20 Q. Were there particular reasons that you
21 didn't like [REDACTED] as a teacher?
22 A. Because she didn't explain all those -- she
23 didn't explain to us.
24 Q. So you felt that [REDACTED] didn't do a
25 very good job explaining the material in your world

1 history class?
 2 A. No.
 3 Q. Were there any things about [REDACTED]
 4 that you liked?
 5 A. No.
 6 Q. How were students seated in your world
 7 history class?
 8 A. At desks.
 9 Q. Were there any students that didn't have a
 10 desk to sit at?
 11 A. No.
 12 Q. I'm sorry. I'll have to bring us back to
 13 the geometry class just real quickly.
 14 Do you recall the room number, if any, for
 15 your geometry class in the tenth grade?
 16 A. It was M-2.
 17 Q. Did you have any other -- any other
 18 physical classrooms where you had your geometry
 19 class in the tenth grade?
 20 A. Yes, in the science building.
 21 Q. So you had geometry for some period of time
 22 in M-2 and then --
 23 A. It was in the science building and then in
 24 M-2.
 25 Q. How long did you -- for how long,

1 holes in them.
 2 Q. And you recall on one occasion a ceiling
 3 tile fell down?
 4 A. Yeah, one block.
 5 Q. I think you also said that you thought some
 6 of the blocks were missing?
 7 A. Yes.
 8 Q. Do you know about how many?
 9 A. No.
 10 Q. Do you think it was more than five?
 11 A. No.
 12 Q. Was -- was the classroom maintained in a
 13 clean fashion? The geometry classroom that you had
 14 in the science building, was that one maintained in
 15 a clean fashion?
 16 A. Well, the desks was tagged.
 17 Q. Any other things?
 18 A. That's all I can remember.
 19 Q. Do you recall about how many of the desks
 20 in the classroom were tagged?
 21 A. No.
 22 Q. Could -- could you estimate a percentage of
 23 the desks that were tagged? Could you say half, or
 24 a quarter, or --
 25 A. I don't know. I only saw my desk.

1 approximately, was your geometry class in the
 2 science building during the tenth grade?
 3 A. The first semester.
 4 Q. And then you switched to M-2 the second
 5 semester?
 6 A. Yes.
 7 Q. And what was the physical condition, or do
 8 you recall any problems with the physical condition
 9 of your geometry class when it was in the science
 10 building?
 11 A. Yes.
 12 Q. And what problems can you recall?
 13 A. The ceiling. You know how they have blocks
 14 like this one (indicating)? One time one fell
 15 from ... but it didn't hit no one. And they were
 16 missing some of them.
 17 Q. So have you ever heard the term used,
 18 "ceiling tile"?
 19 A. No.
 20 Q. But the blocks on the ceiling that you're
 21 referring to right now look like the blocks on the
 22 ceiling in this room?
 23 A. Yeah, kind of.
 24 Q. Were they bigger or smaller?
 25 A. They were bigger and they have like little

1 Q. How about the -- during the second semester
 2 for geometry in the tenth grade, you switched to
 3 M-2; is that right?
 4 A. Yes.
 5 Q. What was the physical condition of M-2
 6 like?
 7 A. It was clean.
 8 Q. Were there any problems with the condition
 9 that you can recall?
 10 A. Only the tagging the desks.
 11 THE REPORTER: I'm sorry?
 12 THE WITNESS: Only the tagging from the
 13 desks.
 14 BY MR. SIMMONS:
 15 Q. And is it possible with the desks in M-2 to
 16 say how many of them were tagged, or do you just
 17 remember your desk?
 18 A. My desk.
 19 Q. Do you recall what portion of your desks --
 20 I'm sorry, what portion of your desk in M-2 was
 21 tagged?
 22 A. Okay. Like only this part of the desk
 23 (indicating). So if the teacher was looking, he
 24 couldn't really write until he was looking some
 25 other way.

1 Q. So were you directing yourself to say the
2 bottom right-hand corner of the desk?
3 A. Yes.
4 Q. How about your desk in the geometry class
5 and science classroom, do you recall what portion of
6 the desk?
7 A. The whole thing.
8 Q. Okay.
9 MR. SIMMONS: Could we go off the record
10 real quick.
11 (Discussion held off the record.)
12 MR. SIMMONS: Okay. We'll go back on.
13 Q. Did you have a textbook to use in your
14 world history class in the tenth grade?
15 A. Yes.
16 Q. Was it a hard-cover textbook?
17 A. Yes.
18 Q. Were you assigned a specific textbook to
19 use?
20 A. Yes.
21 Q. Could you take that textbook home?
22 A. Yes.
23 Q. Do you know whether other students
24 received -- I'm sorry.
25 A. The textbook, I don't know if it was a

1 A. The green one.
2 Q. Did you know anybody who had a world
3 history textbook with the white cover?
4 A. No. I didn't really talk to no one in the
5 class.
6 Q. Do you know what the -- what was the
7 physical condition of your textbook like in that
8 class?
9 A. It wasn't a good one. It -- when she told
10 us to look for the vocabulary, and the -- and my
11 book had gum in the back pages.
12 Q. So your copy of the textbook had gum in the
13 back pages?
14 A. Yes.
15 Q. How many pages on gum -- I'm sorry. Can I
16 strike that and start over. It wasn't a good
17 question, sorry.
18 How many pages of your textbook do you
19 recall having gum on them?
20 A. It was two.
21 Q. And you found that out when you looked
22 for -- when you were doing a vocabulary assignment?
23 A. Yes.
24 Q. Were you -- were you able to get the
25 assignment done, the vocabulary assignment done,

1 different edition, or something, but the cover was
2 different.
3 Q. So some of the history textbooks in your
4 class had different covers?
5 A. Yeah.
6 Q. Were there -- how many different cover
7 styles were there?
8 A. It was two different cover styles.
9 Q. And can you describe each of the cover
10 styles for me? Were they different colors?
11 A. One of them was green, and it had a picture
12 in it. The second was white, and then it had a
13 little square with a green picture.
14 Q. Do you know whether there were more world
15 history books with the green cover or more history
16 books with the white cover?
17 A. With the green cover.
18 Q. Do you know how many world history books
19 there were in your class that had the white cover?
20 A. I don't remember.
21 Q. Do you know whether it was more than five
22 or less than five?
23 A. No, I don't remember.
24 Q. What -- what color covered textbook did you
25 have for world history?

1 even though the pages had gum on them?
2 A. My friend let me borrow his book.
3 Q. So did you copy the vocabulary words out of
4 that book?
5 A. My book, no.
6 Q. From your friend's book?
7 A. Yes.
8 Q. How long did that take, if you recall?
9 A. It was only one word from that book.
10 Q. And did this happen in class?
11 A. Yes.
12 Q. Were there any pages missing from your copy
13 of the world history book?
14 A. No.
15 Q. Were any of the pages torn?
16 A. Yes.
17 Q. Do you know about how many?
18 A. I think it was only one.
19 Q. Could you still read from that page?
20 A. No.
21 Q. Was there a particular assignment where you
22 needed the page that was torn?
23 A. Yes.
24 Q. Did you do anything to try and get a hold
25 of the page that was torn?

- 1 A. My friend let me borrow his book. We were
2 sharing the book.
- 3 Q. When you say you were sharing the books, do
4 you just mean you shared the books on this occasion
5 that we're talking about, or did you share the books
6 on other occasions?
- 7 A. Only on that occasion.
- 8 Q. And that occasion, to be fair, is the one
9 where your page was torn, and then also you
10 shared -- did you share with the same friend for the
11 vocabulary word you needed?
- 12 A. Yes.
- 13 Q. Does that friend sit next to you in class?
- 14 A. In back of me.
- 15 Q. Do you know what the physical condition of
16 other students' textbooks were like in your tenth
17 grade world history class?
- 18 A. No.
- 19 Q. Did you receive homework in your world
20 history class during the tenth grade?
- 21 A. Yes.
- 22 Q. What kind of homework assignments did you
23 receive?
- 24 A. Current events and worksheets.
- 25 Q. And what kind of worksheets did you

- 1 name? Is it the 100s hall, or anything like that?
- 2 A. I think the administration building.
- 3 Q. And where -- I just want to make sure I
4 understood. You changed -- you were in two rooms,
5 one for each semester. But they -- the two rooms
6 were in the same hall?
- 7 A. Yes.
- 8 Q. Okay. And that was in the administrative
9 building, or --
- 10 A. It was in the building next to the main
11 building.
- 12 Q. Okay. Was the classroom that you were in
13 for the first semester of world history maintained
14 in a clean fashion?
- 15 A. Yeah, except for the desks.
- 16 Q. And when you say "except for the desks,"
17 what was the problem with the desks?
- 18 A. The tagging.
- 19 Q. Did your desk have tagging on it?
- 20 A. Excuse me?
- 21 Q. Did your desk have tagging on it?
- 22 A. Yes.
- 23 Q. What portion of the desk had tagging on it?
- 24 A. The whole desk. And the second semester,
25 the walls were tagging -- they were tagged, too.

- 1 receive?
- 2 A. From the book. She would give us a
3 worksheet, and the answer, we had to look it up in
4 the book.
- 5 Q. So she would provide you -- your teacher
6 would provide you with some worksheets that would
7 have questions, and then you would go to the book to
8 find the answer to those questions?
- 9 A. Yes.
- 10 Q. Do you recall about how often you received
11 homework in your world history class?
- 12 A. Almost every day.
- 13 Q. Were you tested in your world history
14 class?
- 15 A. I don't remember.
- 16 Q. What room number, if any, did you have your
17 world history class?
- 18 A. It was -- it was two rooms, but I don't
19 remember the rooms, the number.
- 20 Q. Did the rooms change at the semester?
- 21 A. Yes.
- 22 Q. About -- can you describe where your room
23 was that you had for the first semester?
- 24 A. It was in the same hall, next door.
- 25 Q. Is that hall referred to by any particular

- 1 Q. Just to go back to the first semester. Do
2 you know whether other students' desks had tagging
3 on them?
- 4 A. No.
- 5 Q. Can you recall any other problems with the
6 physical condition of your first semester classroom
7 for world history?
- 8 A. No.
- 9 Q. If we go to the second semester for world
10 history, you mentioned that there were -- there was
11 tagging on the walls in that class?
- 12 A. Yes.
- 13 Q. Can you tell me where -- where on the walls
14 there was tagging?
- 15 A. Like on the top part of the wall.
- 16 Q. How high above the floor?
- 17 A. It was almost close to the ceiling.
- 18 Q. And did -- how many walls were there in the
19 classroom?
- 20 A. Four.
- 21 Q. Did all four walls have tagging on them?
- 22 A. No.
- 23 Q. How many walls had tagging on them?
- 24 A. Two.
- 25 Q. And the tagging on those two walls was on

1 the top part of the wall?
 2 A. Yes.
 3 Q. Do you know what portion of the top part of
 4 the wall was covered with tagging?
 5 A. No, only like a little piece.
 6 Q. Is that the same with both walls?
 7 A. Yes.
 8 Q. Did your desk have tagging on it in that
 9 class, in the second semester world history class?
 10 A. Yes.
 11 Q. And can you tell me what portion?
 12 A. The whole desk.
 13 Q. Were there any problems with the -- well,
 14 you mentioned the tagging on the desks and the
 15 walls, but in addition to those, were there other
 16 problems with the physical condition of your
 17 classroom that you had world history in the second
 18 semester?
 19 A. No.
 20 Q. Do you recall what grades you received for
 21 world history?
 22 A. No.
 23 Q. Who was your Spanish teacher for the tenth
 24 grade?
 25 A. Ms. Diaz.

1 Q. Could you spell that for us?
 2 A. D I A Z.
 3 Q. Just turning back to the world history
 4 class. Were there any aspects -- any things about
 5 your world history class that you liked?
 6 A. Well, I liked the history class, but, no.
 7 Q. Nothing stands out in particular?
 8 A. No.
 9 Q. Did you like the history class because you
 10 liked the subject matter that you were learning
 11 about?
 12 A. History, yes.
 13 Q. Was Mr. Diaz a good or a bad teacher in
 14 your opinion for your --
 15 A. Good teacher.
 16 Q. And what things about Mr. Diaz leads you to
 17 say that he was a good teacher?
 18 A. He explained, and he would talk about every
 19 culture.
 20 Q. How were students seated in your Spanish
 21 class during the tenth grade?
 22 A. In desks.
 23 Q. Were there any students that didn't have a
 24 desk to sit at?
 25 A. This is a class that I changed -- before I

1 had French at first, and then I changed to Spanish.
 2 Q. Who -- so you had French at the beginning
 3 of the tenth grade year?
 4 A. Yes.
 5 Q. Who was your teacher for that class?
 6 A. We don't have -- we didn't have a teacher.
 7 Q. When you started that -- when you started
 8 that class, was there a teacher that was supposed to
 9 be assigned, if you know?
 10 A. Yeah, but he didn't go.
 11 Q. So when you arrived in your French class
 12 the first day of class, was there -- was there an
 13 adult there?
 14 A. Yes.
 15 Q. Who was there?
 16 A. I don't remember.
 17 Q. Do you recall what that -- what that
 18 person -- did that person tell you anything about
 19 the class that day?
 20 A. Just told us that the person -- the teacher
 21 was supposed to be there. He wasn't there. And he
 22 didn't really know about French, so he couldn't
 23 teach us.
 24 Q. Did you -- so was there a point where you
 25 transferred from the French class into the Spanish

1 class?
 2 A. Yeah, because it was crowded.
 3 Q. How many -- how were students seated in
 4 the -- the French class?
 5 A. At desks and chairs.
 6 Q. How many students were seated in chairs?
 7 A. I don't remember.
 8 Q. Were you seated in a desk or a chair?
 9 A. Yes. The first people that go in get a
 10 desk. And if you don't go early, you don't have a
 11 desk.
 12 Q. Was there -- you identified there was an
 13 adult, you couldn't remember their name, that was
 14 there on the first day. Was there another adult
 15 that came in to teach the class at all during --
 16 during the time that you were in the French class?
 17 A. No.
 18 Q. Was it -- so was it the same person that
 19 was there?
 20 A. It was different, but this lady,
 21 Ms. Marquez, she knew a little bit of Spanish, and
 22 she went to teach for a week, but she got another
 23 class, so she couldn't teach us.
 24 Q. How long did you stay in the French class
 25 for?

- 1 A. About two weeks.
 2 Q. Do you know whether -- do you know whether
 3 they ever received a full-time teacher for the
 4 French class?
 5 A. I think they didn't.
 6 Q. What -- what makes you think that they
 7 didn't?
 8 A. My friend stayed in the class and she told
 9 me they didn't have a teacher.
 10 Q. Do you recall the specific occasion where
 11 your friend told you that?
 12 A. Well, we talked about it every day.
 13 Q. And so by the end of the year, were you
 14 still talking about the need for a teacher in the
 15 French class?
 16 A. No.
 17 Q. Was that because they received a French
 18 teacher or because you just stopped talking about
 19 it, if you know?
 20 A. We stopped talking about it.
 21 Q. Did you ever ask your friend later on in
 22 the school year if they received a French teacher
 23 for her class?
 24 A. No. She just told me they had a guy that
 25 was teaching French, but he didn't, like, really

- 1 know about French.
 2 Q. After you switched out of the French class
 3 after about two weeks, do you know whether there
 4 were students that still didn't have a desk after
 5 the first two weeks of class?
 6 A. I don't know.
 7 Q. And that's for the French class during the
 8 tenth grade?
 9 A. Yes.
 10 Q. How were students seated in your Spanish
 11 class during the tenth grade?
 12 A. In a desk.
 13 Q. Did any students not have a desk in your
 14 Spanish class for the tenth grade?
 15 A. I don't remember.
 16 Q. Did you have a textbook to use in your
 17 Spanish class for the tenth grade?
 18 A. Yes.
 19 Q. Was it a hard-cover textbook?
 20 A. Yes.
 21 Q. Were you assigned your own copy of the
 22 textbook?
 23 A. I think we didn't have -- the first
 24 semester we didn't have the -- we had the books, but
 25 we used them in class and then we took them back.

- 1 And then the second semester, we did.
 2 Q. So you think that during -- during the
 3 first semester of Spanish, you didn't have your own
 4 textbook that you were assigned?
 5 A. No.
 6 Q. But then you got your own textbook assigned
 7 to you during the second semester?
 8 A. Yes.
 9 Q. Did you ever have to share textbooks during
 10 the first semester?
 11 A. No.
 12 Q. Did you ever take a textbook home during
 13 the first semester Spanish class?
 14 A. No.
 15 Q. Did you get homework in that class?
 16 A. Yes.
 17 Q. What -- did you get a lot of homework in
 18 that class?
 19 A. Yes.
 20 Q. What kind of homework did you get?
 21 A. Projects.
 22 Q. Can you tell me about one of those
 23 projects?
 24 A. It was about cultures, about -- we had
 25 different projects of cultures of Salvadorian,

- 1 Guatemala, Mexico, and other countries.
 2 Q. What other types of homework did you
 3 receive from your Spanish teacher during the tenth
 4 grade?
 5 A. He gave us about ten or 20 words -- no, it
 6 was the state and we needed to learn the capitol of
 7 South -- South America. And then we had a test to
 8 see if we learned them.
 9 Q. Did you have assignments at all that dealt
 10 with vocabulary words?
 11 A. I don't think so.
 12 Q. How about, do you recall any assignments
 13 dealing with grammar?
 14 A. Yes.
 15 Q. What kind of assignments would you get that
 16 dealt with grammar?
 17 A. He would give us worksheets. And we needed
 18 to put punctuation, all this stuff, in Spanish.
 19 Q. Did your homework assignments -- did -- or
 20 strike that.
 21 Did the types of homework assignments that
 22 you received change between the first semester and
 23 the second semester of your tenth grade year in
 24 Spanish class?
 25 A. It was the same, but the second semester we

1 read more from the book.
 2 Q. Were you tested at all in your Spanish
 3 class during the tenth grade?
 4 A. Yes.
 5 Q. About how often were you -- would you
 6 receive a test in that class?
 7 A. Every time we had a project or -- yeah,
 8 every time we had a project.
 9 Q. Could you say how often you were tested in
 10 terms of whether it was once a week, or once a
 11 month?
 12 A. Every two weeks.
 13 Q. Every two weeks.
 14 And what room number, if any, was your --
 15 was your Spanish class in?
 16 A. I think it was B-12, or B-7, one of those
 17 two.
 18 Q. Did you have more than one physical
 19 classroom for the Spanish class?
 20 A. Yes.
 21 Q. And did you say one of them was in B-12 or
 22 B-16?
 23 A. Yeah.
 24 Q. Do you recall where the other one was?
 25 A. I think it was B-28, or 22.

1 Q. Do you recall the B-12 or the B-16
 2 classroom, that was -- was that for the first
 3 semester?
 4 A. B -- the first one, B-12 --
 5 Q. Uh-huh.
 6 A. -- was for the first semester.
 7 Q. And then you think it was either B-28 or
 8 B-22 for the second semester?
 9 A. Yes.
 10 Q. Well, what was the physical condition of
 11 your classroom like during the first semester?
 12 A. The desks have gum on the bottom of the
 13 desks.
 14 Q. Other -- other than that aspect of the
 15 desks, was the classroom that you had Spanish in
 16 during the first semester maintained in a clean
 17 fashion?
 18 A. Yeah.
 19 Q. Did your particular desk have gum
 20 underneath it?
 21 A. Yeah.
 22 Q. And do you know whether the other desks had
 23 gum underneath them?
 24 A. I don't know.
 25 Q. Did your desk have any tagging on it?

1 A. I don't remember.
 2 Q. Okay. Can you think of any -- or can you
 3 recall any other problems with the physical
 4 condition of your classroom for the first semester
 5 of Spanish?
 6 A. No.
 7 Q. How about with respect to the classroom
 8 that you had for the second semester. Can you
 9 recall any problems with the physical condition of
 10 that classroom?
 11 A. The desks had gum and tagging.
 12 Q. Anything else?
 13 A. And the shelf where we would put the books,
 14 they had -- it was tagged.
 15 Q. Anything else that you can recall?
 16 A. No.
 17 Q. Did your desk have gum underneath it during
 18 the second semester of your Spanish class?
 19 A. Yes.
 20 Q. And do you know whether other students'
 21 desks had gum underneath them?
 22 A. I don't know.
 23 Q. And was there tagging on your desk during
 24 your second semester Spanish class?
 25 A. Yes.

1 Q. Can you tell me what portion of your desk
 2 had tagging?
 3 A. The whole desk.
 4 Q. Do you know whether other students' desks
 5 had tagging on them?
 6 A. My -- most of my friends' desks had tagging
 7 on them.
 8 Q. Do you know about how many desks there were
 9 total in your second semester classroom for Spanish?
 10 A. The first semester or the second?
 11 Q. For the second semester.
 12 A. I don't know, no.
 13 Q. Do you know what -- do you know how many
 14 desks had tagging on them during the second semester
 15 Spanish class?
 16 A. No.
 17 Q. You also mentioned a shelf where the books
 18 were -- were kept. And you said that that shelf had
 19 tagging on it?
 20 A. Yes.
 21 Q. Do you know about -- could you describe how
 22 large the shelf is?
 23 A. It's like this (indicating). I don't know.
 24 Q. Is that a few feet long?
 25 A. Yes.

- 1 Q. And about -- do you know about how wide,
2 or --
3 A. It was wide. It was like this tall
4 (indicating).
5 Q. Do you know what portion of the shelf
6 had --
7 A. The top part, and the sides.
8 Q. And what portion of the top part had
9 tagging on it?
10 A. It was the whole thing.
11 Q. And how about the sides?
12 A. Only from the top.
13 Q. And I just want to turn back to your
14 textbooks for Spanish real -- real quickly.
15 Do you recall what the physical -- well,
16 during the first semester you didn't have a
17 particular textbook that was assigned to you; is
18 that correct?
19 A. Uh-huh.
20 Q. How did -- did you use a textbook during
21 the course of the day --
22 A. Yes.
23 Q. -- in the first semester?
24 A. Yes.
25 Q. And how would you -- how would you go about

- 1 Q. Anywhere else have tagging on your book?
2 A. No.
3 Q. And was the book that you were assigned, or
4 did the book that you were assigned -- was it
5 missing any pages?
6 A. No.
7 Q. And were any of the pages torn?
8 A. No.
9 Q. Were there any things that you enjoyed
10 about your Spanish class?
11 A. That we got to learn about different
12 parts -- like different countries.
13 Q. Who was your biology teacher during the
14 tenth grade?
15 A. [REDACTED]
16 Q. Could you spell that for us?
17 A. [REDACTED]
18 Q. And did you think [REDACTED] was a good or
19 a bad teacher?
20 A. Bad teacher.
21 Q. What about [REDACTED] makes you
22 characterize him as a bad teacher?
23 A. He didn't explain anything.
24 Q. How were students seated in your biology
25 class with [REDACTED]

- 1 obtaining a copy of the textbook to use during the
2 first semester?
3 A. The teacher passed them out.
4 Q. And do you recall the physical condition of
5 the textbooks that you used during the first
6 semester?
7 A. Average.
8 Q. Do you recall any textbooks that were
9 missing pages?
10 A. No.
11 Q. Do you recall any textbooks that had a torn
12 page?
13 A. No.
14 Q. During the second semester you were
15 assigned a specific copy; is that right?
16 A. Yes.
17 Q. And what was the physical condition of that
18 copy like?
19 A. It was okay, but it had tagging.
20 Q. And where was this tagging?
21 A. When you opened the book, the first part
22 and the -- at the last, the end of the book.
23 Q. Is that -- are you referring to the inside
24 portion of the covers?
25 A. Yes.

- 1 A. Tables.
2 Q. Were there any students who didn't have a
3 place to sit at a table?
4 A. No. It was four -- two kids in a table.
5 Q. Did you say that there were two kids who
6 didn't have a place to sit at the table?
7 A. Okay. The table put them -- two tables, we
8 put them together so four people could sit in them.
9 Q. So there were four people sitting at each
10 table, or --
11 A. Two people on each table, but we put the
12 tables together.
13 Q. So you put two tables together to make one
14 larger table?
15 A. Yeah.
16 Q. And four people sat at each of the combined
17 tables?
18 A. Yes.
19 Q. Were there any people that didn't have a
20 place to sit at those combined tables?
21 A. No.
22 MR. CUEN: Just for clarification. Were
23 the students facing each other?
24 THE WITNESS: Yes.
25 MR. SIMMONS: Thank you.

1 THE WITNESS: And there was like about, two
 2 seats, two other seats, desks.
 3 BY MR. SIMMONS:
 4 Q. Were there students sitting in those two
 5 desks?
 6 A. Yes.
 7 Q. Did you have a textbook to use in your
 8 biology class?
 9 A. There was textbooks.
 10 Q. Were you assigned a specific copy of the
 11 textbook?
 12 A. No.
 13 Q. Did you ever have to share a textbook?
 14 A. No.
 15 Q. How -- how did you obtain a copy of the
 16 textbook to use in class?
 17 A. The teacher passed them out.
 18 Q. Could you take the textbooks home?
 19 A. No.
 20 Q. Do you know why you couldn't take the
 21 textbook home?
 22 A. The teacher said that it was -- that he
 23 only had a class set.
 24 Q. Did you receive homework in your biology
 25 class?

1 A. No.
 2 Q. What kind of work did you do in class for
 3 your biology class in the tenth grade?
 4 A. Well, he did worksheets, and we had to find
 5 the missing words from the book.
 6 Q. So you can recall worksheets that required
 7 you to find a missing word?
 8 A. Uh-huh.
 9 Q. Can you recall other -- any other types of
 10 assignments that you would do in class?
 11 A. And the labs.
 12 Q. When you say "labs," can you tell me what
 13 you mean by that?
 14 A. We had labs during the last semester.
 15 Q. About how often would you do a lab during
 16 the second semester?
 17 A. I -- I don't know. I don't know.
 18 Q. Do you recall any of the specific labs that
 19 you did?
 20 A. Yeah. We dissected a frog.
 21 Q. Do you recall dissecting anything other
 22 than a frog?
 23 A. A worm.
 24 Q. And do you recall any other dissections
 25 that you did in your tenth grade biology class?

1 A. No.
 2 Q. Did you receive tests in your biology
 3 class?
 4 A. Yeah.
 5 Q. About how often would you be tested in your
 6 biology class?
 7 A. Almost every week.
 8 Q. What kind of things were you tested on?
 9 A. About what we had learned that week.
 10 Q. I think you remembered lab work, which part
 11 of that was the dissections, and then also some
 12 worksheets where he required you to find the missing
 13 words?
 14 A. (Nods head.)
 15 Q. Do you remember any other types of
 16 assignments that you did in class for your biology
 17 class during the tenth grade?
 18 A. And vocabulary.
 19 Q. So vocabulary, you would have to define
 20 certain words?
 21 A. Yes.
 22 Q. Other than lab work and the worksheets and
 23 vocabulary, can you think of any other types of
 24 assignments you did?
 25 A. No, that's all I can remember.

1 Q. Do you recall the room numbers, if any,
 2 that your biology class was in?
 3 A. No, I remember it was in the science
 4 building, in the second floor.
 5 Q. Did you have more than one classroom for
 6 your tenth grade biology class?
 7 A. I don't remember.
 8 Q. Do you recall whether your tenth grade
 9 science class was maintained in a clean fashion?
 10 A. It had the tagging on the desks, the
 11 tables.
 12 Q. And was -- you said there was tagging on
 13 the tables?
 14 A. Yes.
 15 Q. Any other aspects of the -- or any other
 16 problems with the physical condition of -- of your
 17 classroom for biology in the tenth grade?
 18 A. Not that I remember.
 19 And the sink was dirty.
 20 Q. So did you sit at a desk with three other
 21 people -- strike that.
 22 Did you sit at a table with three other
 23 people for your biology class?
 24 A. Yes.
 25 Q. And was there tagging on that table?

1 A. Yes.
 2 Q. Or was there two tables pushed together to
 3 make one larger table; is that right?
 4 A. Yes.
 5 Q. And was there tagging on each of the small
 6 tables that had been pushed together?
 7 A. Yes.
 8 Q. Could you tell me -- if we just considered
 9 two tables pushed together as one large table, could
 10 you tell me what portion of that would be covered
 11 with tagging?
 12 A. The sides.
 13 Q. Do you know whether there was tagging on
 14 the other tables in the classroom?
 15 A. Yes.
 16 Q. And do you recall about how many other
 17 tables had tagging on them?
 18 A. Almost all of them had.
 19 Q. And do you -- do you recall where the
 20 tagging was on any of those tables?
 21 A. Excuse me?
 22 Q. Do you recall where the tagging was on any
 23 of the other tables?
 24 A. No.
 25 Q. And you mentioned that the sink in the

1 class was dirty?
 2 A. Yes.
 3 Q. Was there -- was there more than one sink
 4 in that class?
 5 A. There was one.
 6 Q. And what was dirty about the sink?
 7 A. It was dirty. When you try to open the
 8 water, it just came like -- it was nasty. It was
 9 like the water was colored.
 10 Q. So the water that came out of the sink was
 11 discolored?
 12 A. Yes. Orange or brown.
 13 Q. If you ran it for a while, did the color of
 14 the water change?
 15 A. Yeah.
 16 Q. And were there any other aspects -- or were
 17 there any other things about the sink that we're
 18 talking about that were dirty?
 19 A. No.
 20 Q. Do you recall what grades you received in
 21 biology?
 22 A. No.
 23 Q. Who was your homeroom teacher for the tenth
 24 grade?
 25 A. Mr. Campos.

1 Q. Do you recall what room you had homeroom
 2 in?
 3 A. It was the same as my geometry class.
 4 Q. And what kind of things did you do in your
 5 homeroom class?
 6 A. We read.
 7 Q. So you brought a book of your choice and
 8 read in that class?
 9 A. Yes.
 10 MR. SIMMONS: End of tenth grade, do you
 11 want to take a break?
 12 MS. McCALLUM: Do you need a break?
 13 THE WITNESS: No.
 14 (Discussion held off the record.)
 15 (At 12:00 noon, the deposition
 16 was adjourned for noon recess.)
 17 /// (Please see next page.) ///

1 (At 1:00 o'clock, the deposition
 2 of BEATRIZ ISLAS was reconvened
 3 with the same persons present.)
 4 -oOo-
 5
 6 EXAMINATION RESUMED
 7
 8 BY MR. SIMMONS:
 9 Q. Welcome back, Ms. Islas.
 10 I just want to remind you that you're still
 11 under oath. Even though we took the break and you
 12 weren't sworn in again, your oath -- you're still
 13 under oath here today.
 14 Do you understand that?
 15 A. No.
 16 Q. Oh, do you understand what the oath is?
 17 A. The thing I said when I came?
 18 Q. Yes.
 19 And do you -- we refer to that as an oath,
 20 and that requires you to tell the truth.
 21 A. Yeah.
 22 In my biology class --
 23 Q. Uh-huh.
 24 A. -- we took notes, too. And those are the
 25 notes we copied from the books.

1 Q. Okay.
 2 A. To get ready for the test.
 3 Q. Okay. This is another -- this is when I
 4 was -- this relates to when I was asking you about
 5 the activities that you did in your biology class;
 6 is that right?
 7 A. Yes.
 8 Q. So another activity, in addition to the
 9 ones that you identified, was taking notes from the
 10 book?
 11 A. Yes.
 12 Q. Could you tell me a little bit more about
 13 how you went about taking notes from the book?
 14 A. Excuse me?
 15 Q. Could you explain to me about -- a little
 16 bit more about this activity, taking notes from the
 17 book?
 18 A. Every week we have -- like almost every
 19 week we have a test. So we learn from the
 20 worksheets and we take notes from the book.
 21 Q. What kind of -- what kind of things would
 22 you put in your notes from the book?
 23 A. He gave -- he gave us like a certain
 24 subject that we're going to study on, and the page
 25 to look for it. And we looked and studied those

1 pages.
 2 Q. And about how often would you take notes
 3 from the book?
 4 A. Almost every day -- every day almost.
 5 Q. I wanted to ask you just a few questions
 6 about -- about tagging. Could you explain for me
 7 what tagging is?
 8 A. It is like a gang, but -- a gang is
 9 something bigger than a crew. And they probably
 10 want to be famous or something, and they put their
 11 name all over and the crew where they're from.
 12 Q. So is it your testimony that individual
 13 students will put their -- their name --
 14 A. Not their name, but they have a nickname.
 15 Q. And that's the material that -- that's
 16 what, when we've been talking about there being
 17 tagging on the desks --
 18 A. Uh-huh.
 19 Q. -- and on the walls, and there might have
 20 been other places, I don't remember that, is that
 21 what you're referring to as "tagging"?
 22 A. Yes.
 23 Q. What -- if you know, what do the
 24 individuals use to tag with?
 25 A. Pencils, pens, sometimes spray cans, and

1 acrylics.
 2 Q. Have you ever seen anyone tag before?
 3 A. Huh-uh, not in school. I've seen it
 4 outside of school.
 5 Q. And do you personally tag?
 6 A. Huh-uh. I'm against that.
 7 Q. Thank you.
 8 Let's move on to your classes this year.
 9 Although -- also, I should have just checked to make
 10 sure that you didn't take any medication or anything
 11 while we were away at lunch that would affect your
 12 ability to give testimony here, did you?
 13 A. No.
 14 Q. Who is your American literature teacher?
 15 A. Ms. Young.
 16 Q. And do you think Ms. Young is a good or a
 17 bad teacher?
 18 A. A really good teacher.
 19 Q. And what about Ms. Young leads you to say
 20 she's a really good teacher?
 21 A. She explains everything. And if we don't
 22 understand something, she will go on one-on-one,
 23 like the student and the teacher, and talk and see
 24 if you understand. And she'll ask you, what way
 25 don't you understand it, and she'll explain it.

1 Q. Have you finished the first semester of
 2 school yet this year?
 3 A. Yes. I'm in the second semester.
 4 Q. So you've started the second semester now?
 5 A. (Nods head.)
 6 Q. Have you switched classrooms for your
 7 American literature course, or are you in the same
 8 classroom that you were in at the beginning of the
 9 year?
 10 A. From first semester?
 11 Q. Yeah.
 12 A. Yes.
 13 Q. The same classroom?
 14 A. No. For the first semester was on the
 15 second floor, and the second semester on the third
 16 floor.
 17 Q. Okay. How were students seated in your
 18 first semester American literature class?
 19 A. They have desks.
 20 Q. And do any of the students -- or have any
 21 of the students lacked a desk to sit in this year?
 22 A. No.
 23 Q. And is that also true with respect to --
 24 well, first of all, the third-floor classroom, are
 25 students seated in desks there as well?

- 1 A. Yes.
 2 Q. And do you students not have a desk in that
 3 class?
 4 A. It's a small class.
 5 Q. And when you say "a small class," you mean
 6 small in terms of the number of students who are in
 7 the class?
 8 A. Number of students.
 9 Q. Do you have a textbook in your English
 10 class, or your American literature class right now?
 11 A. We have a book.
 12 Q. Do you know the book's title?
 13 A. Fences.
 14 Q. I'm sorry?
 15 A. Fences
 16 Q. Could you spell that for us?
 17 A. F E N C E S.
 18 Q. Is this a hard-cover book?
 19 A. No.
 20 Q. Is it a novel?
 21 A. Yes.
 22 Q. Have you read any other novels during the
 23 course of your American literature class?
 24 A. I don't -- I don't recall reading another
 25 book.

- 1 Q. The Fences book, about when did you start
 2 reading that this year?
 3 A. A week ago.
 4 Q. And do you have your own copy of that book?
 5 A. Yes.
 6 Q. And can you take it home?
 7 A. Yes.
 8 Q. Are there any pages missing from it?
 9 A. It's a new book.
 10 Q. So is the book in good physical condition?
 11 A. Yes.
 12 Q. Have you used any other books other than
 13 Fences this year?
 14 A. No. Only the Webster's Dictionary.
 15 Q. Other than reading Fences, what types of
 16 activities do you do in connection with your
 17 American literature class?
 18 A. We have projects.
 19 Q. Can you tell me what some of those projects
 20 are?
 21 A. The first project we had was on
 22 September 11th, the tragedy that happened in
 23 New York and Washington, and I think it was
 24 Pennsylvania. And Ms. Young "taught" us symbols,
 25 like everything means something, colors, things, and

- 1 the roses, everything is a symbol. And we made a --
 2 to -- for a project, we needed to paste a before and
 3 after with the symbols in it.
 4 Q. Does Ms. Young lecture to the class?
 5 A. Excuse me?
 6 Q. Does Ms. Young lecture?
 7 A. What's "lecture"?
 8 Q. Does she teach the class by standing in
 9 front of the class and explaining things to you?
 10 A. Yes.
 11 Q. And about how often does she do that?
 12 A. Every day.
 13 Q. Do you use worksheets in your American
 14 literature class at all?
 15 A. Worksheets, no. We have, like, a little
 16 journal where we write about the stuff we read in
 17 Fences, the novel Fences.
 18 Q. Do you write any other things in the
 19 journal?
 20 A. Quotes that are in the book.
 21 Q. I'm sorry. I didn't catch that last thing.
 22 A. Quotes.
 23 MS. McCALLUM: Quotes.
 24 MR. SIMMONS: Quotes, okay.
 25 Q. And those quotes that you write, those are

- 1 in connection with -- with the Fences book?
 2 A. Yes.
 3 Q. Did you just start using the journal at the
 4 same time that you started using the Fences book?
 5 A. Yes.
 6 Q. Do you write essays at all in connection
 7 with your American literature?
 8 A. We have projects, yes. We have projects
 9 where we make an essay.
 10 Q. Do you know about how many essays you've
 11 written this year in your American literature class?
 12 A. Like two or three.
 13 Q. Do you have homework in your American
 14 literature class?
 15 A. Yes.
 16 Q. What kind of homework do you get?
 17 A. The projects and reading Fences.
 18 Q. Do you do vocabulary exercises at all?
 19 A. Sometimes.
 20 Q. About how often do you get homework in your
 21 American literature class?
 22 A. I don't know. Like almost every day, kind
 23 of.
 24 Q. Were you --
 25 A. We have this composition book and we write

- 1 about certain stuff.
 2 Q. How often do you write in your composition
 3 book?
 4 A. Every day.
 5 Q. Is this something you do in class, or do
 6 you do it as homework?
 7 A. As homework.
 8 Q. Are you tested in your American literature
 9 class?
 10 A. Yes.
 11 Q. About how often do you have a test in that
 12 class?
 13 A. We had one last week.
 14 Q. And do you -- is there a typical number of
 15 tests that you have a week, or a month?
 16 A. A month.
 17 Q. Do you know about how many tests you would
 18 have in a month?
 19 A. Like two or three. And the notes.
 20 Q. What --
 21 A. Notes.
 22 Q. And the notes -- could you tell me what the
 23 notes are?
 24 A. The symbols.
 25 Q. So your -- your teacher explained the

- 1 A. Yes.
 2 Q. And are there any problems with the
 3 physical condition of the classroom?
 4 A. No.
 5 Q. Did you receive a grade for the first
 6 semester?
 7 A. Yes.
 8 Q. Do you know what that grade was?
 9 A. It was an [REDACTED]
 10 Q. Who is your U.S. history teacher?
 11 A. Ms. Stovall.
 12 Q. That may help with the spellings.
 13 (Displaying document.)
 14 Stovall, S T O V A L L?
 15 A. Yes.
 16 Q. And is Ms. Stovall a good or a bad teacher?
 17 A. Good.
 18 Q. What about Ms. Stovall leads you to say
 19 that she's a good teacher?
 20 A. She talks about everything that's been in
 21 history -- not everything, but everything -- almost
 22 everything.
 23 Q. And is she also good at explaining the
 24 material to you?
 25 A. Yes.

- 1 concept of symbolism to you?
 2 A. (Nods head.)
 3 Q. And you took notes on that?
 4 A. Yeah. And the characters, and the literary
 5 terms.
 6 Q. So you take notes on these subjects and
 7 then you'll be tested on the material that you have
 8 to take notes on?
 9 A. Yes.
 10 Q. The second-floor classroom is where you had
 11 the American literature class for the first
 12 semester; is that right?
 13 A. Yes.
 14 Q. Was that classroom maintained in a clean
 15 fashion?
 16 A. Yes.
 17 Q. Were there any problems with the physical
 18 condition of that classroom?
 19 A. No.
 20 Q. And now you've just, relatively recently,
 21 you've switched to a classroom on the third floor;
 22 is that right?
 23 A. Yes.
 24 Q. And how about that classroom, is that
 25 maintained in a clean fashion?

- 1 Q. Do you recall what classroom you had your
 2 U.S. history course in for the first semester?
 3 A. Huh-uh, no.
 4 Q. Okay. Has the -- has the actual physical
 5 classroom changed now that it's the second semester?
 6 A. Excuse me?
 7 Q. Are you in the same classroom during the
 8 second semester, or has that room changed?
 9 A. Changed.
 10 Q. During the first semester, how were
 11 students for your U.S. history course seated?
 12 A. At desks.
 13 Q. And did any students not have a desk in
 14 that -- for the first semester?
 15 A. No, everyone had a seat.
 16 Q. How about now that the second semester has
 17 started, how are students seated in your new
 18 classroom?
 19 A. Desks.
 20 Q. And does anybody not have a desk?
 21 A. No.
 22 Q. Do you have a textbook to use in your U.S.
 23 history course?
 24 A. Yes.
 25 Q. Are you assigned a specific textbook to

- 1 use?
 2 A. Yes.
 3 Q. Can you take the textbook home?
 4 A. Yes.
 5 But in the first semester when they gave
 6 the books out, it was a different edition, I think.
 7 It was the same cover, but when the teacher told us
 8 to turn to the starting page, everyone had a
 9 different -- not everyone, but it was two different
 10 books.
 11 Q. So at the start of the first semester, you
 12 think there were two different editions?
 13 A. Yes.
 14 Q. The cover on the books was -- was the same?
 15 A. Yes.
 16 Q. But you recall an occasion where the
 17 teacher asked students to turn to a specific page --
 18 A. Uh-huh.
 19 Q. -- and then some students said that the
 20 page in their textbook wasn't what the teacher
 21 expected it to be?
 22 A. Yes, it was a different page.
 23 Q. Do you know about how many students
 24 experienced that problem?
 25 A. It was like almost half.

- 1 Q. Did those -- did those books ever get
 2 exchanged for different books?
 3 A. Yes.
 4 Q. About how long did that take?
 5 A. Around two or three weeks.
 6 Q. Can you recall any other occasions where
 7 the teacher asked students to turn to a specific
 8 page, and that some of the students noticed that
 9 their -- the page in their textbook was different
 10 from what the teacher expected?
 11 A. No.
 12 Q. I'm sorry, and that was "no"? Is that --
 13 A. No, yeah.
 14 Q. Can you tell me what the physical condition
 15 of your textbook is like?
 16 A. Average.
 17 Q. Are there any pages missing from your copy?
 18 A. No.
 19 Q. Are any of the pages torn?
 20 A. No.
 21 Q. Are there any pages in the textbook that
 22 you can't read?
 23 A. No.
 24 Q. Do you know what the condition of other
 25 students' textbooks is like -- or textbooks are

- 1 like?
 2 A. No.
 3 Q. Other than your textbooks, do you recall
 4 using any other types of instructional materials in
 5 your U.S. history class?
 6 A. Newspaper.
 7 Q. Is that for current events?
 8 A. Yes.
 9 Q. How often do you do current event work?
 10 A. Monday and Tuesdays. And then Wednesday,
 11 Thursday and Friday we read from the book and we get
 12 worksheets.
 13 Q. Do you do current events as part of your
 14 in-class work, or is that something you do for
 15 homework?
 16 A. In class and homework.
 17 Q. Do you have to present your current event
 18 to the class?
 19 A. No.
 20 Q. Could you -- could you describe for me just
 21 what the current event assignments are like
 22 generally?
 23 A. You write the title, the newspaper we read
 24 it in, the section, and what, when, why and how it
 25 happened. And then, like a summary of what we read.

- 1 Q. Do you -- do you read the paper while
 2 you're in class on Monday and Tuesday?
 3 A. Yes. And we do three current events and
 4 turn them in on Thursday.
 5 Q. So there's three current events that are
 6 due on -- on Thursday?
 7 A. Yes.
 8 Q. And you have Monday and Tuesday to work on
 9 those in class?
 10 A. Yes.
 11 Q. And I think you said on Wednesday, Thursday
 12 and Friday, you read out of the book?
 13 A. Yes.
 14 Q. Do you do any other activities on those
 15 days?
 16 A. Worksheets.
 17 Q. What kind of worksheets do you do?
 18 A. From the book.
 19 Q. When you say, "from the book," do you
 20 mean -- are there -- there are questions on the
 21 worksheets that you need to use the book to answer?
 22 A. Yes.
 23 Q. Are there any other types of worksheets?
 24 A. No.
 25 Q. Are you assigned reading from the textbook

1 as part of your homework?
 2 A. Yes.
 3 Q. How often do you receive homework -- strike
 4 that.
 5 How often do you receive a homework
 6 assignment that requires you to do reading out of
 7 your textbook?
 8 A. Wednesday, Thursdays, and sometimes
 9 Fridays.
 10 Q. Are you tested in your U.S. history class?
 11 A. Yeah.
 12 Q. About -- about how often do you have a
 13 test?
 14 A. Like the last -- the last semester.
 15 Q. Do you recall how many tests you had last
 16 semester?
 17 A. From every class, or just my history class?
 18 Q. Oh, I'm sorry. Yeah, just from your U.S.
 19 history class.
 20 A. Two.
 21 Q. And can you tell me on what subject matter
 22 you were tested on those?
 23 A. She gave us three countries to research and
 24 do like a project, and then to present it in front
 25 of the class.

1 Q. And is that -- the project you just
 2 identified, where you researched three countries and
 3 presented it to the class, is that one of the tests
 4 that you were speaking about?
 5 A. Yes.
 6 Q. Did you do that for your second test, too?
 7 A. No. The second test is like a final. We
 8 have every -- every year, the last semester. The
 9 second semester.
 10 Q. And on what material are you tested for
 11 that final?
 12 A. Every class.
 13 Q. Okay. And your -- in your U.S. history
 14 class this year, on what material were you tested on
 15 for your final at the end of the first semester?
 16 A. We -- the test is on everything we learned
 17 the whole semester.
 18 Q. Okay. Were there any problems with the
 19 physical condition of the classroom that you were in
 20 for the first semester of your U.S. history class?
 21 A. No.
 22 Q. Was there any tagging on the desks, or on
 23 your desk in your U.S. history class?
 24 A. No.
 25 Q. And you are in a new class for your --

1 classroom for U.S. history now for the second
 2 semester?
 3 A. Yes.
 4 Q. What's the physical condition of that
 5 classroom like?
 6 A. It's okay, but the floor is a little bit
 7 dirty.
 8 Q. Can you tell me a little bit more about
 9 what you mean when you say "the floor is a little
 10 bit dirty"?
 11 A. It is dirty sometimes. It had like -- I
 12 don't know if it's gum or something like stuck on
 13 there.
 14 Q. Do you know whether anybody comes in and
 15 cleans up this classroom?
 16 A. The janitor.
 17 Q. Do you know how often the classroom is
 18 cleaned?
 19 A. No.
 20 Q. Was your classroom for the first semester
 21 U.S. history -- was that classroom maintained in a
 22 clean fashion?
 23 A. Yes.
 24 For the history class, when we were doing
 25 the research for the three countries, we needed to

1 use the computers, but they weren't working. We
 2 had, like, around three -- six computers. Three of
 3 them are the new ones, and the other three are old.
 4 Q. So as part of your -- your project that you
 5 identified today, with researching the three
 6 countries, you had to use the computer to do the
 7 research?
 8 A. Yes.
 9 Q. And you said that there's six computers
 10 total?
 11 A. Yes.
 12 Q. And three of those are new and three are
 13 old?
 14 A. Yes.
 15 Q. And there were three that weren't working
 16 when you needed to do that --
 17 A. They weren't working. And we went on the
 18 Internet and when we went to print out, it didn't
 19 work.
 20 Q. Where are the computers that you're
 21 referring to located?
 22 A. On each side.
 23 Q. Are they --
 24 A. Three on each side.
 25 Q. And that's three on each side in your

1 classroom?
 2 A. Yes.
 3 Q. We're referring to the classroom that you
 4 had during the first semester for U.S. history?
 5 A. For the second semester.
 6 Q. Oh, for the second.
 7 Were there computers in your classroom
 8 during the first semester?
 9 A. Yeah, but we didn't use them.
 10 Q. And now, I just want to make sure how
 11 many -- when you went on the computer and tried to
 12 print --
 13 A. Uh-huh.
 14 Q. -- were all of the six unable to print
 15 material?
 16 A. Yes.
 17 Q. Did you try and print the material again
 18 later?
 19 A. No. She said they wouldn't print. Just to
 20 go to the lab and print them.
 21 Q. And when you say "go to the lab," are you
 22 referring to the computer lab?
 23 A. Yes.
 24 Q. So did you go to the computer lab and print
 25 the material?

1 A. Yes.
 2 Q. Do you know what grade you received for the
 3 first semester of U.S. history?
 4 A. No.
 5 Q. Who is your teacher for your electronics
 6 class?
 7 A. Mr. Earkman.
 8 Q. What do you -- what is it exactly that you
 9 do in the electronics class?
 10 A. First it was -- it was called computer
 11 something. I forgot what it was. And we were
 12 learning -- we were going to learn how to make
 13 computers. But then the lady from the office called
 14 and said that the teacher got the wrong class, that
 15 he's supposed to be showing electronics instead of
 16 computers. So we started doing electronics.
 17 And we see videos every week. And we
 18 make -- we study, like, the resistors, transistors,
 19 and then -- on the computer. And after that, we
 20 have a test, on Tuesdays and Thursdays. And then
 21 we'll be able to circuit.
 22 Q. "To circuit," do you mean you will be able
 23 to build a circuit?
 24 A. Yeah. Like, he gives us a box and it has
 25 transistors and that other stuff, I don't know their

1 names.
 2 Q. And the materials that -- and the goal is
 3 that with the materials that are provided within the
 4 box, to build a circuit?
 5 A. Yes.
 6 Q. Is that --
 7 A. We have a book -- we have two books. One
 8 to build -- to learn how to build a circuit.
 9 Q. And what is the other book?
 10 A. Electronics, I think it's called.
 11 Q. And has Mr. Earkman been your teacher
 12 throughout the school year?
 13 A. Eleventh.
 14 Q. For your -- yeah, strike that. I'm sorry.
 15 Has Mr. Earkman been your electronics
 16 teacher for the entire course of your eleventh grade
 17 year?
 18 A. Yes.
 19 Q. And do you think that Mr. Earkman is a good
 20 or a bad teacher?
 21 A. Good teacher.
 22 Q. What about Mr. Earkman leads you to think
 23 that he's a good teacher?
 24 A. That he shows us how to do it and he
 25 doesn't get mad really easy if we don't know how to

1 do it. He has patience.
 2 Q. Do you receive homework in your electronics
 3 class?
 4 A. No.
 5 Q. And I think earlier you mentioned that one
 6 of your projects was to construct a circuit from
 7 parts that are placed in a box. Are there other
 8 kinds of tests that you do in your electronics
 9 class?
 10 MS. McCALLUM: Objection. Mischaracterizes
 11 the testimony. I don't think she said it was a
 12 test. She said it was a project.
 13 MR. SIMMONS: Oh, okay.
 14 THE WITNESS: On Mondays, Wednesdays and
 15 Fridays, we build a circuit. And then on Tuesdays
 16 and Thursdays, we use the computers and we have a
 17 lesson on the stuff we use for the circuit. And
 18 after the lesson, we have a test.
 19 BY MR. SIMMONS:
 20 Q. And does that test occur on Monday,
 21 Wednesday and Friday, or is that --
 22 A. On Tuesday and Thursday.
 23 Q. Does that test occur each Tuesday and
 24 Thursday?
 25 A. Yes.

1 Q. And you mentioned that you have two books
2 for that class. One is a book that is used to learn
3 about circuits?
4 A. Yes.
5 Q. And one is a book that you thought was
6 called Electronics?
7 A. Yes.
8 Q. With respect to the book that's about
9 circuits, do you have your own copy of that book to
10 use?
11 A. No. When we get the box -- my box is 13,
12 and everyone has a box, but we don't take them home,
13 it's in the class -- then we get the book. And
14 there's four tables. And four people sit on the
15 table. And we do the circuit. And we learn it from
16 the book.
17 Q. So there's -- there's four people to each
18 table?
19 A. Yes.
20 Q. And does -- does each student have their
21 own box?
22 A. Yes.
23 Q. But then is there one textbook per table?
24 A. No. We don't use the textbook a lot.
25 Q. Okay. Let's see.

1 But I just want to try and see that the
2 book that's about circuits, is there enough for each
3 student to use that book in class?
4 A. Yes.
5 Q. Do you have your own copy of the book that
6 you think is entitled Electronics?
7 A. No.
8 Q. Do you have to share that book with anyone?
9 A. No.
10 Q. How do you -- when the Electronics book is
11 used, how do you go about getting a copy of it?
12 A. The teacher passes them out, and we read,
13 then we answer the questions, and then we turn in
14 the paper. And the books, he collects them.
15 Q. And do you know whether you can take that
16 textbook home?
17 A. I don't know. I've never taken it home.
18 Q. Is there a sufficient number of the
19 Electronics books for each student to use their own
20 in class?
21 A. Yes.
22 Q. You mentioned that there's four tables in
23 that class.
24 A. No -- to build the circuit, okay, the front
25 is the tables, and then the computers, and then

1 there's four tables to do the circuits so it has the
2 batteries in the tables.
3 Q. You use the tables to do the circuits in?
4 A. Yeah, because we need to connect the
5 circuits to the battery.
6 Q. Do any students not have a place to sit at
7 a table?
8 A. It's a small class.
9 Q. And when you say "it's a small class,"
10 you're referring to the number of students?
11 A. Number of students.
12 MR. CUEN: Just for clarification. So does
13 that mean there's enough tables for each student?
14 THE WITNESS: It's a desk that we use.
15 MS. McCALLUM: Is there a desk for every
16 student?
17 THE WITNESS: Yes.
18 MS. McCALLUM: Make sure you answer only
19 the question he asks you, okay? Listen real
20 carefully.
21 BY MR. SIMMONS:
22 Q. Do you recall what room number you have
23 your electronics class in?
24 A. It's --
25 Q. Does it mention the room number on --

1 A. 7105.
2 Q. Okay. So Exhibit 2 identifies the room
3 number?
4 A. Yes.
5 Q. And were you in room 7105 for the first
6 semester?
7 A. Yes.
8 Q. Are you in that room now for the second
9 semester?
10 A. Yes.
11 Q. Is that room maintained in a clean fashion?
12 A. It's dirty.
13 Q. What about that classroom that makes you
14 think it's dirty?
15 A. The walls.
16 Q. And what about the walls is dirty?
17 A. It has like dirt or something in it. And
18 then all the way in the back, it has just chairs
19 and, like they're very old, chairs right there. It
20 has tables and machines, I think it is.
21 Q. So you mentioned that there's -- there's
22 some dirt or something on the walls, and then you
23 identified a problem with some chairs in the back?
24 A. Yeah. I think it has chairs and machines
25 in the back.

1 Q. And are the chairs that are in the back,
2 are those chairs dirty, or is there too many of
3 them?
4 A. We don't use them.
5 Q. And there's machines in the back of the
6 room, too?
7 A. Yes.
8 Q. Do you know what kind of machines?
9 A. No.
10 Q. Do you know how many machines there are?
11 A. I think there's about two or one. I don't
12 remember.
13 Q. Was that two or one or ...
14 A. Yeah.
15 Q. Are there any other aspects or problems
16 with the physical condition of -- of the classroom
17 that you have electronics in?
18 A. No.
19 Q. Who is your geometry teacher this year?
20 A. Mr. Lucey.
21 Q. And before we go on, would you look at
22 Exhibit 2 just real quick. That's your -- it looks
23 like your schedule. You'll see that it says Mr. --
24 or that's Ms. Young for what's listed there as
25 contemporary composition, or contemp. com.?

1 Fridays, because she teaches and I think at UCLA.
2 She's a teacher there, too. So she was going on
3 Fridays.
4 Q. So was Ms. Young absent from your class on
5 Fridays?
6 A. Yeah. On Fridays she was absent and then
7 she came.
8 Q. So every other Friday she missed your
9 class?
10 A. Yes.
11 Q. Was that the first semester?
12 A. Yes.
13 Q. Is that going to be the same the second
14 semester?
15 A. No, she's here every day.
16 Q. Was there an adult to teach your class when
17 Ms. Young was out on the Fridays?
18 A. Yes.
19 Q. Who was that?
20 A. I don't know his name.
21 Q. Was it the same person on each Friday, or
22 did it vary?
23 A. It was different.
24 Q. What kind of -- what kind of things would
25 you do when Ms. Young was out and you had another

1 A. Yes.
2 Q. And that's what we've been referring to as
3 your American Lit. course; is that right?
4 A. Yes.
5 Q. Have you had any other teachers in there
6 other than Ms. Young?
7 A. No.
8 Q. How about with respect to U.S. history,
9 have you ever had any other U.S. history teacher
10 other than -- is that Ms. Stovall?
11 A. Ms. Stovall.
12 Only when she's absent.
13 Q. Was she ever absent for more than three
14 days at a time?
15 A. The last semester she fell from the stands,
16 so we had a substitute.
17 Q. How long did you have a substitute for?
18 A. For a week.
19 Q. Do you recall any other occasions where
20 Ms. Stovall was absent for more than three days?
21 A. No.
22 Q. And have you had any teachers for
23 electronics other than Mr. Earkman this year?
24 A. No.
25 On Ms. Young, last semester she went out on

1 adult in the classroom?
2 A. She would leave us the work we needed to
3 do.
4 Q. Did the Fridays where Mrs. -- where
5 Ms. Young was not in attendance in the classroom,
6 did they differ from the Fridays where she was?
7 A. No, they were the same.
8 Q. Has [REDACTED] been your geometry teacher
9 for the entire year this year?
10 A. Yeah.
11 Q. Has he been absent for more than three days
12 at a time?
13 A. Like two days.
14 Q. He's been absent for two days before?
15 A. Yes.
16 Q. On how many occasions?
17 A. It was one or two days because he's going
18 to retire, and he said he was going to be absent
19 most of the days.
20 Q. Most of these --
21 A. These days -- the days this semester
22 because of his retirement. He said it takes a lot
23 of time.
24 Q. So he said he would take a lot of time off
25 this -- during the second semester?

- 1 A. Yes.
 2 Q. How long have you been -- how long has the
 3 second semester been going now?
 4 A. Since January the 2nd.
 5 Q. Has [REDACTED] missed any days yet?
 6 A. No.
 7 Q. Do you know about how many days [REDACTED]
 8 missed total during the first semester?
 9 A. Only two.
 10 Q. How are students seated in your -- well, do
 11 you have -- strike that.
 12 Do you have -- have you had more than one
 13 classroom for your geometry course this year?
 14 A. Yes. B-4 and B-7.
 15 Q. And was B-4 your classroom during the first
 16 or second semester?
 17 A. First. This is -- B-4 is the second and
 18 B-7 was the first.
 19 Q. So you had the B-7 classroom for the entire
 20 first semester?
 21 A. Yes.
 22 Q. And then at the start of the second
 23 semester you switched to B-4?
 24 A. Yes.
 25 Q. How were students seated in your B-7

- 1 Q. And does someone solve the problem that's
 2 put up on the board?
 3 A. Yeah.
 4 Q. Who does that?
 5 A. The whole class.
 6 Q. And does -- does [REDACTED] explain the
 7 problem while the class is solving it?
 8 A. Yes.
 9 Q. And then after the warm-up, are you
 10 assigned problems from a specific page in the text?
 11 A. Yes.
 12 Q. And is that the way the class works each
 13 day, or does it vary?
 14 A. Each day.
 15 Q. Do you receive --
 16 A. That's every day that we do that.
 17 Q. Do you ever receive homework in your
 18 geometry class this year?
 19 A. No.
 20 Q. Do you know whether you can take a textbook
 21 home from your geometry class?
 22 A. I don't know.
 23 Q. Did you ever use any worksheets in your
 24 geometry class this year?
 25 A. No.

- 1 geometry classroom?
 2 A. At a desk.
 3 Q. Were there any students that lacked a desk?
 4 A. No.
 5 Q. And how about now that you're in B-4, how
 6 are students seated in that classroom?
 7 A. At a desk.
 8 Q. And have any students lacked a desk in that
 9 class?
 10 A. No.
 11 Q. Do you have a textbook to use in your
 12 geometry class?
 13 A. Yes.
 14 Q. Are you assigned a specific copy?
 15 A. No.
 16 Q. How do you -- how do you obtain a copy of
 17 the textbook in that class?
 18 A. When we go in class, we get the book, the
 19 textbook, and then he gives us a certain page, and
 20 we do the work from the book. And there's a warm-up
 21 on the board.
 22 Q. And when you refer to a "warm-up on the
 23 board," are you referring to problems put up on the
 24 board?
 25 A. Yeah. There's only one.

- 1 Again, the first semester, instead of the
 2 textbooks, we used worksheets.
 3 Q. Do you know why you started using textbooks
 4 during the second semester?
 5 A. No.
 6 Q. Did you have the textbooks to use during
 7 the first semester?
 8 A. No.
 9 Q. Can you tell me how you knew that you
 10 didn't have textbooks to use during the first
 11 semester?
 12 A. He said we were going to get books, but we
 13 never did until the second semester.
 14 Q. So during the first semester instead of
 15 being assigned problems from a specific page in the
 16 textbook, you were given a worksheet with problems
 17 on it?
 18 A. Yes.
 19 Q. Have you been tested in your geometry class
 20 this year?
 21 A. No.
 22 Q. Did you have a final at all in your
 23 geometry class at the end of the first semester?
 24 A. Yes.
 25 Q. Did you have any other tests in that one?

- 1 A. No.
 2 Q. Was the B-7 classroom during the first
 3 semester kept in a clean fashion?
 4 A. Yeah. The walls are dirty, but the janitor
 5 cleans every day.
 6 Q. And what about the walls were dirty?
 7 A. Mostly dirt, I think.
 8 Q. Were there any -- any other problems with
 9 the physical condition of B-7 that you can identify?
 10 A. The windows. They have, like, what do you
 11 call that thing, those things (indicating)?
 12 Q. Are you looking at the blinds?
 13 A. Yeah, the blinds. They have dust and
 14 they're dirty.
 15 Q. The blinds on the windows were dusty and
 16 dirty?
 17 A. Yeah. And the walls -- I mean the windows,
 18 you can't see outside because it's painted from the
 19 outside.
 20 Q. Do you know what color the windows are
 21 painted?
 22 A. Like beige, from the outside. From the
 23 inside, you see black.
 24 Q. Are all the windows painted?
 25 A. Yes.

- 1 Q. Do you know how many windows total there
 2 are in this classroom?
 3 A. I think it's four or so.
 4 Q. Any other problems with the physical
 5 condition of the classroom?
 6 A. The desks, they have tagging.
 7 Q. Did your desk have tagging on it?
 8 A. Yes.
 9 Q. And this was your desk in the B-7
 10 classroom?
 11 A. Yes.
 12 Q. On what portion of your desk had tagging on
 13 it?
 14 A. The whole desk.
 15 Q. Did any of the other desks in the B-7
 16 classroom have tagging on them?
 17 A. Yes.
 18 Q. Do you know how many other desks had
 19 tagging on them?
 20 A. Most of the chairs.
 21 Q. When you say "most of the chairs," do you
 22 mean most of the desks or ...
 23 A. Both.
 24 Q. And when you refer to a chair, do you mean
 25 a chair that's attached to the desk?

- 1 A. Yes.
 2 Q. Can you recall any other problems with the
 3 physical condition of the B-7 classroom that you had
 4 this year?
 5 A. That's it.
 6 Q. Is your geometry class, now that it's moved
 7 to B-4, is it maintained in a classroom -- or is it
 8 maintained in a clean fashion now?
 9 A. The same thing, but they changed the floor,
 10 I think.
 11 Q. When you say "they changed the floor," can
 12 you tell me what you mean by that?
 13 A. The blocks on the floor, they have a
 14 different one -- it is a different floor. It has a
 15 different design.
 16 Q. Is the floor kept in a clean fashion?
 17 A. Yes.
 18 Q. Are there windows in the B-4 classroom?
 19 A. Yes.
 20 Q. Do they have paint --
 21 A. It is like the same thing on B-7 and --
 22 there is still two windows, I think it is B-4 and
 23 B-5, and then in the back of B-4 and B-5, there is
 24 bungalow B-7 and B-6.
 25 Q. Now, are there windows in B-4?

- 1 A. Yes.
 2 Q. And do they have the paint on them?
 3 A. Yes.
 4 Q. Do all of them have paint?
 5 A. Yes.
 6 Q. Are there blinds on the windows?
 7 A. Yes.
 8 Q. And how do the blinds on the windows in B-4
 9 compare to the blinds in B-7?
 10 A. The same.
 11 Q. Does your desk in B-4 have graffiti on it?
 12 A. Yes.
 13 Q. I think we've been using "tagging" instead.
 14 Does it have tagging on it?
 15 A. Yes.
 16 Q. What portion of your desk has tagging?
 17 A. The whole desk.
 18 Q. Do any other desks in B-4 have tagging?
 19 A. Most of them.
 20 Q. When you say "most," do you mean more than
 21 half?
 22 A. Yes.
 23 Q. And does the amount of tagging on those
 24 desks vary, or is it the same on each of them?
 25 A. Some of them has more; others have less.

1 Q. Do you have a grade for your geometry class
2 for the first semester?

3 A. Yes.

4 Q. What's that?



14 Q. And who is your chemistry teacher this
15 year?

16 A. Mr. Brown.

17 Q. That's Mr. Brown?

18 A. Yes.

19 Q. And do you think Mr. Brown is a good or a
20 bad teacher?

21 A. A good teacher.

22 Q. What about Mr. Brown makes you label him as
23 a good teacher?

24 A. Well, my biology class was boring, the
25 teacher, and chemistry is fine.

1 A. From -- we'll go out in February, and when
2 we come back, it's going to be a different class.

3 Q. Do you know what class it's going to be?

4 A. The class we were in the first semester.

5 Q. How were students seated in the class that
6 you were in during the first semester?

7 A. At a desk.

8 Q. Did any students not have a desk?

9 A. The first year -- the first semester, no,
10 there was just only one person without a desk.

11 Q. One person didn't have a desk during the
12 first semester?

13 A. Yes.

14 Q. And was that the -- the situation through
15 the entire first semester?

16 A. Yes.

17 Q. Where did that -- did that person have
18 another place to sit?

19 A. The table that was brought from another
20 class, and the chairs.

21 Q. So there was a table and a chair brought
22 from another class?

23 A. Yes.

24 Q. And it was just this one person that sat
25 there?

1 Q. How about with respect to his ability to
2 explain the material, what kind of job does
3 Mr. Brown do explaining the material?

4 A. Good.

5 Q. Do you have -- and have you had two
6 classrooms for the chemistry class this year?

7 A. Yes.

8 Q. Do you recall what the room number was, if
9 any, for the first semester classroom?

10 A. I don't -- it is the same hall, but I don't
11 remember the room.

12 Q. Did you have this classroom, though, one
13 classroom for the entire first semester, and then
14 you switched at the beginning of the second
15 semester?

16 A. Yeah. And he said we're going to change
17 again to the first room.

18 Q. Mr. Brown has said that you're probably
19 going to change back to the first --

20 A. We go on vacations and we go back in, we're
21 going to be in the different room.

22 Q. Are you on vacation right now?

23 A. No, I'm in school.

24 Q. So when you come back from the next
25 vacation, you -- you think you'll change classrooms?

1 A. Yes.

2 Q. Can you tell me where the table and the
3 chairs were located in relation to the desks in the
4 classroom?

5 A. We come in, the class has the desk and
6 there's other tables for the lab, and at the side,
7 like in front of the board, was a desk.

8 Q. Was the -- at the side in front of the
9 board was where the table was that was brought in?

10 A. Yes.

11 Q. How long did it take for the table to be
12 brought into your class?

13 A. That same day.

14 Q. Now that you're in the -- a different
15 classroom for the second semester, how are students
16 seated in that classroom?

17 A. With tables and chairs.

18 Q. And is there a space for each student to
19 sit at a table?

20 A. Yes. In the table there's two persons.

21 Q. So there's two persons -- two people per
22 table?

23 A. Yes.

24 Q. And are there any students that don't have
25 a spot to sit at the table?

1 A. Everyone has a desk -- everyone has a
2 table.
3 MR. CUEN: Just for clarification, is the
4 table made for two students?
5 THE WITNESS: Yes.
6 BY MR. SIMMONS:
7 Q. And do you have a textbook to use for your
8 chemistry class?
9 A. Yes.
10 Q. Are you assigned a specific copy of the
11 textbook?
12 A. No.
13 Q. Do you use the textbook in connection with
14 your in-class work?
15 A. Sometimes.
16 Q. And when you do use the textbook, how do
17 you get a copy of it?
18 A. He passes out the books.
19 Q. And have you ever had to share a copy of
20 the textbook?
21 A. No.
22 Q. So does each student have a copy of the
23 textbook to use in class?
24 A. Yes.
25 Q. Was that "yes"?

1 A. Yes.
2 And last year, we used them more than this
3 year. And the books, they didn't have some of the
4 pages. And some of them were torn in half.
5 Q. Are you referring to the chemistry books?
6 A. Yes.
7 Q. And when you said "last year, we used them
8 more than this year," you're referring to the first
9 semester of the eleventh grade year?
10 A. Yes.
11 Q. How often -- how often do you think per
12 week, or -- strike that.
13 How often would you use the textbooks
14 during the first semester?
15 A. Almost every week.
16 Q. And did you ever receive a copy of the
17 textbook that was missing pages?
18 A. Yes.
19 We -- he passes out the books. And then I
20 got one which didn't have pages. And I told the
21 teacher. He said to get a different book. I got a
22 different book. And when I was looking through the
23 pages I needed to see, they were torn. So I told
24 him again. And then he told me to get another book.
25 And I checked it, that one was okay.

1 Q. And this all occurred on one occasion; is
2 that right?
3 A. Yeah.
4 Q. Can you recall any other occasions where
5 the book that you were using was missing pages?
6 A. No.
7 Q. Can you recall any other occasion where the
8 book that you were using was -- had -- or suffered
9 from torn pages?
10 A. No.
11 Q. Do you recall any occasions where -- where
12 students in the class complained that their book was
13 missing pages?
14 A. Yes.
15 Q. About how many times do you recall that
16 happening?
17 A. Two or three times.
18 Q. And I don't know whether you'll know this
19 or not, but was -- was there one or two particular
20 texts that sometimes got passed out and those were
21 the texts that had problems?
22 A. Maybe.
23 Q. And I think you've identified two or three
24 times where students mentioned that their textbook
25 was missing pages. Were there any occasions where

1 you heard students say their textbook had torn
2 pages?
3 A. Yes.
4 Q. And do you know about how many times?
5 A. Those two or three times.
6 Q. So on those two or three occasions where
7 you've already identified, it was an instance where
8 the textbook had either missing or torn pages?
9 A. Yes.
10 Q. Did you ever take the chemistry textbook
11 home?
12 A. No.
13 Q. Do you know whether you could take it home?
14 A. I don't know.
15 Q. Were you assigned homework in your
16 chemistry class?
17 A. No. Sometimes.
18 Q. Do you know about how often you received
19 homework in your chemistry class?
20 A. No.
21 If he gave homework, it was -- he gives
22 worksheets. And if we have a test, he gives us a
23 pretest worksheet to do at home.
24 Q. Did you ever do, or have you ever had any
25 laboratory work in your eleventh grade chemistry

1 class?

2 A. Last -- last week -- this week we did -- we

3 did one. And he said he didn't have enough

4 materials to do it. I think he was going to use a

5 beaker, and instead of that, he used cups.

6 Q. And this was -- this occurred this week --

7 A. Yes.

8 Q. -- the occasion you're referring to?

9 Do you recall doing other -- any other

10 laboratory work?

11 A. We have, but I can't remember.

12 Q. Okay.

13 A. And he -- he used spoons, too, because we

14 didn't have something else to stir it up with. So

15 he said we need to use spoons.

16 Q. Was there a name for the type of experiment

17 that you did?

18 A. Yeah, but I don't -- I don't really know

19 what was the name of that.

20 Q. And you mentioned a pretest worksheet, so I

21 assume you have some tested -- some tests in your

22 eleventh grade chemistry class; is that right?

23 A. Yes.

24 Q. Do you know about how many tests you've had

25 in that class?

1 A. Almost every two weeks.

2 Q. So you have a test about every two weeks?

3 A. Yes. And then the finals we have.

4 Q. Did you have your chemistry -- did you have

5 your chemistry classroom in the -- during the first

6 semester in a different classroom than you have it

7 now in the second semester?

8 A. Yeah.

9 Q. Do you -- do you recall what room number

10 that you had it for the first semester?

11 A. No.

12 Q. Does this -- does Exhibit 2 that you have

13 before you, is that a list of your classes for --

14 and classrooms for the second semester?

15 A. Yeah, second semester.

16 Q. So this semester, you have your chemistry

17 class in 246; is that correct?

18 A. Yes.

19 Q. And during the first semester you had it in

20 a different classroom than 246?

21 A. Yes.

22 Q. And how are students seated -- or how were

23 students seated in the first semester classroom for

24 chemistry?

25 A. Seated at the desks and one table.

1 Q. We covered this already?

2 A. (Nods head.)

3 Q. Did I ask you about the seating in your

4 chemistry?

5 A. Yes.

6 Q. Okay. Do you -- do you remember whether

7 the classroom where you had the first semester of

8 chemistry -- do you remember whether that classroom

9 was maintained in a clean fashion?

10 A. It was all right.

11 Q. It was all right?

12 A. (Nods head.)

13 Q. Were there any problems with the physical

14 condition of that classroom that you can recall?

15 A. No. Only the sink, that was dirty.

16 Q. And what about the sink was dirty?

17 A. The -- it had dirt in it.

18 Q. Anything else?

19 A. No.

20 Q. Did anyone clean that sink, if you know?

21 A. After we had the labs, we cleaned it, but

22 not like ... no, only to clean it, but not to take

23 the dirt off, no.

24 Q. But you -- just to make sure, you do recall

25 the sink being cleaned after lab work?

1 A. Yes.

2 Q. Okay. How -- how about with respect to

3 room 246 where your chemistry class is now, is that

4 classroom maintained in a clean fashion?

5 A. Yeah.

6 Q. Are there any problems with the physical

7 condition of that classroom?

8 A. Only the table that's tagged.

9 Q. And is this one particular table that

10 you're referring to?

11 A. The table that I sit in.

12 Q. And what portion of the table that you sit

13 at is tagged?

14 A. On the corner.

15 Q. Is that the top corner, the bottom corner?

16 A. The bottom corner.

17 Q. And on which side of the table as you're

18 sitting in it?

19 A. This side (indicating).

20 Q. On your left side?

21 A. Yeah.

22 Q. Have you received a grade for the first

23 semester of your chemistry course?

24 A. Yes.

25 Q. Do you know what you received?

- 1 A. A [REDACTED]
 2 And something happened to the science
 3 building that it was burned, so we didn't go in
 4 there. We went to the auditorium or the peer hall.
 5 Q. So there was a fire in the science
 6 building?
 7 A. Yes.
 8 Q. When did that occur?
 9 A. In the first semester.
 10 Q. Was it near the beginning of the first
 11 semester or the end of the first semester?
 12 A. I don't remember.
 13 Q. Was there -- was the fire near your
 14 classroom?
 15 A. It was -- I think it was half of the
 16 building. But they cleaned -- they fixed the inside
 17 of it.
 18 Q. Did the fire affect your classroom?
 19 A. The one I'm in right now, yes.
 20 Q. So the one that you're -- you're in for the
 21 second semester was affected by the fire?
 22 A. Yes.
 23 Q. And was it fixed by the time that your
 24 class moved into the --
 25 A. Yes.

- 1 A. Either we went to the peer hall or to the
 2 auditorium.
 3 Q. Okay. So you -- on one day you might go --
 4 A. It was because -- it was two times when
 5 the -- that happened, but I don't -- I didn't think
 6 it affected to the fire -- I don't think it affected
 7 so much the class.
 8 Q. So I think -- I think you're -- you're
 9 testifying that -- that the fire in the science
 10 building didn't necessarily affect your classroom
 11 during the first semester --
 12 A. Uh-huh.
 13 Q. -- but that for some reason, be it safety
 14 or otherwise, you went to the peer hall or the
 15 auditorium for about two weeks?
 16 A. Uh-huh.
 17 Q. And that was about two weeks total that you
 18 were out of the classroom?
 19 A. Yes. Because they were fixing the whole
 20 building.
 21 Q. Were there things about your chemistry
 22 class that you liked?
 23 A. The labs, we don't have what we're supposed
 24 to have, but it's okay.
 25 Q. You enjoyed the labs but there were times

- 1 Q. -- to the classroom that you have in the
 2 second semester?
 3 A. Yes.
 4 Q. Did the fire in the science building affect
 5 your classroom during the first semester?
 6 A. No.
 7 Q. When you -- you mentioned earlier that you
 8 went to the peer hall?
 9 A. Yes.
 10 Q. Or the auditorium?
 11 A. Yeah.
 12 Q. What circumstances led you to go to the
 13 peer hall or the auditorium?
 14 A. We went there because we couldn't go in the
 15 science building.
 16 Q. And during what semester did this occur?
 17 A. The first semester.
 18 Q. And on how many occasions did you go to the
 19 peer hall because you couldn't go to the science
 20 building?
 21 A. It was like less than two weeks.
 22 Q. And how about the auditorium, how often did
 23 you go -- or for how long did you go to the
 24 auditorium when you couldn't use your classroom
 25 because of the fire in the science building?

- 1 that you didn't have the materials that you were
 2 supposed to have?
 3 A. Yeah.
 4 Q. And is that -- when you say there were
 5 times when you didn't have the materials that you
 6 were supposed to have, I think you identified one
 7 occasion already and that was where you used cups
 8 instead of beakers?
 9 A. Uh-huh.
 10 Q. And you used spoons to stir?
 11 A. Yes.
 12 Q. Were there any other occasions where you
 13 were lacking lab materials?
 14 A. Last year, the first semester, we did this
 15 lab, but it was two persons, and we didn't have the
 16 materials, but it was like half of the class was
 17 doing it, the other half was doing the worksheet.
 18 And when we finished, the other half went to do the
 19 lab and the others went to do the worksheet.
 20 Q. Are there any other occasions where you can
 21 identify where there was not a sufficient amount of
 22 lab materials?
 23 A. Not that I can remember.
 24 Q. And who's been your Spanish teacher this
 25 year?

1 A. Mr. Oropeza.
 2 Q. And that's O R O P E Z A?
 3 A. Yes.
 4 MS. McCALLUM: Do you need a break?
 5 THE WITNESS: No.
 6 MS. McCALLUM: Are you okay?
 7 THE WITNESS: Uh-huh.
 8 BY MR. SIMMONS:
 9 Q. Oh, and just quickly with respect to -- to
 10 Mr. Brown. Did you have any other teachers than
 11 Mr. Brown for your chemistry class?
 12 A. No.
 13 Q. Was Mr. Brown ever absent for more than two
 14 or three days at a time?
 15 A. Two days. But he was absent one day from a
 16 week and then two weeks later he was absent, so only
 17 two times.
 18 Q. Okay. And how about Mr. Oropeza, has he
 19 been your teacher -- was he your teacher for the
 20 entire first semester of your Spanish class during
 21 the entire eleventh grade?
 22 A. We were going to have [REDACTED], Spanish
 23 teacher, but -- I don't know if she was fired, or
 24 she quit and we didn't have a teacher. And then
 25 Mr. Oropeza was our teacher.

1 Q. On the first day of class, was Mr. Oropeza
 2 there as your teacher?
 3 A. No.
 4 Q. How long did it take before Mr. Oropeza
 5 came in to teach your class?
 6 A. I don't know.
 7 Q. Was it more than a week?
 8 A. Less. Like, within two weeks.
 9 Q. So it was at some point within the first
 10 two weeks of school that Mr. Oropeza became your
 11 teacher?
 12 A. Yes.
 13 Q. Was there someone to supervise the class
 14 before the time that Mr. Oropeza came in?
 15 A. Yes.
 16 Q. Was it the same individual or different?
 17 A. Different.
 18 Q. Do you know about how many -- how many
 19 substitutes -- were these -- is it fair to call the
 20 people that came into the classroom substitute
 21 teachers?
 22 A. Yes.
 23 I remember this lady but I don't know her
 24 name. She went there for two or three days.
 25 Q. And do you recall having any other

1 substitute teachers?
 2 A. I don't remember the other ones.
 3 Q. Do you recall having -- but do you -- even
 4 though you can't recall them with specificity, do
 5 you think there were more substitute teachers than
 6 the one woman that you're able to identify right
 7 now?
 8 A. Yes.
 9 Q. Do you know about how many more?
 10 A. Like two or three.
 11 Q. And it looks like your Spanish class for
 12 this second semester is now in room 1216; is that
 13 correct?
 14 A. Yeah.
 15 Q. And were you in a different classroom for
 16 the first semester of Spanish?
 17 A. Yes.
 18 Q. Do you recall the room number of that
 19 classroom?
 20 A. I think it was 1212.
 21 Q. How were students seated in 1212?
 22 A. At a desk.
 23 Q. And did any students not have a desk to sit
 24 in?
 25 A. I don't remember.

1 Q. And how about now that you're in room 1216,
 2 how are the students seated in that classroom?
 3 A. At desks.
 4 Q. And do any students not have a desk?
 5 A. About two or three.
 6 Q. Do these students have another place to sit
 7 down?
 8 A. Yes, at a table.
 9 Q. Do they each sit at the same table?
 10 A. There's two at a table. There's these
 11 other two kids that had changed from another class.
 12 Q. So two students sit at a table together?
 13 A. Yes.
 14 Q. And then you said there were another two
 15 students --
 16 A. Who got changed -- came from another class.
 17 Q. And so then another two students received
 18 desks from other classes?
 19 A. Yes. And that class is really crowded.
 20 Q. About how long did it take for the two
 21 students to get the table at which they now sit?
 22 A. They got it that day from another class.
 23 Q. And how about the two students that
 24 received desks, how long did it take for them to
 25 receive the desks?

- 1 A. The same day.
 2 Q. Do you have a -- do you have a textbook to
 3 use in your Spanish class this year?
 4 A. Yes.
 5 Q. Is it a hard-cover textbook?
 6 A. Yes.
 7 Q. Are you -- have you been assigned a
 8 specific text to use?
 9 A. Yes.
 10 Q. Does each student in the class have their
 11 own textbook?
 12 A. Yes.
 13 Q. And can you take your textbook home to do
 14 homework?
 15 A. Yes.
 16 Q. And does your copy of the textbook, is it
 17 missing any pages?
 18 A. No.
 19 Q. Are any of the pages torn in your copy of
 20 the textbook?
 21 A. No.
 22 Q. And do you know whether any other students
 23 have a textbook that's missing pages?
 24 A. No.
 25 Q. Do you know whether any other students have

- 1 A. Good.
 2 Q. And how does Mr. Oropeza do with respect to
 3 explaining the material in your class?
 4 A. Okay. In the declaration, this one
 5 (indicating).
 6 Q. Uh-huh.
 7 A. From last year that they said that I have
 8 Spanish -- I had French first and then Spanish.
 9 Q. Uh-huh.
 10 A. Mr. Harris, my counselor told me if I
 11 wanted to change. And on the second page ... the
 12 first ...
 13 MR. CUEN: Number four, I think.
 14 THE WITNESS: Yes.
 15 It says that the administration told me to
 16 take the Spanish class.
 17 BY MR. SIMMONS:
 18 Q. Uh-huh.
 19 A. And that I didn't have a choice.
 20 He told us that the class was so crowded --
 21 that it was too crowded. And that if I wanted to go
 22 to the Spanish class. And if I did, I was going to
 23 have 20 credits, I think 20 or more credits if I
 24 changed to a Spanish class. Or if I wanted to stay
 25 in a French class, which didn't have a teacher.

- 1 a textbook that's -- that has torn pages?
 2 A. No. I don't know.
 3 Q. How would you describe the physical
 4 condition of your textbook in that class?
 5 A. Average.
 6 Q. Have you been assigned homework in your
 7 Spanish class this year?
 8 A. Yes.
 9 Q. About how often do you receive homework?
 10 A. Every day.
 11 Q. What types of homework assignments do you
 12 receive?
 13 A. From the book we need to read and then
 14 answer the questions.
 15 Q. Are you tested in your Spanish class?
 16 A. At the finals.
 17 Q. So you had a final at the end of the first
 18 semester?
 19 A. Yes.
 20 Q. Did you receive any other tests during the
 21 course of the first semester?
 22 A. I don't recall having another test.
 23 Q. Did you think that Mr. Oropeza was a -- or
 24 do you think that Mr. Oropeza is a good or a bad
 25 teacher?

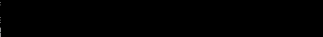
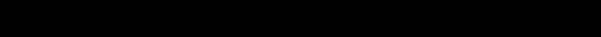
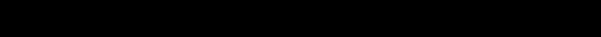
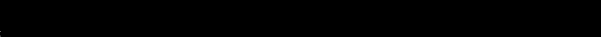
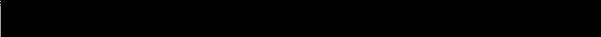
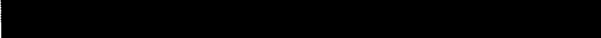
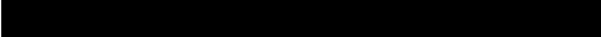
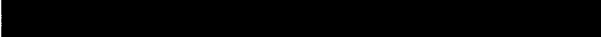
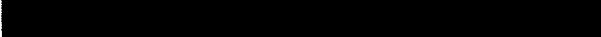

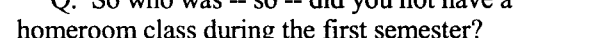


- 1 So he said I had a choice, but it wasn't
 2 really a choice to me because my French class didn't
 3 have a teacher.
 4 Q. Okay. So you're referring to the incident
 5 that's described in paragraph four of the
 6 declaration?
 7 A. Yes.
 8 Q. And you say that this -- this refers to
 9 your tenth grade year when you were signed up to
 10 take French at the beginning of the year; is that
 11 right?
 12 A. Yes.
 13 Q. And you met with -- at the beginning of the
 14 year you met with the counselor?
 15 A. Yeah, in the two weeks I stayed in French
 16 class.
 17 Q. Okay. So sometime within the first two
 18 weeks of the first semester of the tenth grade year,
 19 you met with your counselor; is that correct?
 20 A. Yes.
 21 Q. And what was your counselor's name again?
 22 A. Mr. Harris.
 23 Q. And what did -- what did Mr. Harris say to
 24 you?
 25 A. That if I wanted to stay in the French

1 class, or if I could be moved to the Spanish class.
 2 And I was going to get credits for it.
 3 Q. So Mr. Harris told you that you could stay
 4 in the French class or transfer to the Spanish class
 5 and you would get the same credits in either class?
 6 A. Yeah.
 7 MS. McCALLUM: Wait. The same credits in
 8 the other class?
 9 THE WITNESS: I think, I don't remember.
 10 MS. McCALLUM: Weren't you saying something
 11 about extra credits or something?
 12 THE WITNESS: Uh-huh, 20 extra credits.
 13 BY MR. SIMMONS:
 14 Q. You would get 20 extra credits ...
 15 A. If I went to the Spanish class.
 16 Q. And when you say "extra credits," are you
 17 referring to points that are specific to the class,
 18 or are you referring to credits toward graduation?
 19 A. For the class.
 20 Q. And I think it was your testimony
 21 earlier -- correct me if I'm wrong -- that you --
 22 although you felt you technically had a choice
 23 between French and Spanish, you didn't feel like you
 24 had a choice because there wasn't a teacher for the
 25 French class?

1 A. Yes.
 2 Q. Now, just quickly, if you'll look at the
 3 third sentence of paragraph four on Exhibit 1, which
 4 is your declaration. It says there were about 24
 5 students that had to switch into Spanish class?
 6 A. Uh-huh.
 7 Q. Is that 24 students who were in your French
 8 class that had to switch into Spanish or --
 9 A. Twenty-four students that were in my
 10 Spanish class that were transferred from French.
 11 Q. So 24 students transferred from French
 12 class to Spanish class?
 13 A. Yes.
 14 Q. And when we say "French class," are you
 15 referring to just the one French class that you were
 16 in?
 17 A. No, there was a whole -- not -- from my
 18 class, there was about five students that changed.
 19 Q. But you think that schoolwide
 20 approximately --
 21 A. Yeah, from that -- from that track B class
 22 of French.
 23 Q. So about 24 track B students switched from
 24 the -- a French class to a Spanish class?
 25 A. Yes.

1 Q. And did all those students switch into your
 2 Spanish class?
 3 A. Yes. Sixth period. Because my teacher for
 4 sixth period didn't have a sixth period class, and
 5 then he did when they transferred us to a Spanish
 6 class.
 7 Q. And when you mentioned -- when you say that
 8 it was -- there were about 24 students, can you --
 9 can you tell me how you know that number, or that
 10 you knew that number, that it was 24 students
 11 approximately?
 12 A. Because I count them before I went in.
 13 When I went in, I count the students that would
 14 transfer, because I know most of them.
 15 Q. All right. If we can turn back to just a
 16 couple more questions about your Spanish class.
 17 MS. McCALLUM: Back on eleventh grade,
 18 or --
 19 MR. SIMMONS: Eleventh grade, yeah, thank
 20 you.
 21 Q. For the eleventh grade Spanish class, the
 22 physical classroom that you had that class in during
 23 the first semester, was that classroom maintained in
 24 a clean fashion?
 25 A. Yeah.

1 Q. Were there any problems with the physical
 2 condition of the classroom that you had the first
 3 semester of Spanish, in the eleventh grade?
 4 A. No.
 5 Q. Did your desk have any tagging on it?
 6 A. No.
 7 Q. Were there windows in this classroom?
 8 A. Yes.
 9 Q. Were they painted over?
 10 A. I don't know, they had ...
 11 Q. They had blinds?
 12 A. Yeah, so I didn't see.
 13 Q. And how about now, you're in -- you're in
 14 room 1216 for the second semester; is that right?
 15 A. Yes.
 16 Q. And is room 1216 maintained in a clean
 17 fashion?
 18 A. Yeah.
 19 Q. Are there any problems with the physical
 20 condition of room 1216?
 21 A. No.
 22 Q. Is -- does your desk have any tagging on
 23 it?
 24 A. No.
 25 Q. And are there windows in room 1216?

1 A. Yes.
 2 Q. Are the windows painted over?
 3 A. I don't know. They have the blinds.
 4 Q. Your homeroom teacher is Mr. Woods; is that
 5 correct?
 6 A. I changed class. 
 7 
 8 
 9 
 10 
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 18 
 19 Q. So who was -- so -- did you not have a
 20 homeroom class during the first semester?
 21 A. Of eleventh?
 22 Q. Yeah.
 23 A. Yeah, it was Mr. Woods, but then I changed
 24 to Ms. Stovall's class, which is an eleventh grade
 25 homeroom.

1 Q. And you just did that here for the start of
 2 the second semester?
 3 A. Yes.
 4 Q. And your homeroom -- your homeroom class
 5 during the first semester, what kind of activities
 6 did you do in that class?
 7 A. We read books.
 8 Q. Is the homeroom class -- is that generally
 9 a place where you go to to learn about the events
 10 that are going on at the school? Is it -- do you
 11 know what I mean, if I was to say that it's an
 12 administrative class?
 13 A. No.
 14 Q. Okay. There's no -- there's no particular
 15 subject in your homeroom class; is that right?
 16 A. No.
 17 Well, with Mr. Woods, we only read the
 18 books. 9/11 was with Ms. Stovall. We have -- I
 19 think it was this week, we went to different classes
 20 because we're having a survey.
 21 Q. You went to different classes this week
 22 because of a survey?
 23 A. Yeah.
 24 Q. What kind of a survey?
 25 A. Of Valentines.

1 Q. And what -- does the survey have questions
 2 on it?
 3 A. Yes.
 4 Q. And what kind of questions are on the
 5 Valentines survey?
 6 A. I didn't read them. It was -- I think it
 7 was what would I want for Valentines. And what
 8 colors -- what the -- like most of the people said
 9 teddy bears, so like what color. Stuff like that.
 10 Q. Okay.
 11 (Recess taken from 2:35 to 2:45.)
 12 THE WITNESS: I remembered I have -- I had
 13 art for ninth grade.
 14 BY MR. SIMMONS:
 15 Q. Who was your art teacher?
 16 A. Mr. Woods.
 17 Q. And did you think Mr. Wood was a good or a
 18 bad art teacher?
 19 A. A good teacher.
 20 Q. What things about Mr. Woods leads you to
 21 characterize him as a good teacher?
 22 A. He knew how to express art. He told us to
 23 draw something and we're like, no, we can't draw,
 24 we're not artists, and somehow he will tell us that
 25 we were. And then we made a good picture.

1 Q. And was art similar to the other classes in
 2 that you had it in one physical classroom for the
 3 first semester and then another classroom during the
 4 second semester?
 5 A. Yes.
 6 Q. Do you recall the room numbers for the
 7 classrooms?
 8 A. One was in 6101. It's not on the paper.
 9 Q. One was in 6101?
 10 A. And the second was in the third floor.
 11 Q. Does Exhibit 2 help you remember which
 12 floor was -- or which room number?
 13 A. Yes, because Ms. Young's class is in front
 14 of a class I had. And it was 30 ... 3306.
 15 Q. So the first semester was in 6101. And was
 16 the second semester in 3306?
 17 A. 3306 or 3308.
 18 Q. How were the students seated in 6101 for
 19 your art class?
 20 A. Tables.
 21 Q. And were there any students who didn't have
 22 a seat at a table?
 23 A. Everybody had.
 24 Q. And how were students seated in the art
 25 class during the second semester?

- 1 A. Tables.
 2 Q. And were there any students who didn't have
 3 a seat at the tables?
 4 A. Everyone had.
 5 Q. Everybody had a seat?
 6 A. Yes.
 7 Q. Did you have a book at all to use in your
 8 art class?
 9 A. Yes.
 10 Q. Was it a hard-cover book?
 11 A. It was a big book, but it wasn't a hard
 12 cover.
 13 Q. Did you have your own copy of the book to
 14 use in class?
 15 A. No. I already had a book, but it wasn't to
 16 take home or anything.
 17 Q. So was there -- was there a sufficient
 18 number of the books to use, for each student to use
 19 in class?
 20 A. Yeah.
 21 Q. But no students took the book home?
 22 A. No.
 23 Q. What kind of things were in this book that
 24 we're talking about?
 25 A. Drawings and, like, history of what

- 1 happened the years before, like Picasso and
 2 Michelangelo.
 3 Q. And did you do in-class assignments where
 4 you created art yourselves?
 5 A. Yes.
 6 Q. And what kind of assignments would you do?
 7 A. We would draw -- actually we made masks.
 8 We did faces of people. And we learned about the
 9 Renaissance.
 10 Q. What kind of materials did you use to make
 11 the masks?
 12 A. Cardboard paper.
 13 Q. Anything else that you can recall?
 14 A. And something else, but I don't remember
 15 the name of it.
 16 Q. Did you paint the masks at all?
 17 A. Yes.
 18 Q. And you said that you made faces of people
 19 while you were in that class. Did you draw or
 20 paint?
 21 A. Draw.
 22 Q. Did you receive homework in your art class?
 23 A. Drawings, like we didn't finish them in
 24 class, draw them as homework.
 25 Q. Were you tested in your art class for ninth

- 1 grade?
 2 A. For finals.
 3 Q. What was your final like the first
 4 semester, if you can recall?
 5 A. Well, it was about the Renaissance, and
 6 colors.
 7 Q. And do you recall having a final the second
 8 semester as well?
 9 A. Yeah.
 10 Q. And do you recall what that -- what
 11 material was tested on that final?
 12 A. The different eras of the -- of art.
 13 Q. During the first semester when you had
 14 class in 6101 for art, was the classroom maintained
 15 in a clean fashion?
 16 A. I don't remember.
 17 Q. Do you recall any problems with the
 18 physical condition of your art class when it was
 19 held in 6101?
 20 A. No.
 21 Q. And then for the second semester, you
 22 switched to a classroom on the third floor, which
 23 was either 3306 or 3308?
 24 A. Yes.
 25 Q. Do you recall whether that room was

- 1 maintained in a clean fashion?
 2 A. It was -- it had dirty walls.
 3 Q. What was dirty about the walls?
 4 A. It had, like, dirt.
 5 Q. Anything else?
 6 A. And the sink.
 7 Q. What was wrong with the sink?
 8 A. It had dirt in there and paint.
 9 Q. Did the students ever clean the sink after
 10 doing a project?
 11 A. Yes.
 12 Q. Were there any other problems with the
 13 physical condition of the art class when it was held
 14 in room 3306 or 3308?
 15 A. No. Only with the books.
 16 Q. There was just problems with the books?
 17 A. Yes.
 18 Q. What were the problems with the books?
 19 A. It had torn pages.
 20 Q. Did you ever use a copy of the book that
 21 had a torn page?
 22 A. Yes.
 23 Q. Do you recall on how many occasions you
 24 used a book that had a copy of the -- had a copy
 25 with a torn page?

- 1 A. Two or three times.
 2 Q. Did any of the books have missing pages?
 3 A. Not that I recall.
 4 Q. When you say that you can recall two or
 5 three times where a book had torn pages, do you
 6 recall whether the page -- you were unable to read
 7 the page at all as a result of the tear?
 8 A. Excuse me?
 9 Q. Were you -- I think there were two or three
 10 times where you said that you had a book that had
 11 torn pages or a torn page. On those occasions, were
 12 you able to read the page that had a tear in it?
 13 A. No. We got a different book.
 14 Q. So there were additional copies of the
 15 book?
 16 A. Yes.
 17 Q. And were there any other problems with the
 18 books in your art class?
 19 A. That was it. And the tagging.
 20 Q. "That was it and the tagging," did you say?
 21 A. Tagging.
 22 Q. And do you -- are you referring to tagging
 23 in books?
 24 A. Yeah.
 25 Q. Did you ever use a book that had tagging in

- 1 it?
 2 A. Almost all of them had -- tagged.
 3 Q. Where was the tagging?
 4 A. Inside the pages where the drawings were
 5 at, and in on the front and the back.
 6 Q. Were there any times where you were using
 7 a -- where you were using a copy of the art book and
 8 you were unable to read a page because it had
 9 tagging over it?
 10 A. No.
 11 Q. Would you look at paragraph three of your
 12 declaration that's been marked as Exhibit 1.
 13 A. Yes.
 14 (Examining document.)
 15 Q. And it says in your declaration, you're on
 16 track B; is that accurate?
 17 A. Yes.
 18 Q. And you mentioned that you wanted to learn
 19 how to play the violin but that you couldn't because
 20 they don't have music on track B?
 21 A. They have music, but not violin.
 22 Q. And when you say "they have music," is
 23 there a music class that you can take on track B?
 24 A. Yes.
 25 Q. What's the music class?

- 1 A. It's band, and I think they have trumpets.
 2 Q. And they have trumpets?
 3 A. And flutes, I think.
 4 Q. Any other instruments that you can think
 5 of?
 6 A. No.
 7 Q. Is there a track that has a music class
 8 with violin?
 9 A. Track C.
 10 Q. Did you ask anyone if you could try and
 11 take the music class that's on track C?
 12 A. I told my counselor. He said the only way
 13 for me to get the violin class is for me to change
 14 to track C, or stay after school. But I couldn't
 15 because I live far and I was in ninth grade -- ninth
 16 or tenth grade, and I couldn't stay after school.
 17 Q. So your counselor gave you the option of
 18 staying after school, or switching to track C?
 19 A. Yes.
 20 Q. And you didn't want to -- or you couldn't
 21 stay after school because you felt you lived a ways
 22 away from home?
 23 A. Yes.
 24 Q. And was there a reason why you decided not
 25 to switch to track C?

- 1 A. Because if I change to track C, then I
 2 wanted to get magnet classes, too, but in order for
 3 that, I need to change to track A.
 4 Q. What kind of classes were those?
 5 A. Magnet.
 6 MS. McCALLUM: Magnet.
 7 MR. SIMMONS: Oh, magnet.
 8 Q. Can you tell me what a magnet class is?
 9 A. I think it's -- I don't know, really.
 10 Supposedly they teach you more and it gives you more
 11 opportunities.
 12 Q. Are magnet classes -- are they an advanced
 13 type course?
 14 A. Yes.
 15 Q. So track B offered magnet courses?
 16 A. Track A.
 17 Q. Track A offered magnet courses.
 18 Let me try and ask this question. Was
 19 there a reason -- it was track A that had magnet
 20 courses, but I thought you testified it was -- that
 21 the reason you didn't change from track B to track C
 22 was because of magnet courses?
 23 A. No. I wanted to take magnet classes and I
 24 wanted to take violin classes, too, but if I took
 25 violin, I would have to change to track C; and if I

1 took magnet, I would have to change to track A. So
 2 I didn't know which one to decide.
 3 Q. Was there a reason that -- are there
 4 classes offered on track -- during track B that you
 5 want to take that aren't offered on the other
 6 tracks?
 7 A. No.
 8 Q. And you didn't transfer to either track A
 9 or track C because you couldn't chose between
 10 whether you wanted to do a track with magnet classes
 11 or a track with violin class?
 12 A. Yeah.
 13 Q. You've identified some magnet classes and
 14 also the -- a violin class, or at least a music
 15 class that has violin, as classes you wanted to take
 16 but couldn't because they weren't offered on
 17 track B?
 18 A. Yeah.
 19 Q. Were there any other classes that you
 20 wanted to take but weren't offered on track B?
 21 A. No.
 22 Q. Did you talk to your counselor at all about
 23 taking magnet classes on track A?
 24 A. No.
 25 Q. Did you ever mention wanting to switch to

1 track A to your counselor?
 2 A. No.
 3 Q. Was there a time where you considered
 4 switching to track A?
 5 A. No. I didn't know which to decide, so I
 6 just stayed in track B.
 7 Q. If you'll look in paragraph four on page 1
 8 and it says, "overcrowding is a problem" there.
 9 When -- in what way is overcrowding a
 10 problem at your school?
 11 A. Like in my French class, that it was
 12 crowded (inaudible).
 13 MR. CUEN: I'm sorry, I couldn't hear you.
 14 THE REPORTER: I couldn't hear you, either.
 15 MR. CUEN: Did you say your "friends" or
 16 "French"?
 17 THE WITNESS: French.
 18 MR. CUEN: Go ahead.
 19 THE WITNESS: My class was overcrowded and
 20 we didn't have a teacher.
 21 BY MR. SIMMONS:
 22 Q. Is overcrowding a problem at your school in
 23 any other ways than what you identified in track --
 24 or in paragraph four?
 25 MS. McCALLUM: Objection. Calls for

1 speculation.
 2 You can answer if you know.
 3 THE WITNESS: The overcrowded class I was
 4 talking about is my French.
 5 BY MR. SIMMONS:
 6 Q. Are there -- are there any other aspects or
 7 things about your school that also make you think
 8 that overcrowding is a problem?
 9 A. My Spanish class, which is overcrowded,
 10 too.
 11 Q. And that Spanish class is for which grade?
 12 A. Eleventh.
 13 Q. And are there any other aspects about the
 14 school that leads you to think that overcrowding is
 15 a problem there?
 16 A. That when a class is -- when a class has a
 17 lot of students, the teacher can't really explain
 18 because of the loudness in the class.
 19 Q. When you say "a lot of students," are you
 20 thinking about a particular number of students where
 21 a problem with overcrowding starts to develop?
 22 A. In my Spanish class is about -- more than
 23 40 kids, or 30 -- more than 35 kids in one class.
 24 And it's hard for the teacher to teach, or for the
 25 students to learn.

1 Q. If you'll look in paragraph five. And
 2 you'll see a little more than halfway down through
 3 that paragraph it says:
 4 "In my U.S. history
 5 class, the books are all messed
 6 up."
 7 MS. McCALLUM: (Indicating).
 8 THE WITNESS: Here, instead of U.S.
 9 history, it's world history.
 10 BY MR. SIMMONS:
 11 Q. When you read your declaration in
 12 preparation for the deposition today, did you find
 13 any other areas where there was an inaccuracy in
 14 your declaration?
 15 A. A mistake?
 16 Q. Yes.
 17 A. Geology is geometry.
 18 Q. And that's in paragraph six; is that right?
 19 A. Yes.
 20 I think that's it.
 21 Q. Also in paragraph five you'll see where --
 22 you talk about the teacher having the students copy
 23 pages by hand so they can be studied at home --
 24 A. Biology class?
 25 Q. Yeah, for the biology class.

1 A. Yeah, the notes we took.
 2 Q. So that refers to when we were talking
 3 about taking notes from the book earlier today?
 4 A. Yes.
 5 Q. And was the -- is the process of taking
 6 notes, is that -- that we were talking about earlier
 7 today, is that just copying, or -- or do you try and
 8 summarize the material in your book?
 9 A. It's like trying -- we read the book and
 10 copy notes. It's like to write the best way to
 11 understand it.
 12 Q. And when you say -- when it says in the
 13 declaration about copying the pages, did you mean
 14 copying word-for-word, or did --
 15 A. Sometimes it was word-for-word, or
 16 sometimes it was the best way we could understand
 17 it.
 18 Q. And I think there's -- there's a sentence
 19 where it says, at line -- it starts at line 19 on
 20 page 1, and it says:
 21 "That's usually what we do
 22 every day in that class, we just
 23 copy pages of the book."
 24 A. Yes.
 25 Q. We mentioned -- I think earlier today there

1 were -- there were a number of things that you
 2 identified as activities that you did in class.
 3 A. Uh-huh.
 4 Q. Would -- how often did you -- did you take
 5 this -- undertake this process of taking notes from
 6 the book?
 7 A. We would either use the notes or worksheets
 8 that we did.
 9 Q. Did you do -- did you do labs in the
 10 biology class sometimes?
 11 A. Yeah, but not often.
 12 Q. Okay. Do you know about how many days a
 13 week you would take notes in class from the book?
 14 A. It was almost every day.
 15 Q. If you'll look at the -- the first sentence
 16 in paragraph five, where it says, "We don't" -- "we
 17 don't always get all the books we need," and then
 18 you give an example of your biology books.
 19 Is that correct?
 20 A. In my biology class this year we don't each
 21 get a book to take home. We didn't have books to
 22 take home because the teacher said it was only a
 23 class set.
 24 Q. And you're referring to the tenth grade
 25 there, was your biology class; is that right?

1 A. Yes.
 2 Q. Were there -- did you have any other
 3 classrooms where you didn't feel that you got all
 4 the books that you needed?
 5 A. Well, I didn't have -- in the Spanish 1,
 6 the first semester, I didn't have.
 7 Q. Spanish, first semester of what grade?
 8 A. Tenth.
 9 Q. And were there any other classes where you
 10 felt that you didn't get all the books that you
 11 needed?
 12 A. Not that I remember.
 13 Q. And if you'll just look at the bottom of
 14 the -- of paragraph five, you see where it -- you
 15 mention the -- mention an occasion where you went to
 16 copy words out of the glossary in the back of the
 17 book but there was gum that was between the pages?
 18 A. Yeah.
 19 Q. Is that the incident that we talked about
 20 already today?
 21 A. My world history class.
 22 Q. Okay.
 23 MR. CUEN: So that was the incident that he
 24 already asked you about?
 25 THE WITNESS: For my world history.

1 MR. CUEN: That was the incident?
 2 THE WITNESS: That happened with the book?
 3 MR. CUEN: That he talked to you about?
 4 THE WITNESS: I think.
 5 BY MR. SIMMONS:
 6 Q. Okay. I just want to make sure that there
 7 wasn't -- we talked about one incident in your world
 8 history class where you went to look for that one
 9 word --
 10 A. Yeah.
 11 Q. -- and your books were -- that the pages
 12 were stuck together because of gum.
 13 A. Yes.
 14 Q. And I want to make sure that there wasn't
 15 another time that happened and that's what you're
 16 referring to in your declaration.
 17 Was there just one time that that happened?
 18 A. Yes.
 19 Q. Okay. And in paragraph six, you -- the
 20 first sentence says, "There aren't always enough
 21 desks for all of the students," and you refer to
 22 your geometry class. It says "geology," but you
 23 meant "geometry" there; is that right?
 24 A. Yeah.
 25 Q. Were there any other classes where there

1 weren't always enough desks for the students?

2 MS. McCALLUM: Objection. Asked and
3 answered.

4 THE WITNESS: It was in my geometry
5 class ... my Spanish class. And first it was my
6 French and then it became my Spanish.

7 BY MR. SIMMONS:

8 Q. And when you mentioned the Spanish class,
9 what grade were you referring to?

10 A. Eleventh.

11 Q. And then French to Spanish, you were
12 referring to the tenth grade year there?

13 A. Yeah.

14 Q. Have you ever had -- you'll see -- the
15 sentence that carries over from the first page to
16 the second page, that students have to share a
17 desk -- "that sometimes students have to share a
18 desk." And then it says that "that's hard because
19 there's not enough room to put both papers on the
20 desk at the same time."

21 Did you ever have to share a desk with
22 anyone?

23 A. Yes, in my geometry class.

24 Q. Do you recall on how many occasions you had
25 to share a desk with someone?

1 And then in the next sentence you
2 refer to the French -- a French class.

3 Is that the French class that we were
4 discussing earlier today?

5 A. Yes.

6 Q. Are you aware of -- since -- well, strike
7 that.

8 Since the time that you've been attending
9 Washington Prep, are you aware of any other classes
10 that haven't had a permanent teacher?

11 A. No, not that I know of.

12 Q. And then if you'll look at paragraph eight,
13 where it says:

14 "We only have two girls'
15 bathrooms in the whole school"?

16 A. There's more than two bathrooms for the
17 girls, but there's only two that we can use. And
18 right now, the only one we can use is the one in the
19 main building.

20 Q. And I know that you said that you can't use
21 some of them, but notwithstanding that, how -- how
22 many bathrooms for the girls are there on campus in
23 total?

24 A. There's one in every building, in every
25 floor.

1 A. I don't remember. When I shared it, I
2 shared one with my friend.

3 Q. Is there -- do you feel like -- could you
4 say with any certainty that you had to share a desk
5 more than five times?

6 A. No. It was less, because then after they
7 got all new chairs, and the desks.

8 Q. Do you recall any specific occasions where
9 you had to share a desk, and you experienced
10 difficulty participating -- strike that.

11 You mentioned that -- in your declaration
12 you mentioned one of the hard things about sharing a
13 desk is that there's not enough for both -- both
14 sets of papers on the desk.

15 A. Right, because we have the books, the
16 textbook, and then the problems we did on our other
17 sheet.

18 Q. And do you recall any other specific
19 occasion where you experienced the problem that you
20 just told me about?

21 A. Yes, when I was sharing with my friend.

22 Q. If you'll look at paragraph seven where it
23 says:

24 "Some of the classes
25 don't have permanent teachers."

1 Q. And do you know about -- can you total that
2 for me? Do you know how many total girls' bathrooms
3 that adds up to?

4 A. About like around ten, or more.

5 Q. About ten, do you think?

6 A. (Nods head.)

7 When I went to ninth grade, when I barely
8 came to Washington, there was a restroom in the
9 bungalows but they closed it because it was dirty.
10 It had tagging and people went to smoke there, so
11 they closed the bathroom.

12 Q. And that was closed at some point during
13 your ninth grade year?

14 A. When we came back in tenth, it was closed.

15 Q. Now, during your -- you testified that
16 there's about ten restrooms for the girls at
17 Washington Prep.

18 A. Yes.

19 Q. During your ninth grade year, of those ten,
20 how many were open for students to use?

21 A. In ninth grade, it was four: one in the
22 main building; the one in the bungalow; the one in
23 the science building; and the one in the arts
24 building.

25 But in the tenth, they closed the one in

1 the bungalow. And sometimes they open the ones from
2 the science building and the ones from the art
3 building.

4 Q. So was that -- now, during the tenth grade
5 the bungalow bathroom was closed?

6 A. Yes.

7 Q. And did you say that the science -- were
8 the science and arts bathrooms that -- were those
9 closed?

10 A. Sometimes they were open, and sometimes
11 they were closed.

12 Q. And how about the bathroom in the main
13 building during the tenth grade?

14 A. It was open.

15 Q. And with respect to this year, now, as an
16 eleventh grader, which bathrooms are open at the
17 school?

18 A. The one in the main building.

19 Q. And is that all?

20 A. Yeah.

21 And if something happens to the main
22 building bathroom, they open the one in the arts
23 building. And I don't know -- I don't really know
24 the reason why they closed the one in the science
25 building.

1 A. Yes.

2 Q. That takes care of four out of the -- the
3 ten restrooms. With respect to the six that are
4 left, were any of -- have any of those bathrooms
5 been open, to your knowledge, at any time since
6 you've attended the school?

7 A. No.

8 Q. Have you ever tried to use any of those
9 bathrooms?

10 A. Yes, but they're always locked.

11 Q. Have you ever asked any administrators
12 about why?

13 A. They're closed?

14 Q. Yeah, about why the bathrooms are locked?

15 A. No.

16 Q. Have you ever asked any teachers?

17 A. No.

18 Q. About -- about how often will you use a
19 bathroom at school?

20 A. Not often, because they're -- they're
21 dirty.

22 Q. Do you recall the last time that you had to
23 use a bathroom at school?

24 A. If I use it, it was like only once -- like
25 three times a week. And if I go into the restroom,

1 But this girl was -- in lunch, she went to
2 use the science building restroom, but there was
3 this guy in the science building, and supposedly he
4 went in there and raped her. So I guess that's why
5 they closed the science building bathroom.

6 Q. Now, we've identified the four bathrooms:
7 there's the one in the main room; the one that's
8 been open all three years -- is that right?

9 A. Yes.

10 Q. And then there's one in the science
11 building that was open during your ninth grade year,
12 was open sometimes during your tenth grade year, but
13 isn't open your eleventh grade year; is that right?

14 A. Yes.

15 Q. And it's your testimony that the bathroom
16 in the arts building was open during your ninth
17 grade year and sometimes during the tenth grade
18 year, and is -- is that building open -- is the
19 bathroom in the arts building open during your
20 eleventh grade year?

21 A. Only when the bathroom from the main
22 building is not working.

23 Q. And the bathroom by the bungalow was open
24 during your ninth grade year, but it hasn't been
25 open since?

1 it's just to wash my hands.

2 Q. Do you recall the last time you went into a
3 restroom at school?

4 A. Yes.

5 Q. Can you describe the condition of the
6 bathroom for me on that occasion?

7 A. It has tagging. Before it didn't have
8 paper, and so we needed to go in front of the
9 bathroom, which is an office, and ask for paper.
10 They give us paper.

11 Now, the last time I went there, there was
12 paper.

13 Q. And the bathroom that you're referring to
14 right now, is that the one in the main building?

15 A. Yes.

16 Q. And when you say "paper," are you referring
17 to paper towels to dry your hands with?

18 A. Toilet paper.

19 And there's no paper to clean their hands,
20 the towel kind.

21 Q. Have you ever asked for paper towels to dry
22 your hands?

23 A. No.

24 Q. If you'll look at paragraph seven, where
25 you say sometimes one of the bathrooms, the one in

1 the science building is locked?
 2 MS. McCALLUM: Paragraph eight.
 3 MR. SIMMONS: Oh, I'm sorry. Paragraph
 4 eight. Thank you.
 5 Q. Can you give me an estimate of what -- what
 6 "sometimes" means when you say "sometimes the
 7 science building bathroom is locked"? How often is
 8 it locked?
 9 A. Back in tenth grade?
 10 Q. Back in the tenth grade, yeah.
 11 A. The bathroom was closed around 2:00, like
 12 around 1:00 or 2:00 it was closed already. Like,
 13 sometimes they didn't even open it.
 14 Q. So during the tenth grade, would the
 15 science -- would the bathroom in the science
 16 building be open every morning?
 17 A. Not in the morning.
 18 Q. Was there --
 19 A. Like first period.
 20 Q. Was that after first period, or --
 21 A. In the time of first period.
 22 Q. So during first period of your tenth grade
 23 year, the bathroom in the science building would be
 24 open?
 25 A. Yes.

1 Q. Was that the only time during --
 2 A. No, it was the whole day, except we
 3 couldn't go in in lunch.
 4 Q. So they closed the bathroom in the science
 5 building during lunch in the tenth grade?
 6 A. Yes.
 7 Q. And then you -- and then would they open it
 8 up after lunch?
 9 A. The whole building was locked at lunch.
 10 Q. So all of the bathrooms at the school were
 11 locked at lunch?
 12 A. Except the one in the main building.
 13 Q. In the ninth grade, were those four
 14 bathrooms that you identified as being open -- were
 15 they open all day, every day in the ninth grade?
 16 A. Yeah.
 17 Q. And then in the tenth grade they -- the
 18 bungalow bathroom was shut down completely; is that
 19 your testimony?
 20 A. Yes.
 21 Q. And can you tell me when the bathroom in
 22 the arts building was open during the tenth grade?
 23 A. Yes, sometimes.
 24 Q. What times would the bathroom in the arts
 25 building be open?

1 A. Like almost four days a week it was open.
 2 Q. Was there a particular day where it
 3 wouldn't be open?
 4 A. No.
 5 Q. Just some days the bathroom would be
 6 closed?
 7 A. Yes.
 8 Q. But in general, about four days a week the
 9 bathroom in the arts building was open?
 10 A. Yeah.
 11 Q. And about how often -- during the tenth
 12 grade, about how often was the bathroom in the
 13 science building open?
 14 A. It was the same, but the only thing was
 15 they closed the bathroom around 2:00.
 16 Q. And when you say "the same," do you mean
 17 the same as the art building or --
 18 A. Yes.
 19 Q. -- or the same as the bathroom in the art
 20 building?
 21 A. Yes. The same as the art building
 22 bathroom.
 23 Q. And how about the bathroom that's in the
 24 main building?
 25 A. That one is always open.

1 Q. How many stalls are there in the bathroom
 2 in the main building?
 3 A. Four.
 4 Q. And how many stalls are there in the
 5 bathroom in the science building?
 6 A. Around five.
 7 Q. And how about the bathroom in the arts
 8 building?
 9 A. Where?
 10 Q. The girls' bathroom in the arts building?
 11 A. Two.
 12 Q. And how many stalls were there in the
 13 bathroom -- the girls' bathroom that was in the
 14 bungalow?
 15 A. Five.
 16 Q. Do the stalls in the main bathroom -- do
 17 any of those stalls not have a lock on them?
 18 A. Uh-huh, around one.
 19 Q. Do any of the stalls in the bathroom in the
 20 science building not have a lock?
 21 A. Like three. Around three.
 22 Q. And about -- about how many stalls in the
 23 bathroom in the arts building?
 24 A. Both.
 25 Q. Have you ever asked a friend to hold the

1 door closed?
 2 A. Yes.
 3 Q. How many times have you had to ask a friend
 4 to do that?
 5 A. In tenth grade when I went to use the
 6 restroom in the science building.
 7 Q. Is this one occasion that you're referring
 8 to in the declaration, or was there more than once?
 9 A. More than once.
 10 Q. Do you know about how many times more than
 11 once?
 12 A. No. Around 15 or less.
 13 Q. If you'll turn to paragraph nine, if you'll
 14 just look down at paragraph nine, and you'll see
 15 where it says:
 16 "Almost all the ninth
 17 graders don't get to have a
 18 locker."
 19 Did you have a locker when you were in the
 20 ninth grade?
 21 A. Yes.
 22 Q. Do you know what percent of the ninth
 23 graders don't get to have a locker?
 24 A. I don't know. When I went, the end of
 25 ninth grade, almost everybody had a locker. Then

1 when I went to tenth grade, there was an
 2 announcement that said most of the time the ninth
 3 graders weren't going to have a locker because most
 4 of the lockers were used and others, they didn't
 5 work.
 6 Q. And this was an announcement that you
 7 heard --
 8 A. Yes.
 9 Q. -- when you were in the tenth grade?
 10 A. Yes.
 11 Q. Where did you hear the announcement?
 12 A. In homeroom.
 13 Q. When you were in the tenth grade, did you
 14 know any students -- did you have any friends that
 15 were in the ninth grade?
 16 A. Yes.
 17 Q. Do you know whether they had lockers?
 18 A. Some of them did, and the other ones
 19 didn't.
 20 Q. Can you tell me what some of the good
 21 qualities at your school are?
 22 A. No. Some of the teachers are okay.
 23 Q. Some of the teachers are okay?
 24 A. Yeah.
 25 Q. Is there anything else about this school

1 that you like?
 2 A. Not really.
 3 Q. We've identified today some -- a variety of
 4 issues at your school regarding textbooks and
 5 overcrowding and the bathrooms. Have those
 6 conditions affected your education?
 7 MS. McCALLUM: Objection. Calls for expert
 8 testimony.
 9 BY MR. SIMMONS:
 10 Q. Or have those conditions affected your
 11 educational experience in any way?
 12 MS. McCALLUM: Same objection.
 13 THE WITNESS: In a way.
 14 BY MR. SIMMONS:
 15 Q. Can you tell me how?
 16 A. Well, in my ninth grade year was okay. But
 17 then in my tenth grade year, we didn't have books to
 18 take home. And the labs, when we get labs, it was
 19 five students. When they dissect a frog, it was
 20 five students and one frog, so, really, we didn't
 21 really learn.
 22 And then we were -- from being overcrowded,
 23 the teachers can't explain because some of the
 24 students won't even be quiet.
 25 Q. If you could change one aspect of your

1 school, what's the first thing that you would
 2 change?
 3 A. All of the books.
 4 MR. CUEN: I'm sorry. Did you say "all of
 5 the books"?
 6 THE WITNESS: Yes.
 7 BY MR. SIMMONS:
 8 Q. And when you say "all of the books," could
 9 you tell me a little bit more about that?
 10 A. Some of the books are old, and some of them
 11 are torn.
 12 Q. Are there any things about your school that
 13 you would like to stay the same?
 14 A. No. Not that I can think of.
 15 Q. Have you ever made any complaints about the
 16 conditions of your school to teachers at your
 17 school?
 18 A. Yes.
 19 Q. What teachers have you complained to?
 20 A. My science -- no, it was my chemistry
 21 teacher, with the book that was torn.
 22 Q. Any other teachers?
 23 A. To my world history class, when the gum was
 24 in my book and I couldn't finish my assignment. And
 25 in ninth or tenth grade, in my PE class because

1 there was roaches. Well, those roaches that I saw,
2 it was nasty, so I go, I don't even want to go
3 inside to change.

4 Q. And when you referred to the roaches, those
5 were the two roaches we talked about earlier?

6 A. Yeah.

7 Q. Have you seen roaches anywhere else on
8 campus?

9 A. Not that I can remember.

10 Q. Have you ever seen a mouse at Washington
11 Prep?

12 MS. McCALLUM: Asked and answered.

13 THE WITNESS: No, not -- no.

14 BY MR. SIMMONS:

15 Q. And have you ever seen a rat at Washington
16 Prep?

17 A. No.

18 MR. SIMMONS: I think that's all I have.

19 MS. McCALLUM: Okay.

20 MR. SIMMONS: Do you have any questions?

21 MR. CUEN: I don't have any questions.

22 MS. McCALLUM: Okay. I have a few, just a
23 few follow-up maybe -- it's going to be real quick.

24 ///

25 ///

1 Q. How come?

2 A. Because I feel like bad because I couldn't
3 finish my work. And I, and the Community Coalition,
4 we used to talk about other schools, and we learned
5 from the other schools that they have books every
6 year, they have new books, and we have the same ones
7 and they were torn and some of them didn't have the
8 pages to read from.

9 Q. Okay. You said that in some of your
10 classes you didn't have books to take home?

11 A. Yeah.

12 Q. How did that make you feel?

13 A. In a way I was happy since I didn't have
14 homework, but the other one, it was like, I wasn't
15 going to learn nothing, because in school is
16 different, like I can't really do nothing because
17 it's only 45 minutes, and I couldn't take the book
18 home and learn more about the book in the class, the
19 subject I was learning.

20 Q. Okay. You also talked about some of the
21 bathrooms being dirty.

22 A. Yeah.

23 Q. How does it make you feel to go to a school
24 with dirty bathrooms?

25 A. It's nasty. It's dirty, because I need to

1 EXAMINATION

2
3 BY MS. McCALLUM:

4 Q. Just now when we were talking about the
5 frog dissection?

6 A. Yes.

7 Q. You said there was five to a frog and you
8 didn't really learn, what did you mean by that?

9 A. Because the teacher had a frog and then
10 other groups -- it was like five groups. And he was
11 telling us how to open the frog and what to see in
12 the frog, and not all of us could because there was
13 five and only one frog.

14 And when we dissected the worm, the worm
15 was smaller than a frog, so we didn't really see --
16 see what the teacher was talking about.

17 Q. So when the teacher told you that you see
18 certain things, you couldn't see?

19 A. Yes.

20 Q. You mentioned that some of your books have
21 torn pages or tagging on them?

22 A. Yes.

23 Q. How does that make you feel to use books in
24 that condition?

25 A. Like sad and mad at the same time.

1 use the restroom, and -- I don't know if they clean
2 them or something.

3 Q. What do you mean they're dirty?

4 A. Like, you know when you go to a restaurant
5 or something there's paper to put on to sit down?
6 In my school, we don't have that. So how many girls
7 are sitting there, what have they been doing there,
8 so it's nasty.

9 Q. Anything else dirty about it that you can
10 think of?

11 A. The tagging.

12 Q. Okay. We talked about tagging on the
13 bathroom, on the tables, the desks and the walls?

14 A. Yes.

15 Q. How does it make you feel to go to a school
16 with tagging?

17 A. It's like mad because I know that people
18 that like do it are -- some of them are my friends
19 and I get mad at them. And even if they aren't my
20 friends, why are they going to be tagging at the
21 schools that we go to? It just makes me mad.

22 Q. Makes you mad, okay.

23 You also talked about some of your classes
24 being overcrowded, how does it make you feel to go
25 to a school that's overcrowded?

1 A. I don't know.
 2 Q. You don't now how it makes you feel?
 3 A. No.
 4 Q. Does it make you happy, or does it bother
 5 you? Any feelings?
 6 A. It bothers me.
 7 Q. How come?
 8 A. Because it's hard to learn when the teacher
 9 is talking and it's -- the class is big. He can't
 10 really explain. If I -- like if I have a question,
 11 he won't -- he can't explain it to me because
 12 there's other students in the class that's big, so
 13 everybody still has those questions and he can't
 14 answer all of them.
 15 MS. McCALLUM: That's all I've got.
 16 MR. SIMMONS: Have you been subjected to
 17 the stipulation yet before in this case?
 18 MS. McCALLUM: I've read through them,
 19 yeah.
 20 MR. SIMMONS: Okay. I'm just going to read
 21 it in.
 22 MS. McCALLUM: Yeah.
 23 MR. SIMMONS: Counsel, may we stipulate
 24 that copies of documents attached to the deposition
 25 may be used as originals?

1 MS. McCALLUM: Sure.
 2 MR. SIMMONS: And may we stipulate that the
 3 original of this deposition be signed under penalty
 4 of perjury;
 5 That the original be delivered to
 6 Ms. McCallum at the Los Angeles offices of
 7 Morrison & Foerster;
 8 That the reporter is relieved of liability
 9 for the original of the deposition;
 10 That the witness will have 30 days from the
 11 date of the court reporter's transmittal letter to
 12 Ms. McCallum to sign and correct the deposition;
 13 And that Ms. McCallum shall notify all
 14 parties in writing of any changes in the deposition;
 15 And that if there are no such changes
 16 communicated or signature within that time, that any
 17 unsigned and uncorrected copy may be used for all
 18 purposes as if signed and corrected?
 19 MS. McCALLUM: So stipulated.
 20 MR. SIMMONS: Thank you.
 21
 22 (Whereupon, at 2:45 p.m.,
 23 the deposition of BEATRIZ ISLAS
 24 was concluded.)
 25 -oOo-

1 STATE OF CALIFORNIA)
 2 COUNTY OF LOS ANGELES) ss.
 3
 4
 5 I, BEATRIZ ISLAS, 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 , 2002, at ,
 12 California.
 13
 14
 15
 16 _____
 17 BEATRIZ ISLAS
 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 BEATRIZ ISLAS, was by me duly sworn to testify to
 9 the truth, the whole truth and nothing but the
 10 truth;
 11 That said deposition was taken down by me
 12 in shorthand at the time and place therein named,
 13 and thereafter reduced to typewriting under my
 14 direction, and the same is a true, correct and
 15 complete transcript of said proceedings;
 16 I further certify that I am not
 17 interested in the event of the action.
 18 WITNESS MY HAND this 28TH day of JANUARY,
 19 2002.
 20
 21
 22 _____
 23 Certified Shorthand
 24 Reporter for the
 25 State of California