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

ELIEZER WILLIAMS, a minor,	)			
by Sweetie Williams, his	)			
guardian ad litem, et al.,	)			
	)			
Plaintiffs,	)			
	)			
vs.	)	Case	No.	312236
	)			
STATE OF CALIFORNIA; DELAINE	)			
EASTIN, State Superintendent	)			
of Public Education; STATE	)			
DEPARTMENT OF EDUCATION;	)			
STATE BOARD OF EDUCATION,	)			
	)			
Defendants.	)			
	)			

DEPOSITION OF ALONDRA JONES San Francisco, California Sunday, June 17, 2001 Volume III

Reported by: THERESA A. DARNELL

CSR No. 9966

JOB No. 849146

F SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF SAN FRANCISCO ELIEZER WILLIAMS, a minor, ) by Sweetie Williams, his ) guardian ad litem, et al., ) Plaintiffs, ) ''''''''''''''''''''''''''''''''''''	2age 465	Page 467          I       INDEX         2       WITNESS:       EXAMINATION         4       ALONDRA JONES         5       Volume 3         6       BY MR. ROSENTHAL         7       8         9       EXHIBITS         10       (None)         11       INSTRUCTION NOT TO ANSWER         13       Page Line         14       633 13         633 19       15         15       634 15         633 25       16         16       635 9         17       18         19       20         21       22         23       24
1       APPEARANCES:         2       For Plaintiffs:         4       MORRISON & FOERSTER LLP         BY: LOIS PERRIN         5       Attorney at Law         425 Market Street         6       San Francisco, California 94105-2482         415-268-7415         7         8         For Defendant State of California:         9       O'MELVENY & MYERS LLP         10       BY: MICHAEL T. ROSENTHAL         Attorney at Law         11       400 South Hope Street         Los Angeles, California 90071-2899         12       213-430-6000         13         14       For Defendants Delaine Eastin, State Superintendent of         Public Instruction; State Department of Education; State         15       Board of Education:         16       OFFICE OF THE ATTORNEY GENERAL         17       1300 I Street         Suite 1101       18         18       Sacramento, California 94244-2550         916-323-8638       (no appearance)         20       21         21       22	Page 466	5       Page 468         1       San Francisco, California, Sunday, June 17, 2001         2       11:13 a.m 4:12 p.m.         3       ALONDRA JONES,         4       ALONDRA JONES,         5       having been first duly sworn, was examined and         6       testified as follows:         7       FURTHER EXAMINATION         9       Page 408         10       BY MR. ROSENTHAL:         11       Q Good morning, Ms. Jones. As you probably         12       remember, I'm Michael Rosenthal. I represent the State         13       of California in this litigation.         14       Do you want me to go over the ground rules         15       that we went over during our first day of deposition, or         16       do you remember all those?         17       A I remember them.         18       Q Okay. Is there any reason why you would not be         19       able to give your best testimony today?         20       A No.         21       Q Are you taking any medication or anything like         23       A No.         24       Q Very good. Basically I'd like to pick up where         25       we left off on our last meeting, and if you remember, we

Figs 469         Figs 471           2         School.         1         met?           2         School.         1         met?           3         MS. PERRN: And what grade were we on? I think         3         like 8:15 to 1:00,		n 470		Page 471
2       School.       A Every day, from - Monday through Friday from         3       MS, PERRIN: And what grade were we on? 1 think       Itike 8:15 to 12:00, 8:15 to 1:00         3       MR, ROSENTHAL: We pretty much wrapped up 11th       Itike 8:15 to 1:00 or something.       Itike 8:15 to 1:00 or something.         4       By RR, ROSENTHAL: We pretty much wrapped up 11th       Itike 8:15 to 1:00 or something.       Itike 8:15 to 1:00 or something.         7       So TII try to wrap that up, and I'll have some other       a construct to yr and go through the classes that         9       Q I vas reading the transcript last night. I       Itike 8:15 to 1:00         11       you took first. Is that olay with you?       A Them hick solutions during that course?         7       A Yeah.       A Them sin building.         10       Q I vas reading the transcript last night. I       Itike 8:15 to 1:00         11       you took first. Is that olay with you?       A And then there was like a 15- to 30-minute         12       A Yeah.       Itike 8:15 to 1:00         13       Q I vas reading the transcript last night. I       Itike 4:15 to 1:00         14       think, was invent obj you took first. Is that olay with you?       Itike 4:15 to 0:00         15       A Yeah.       Itike 8:15 to 1:00         15       A Yeah.       Itike A:15 to 0:00		-		
3         MS. PERRN: And what grade were we on? I think 10th grade.         3         Ikke 8:15 to 1:00 or something. 16 or know the exact 4 time. It was like 8:15 to 1:00.           5         MR. ROSENTHAL: We pretty much wrapped up 11 th 6 grade and we were moving on to 10th grade at this point. 5         Q Do you remember how long you had your world lit course on the weekdays?           7         A From like 8:00 to 10:00 something.         Q Do you remember how long you had your world lit course on the weekdays?           9         out first two days, but 11 thy to do that at the end.         Q           10         Q I want to try and go through the classes that 11 you took first. Is that ookny with you?         A And then there was like a 15 to 30-minute           11         you took first. Is that ookny with you?         A And then there was like a 15 to 30-minute           12         A Ub-huh. Yeah.         A And then there was like a 15 to 30-minute           14         think, was it your birthday yesterday?         A           14         think, was it your birthday, yesterday?         A I think word lit was fine.           19         Q Old enough to vote?         A I think was fine.           10         Wich Was marked as Exhibit 2?         MS. PERRIN: You Kow, lachally don't think I           12         MS. PERRIN: You Kow, lachally don't think I         So World it was the exhibits.           13         trowaght the rough but I don't have the				
4       10th grade.       4       itme. It was like 8:15 to 12:00. § 15 to 10:00. \$				
5     MR     ROSENTHAL: We prety much wrapped up 11h     5     Q     Do you remember how long you had your world lit       6     grade and we were moving on to 10th grade at this point.     So II it you worth thut, and 11 have some other     a reas that 1 want to go back to that we covered during       9     our first two days, but 11by to do that at the end.     Q     A rom like 8:00 to 10:00 something.       10     Q I want to try and go through the classes that     Q     A and the trest to the weas like a 15-to 30-minute       11     you took first. Is that doary withy ov?     A     A. And then there was like a 15-to 30-minute       12     A Uh-huh, Yeah.     It think, was it your burthday yesterday?       13     A Yeah.     Q     From like 8:00 to 10:00 something.       14     that, was it your burthday yesterday?     A     Hat there stool class was fine.       17     MS. PERRIN: Sthe's now officially an adult.     Hink was marked as Exhibit 2?     It was the most holds?       12     which was marked as Exhibit 2?     MS. PERRIN: You know, I actually dort think I     Hat Stan Hat course was held?       20     Okay, Mo, Jones – directing your attention to     Yeas.     Yeas.       21     minutes and I'll go make copies of them.     Q     Q kay, Ms, Jones – directing your attention to       7     A Yeah.     Yeas.     Yeas.       2     Q Are you gues		e	-	-
6       grade and we were moving on to 10th grade at this point.       6       course on the weekdays?         7       So Til try to wrap that up, and Til have some other       arcas that I want to go back to that we covered during       0         9       our first two days, but Til try to do that at the end.       7       A         10       Q       I want to try and go through the classes that         11       you took first. Is that okay with you?         12       A       A theh.th. Yeah.         13       Q       I was reading the transcript last night. I         14       think, was it your bithday.       10         16       Q       Happy bithday.         17       M       PRERNN: Nets now officially an adult.         18       BY MR. ROSENTHAL:       7         19       Q Old conough to vote?       9         20       Okay, do you have a copy of your transcript       9         21       which was marked as Shibit 2?       11         22       MS. PERRIN: You know, I actually don't think I       12         23       brought ther cough but I don't have the exhibits.       12         25       MR. ROSENTHAL:       Chause in the proceeding.)         24       A Yeah.       Page 470         14 <td></td> <td></td> <td></td> <td></td>				
7       So TII try to ware that up, and TII have some other         8       areas that I want tog back to that we covered during         9       our first two days, but I'I try to do that at the end.         10       Q I vant to try and go through the classes that         10       Q I vant to try and go through the classes that         11       you took first. Is that down with you?         12       A Un-buh. Yeah.         13       Q I vant to try and go through the classes that         14       think, was it your birthday yesterday?         15       A Yeah.         17       MS. FERRIN: She's now officially an adult.         18       BY MR. ROSENTHAL:         19       Q Old enough to voic?         20       Okay, do you have a copy of your transcript         21       which was marked as Exhibit 2?         22       MS. FERRIN: You know, I actually don't think I         25       brough the rough but I don't have the exhibits.         26       Clasy, do you have a copy of your transcript;         27       minutes and I'll go make copies of them.         28       (Pause in the proceeding.)         29       Yes.         20       Yes.         30       O Kay, MS. Jones – directing your attention to				
8       areas that I wan't to go back to that we covered during 9       0       Q       A und the rest of the time was spent in driver's 9       ed?         9       0       Q       a unit to ty and go through the classes that 11       you took first. Is that dkay with you?       A       A       And then there was like a 15- to 30-minute         13       Q       I was reading the transcript last night. I       think, was it your birthday yesterday?       A       A       A then there was like a 15- to 30-minute         14       think, was it your birthday.       C       G       C       Feak and there rest be time was spent in driver's ed.         15       A       Yeah.       A       C       Feak and the rest of the what you've called         14       think, was it your birthday.       A       I think word lit was fine.       I main - yeah,         16       Q       Happy birthday.       A       I think word lit was fine.       I main - yeah,         17       Q       Hough them. I don't have the exhibits.       B       A       Not that I can think of no.         12       MR. ROSENTHAL:       Okay, do you have a copy of your transcript.       BY MR. ROSENTHAL:       C       Q       Q       Yeas         16       Q       Okay, do. Jones - directing your attention to what was previously marked as Exhibit No.				
9       edf         10       Q i want to try and go through the classes that         10       Q i want to try and go through the classes that         11       you took first. Is that olary with you?         12       A Uh-huh. Yeah.         13       Q i was reading the transcript last night. I         14       think, was it your birthday yesterday?         15       A Yeah.         16       Q. Happy birthday.         17       MS. PERRIN: She's now officially an adult.         18       BY MR. ROSENTHAL:         10       A so that I can think of, no.         19       Q lod enough to vote?         20       Okay, do you have a copy of your transcript         21       MS. PERRIN: You know, I actually don't think I         25       MR. ROSENTHAL:         24       brought them. I don't have the wethink to I         25       MR. ROSENTHAL:         26       Q Kay, Ms. Jones – directing your attention to         7       A Yeah.         11       brought school atter your 10th grade year; is that         26       Q Can you tell me why you took summer school?         37       A Yes.         38       MR. ROSENTHAL:         39       Q Can you tell me why you took s				
10       Q I want 16 up and go through the classes that         11       you took first. Is that okay with you?         12       A Ub-hul. Yeah.         13       Q I was reading the transcript last night. I         14       think, was it your birthday.         15       A Yeah.         16       Q Happy birthday.         17       MS. FERRIN: She's now officially an adult.         18       BY MR. ROSENTHAL:         20       Okay, do you have a copy of your transcript.         21       which was marked as Exhibit 2?         22       MS. FERRIN: You know, I actually don't think I         23       brought therough but I don't have the tokhibs.         25       MR. ROSENTHAL: Okay. Why don't we take a faw         26       Q Okay, Ms. Jones – directing your attention to what was previously marked as Exhibit No. 2 which is a 6 copy of your high school transcript; is that correct?         3       BY MR. ROSENTHAL:         24       Q Okay, Ms. Jones – directing your attention to what was previously marked as Exhibit No. 2 which is a 6 copy of your high school transcript; is that correct?         3       BY MR. ROSENTHAL:         4       Q Okay, Ms. Jones – directing your attention to what was previously marked as Exhibit No. 2 which is a 6 copy of your high school transcript; is that correct?         1       A The main building. </td <td></td> <td></td> <td></td> <td></td>				
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12       A Uh-huh. Yeah.       12       Q Focusing on your summer school ouruse in world         13       Q I was reading the transcript last night. I       14       13       11       14       14       14       14       14       14       14       14       14       14       14       15       A Yeah.       15       A Yeah.       15       A Yeah.       16       17       15       A Yeah.       16       17       16       17       16       17       16       17       16       16       16       16       17       16       16       16       17       16       16       16       16       16       17       17       16       16       17       17       16       16       16       17       17       16       17       17       17       16       16       16       17       17       16       16       16       16       16       16       16       16       16       16       16       16<				
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14       think, was it your birthday yesterday?       14       unfair conditions during that course?         15       A Yeah.       15       A I think world lit was fine. I mean yeah,         16       Q Happy birthday.       15       A I think world lit was fine. I mean yeah,         17       MS. PERRIN: She's now officially an adult.       15       A I think world lit was fine.         18       BY MR. ROSENTHAL:       16       Q Do you remember where that course was held?         20       Okay, do you have a copy of your transcript       16       MS. PERRIN: You mean the classroom?         21       which was marked as Exhibit 27       18       MS. PERRIN: You mean the classroom?         21       which was marked as Exhibit 27       20       MS. PERRIN: You mean the classroom?         22       MS. PERRIN: You know, I actually don't think I       20       Yes.         23       MR. ROSENTHAL: Okay. Why don't we take a few       23       A On the first floor - just on the first floor.         24       A Veak.       Page 470       That's all remember       25         26       Q Cary ou thy marked as Exhibit NO. 2 which is a       6       Socopy of your high school transcript; is that correct?         27       A Yeah.       A Yeah.       A It was the main building.       2         39 <td></td> <td></td> <td></td> <td></td>				
15       A Yeah.       15       A I think word filt was fine. I mean yeah,         16       Q Happy birthday.       16       summer school class was fine.       17         18       BY MR. ROSENTHAL:       Q No unfair conditions that you can think of?       18         19       Q Old enough to vote?       0       Q Do you remember where that course was held?         20       Okay, do you have a copy of your transcript       Which was marked as Exhibit 2?       BY MR. ROSENTHAL:       19       Q Do you remember where that course was held?         21       which was marked as Exhibit 2?       BY MR. ROSENTHAL:       20       Q Yes.       21       BY MR. ROSENTHAL:       20       Q O you remember which building it was in?         25       MR. ROSENTHAL:       20       Q okay, Ms. Jones - directing your attention to       3       A The main building.       2       Q Are you guessing or is that your best       3       recollection?         4       Q Okay, Ms. Jones - directing your attention to       Michael doesn't want you to guess. If you can estimate,       3       Michael doesn't want you to guess. If you can estimate,         3       Q Why don't we actually begin with your summer       5       MS. PERRIN: Okay, Alondra, as we go back to       6         4       A Yes.       A Yes.       7       A Yes.       16       3		• • •		
17       MS. PÉRRIN: She's now officially an adult.       17       Q No unfair conditions that you can think of?         18       BY MR. ROSENTHAL:       9       Old enough to vote?       0       O oy ou remember where that course was held?         20       Okay, do you have a copy of your transcript       Which was marked as Exhibit ??       Q       O oy ou remember where that course was held?         21       which was marked as Exhibit ??       MS. PERRIN: You mean the classroom?       21         23       MS. PERRIN: You mean the classroom?       21       BY MR. ROSENTHAL:         24       brought the rough but I don't have thee xhibits.       C       Q       Do you remember where that course was held?         24       brought the rough but I don't have the exhibits.       C       Q       Q       Q         25       MR. ROSENTHAL:       C       Q       Do you remember which building it was in?         26       Q       Do you remember which building.       C       Page 472         1       minutes and I'll go make copies of them.       2       Q       Are you guessing or is that your best         2       Q Vary Ms. ROSENTHAL:       Mass previously marked as Exhibit No. 2 which is a       G       Mishad doesn't want you to guess. If you can estimate,         3       BY MR. ROSENTHAL:       Mishad doesn't				
18       BY MR. ROSENTHAL:       18       A Not that I can think of, no.         19       Q Old enough to vote?       Q Do you remember where that course was held?         20       Okay, do you have a copy of your transcript       MR. ROSENTHAL:       Q Do you remember where that course was held?         21       which was marked as Exhibit 2?       MS. PERRIN: You know, I actually don't think I       Dyought the rough but I don't have the exhibits.       Page 470         25       MR. ROSENTHAL: Okay. Why don't we take a few       Page 470       That's all 1 remember         26       Q Okay, Ms. Jones - directing your attention to 5       what was previously marked as Exhibit No. 2 which is a corpect?       A The main building.         3       Q Okay, Ms. Jones - directing your attention to 5       MS. PERRIN: You kay, Alondra, as we go back to 6         4       Q Okay, Ms. Jones - directing your attention to 5       MS. PERRIN: You kay, Alondra, as we go back to 6         5       MS. MR. ROSENTHAL:       MS. PERRIN: You kay, Alondra, as we go back to 6         6       Corpy of your high school transcript; is that correct?       A A tras that you take another minute.         6       Q Can you tell me why you took summer school?       A Yes.         11       A Yes.       MR. ROSENTHAL: Actually, I apologize, I forgot one more thing.         12       A Yes.       Q Can you tell me what courses?	16	Q Happy birthday.	16	summer school class was fine.
19       Q Old enough to vote?       19       Q Do you remember where that course was held?         20       Okay, do you have a copy of your transcript       MS. PERRIN: You mean the classroom?         21       which was marked as Exhibit 2?       MS. PERRIN: You mean the classroom?         22       MS. PERRIN: You know, I actually don't think I       1         23       brought therough but I don't have the exhibits.       20         25       MR. ROSENTHAL: Okay. Why don't we take a few       23         Page 470         A The main building.         Q O kay, Ms. Jones - directing your attention to to what was previously marked as Exhibit No. 2 which is a copy of your high school transcript; is that correct?         A Yeah.       Q Why don't we actually begin with your summer school?       A Yea.          A Secan you tell me why you to	17	MS. PERRIN: She's now officially an adult.		
<ul> <li>Okay, do you have a copy of your transcript which was marked as Exhibit 2?</li> <li>MS. PERRIN: You know, I actually don't think I</li> <li>BY MR. ROSENTHAL:</li> <li>Okay, do you have a copy of your transcript which was marked as Exhibits.</li> <li>MR. ROSENTHAL: Okay. Why don't we take a few</li> <li>Page 470</li> <li>A The main building.</li> <li>Summer school atter your 10th grade year; is that correct?</li> <li>A Yes.</li> <li>Q Can you tell me why you took summer school?</li> <li>Ms S Caliz' class.</li> <li>Q Can you tell me what courses?</li> <li>A World lit.</li> <li>Q Can you tell me what courses?</li> <li>A World lit.</li> <li>Q Can you tell me what courses?</li> <li>A World lit.</li> <li>Q Can you tell me what courses?</li> <li>A Monol?</li> <li>A Brown how long he had been at Balboa High 92</li> <li>School?</li> <li>A A Yes.</li> </ul>		BY MR. ROSENTHAL:		
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22       MS. PERRIN: You know, I actually don't think I         23       brought ther. I don't have ther with me today. I         24       brought the rough but I don't have the exhibits.         25       MR. ROSENTHAL: Okay. Why don't we take a few         26       MR. ROSENTHAL: Okay. Why don't we take a few         27       minutes and I'll go make copies of them.         2       Q Are you guessing or is that your best         3       BY MR. ROSENTHAL:         4       Q Okay, Ms. Jones - directing your attention to         5       what was previously marked as Exhibit No. 2 which is a         6       copy of your high school transcript; is that correct?         7       A Yeah.         8       Q Why don't we actually begin with your summer school. I believe you had previously testified that you         10       took summer school after your 10th grade year; is that correct?         13       Q Can you tell me what courses you took during summer school?         14       A Yes.         15       Q Can you tell me what courses?         16       Q Did you take any other courses?         17       A World lit.         19       Q Did you take any other courses?         24       A Yes.         25       Q And tid you take both of those at Balboa High				
<ul> <li>23 brought them. I don't have them with me today. I brought ther rough but I don't have the exhibits.</li> <li>24 brough the rough but I don't have the exhibits.</li> <li>25 MR. ROSENTHAL: Okay. Why don't we take a few</li> <li>26 Page 470</li> <li>27 Page 470</li> <li>28 Page 470</li> <li>29 Page 472</li> <li>20 Are you guessing or is that your best 3</li> <li>20 Q Are you guessing or is that your best 3</li> <li>21 A The main building.</li> <li>22 Q Are you guessing or is that your best 3</li> <li>23 A On the first floor just on the first floor.</li> <li>24 That's all I remember</li> <li>25 Q Do you remember which building it was in?</li> <li>20 Are you guessing or is that your best 3</li> <li>21 A The main building.</li> <li>22 Q Are you guessing or is that your best 3</li> <li>23 C A re you guessing or is that your best 3</li> <li>24 C Are you guessing or is that your best 3</li> <li>25 WS. PERRN: Okay, Alondra, as we go back to 6</li> <li>27 A Yeah.</li> <li>30 Why don't we actually begin with your summer school after your 10th grade year; is that correct?</li> <li>31 A The main building.</li> <li>32 A N we actually begin with your summer school after your 10th grade year; is that correct?</li> <li>31 A The main building.</li> <li>32 School?</li> <li>32 A No the first floor - just on the first floor.</li> <li>32 Chool?</li> <li>34 A Yes.</li> <li>35 A World lit,</li> <li>35 Q Can you tell me what courses you took during summer school?</li> <li>34 A World lit,</li> <li>35 Q Can you tell me what courses you took during summer school?</li> <li>34 A World lit,</li> <li>35 A World lit,</li> <li>36 A World lit,</li> <li>37 A On the first floor - just on the first floor.</li> <li>38 A World lit,</li> <li>39 Q Did you take any other courses?</li> <li>31 A Mr. Wilcox.</li> <li>32 Q And idi you take both of those at Balboa High 32 School?</li> <li>34 A Yes.</li> </ul>				
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		and a star was an		

Page 473     Page 473       1     -1 forgot that teacher. Like in another English     She said there was only one look.       2 class. It wann't my class but I saw him in the     1       3 classroom.     Q is he a permanent teacher now?       7     A Yes.       6     Q is he a permanent teacher now?       7     A Yes. he's a permanent teacher now?       9     Q in 10d grade?       10     A Yes. he's a permanent teacher now?       11     Uh-huh, 10th.       12     Q Do you remember if Mr. Wilcox was absent at all       13     during summer school when he was teaching world lif?       14     A Yes.       15     Q Do you remember in teacher now?       16     y Op 10d grade?       11     Uh-huh, 10th.       12     Q Do you remember in teacher now?       14     A Yes.       15     Q Do you remember in teacher now?       16     Woold woil shing a substitute teacher now?       17     A No.       18     Q Would you say Mr. Wilcox was a good teacher?       19     Q Wauld you say Mr. Wilcox was a good teacher?       10     Q Wat woil shing a substitute teacher now?       11     A Kew, Mr. Wilcox was a good teacher?       12     Q Did you think he was sualified to teach word       14     M Wyolen				
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2       class. If wasn't my class but I saw him in the 3       classroom.       THE WTTNESS: We only read on book, but he world do a journal or we'd read by ourselves in class.         3       classroom.       Yes.         4       A Yes.       Si bar, Wilcox still teacher now?         7       A Yes., he's a permanent teacher now?       G         8       and he subbed for gym too.       P WIR. ROSENTHAL:         9       Q In 10th grade?       Q         10       A Yesh, hithik that's the only year I took gym.       A He would read aloud from the book we was         9       Q In 10th grade?       A Yesh.         10       Q Do you remember having a substitute teacher for       Q Did Mc Wilcox give any honework?         11       A No.       1       Q Ush the yould yead of hom the ooks at one?         12       Q Did Mc Wilcox give any honework?       A He now have and the taw and the tacher?         14       Q Would you asy Mc Wilcox was a good teach??       A Mc Wilcox sam and he kind of gave casy         12       Q Would you asy Mc Wilcox was a good teach??       A Mc Wilcox sam and he kind of gave casy         15       Q Did you thik he was smart?       A Mc We how was mart?         16       Would you any have not test in his class?       Q Did you only have one test in his class?         2       Q Yes, hew an	1		1	She said there was only one book.
3       classroom.       3       read aloud to us sometimes, and then afterwards we'd do         4       Q       Is Mr. Wilcox still teaching at Balboa?       5         5       A Yes.       Sometimes, and then afterwards we'd do         6       Q       Is he a permanent teacher now?       Sometimes, and then afterwards we'd do         7       A Yes.       Particle and he subbed for gym too.       Particle and he subbed for gym too.         9       Q       In 10h grade?       Sometimes, and then book you had         10       A Yes.       He would read aloud from the book was         11       Ub-huh, 10th.       A       Yes.         12       Q       Do you remember. I don't timk so.       10         13       during usummer?       A       No.         14       A Mo.       I don't member. I don't timk so.         15       Q       Do you remember. I don't timk so.         16       world it during the summer?       A         17       A No.       A Mey bon't world you mem?         18       A He would you say Mr. Wilcox was a good teacher?         19       A Would you say Mr. Wilcox was a good teacher?         10       A Wey Mon't wull the you mem?         21       A He would read aloud form the book at	-		_	
4       a) (ar.Mr. Wilcox still teaching at Balboa?         5       A Yes,         5       A Yes,         6       Q is he a permanent teacher now?         7       A Yes, he's a permanent teacher now. Oh, yeah,         and he subbed for gym too.       Q He would read aloud from the one book you had         7       A Yes, he's a permanent teacher now?         8       A He would read aloud from the one book was         9       Q In 10th grade?         10       O Yhat was the name of the book?         11       Uh-huh, 10th.         12       Q Do you remember having a substitute teacher?         9       O Do you remember having a substitute teacher?         13       A Yes.         14       A No.         15       A Do you remember having a substitute teacher?         16       World you say Mr. Wilcox was a good teacher?         17       A No.         18       Q Would you say Mr. Wilcox was a good teacher?         19       Q Any other homework you can think of?         20       Q When you say "Cool," what do you mernor.?         21       A If you didn't finish reading in class.?         22       Q Did you think he was smart?         23       Q Yes, he was smart?		-		
5       Å Yes.       BY MR. ROSENTHAL:         6       Q Is he a permanent teacher now?       Q         7       A Yes, he's a permanent teacher now. Oh, yeah,       and he subbed for gym too.         9       Q In 10th grade?       A He would read aloud from the one book you had         10       A Yeah, 11mink that's the only year I took gym.       He would read aloud from the one book?         11       Uh-huh, 10th.       Page 474       Page 40         12       Q Do you remember if Mr. Wilcox was a good teacher?       I A No.         13       during summers school when he was taaching world hi?       A No.         14       A No.       I A No.         15       Q Do you remember. I dort think so.       I A Yeah.         16       world it during the summer?       I A No.         17       A No.       I A No.         18       A Wulcox was cool.       I You did thi finish reading it in class.         19       A Yes, Mr. Wilcox sus as good teacher?         20       Q When you say "cool." what do you mean?         21       A Ikke he was nice and he kind of gave easy         22       Q Did you think he was smart?         24       A Mr. Wilcox's smart.?         25       Q Yes, he was smart?        24 <td< td=""><td>-</td><td></td><td>4</td><td></td></td<>	-		4	
6       Q Is he a permanent teacher now?       6       Q He would read aloud from the one book you had         7       A Yes, he's a permanent teacher now. Oh, yeah, and he subbed for gym too.       9       Q In 10th grad?       8         9       Q In 10th grad?       9       A He would read aloud from the book we was       9         9       Q In 10th grad?       10       Q that was the name of the book?       11         11       Uh-hub, 10th.       12       Q Do you remember if Mr. Wilcox was absent at all       12       Q Doid Mr. Wilcox give any homework?         13       A res, h.       14       Yes.       1       A Yes.         14       A No.       14       Yes.       1       A Yes.         15       Q Do you remember having a substitute teacher?       15       A Do you remember how so cool.       20       Did when you say 'cool,' what do you mean?         16       World Vil, Itought it was easy.       20       Q When you say Mr. Wilcox was a good teacher?       18       A If you didn't finish reading it in class.         17       A Mr. Wilcox samat.       22       Q Did you think he was smart?       20       A At the end when we had the tests we had to stay         18       A If would it was easy.       10       Q And you previously stated thaty you couldn't         1 <td></td> <td>•</td> <td>5</td> <td><i>u</i></td>		•	5	<i>u</i>
7       Å Yes, he's a permanent teacher now. Oh, yeah, 8 and he subbed for gym too.       7       to read or form another book?         8       and he subbed for gym too.       8       A He would read aloud from the book we was 9         9       Q in 10th grade?       1       A         10       A Yeah, 1 think that's the only year 1 took gym.       11       A         12       Q boy our member if Mr. Wilcox was absent at all 12       2       Q bid Mr. Wilcox give any homework?         13       A Yeah.       13       A Yeah.         14       A No, 1 don't remember. 1 don't think so.       13       A Yeah.         15       Q Do you remember having a substitute teacher for word lift during the summer??       14       Q What kind of homework that required to you read         16       Q Would you say Mr. Wilcox was a good teacher??       18       A He you divin this he was gaudified to read thing the was ince and he kind of gave easy         20       Work. Well, 1 thought it was easy.       2       Q Did you think he was smart?         24       A Mr. Wilcox's smart.       2       Q Did you think he was qualified to teach world lift         2       Q Yes, he was more off the book.       1       Q And you previously stated that you couldn't         4       A Maybe not world lift, but 1 think he's qqaalified to teach something. Maybe not world lift bout <td></td> <td></td> <td>6</td> <td>Q He would read aloud from the one book you had</td>			6	Q He would read aloud from the one book you had
8       and he subbed for gym too.       9       Q       In 10th grade?         9       Q       In 10th grade?       9       reading. It was Things Fall Apart.         10       Dy our remember if Mr. Wilcox was absent at all       11       Q       Did Nr. Wilcox give any homework?         11       Uh-huh, 10th.       11       A Yeah.       12       Q       Do you remember if Mr. Wilcox was absent at all         13       during summer school when he was teaching world lit?       A       Yes.         14       A No.       13       A Yes.         15       Q. Do you remember i having a substitute teacher for       16       World lit during the summer?         16       World you say Mr. Wilcox was a good teacher?       18       A If you didn't finish romework you can think of?         20       Q. When you say "cool," what do you mean?       13       A If you didn't finish romework you can think of?         21       A Like he was match       22       Q. Did you think he was anart?       23       A Yes, that I remember. It was the -         22       Q. Yes, he was smart?       24       A Mr. Wilcox's smart.       25       Q. Yes, he was smart?         24       A Mr. Wilcox's smart.       25       Q. Yes, he was smart?       24       Yes, that I remember.       14 <td></td> <td></td> <td>7</td> <td></td>			7	
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12       Q Do you remember if Mr. Wilcox was absent at all       12       Q Did Mr. Wilcox give any homework?         13       during summer school when he was teaching world lit?       A       No.         15       Q Do you remember. I dort think so.       Q       What kind of homework did he give?         16       No.       Q       What kind of homework did he give?         17       A No.       Q       Wat kind of homework that required to you read         18       Q Would you say Mr. Wilcox was a good teacher?       10       Q Did you fink he dues as more and he kind of gave casy         20       Q When you say "cool," what do you mean?       A       A Mr. Wilcox's mart.       20         23       Q Did you think he was smart?       20       A Mr. Wilcox's mart.       22         24       A Mr. Wilcox's smart.       22       Q Did you think he was smart?       23       A Yes, that I remember. It was the -         25       Q Yes, he was smart?       24       A Mr. Wilcox's smart.       25       A Yes, that I remember. It was the -         26       A Maybe not world lit, but I think he's qualified to teach world       11       0       And you previously stated that you couldn't think of any unfair conditions that existed in this         16       11       A Maybe not world lit though.       3       A Not that I can	10		10	Q That was the name of the book?
13       during summer school when he was teaching world lit?       13       A Yes.         14       A No, I don't remember. I don't think so.       14       Q What kind of homework did he give?         15       Q Do you remember having a substitute teacher for       14       Q What kind of homework did he give?         16       world lit during the summer?       17       A No.         17       A No.       The journals, like the one-page summaries.         18       Q Would you say Mr. Wilcox was a good teacher?       16       Q Did you say 'tool,'' what do you mean?         21       A Like he was nice and he kind of gave casy       20       Did you only have net tests we had to stay         21       A Well, I thought it was easy.       23       Q Did you only have one test in his class?         23       Q Did you think he was smart?       23       A Yes, that I remember. It was the         24       A Mr. Wilcox's smart.       25       A Yes, that I remember. It was the         25       Q Did you think he was qualified to teach world       11       Stinke te conserver uncomfortably hot?         4       A Maybe not world lit, but I think he's qualified to teach       Yes.       1       Q And you previously stated that you couldn't         2       M My don't you think he was qualified to teach       Yes.       1	11	Uh-huh, 10th.	11	A Yeah.
14       A No, I don't remember. I don't think so.       14       Q What kind of honework did he give?         15       Q Do you remember having a substitute teacher for world fit during the summer?       A The journals, like the one-page summaries.         16       Q Wold you say Mr. Wilcox was a good teacher?       A No.         17       A No.       Q When you say Mr. Wilcox was a good teacher?         18       Q Wold you say Mr. Wilcox was a good teacher?       A Mr. Wilcox's smart.         20       Q When you say Ycool,' what do you mean?       A If you didn't finish reading it in class.         21       A Mr. Wilcox's smart.       22         23       Q Did you think he was smart?       23         24       A Mr. Wilcox's smart.       25         25       Q Yes, he was smart?       25         26       Q Did you think he was qualified to teach world it fough.       3         36       to teach something. Maybe not world lit hough.       4         4       A Maybe not world lit hough.       5         5       Q When you say "journals and that's - and we       10         31       g Didopa the book. That's really all we       10         16       But dust that's probably because he didn't have as much       3       a Any con remember. We had - like         2       Q Whe	12	Q Do you remember if Mr. Wilcox was absent at all	12	Q Did Mr. Wilcox give any homework?
15       Q Do you remember having a substitute teacher for 16 world ift during the summer?       15       A The journals, like the one-page summaries.         16       Q Did you say Mr. Wilcox was a good teacher?       Q Did you say Mr. Wilcox was a good teacher?         18       Q Would you say Mr. Wilcox was a good teacher?       16       Q Did you dhink her was cool.         20       Q When you say "cool," what do you mean?       A If you didn't finish reading it in class.         21       A Like her was nice and he kind of gave easy       Q Any other homework you can think of?         20       Q Did you think he was smart?       20       A the end when we had the tests we had to stay         23       Q Did you think he was smart?       23       A Yes, that I remember. It was the -         24       A Mr. Wilcox's smart.       23       A Yes, that I remember. It was the -         24       Q Did you think he was qualified to teach world       11       Q And you previously stated that you couldn't         2       Q Did you think he was qualified to teach       2       Q Why don't you think he was qualified to teach         3       If?       A Na Maybe not world lit bough.       2       Q Was ther oom ever uncomfortably cold?         4       A I mean, because all we did is we read a book       3       and we then did like journals and that's – and w       2         1	13	during summer school when he was teaching world lit?	13	
16       world lit during the summer?       16       Q Did he give homework that required to you read         17       A No.       17       A No.         18       Q Would you say Mr. Wilcox was a good teacher?       18       A Went you say "cool," what do you mean?         20       Q When you say "cool," what do gave easy       20       A At the end when we had the tests we had to stay         21       A Like he was nice and he kind of gave easy       20       A At the end when we had the tests we had to stay         23       Q Did you think he was smart?       20       A At the end when we had the tests.         25       Q Yes, he was smart?       20       A Mr. Wilcox's smart.         26       Q Yes, he was smart?       23       A Yes, that I remember. It was the         27       Q Did you think he was qualified to teach world       11       Che final exam?         28       A Inteen, because all we did is we read a book       and we then did like journals and that's all we         30       Q Way don't you think he was qualified to teach       20       Was the room ever uncomfortably cold?         4       A Inteen, because all we did is we read a book       and we then did like journals and that's       4       No that I can remember.         7       Q Was the room ever uncomfortably cold?       4       A Not that I can				
17       A No.       17       from the book at home?         18       Q Would you say Mr. Wilcox was a good teacher?       A       If you didrif finish reading it in class.         19       A Yes, Mr. Wilcox was cool.       Q       An yo ther homework you can think of?         20       Q When you say "cool," what do you mean?       A       A the end when we had the tests we had to stay         21       A Like he was nice and he kind of gave casy       Work. Well, I thought it was easy.       Q       Did you think he was smart?         23       Q Did you think he was smart?       20       A A the end when we had the tests we had to stay         24       A Mr. Wilcox's smart.       22       Q Did you only have one test in his class?         25       Q Yes, he was smart?       23       A Yes, that I remember. It was the         24       A (Nods affirmatively.) Yes.       Q       I the final exam?         25       A Yesh.       1       Q And you previously stated that you couldn't         2       Why don't you think he was qualified to teach world       1       1         3       It?       A Maybe not world lit, but I think he's qualified to teach world       1       2         4       A More than enchocause all we did is we read a book       and we then did like journals and that's - and we       Q was the room oev				
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22       work. Well, I thought it was easy.       22       Q Did you think he was smart?         23       Q Did you think he was smart?       23       A Yes, that I remember. It was the         24       A Mr. Wilcox's smart.       23       A Yes, that I remember. It was the         24       A Mr. Wilcox's smart.       24       Q The final exam?         25       Q Did you think he was smart?       24       Q The final exam?         26       Q Did you think he was smart?       25       A Yes, that I remember. It was the         24       Q The final exam?       25       A Yes, that I remember. It was the         27       Q Did you think he was smart?       24       Q The final exam?         28       A Not stait I can remember.       25       A Yea.         29       Q Did you think he was qualified to teach world       1       20       A Not that I can remember.         4       A Maybe not world lit, but I think he's qualified       to teach something. Maybe not world lit though.       5       Q Was there over a lot of external noise?         8       A I mean, because all we did is we read a book       9       everybody had their own book and there wasn't too much         10       popele in the class, like the class, like the class wasn't overcrowded       11       0       Popele in the class, li				-
23       Q Did you think he was smart?       23       A Yes, that I remember. It was the         24       A Mr. Wilcox's smart.       24       Q The final exam?         25       A Yes, he was smart?       25       A Yes, that I remember. It was the         24       Q The final exam?       25       A Yes, that I remember. It was the         24       Q The final exam?       25       A Yes, that I remember. It was the         24       Q Did you think he was smart?       25       A Yes, that I remember. It was the         24       Q The final exam?       25       A Yes, that I remember. It was the         24       Q Did you think he was smart?       25       A Yes, that I remember. It was the         25       A Yes, that I remember.       1       Q The final exam?         26       Q Did you think he was qualified to teach world       1       think of any unfair conditions that existed in this         3       class. Was the room ever uncomfortably hot?       4       A Not that I can remember.       7         4       A I mean, because all we did is we read a book       a Not that I can remember.       7       Q Was there own ever uncomfortably cold?         5       a Why don't you think he was qualified to teach       10       10       10       10       20				
24       A Mr. Wilcox's smart.       24       Q The final exam?         25       Q Yes, he was smart?       25       A Yeah.         Page 474         A (Nods affirmatively.) Yes.         1         Q And you previously stated that you couldn't         4         A Maybe not world lit, but I think he's qualified         G Q Why don't you think he was qualified to teach         6         A I mean, because all we did is we read a book         ad we then did like journals and that's – and we         9         Q When you bay because he didn't have as much         10         11         12         12 <t< td=""><td></td><td></td><td></td><td></td></t<>				
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Page 474       Page 474         1       A (Nods affirmatively.) Yes.       1       Q And you previously stated that you couldn't         2       Q Did you think he was qualified to teach world       1       Q And you previously stated that you couldn't         3       lit?       1       Q And you previously stated that you couldn't         4       A Maybe not world lit, but I think he's qualified       2       think of any unfair conditions that existed in this         5       to teach something. Maybe not world lit though.       2       Q Way the not world lit, but I think he's qualified         6       Q Why don't you think he was qualified to teach       3       class. Was the room ever uncomfortably cold?         6       A I mean, because all we did is we read a book       6       A Not that I can remember.         7       Q Was the room ever uncomfortably cold?       6       A Not that I can remember.         7       Q Was the room ever uncomfortably cold?       6       A Not that I can remember.         7       Q Was the room ever uncomfortably cold?       6       A Not that I can remember.         7       Q Was the room book and there wasn't too much       10       people in the class, like the class wasn't overcrowded         11       did. But that's probably would have read       11       or anything.         12 </td <td></td> <td></td> <td>1.1</td> <td></td>			1.1	
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	25	•	1	Q Did you ever see mice in the classroom?
		-		
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	Page 477		Page 479
1	A No.	1	Q And the course taught by Miss Ricard's was
2	Q Any mice droppings?	2	world lit 2?
3	A No.	3	A Yes.
4	Q Do you remember the actual well, strike	4	Q Actually, let me go back. Did you learn world
5	that.	5	lit 1 more during the summer or during the fall of your
6	Were the windows in good repair?	6	sophomore year?
7	A They seemed to be.	7	MS. PERRIN: With Miss Caliz?
8	Q Any problems with the doors or the ceilings or	8	MR. ROSENTHAL: Right.
9	the floor?	9	MS. PERRIN: Okay
10	I know it's a compound question, but I'm just	10	THE WITNESS: We didn't really learn anything in
11	trying to get through it.	11	Miss Caliz class either. I would say that I think even
12	MS. PERRIN: That's fine.	12	though we only read one book in the summer school and we
13	THE WITNESS: Not that I noticed.	13	read more than one book in Miss Caliz class, that I
14	BY MR. ROSENTHAL:	14	gained more from the summer school class. BY MR. ROSENTHAL:
15	Q Were you able to take your book home?	15 16	Q Why do you think that is?
16	A Yeah.	10	A Why? I don't know.
17	Q Can you tell me what the condition of the book	17	Q Do you remember what your grade was in world
18	Was?	10	lit during the summer?
19 20	<ul><li>A I think they were new books maybe.</li><li>Q Were the books missing any pages or did they</li></ul>	20	A A
20	have any writing in them?	20	Q Are you reading that from the transcript?
21	A No.	22	A Yes.
22	Q Did you ever have to pay any fees in connection	23	Q Do you recall how many absences you had from
24	with that class?	24	world lit during the summer?
25	A No.	25	A I think that says two.
			-
	Logo 478		Page 480
1	Page 478 $\Omega$ At the end of the course, would you say you	1	Page 480 O Does that seem right to you?
1	Q At the end of the course, would you say you	1 2	Q Does that seem right to you?
2	Q At the end of the course, would you say you learned world lit?	2	Q Does that seem right to you? A Maybe. It probably was.
2 3	Q At the end of the course, would you say you learned world lit? A I think I might have expanded my comprehension	2 3	<ul><li>Q Does that seem right to you?</li><li>A Maybe. It probably was.</li><li>Q And was the grade control lso correct?</li></ul>
2 3 4	Q At the end of the course, would you say you learned world lit? A I think I might have expanded my comprehension skills a little bit more because I read the book and did	2 3 4	Q Does that seem right to you? A Maybe. It probably was.
2 3	Q At the end of the course, would you say you learned world lit? A I think I might have expanded my comprehension skills a little bit more because I read the book and did the summaries. I'm sure that was good practice. I	2 3	<ul> <li>Q Does that seem right to you?</li> <li>A Maybe. It probably was.</li> <li>Q And was the grade control lso correct?</li> <li>A I think I should have got an article :</li> </ul>
2 3 4 5	Q At the end of the course, would you say you learned world lit? A I think I might have expanded my comprehension skills a little bit more because I read the book and did	2 3 4 5	<ul> <li>Q Does that seem right to you?</li> <li>A Maybe. It probably was.</li> <li>Q And was the grade defails correct?</li> <li>A I think I should have got an defail</li> <li>Q But was the correct grade that you got?</li> <li>A Yeah.</li> <li>Q Why do you think you should have gotten and the statements</li> </ul>
2 3 4 5 6	Q At the end of the course, would you say you learned world lit? A I think I might have expanded my comprehension skills a little bit more because I read the book and did the summaries. I'm sure that was good practice. I learned what happened in the book.	2 3 4 5 6	<ul> <li>Q Does that seem right to you?</li> <li>A Maybe. It probably was.</li> <li>Q And was the grade concluso correct?</li> <li>A I think I should have got an conclusion of the correct grade that you got?</li> <li>A Yeah.</li> <li>Q Why do you think you should have gotten conclusion.</li> <li>A Because I read the book, I had scored the</li> </ul>
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	Page 481		Page 483
1	Q But that wasn't because of any unfair	1	know some of the other classrooms were in use.
2	conditions in the class, was it?	2	Q Were there some classrooms that were not being
3	A No.	3 4	used? A I don't know.
4	Q I don't want to spend too much time on your driver's ed course, but is there any unfair conditions	5	Q Do you recall how many students were sitting on
5 6	that you feel that were that existed in connection	6	the floor?
7	with that class?	7	A No. It would be a guess.
8	A Yes. It was overcrowded because and the	8	Q Did that affect your ability to learn in
9	reason it was overcrowded is because they offered	9	driver's ed class?
10	driver's ed, it was only the last okay, say summer	10	MS. PERRIN: Objection, calls for expert testimony.
11	school lasted seven weeks no, let's say eight weeks.	11	But I'll allow her to testify as to her opinion. THE WITNESS: Well, all those kids in that
12 13	If summer school lasted eight weeks, then the last four weeks were when they offered driver's ed and then they	12 13	classroom made it hard for me to get some individual
15	stuck as many kids fit in that room, into the driver's	14	attention if I needed some. And also
15	ed class. Because they said something about there	15	couldn't handle all them kids. Like she even said, "I
16	wasn't a driver's ed - like nobody would teach driver's	16	can't handle all these kids." There was too many for
17	ed, but they got I to do it. And so they	17	her.
18	stuck a lot of kids in that class. And also, and the state of the stat	18 19	BY MR. ROSENTHAL: Q You said it made it hard to get individual
19 20	And also, <b>see and the set of the</b>	20	attention if you needed it. Did you ever need
21	in another class, but she wasn't fit to teach driver's	21	individual attention in that class?
22	ed because she was nice and all, but when we were in	22	A Maybe once or twice if there was something in
23	class, she would like everybody was learning, let's	23	that driver's handbook thing that I didn't understand.
24	just say that, including her. She had the driver's	24	Q And were you able to get that individual
25	handbook and then she'd look in it, and then we'd all	25	attention when you needed it?
	Page 482		Page 484
1	have our book and she would ask us questions directly	1	A No. From another student.
2	from the book and then we would have to look it up, and	2	Q Did you ask the teacher?
3	sometimes we'd find the answer and she wouldn't find it. But I think she did the best that she could.	3	A Yes. Q And what did the teacher say to you?
5	Q Do you remember how many students were in the	5	A "I'll be there in a minute," and she never got
6	driver's ed class?	6	a chance to come around to me.
7	A I don't know the approximate number, but I know	7	Q Do you remember what your question was?
8	it was more than 30.	8	A Oh, no, I don't remember the question.
9	Q Was it held in a classroom?	9	Q I'm paraphrasing what you said, but you also
10 11	A Yes. Q Do you remember where that classroom was	10 11	said that a second second was not qualified to teach driver's ed in your opinion?
12	located?	12	A No.
	localed?		Q Do you know if she had ever taught driver's ed
13	A The second floor of the main building.	13	
14	<ul><li>A The second floor of the main building.</li><li>Q Did everybody have their own seat in that</li></ul>	14	before?
14 15	A The second floor of the main building. Q Did everybody have their own seat in that class?	14 15	before? A No, I don't know if she had ever taught
14 15 16	<ul><li>A The second floor of the main building.</li><li>Q Did everybody have their own seat in that class?</li><li>A I remember some Filipino kids sitting on the</li></ul>	14 15 16	before? A No, I don't know if she had ever taught driver's ed before.
14 15	<ul><li>A The second floor of the main building.</li><li>Q Did everybody have their own seat in that class?</li><li>A I remember some Filipino kids sitting on the floor.</li></ul>	14 15	before? A No, I don't know if she had ever taught
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	Page 485		Page 487
1	A Yes.	1	testify as to her opinion.
2	Q Did you have any absence from driver's ed	2	THE WITNESS: How'd it affect my ability to learn?
3	class?	3	BY MR. ROSENTHAL:
4	A No. We weren't allowed to have no absences	4 5	<ul><li>Q Yes.</li><li>A Well, I think it has a chain reaction, because</li></ul>
5	because of something some California law or something, you had to have a certain number of hours	6	the overcrowdedness in the class led me to not be able
6 7	like in the driver's ed class and then to go get your	7	to get the individual attention that I may have needed
8	permit or something. So like you had to be there all	8	in the class.
9	your hours.	9	And also, maybe if I would have gotten that
10	Q Did you get a citizenship grade in driver's ed?	10	individual attention, I would have understood some
11	A Yes.	11	things better and I would have gotten a A.
12	Q Do you remember what that grade was?	12	Also, she was like I said, she was a very
13	A	13	nice lady but she just wasn't qualified to teach
14	Q And your reading that from your transcript?	14	driver's ed. When well, I blame it on the class.
15	A Yes.	15	When I first tried to take my permit, after I took the
16 17	Q Do you remember why you got	16 17	class or whatever, I took my permit test at the DMV, I failed the first time. And I think it was her fault.
17	۲	17	Because I passed it the second time around, but if she
18		10	was qualified to teach the class and if she knew what
20		20	she was talking about half the time which she didn't
21		21	I don't think I would have failed it the first time.
22		22	So
23		23	Q Would you say you sufficiently learned
24		24	driver's ed in connection with taking the course during
25		25	that summer?
	Page 486		Page 488
1	Page 486	1	Page 488 A No. I failed the test the first time.
1 2	Page 486	1 2	
	Page 486	-	A No. I failed the test the first time.
2 3 4	Page 486	2 3 4	<ul> <li>A No. I failed the test the first time.</li> <li>Q So you don't think you learned driver's ed?</li> <li>MS. PERRIN: Objection, asked and answered.</li> <li>THE WITNESS: No. I think I learned driver's ed</li> </ul>
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7 (Pages 485 to 488)

		Page 489		Page 491
	1	class? Can you tell me what a typical day was like.	1	A Okay. First period was geometry, second period
1	2	A We'd get in class, she'd tell us to read in our	2	was P.E., third period was third period was Miss
ĺ	3	driver's ed book like 15 pages or something. And we'd	3	Caliz. No, no, no. Third period was modern world, and
	4	read, and then she would ask us a question. Like she	4	then fourth period was academic literacy or world lit.
	5	would open her book and she would read for a minute and	5	Q And just so I have an understanding, so fourth
	6	then she would ask a question. And then we'd look for	6	period, did you take the academic literacy course on
	7	the answer. And then sometimes, like our answers	7	certain days of the week, or was it for the first half
	8	like she'll say like a question and then we would answer	8	of the semester or how did that work?
	9	it and she'd say like, "No, that's not correct." But	9	A Well, I really can't tell the difference
	10	then it turns out it's correct and we'd call her on it	10	between the classes because we did the same things in
	11	and we'd say, "No, you're wrong because it says right	11	both classes when I had Miss Caliz, we did the same
	12	here," and then she'd say, "Oh, well, you know, I'm	12	things. So I think that like after a certain number of
	13	really not a driver's ed teacher so, you know, I'm doing	13	weeks, the class switched to world lit. Like okay,
	14	the best I can too."	14	you see how I took geometry 1 and geometry 2, right?
	15	And then afterwards like we had a couple of	15	It would be geometry 1, P.E. 1, modern world 1 and let's
	16	like mock license test things, we had a couple of those.	16	say academic literacy 1. And then whenever the week
	17	And basically that's it. Just a lot of her asking us	17	was done, then I took geometry 2, P.E. 2, modern world 2
	18	questions and the mock license test.	18	and that's when I would take world lit.
	19	Q Did the teacher test you in the class?	19	Q So was that sort of like at the mid point of
	20	A The mock tests.	20	the semester?
	21	Q And did that affect your grade in the class?	21	A I guess that's what it is, yes.
	22	A Oh, I don't know her grading system at all.	22	Q And now I know that now you have three report
	23	Q Why don't we move on to the classes you took	23	periods. Back in 10th grade, was it a different system
	24	during your sophomore year, which was the '98-'99 school	24	where there was, you know, two report periods or some
	25	year, I believe; is that right?	25	multiple of two?
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		Page 490	ł	Page 492

1 A Uh-huh. Yes. 1 A It was different, but I really don't remember 2 Q Now I think you had previously testified that 2 how many weeks. That was a very confusing thing. They 3 during 10th grade you had four classes a day; is that 3 were testing it out, like using us as guinea pigs. I 4 correct? Four class periods a day? 4 don't think it worked very much, that's why they changed 5 A Yes. 5 it. But anyway, I don't recall exactly how many like 6 Q Can you just explain to me -- and again, I'd 6 progress report periods it would have been. I really 7 ask you to look at your transcript, and let's focus 7 don't know. Maybe -- I don't know. 8 first on the -- why don't we take the fall of '98 first, 8 Q Do you remember getting a final grade in 9 and I think that there are -- there appear to be eight 9 geometry 1 before the end of the first semester? Does 10 classes listed there; is that right? 10 that make sense? 11 A Yes. 11 A Yeah, it makes sense, but I really -- I 12 Q And it looks like -- well, can you tell me what 12 couldn't tell you. 13 those classes -- well, sorry, let me strike that. 13 Q Okay. But academic literacy and world lit were 14 It looks like you took geometry 1 and 2, phys 14 separate courses? 15 ed 1 and 2, and modern world 1 and 2, and there's two 15 A Yes. 16 other courses with different names. One is world lit, Q But both of them taught by 16 17 which you took in the summer again, and then the other 17 A Yeah. 18 one is -- do you know what the name of the other course 18 Q Okay. Why don't we focus on those, I guess, 19 is? 19 five classes -- well, actually let me step back. 20 A Academic literacy. 20 Geometry 1 and 2 were taught by the same 21 Q Is that a separate course from world lit? 21 teacher and in the same classroom? 22 A Yes. 22 A Always, yes. 23 Q So can you just tell me what your daily 23 Q And that's true for P.E. as well? schedule was like during 10th grade? I mean, maybe if 24 24 A Yes. 25 you take me through period by period. 25 O And for modern world?

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1	A Yeah. It's also true for academic literacy and	1	Q So in your mind there was no distinction
2	world lit, it was the same class.	2	between academic literacy and world lit?
3	Q Same classroom, same teacher?	3	A No.
4	A Yeah.	4	Q So if you want to deal with that as one class,
5	Q Fine. Just for so simplicity's sake, I'll deal	5	then that's fine with me. Although I know during the
6	with you know, if I say geometry, I'm referring to	6	spring you took academic literacy 2 and world lit 2.
7	geometry 1 and 2, and if I say P.E., I'm dealing with	7	A Yeah.
	P.E. 1 and 2, we'll deal with it as one class. Is that	8	Q But in your mind that was also just the same
8		9	thing?
9	okay with you?		-
10	A Yes.	10	A The same thing.
11	Q And that's true for modern world as well. But	11	MS. PERRIN: For the record, there are 8 classes
12	academic literacy and world lit we may deal with	12	listed, but we'll treat them as four for the purposes of
13	separately to some extent, but we'll cross that bridge	13	questioning?
14	when we come to it.	14	MR. ROSENTHAL: That's fine.
15	So if you could focus on those five classes,	15	Q Unless you see any reason to distinguish any of
16	what I'm calling five classes during your sophomore	16	them?
17	year, can you tell me any unfair conditions that	17	A No.
18	existed in connection with any of those five classes,	18	Q So if you can tell me any of the unfair
19	and we can start with any one you want.	19	conditions you experienced in connection with any of the
20	MS. PERRIN: Okay, but it's four classes, because	20	classes.
21	academic lit and world lit are in essence the same. At	21	A First period was geometry, and the teacher was
22	least that's what she's testified to.	22	qualified. The class was fairly small, 30 or less
23	MR. ROSENTHAL: I'm not sure what's right. I think	23	no, not even 30. Maybe 25 kids. But everybody didn't
24	it's really technically eight classes.	24	have a book. That's what I do remember, we had to share
25	MS. PERRIN: So want to treat academic literacy and	25	geometry books.
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1	world lit as separate, even though the rest of them are	1	And Mr. Medina, the teacher I mean, I don't
2	all the same teacher in the same classroom?	2	know because if it was because he never went and got any
3	MR. ROSENTHAL: I think that's probably safe to do	3	from like the storage room or something, but he always
4	at this point. I mean, I think that at least my	4	complained of never having enough chalk or any chalk.
5	understanding is that geometry 2 was a continuation of	5	But I just know we didn't we had to share books.
6	geometry 1, whereas world lit and academic literacy	6	Q Any other unfair conditions in that class?
	sounds like there may be you know, there's not the	7	A Not that I can recall, no. No.
8	sequential aspect to them.		A INUL MALI CAM ICCAM, MU. INU.
9		0	
		8	Q We'll back to the specifics. Why don't we move
	MS. PERRIN: Okay. Although that's not what she's	9	Q We'll back to the specifics. Why don't we move on to the next class.
10	MS. PERRIN: Okay. Although that's not what she's testified to. She said that they were in essence the	9 10	Q We'll back to the specifics. Why don't we move on to the next class. Any unfair conditions you can think of in
10 11	MS. PERRIN: Okay. Although that's not what she's testified to. She said that they were in essence the same thing.	9 10 11	Q We'll back to the specifics. Why don't we move on to the next class. Any unfair conditions you can think of in connection with your phys ed class?
10 11 12	MS. PERRIN: Okay. Although that's not what she's testified to. She said that they were in essence the same thing. BY MR. ROSENTHAL:	9 10 11 12	Q We'll back to the specifics. Why don't we move on to the next class. Any unfair conditions you can think of in connection with your phys ed class? A The bird stuff on the floor, and the birds
10 11 12 13	MS. PERRIN: Okay. Although that's not what she's testified to. She said that they were in essence the same thing. BY MR. ROSENTHAL: Q Were academic literacy and world lit the same	9 10 11 12 13	Q We'll back to the specifics. Why don't we move on to the next class. Any unfair conditions you can think of in connection with your phys ed class? A The bird stuff on the floor, and the birds coming in flapping and feathers dropping. And some
10 11 12 13 14	MS. PERRIN: Okay. Although that's not what she's testified to. She said that they were in essence the same thing. BY MR. ROSENTHAL: Q Were academic literacy and world lit the same class in your mind?	9 10 11 12 13 14	Q We'll back to the specifics. Why don't we move on to the next class. Any unfair conditions you can think of in connection with your phys ed class? A The bird stuff on the floor, and the birds coming in flapping and feathers dropping. And some like everybody couldn't play a game. Some kids had to
10 11 12 13 14 15	MS. PERRIN: Okay. Although that's not what she's testified to. She said that they were in essence the same thing. BY MR. ROSENTHAL: Q Were academic literacy and world lit the same class in your mind? A I mean, we did the same thing. Like in	9 10 11 12 13 14 15	Q We'll back to the specifics. Why don't we move on to the next class. Any unfair conditions you can think of in connection with your phys ed class? A The bird stuff on the floor, and the birds coming in flapping and feathers dropping. And some like everybody couldn't play a game. Some kids had to sit in the balcony. Like half the class would get to
10 11 12 13 14 15 16	MS. PERRIN: Okay. Although that's not what she's testified to. She said that they were in essence the same thing. BY MR. ROSENTHAL: Q Were academic literacy and world lit the same class in your mind? A I mean, we did the same thing. Like in yeah, we did the same things. We just read books and	9 10 11 12 13 14 15 16	Q We'll back to the specifics. Why don't we move on to the next class. Any unfair conditions you can think of in connection with your phys ed class? A The bird stuff on the floor, and the birds coming in flapping and feathers dropping. And some like everybody couldn't play a game. Some kids had to sit in the balcony. Like half the class would get to play basketball or that one game where you hit it.
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	connection with your phys ed class?	1	Q Can you tell me about that?
2	A Mostly been – it was that bird stuff on the	2	A We had like two or three to like because it
2	floor. Oh, and also it was cold in there, because like	3	wasn't enough books, we had teams, and yeah, our
4	the windows, it's like like this up there. You see	4	class was based on teams. Team 1, Team 2, Team 3, Team
5	how it's individual (indicating). Some of them window	5	4, Team 5 and Team 6, Team 7, whatever, and we named our
	panes would be missing. So that's how the birds flew	6	teams. And it was like one book per team. And then if
6	• •	7	we had to use the book for homework or like if we needed
7	in. But yeah, it was normally cold in that class I	8	to take it home and study before a test, we had to sign
8	mean in the gym because the window panes was missing.	9	a book out and give him collateral to make sure he knew
9	Q Any other problems in your gym class?	10	we were going to bring the book back.
10	A There was only Mr. Gray in there. I think it	11	Q Did you need the book for homework?
11	needed to be two gym teachers in there, because like he	12	A I mean, I got geometry pretty well. Some of
12	couldn't attend to all the kids. Like somebody would be	12	the kids who didn't understand because he would like
13	calling him, like a bird like if some droppings had	13	write problems and stuff on the board, and we would have
14	land on a kid like from the birds up on the top, then	14	to copy it and take it home and that would be our
15	like they will call Mr. Gray, and then let's say	16	homework. But like I said I got it, so I don't really
16	something like a mouse or something would run across	17	think I needed the book too much. But like other kids
17 18	- like on the sides of the gym floor, and then a kid	18	who didn't understand it as well needed the book.
10	will call Mr. Gray. And then somebody's ball went on	18	And if those kids let's say forgot the books at
20	top of the bleachers and then somebody called Mr. Gray. And so in my opinion, it was too much for him to handle.	20	home, whatever the case may be, like two teams would
20	He couldn't attend to everybody.	21	have to merge because that team didn't have a book.
21	Q Any other unfair conditions in your gym class?	22	Q So did you ever take your geometry textbook
22	A Not that I can recall at this time, no.	22	home?
23 24	Q How about your modern world class, any unfair	23	A Not that I remember, no.
24 25	conditions in connection with that class?	24	
25	conditions in connection with that class?	25	Q That's because you chose not to?
1	A Yeah. She didn't have any books, so she'd	1	A Yes.
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	<ul> <li>A Teal. She didn't have any books, so she d</li> <li>photocopy some books and newspapers and magazines and anything she could get her hands on.</li> <li>Q Any other unfair conditions?</li> <li>A The class was a bit overcrowded. But that's about it.</li> <li>Q Nothing else?</li> <li>A Not that I can recall, no.</li> <li>Q And finally, how about the academic literacy world/lit class, any unfair conditions in that class?</li> <li>A Besides her leaving and the substitutes towards the end of the school year, or the end of that class or whatever, no.</li> <li>Q So no other unfair conditions in connection with that class?</li> </ul>	1 2 3 4 5 6 7 8 9 10 11 12 13 14	<ul> <li>A Yes.</li> <li>Q Did you ever hear of a situation where a student was not able to take the geometry textbook home?</li> <li>A I don't know.</li> <li>Q Did you ever hear of a situation like that?</li> <li>A I don't remember.</li> <li>Q Do you know why you had to share books in that class?</li> <li>A Well, Mr. Medina said that it was more books but it was other geometry class that had to share the same books that we had, and some of the books were like not, I guess in good enough condition for us to use 'em.</li> <li>Q Did somebody tell you that?</li> <li>A Mr. Medina.</li> <li>Q Do you know if Mr. Medina ever made photocopies</li> </ul>

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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	<ul> <li>A Yes.</li> <li>Q Can you tell me how the sharing of the books affected your ability to learn in that class?</li> <li>A I mean, me personally, it didn't affect me because I was a natural at geometry. So I used the book to write down a problem when he'd assign 'em, like Page 20, 1 through 4 or something like that. I'd use the book like that. But I didn't need the book for reference or to look back and see how to do it. Other kids did though, but me personally, I didn't.</li> <li>Q So it didn't affect your ability to learn geometry at all?</li> <li>A No. It affected other kids though. It kind of did affect my ability to complete some the homeworks on time though, because if I was going at a faster pace than some of the other students, which I normally was, I would have to like sit there and wait for them to catch up before I could turn the page, and that would just take too long.</li> <li>Q You also said that another unfair condition in the geometry class was that Mr. Medina didn't always have enough chalk; is that right?</li> <li>A That's what he always complained about.</li> <li>Q Do you know why he didn't have enough chalk?</li> <li>A I don't. He used to always complain about not</li> </ul>	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	<ul> <li>A I don't know if he got it from the storage room. I don't know if he got it from the book room. The book room is in the basement of a separate building than his class, so if he had to go there, I could understand why it took so long. But I don't know where he got the chalk from. I don't know if Balboa had a storage room or not.</li> <li>Q Do you remember how often he had to leave class to get chalk?</li> <li>A No, I don't remember. I remember him doing it about two or three times.</li> <li>Q Two or three times during the entire semester?</li> <li>A I really don't know how far my memory is expanded on that. I just remember him doing it two or three times.</li> <li>Q So do you think Mr. Medina was a good teacher? A Oh, yeah. He's smart.</li> <li>Q Was he qualified to teach geometry in your opinion?</li> <li>A That was Master Splinter. He was smart.</li> <li>Q You said that during one of your earlier days of deposition as well. When you say "Master Splinter," who is that?</li> </ul>
1	Page 502	1	Page 504
1 2	Page 502 having enough chalk. Q Do your ever remember an instance when he was	1 2	even have to look in the back of the book for the
	having enough chalk.	_	
2 3 4	having enough chalk. Q Do your ever remember an instance when he was unable to write on the blackboard because he didn't have enough chalk?	2	even have to look in the back of the book for the answer, or he wouldn't have to refer to the book. He just knows everything. Q Do you know where that name comes from, Master
2 3 4 5	<ul><li>having enough chalk.</li><li>Q Do your ever remember an instance when he was unable to write on the blackboard because he didn't have enough chalk?</li><li>A Yeah, so he would have to go get some.</li></ul>	2 3 4 5	even have to look in the back of the book for the answer, or he wouldn't have to refer to the book. He just knows everything. Q Do you know where that name comes from, Master Splinter? Is that something that students made up or is
2 3 4 5 6	<ul><li>having enough chalk.</li><li>Q Do your ever remember an instance when he was unable to write on the blackboard because he didn't have enough chalk?</li><li>A Yeah, so he would have to go get some.</li><li>Q And did he get some?</li></ul>	2 3 4	even have to look in the back of the book for the answer, or he wouldn't have to refer to the book. He just knows everything. Q Do you know where that name comes from, Master Splinter? Is that something that students made up or is that a character or something?
2 3 4 5 6 7	<ul> <li>having enough chalk.</li> <li>Q Do your ever remember an instance when he was unable to write on the blackboard because he didn't have enough chalk?</li> <li>A Yeah, so he would have to go get some.</li> <li>Q And did he get some?</li> <li>A Yeah, he would go to like the storage room or</li> </ul>	2 3 4 5 6 7	<ul><li>even have to look in the back of the book for the answer, or he wouldn't have to refer to the book. He just knows everything.</li><li>Q Do you know where that name comes from, Master Splinter? Is that something that students made up or is that a character or something?</li><li>A It was a character from Ninja Turtles. Master</li></ul>
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11 (Pages 501 to 504)

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			Page 507
	Page 505		
1	Q You remember it being hot or cold in other	1	fair condition because it wasn't fair. The books were
2	classrooms. Do you think you would remember if it was	2	nasty, but so the only thing I can think of lower
3	hot or cold in this classroom?	3	than fair would be poor.
4	A I don't know. Maybe. Maybe not. I know I	4	BY MR. ROSENTHAL:
5	don't remember though.	5	Q The books you were using were nasty?
6	Q But you're able to remember it being hot or	6	A Not as nasty as the other ones that we weren't
7	cold in other classrooms?	7	using.
8	A Yeah. I mean yes.	8	The books that we were using, we shouldn't have
9	Q Do you remember there being a lot of external	9	had to use those, because like I said, there was some
10	noise?	10	pages missing and the book was written on. The book was
11	A No, the class seemed quiet enough.	11	like I remember this one group book, like the thing
12	Q Was the class clean?	12	was falling apart, like the binding or whatever, like
13	A It seemed clean.	13	the pages was falling out. But those were in better condition than the books that we didn't use. Because he
14	Q Did you ever see any mice in the classroom?	14	showed us an example of why everybody couldn't get a
15	A Oh, no, I didn't.	15	
16	Q Did you have see any mice droppings in the	10	book. But now, even beside from that, even if I would
17	classroom?	17	have said fair condition, I still shouldn't have to use
18	A No, but that's probably because then I wasn't	18	a book I shouldn't have to share a book with a group.
19	really thinking too hard about mice or mice droppings	20	I should be able to have my own book. Whether or not I
20 21	because I probably didn't think of them to be in the	20	need it, I should still have my own book. Also, the
21 22	classrooms, only in the gym, so I really didn't look. But no, I didn't.	21	book I should have shouldn't have pages missing and the
22	-	22	shouldn't have bindings coming out. That's all.
23 24	Q Any problems with the windows, the door or floor or ceiling?	24	Q Do you remember how many pages were missing
25	A No, not that I can recall.	25	from the book you used?
23			
		<b> </b>	
	Page 506		Page 508
1	-	1	A No Justo courdo
1	Q Did everybody in the class have their own desk? A In geometry, yes.	1 2	A No. Just a couple. Q Do you know it was missing pages?
23	A In geometry, yes. Q You stated you had to share books in that	$\frac{2}{3}$	A I don't know why.
4	class. Can you tell me what the condition of the books	4	Q Did you ever see anybody rip out pages from the
5	was?	5	book?
6			
7		6	A I've never seen nobody rip off pages.
		6 7	<ul><li>A I've never seen nobody rip off pages.</li><li>Q You said there was writing in the book as well?</li></ul>
8	weren't new or anything. They were okay. They were n't new or anything. They were okay. There was like maybe a couple of pages missing, some writing in	1	
8 9	weren't new or anything. They were okay. There was	7	Q You said there was writing in the book as well?
	weren't new or anything. They were okay. There was like maybe a couple of pages missing, some writing in	7 8	Q You said there was writing in the book as well? A Yes.
9 10 11	weren't new or anything. They were okay. There was like maybe a couple of pages missing, some writing in the book, but they were better than the other ones that we didn't use. Q So the book you used were in pretty good	7 8 9	<ul><li>Q You said there was writing in the book as well?</li><li>A Yes.</li><li>Q Was there a lot of writing in the book?</li></ul>
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			Page 511
	Page 509		
1	somebody like I do remember, they took a black	1	there was writing that made it difficult to follow?
2	permanent marker pen or something like that and just	2	A Yeah.
3	like marked out the whole page so I couldn't use that	3	Q Can you tell me those instances if there's more
4	page.	4	than one?
5	Q Did you ever see anybody writing in the books?	5	A Well, like if a book was missing a page, then
6	A I never saw nobody writing in the books, no.	6	we'd just go into a different team, or Mr. Medina would get a different book and switch with us for the time
7	Q Do you know who wrote in the books?	0	being, and then afterwards give us our book back.
8	A No.	8 9	Q So when that happened, did you let Mr. Medina
9 10	Q Do you think it was students who wrote in the books?	10	know?
10	A It could have been.	10	A Yes.
11 12	Q Who else could it have been?	12	Q And he would take steps to insure that you were
12	A Anybody whose got a book. Teachers have books	13	able to follow the lesson; is that right?
13	too. It could have been a teacher.	14	A Yes.
15	Q Do you think a teacher would blackout an entire	15	Q So every time that happened you were able to
16	page in a book?	16	follow that lesson by one of those methods?
17	A Hey, people do crazy thing sometimes.	17	A Yeah.
18	Q Do you think a teacher would write "I was here"	18	Q Do you ever remember Mr. Medina being absent
19	in a book?	19	from class?
20	A If the teacher was there. I don't know.	20	A Yes. Q Was he absent frequently?
21 22	They can send me to a school where kids got to stand up in classrooms, I'm pretty sure a teacher could	21	A No.
22	write in a book. Anything's possible.	22	Q Was there a substitute in the class when he was
23	MS. PERRIN: Can we take a break?	23	absent?
25	MR. ROSENTHAL: Sure.	25	A Yes.
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1	D 610		Dogo \$10
	Page 510		Page 512
1	(Recess.)	1	Q Were you instructed in geometry when there was
2	(Recess.) BY MR. ROSENTHAL:	2	Q Were you instructed in geometry when there was a substitute in the class?
2 3	(Recess.) BY MR. ROSENTHAL: Q You understand you're still under oath,	2 3	Q Were you instructed in geometry when there was a substitute in the class? A He would leave like Xerox pages for us to do.
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	<ul> <li>period. So although there were unfair conditions, it didn't greatly I mean, it affected how I learned, but I was like I'm an exceptional student so I was still able to pull through and get the A's I deserved.</li> <li>BY MR. ROSENTHAL:</li> <li>Q Could you have done any better in geometry class?</li> <li>A I could have got some A pluses, if they give A pluses.</li> <li>Q Do you know if they give A pluses?</li> <li>A I think they do because the valedictorian in my school had some A pluses on his transcript.</li> <li>Q Have you ever got an A plus?</li> <li>A Oh, gosh, not on my oh, on one report card yeah, once.</li> <li>Q Is that reflected on your transcript anywhere?</li> <li>A Not on my transcript, but it was on my report card, does that mean it was on for one of the reporting periods?</li> <li>A Yeah.</li> <li>Q Do you know if pluses and minuses are used in final grades for courses at Balboa High School?</li> </ul>	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	<ul> <li>A Yeah.</li> <li>Q And I know you had testified about that during your I believe it was your first day of testimony. You told me what the gym looked like. Can you tell me how that effected gym class?</li> <li>A Well, we couldn't sit down to stretch because Mr. Gray didn't want us sitting on that stuff, nor did we want ourselves sitting on it. So whatever. I usually well, like I played sometimes though. Like if the ball dropped and rolled, we'd just be out of luck because nobody wanted to pick up the ball after it rolled in the stuff, because sometimes it like most of it was dry. The majority of it was dry, but it sometimes like a bird just do it, so it would roll and get on the ball and, you know, we ain't touching that. So</li> <li>Q If it was dry, did it get on the ball?</li> <li>A No, not if it was dry.</li> <li>Q So were people hesitant to pick up a ball that was rolling only after it had run over some bird feces that had not dried?</li> <li>A Usually like we had just like 'cuz most of it was dry, so we would like just like look on the ball, and if it wasn't on the ball we figured it didn't pick</li> </ul>
23 24 25 1 2 3 4 5 6 7 8 9	<ul> <li>Q Do you know if pluses and minuses are used in final grades for courses at Balboa High School?</li> <li>A I don't know. I would think it depends on the</li> <li>Page 514</li> <li>teacher, but then again, I really don't know.</li> <li>Q Do you have any pluses or minuses on your transcript?</li> <li>A Not on my transcript, but I know they put 'em on report cards.</li> <li>Q So is it possible you got an A plus in geometry for one of the reporting periods?</li> <li>A I really don't know.</li> <li>Q But is it possible?</li> </ul>	23 24 25 1 2 3 4 5 6 7 8 9	it was dry, so we would like just like look on the ball, and if it wasn't on the ball we figured it didn't pick up anything. Page 516 Q Anything else you can tell me about how the bird feces on the gym floor affected gym class? MS. PERRIN: And this is in addition to what she already testified to? MR. ROSENTHAL: Right. THE WITNESS: The fact that it was nasty. That's it. Bird I mean, it was nasty. BY MR. ROSENTHAL: Q Did you ever have gym class outside?
10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	<ul> <li>A I don't know. I don't know. Well, it don't say plus or minus or anything else, so I don't think so.</li> <li>Probably on like my report card, the actual progress or report card, but on not the transcript.</li> <li>Q So you even if you did A-plus work in geometry, it wouldn't be reflected in your transcript?</li> <li>A I guess not. It's not on here so I don't know.</li> <li>Q So on your transcript, you couldn't have done any better than an A; is that right?</li> <li>A I don't know.</li> <li>Q Why don't we move on to your phys ed class.</li> <li>A Didn't we do P.E.?</li> <li>Q You gave me the list. I'm just going to go through the things you said you individually. You told me one of the unfair conditions was the bird feces that was on your gym floor.</li> </ul>	10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	<ul> <li>A If it was like a nice day, we'd probably go on the football field. But I don't remember us doing that too many times. I remember maybe once or twice.</li> <li>Q Once or twice during the entire semester?</li> <li>A Yeah. We didn't do that too many times.</li> <li>Q Do you remember why you didn't go outside more often?</li> <li>A No, I don't know why. Well, I know one time for our final we had to run around the football field like twice, or something like that. But we couldn't he didn't want us outside. Because when we was outside, we was on the football field playing, but we couldn't sit on the bleachers because the like the wood was old and like if you sit on it, it would break. So we didn't go outside too much.</li> <li>Q You also said that the birds flying around in</li> </ul>

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	Tage 517		
1	the class	1	Q Were all those activities available each day
2	A In the gym.	2	during gym class, or did you do did you play
3	Q in gym, also was an unfair condition that	3	basketball for a few weeks at a time and then
4	existed in gym class. Can you explain to me how	4	A Yeah. He'd bring the basketballs out and then
5	A Some kids got poo poo'd on. No, really. I'm	5	we'd play basketball, and then he would bring the
6	sure you ain't never got boo boo'd on in school. That's	6	badmintons and stuff out and we'd play badminton, and
7	nasty. That's just nasty.	7	he'd bring soccer and then we'd play soccer. And then
8	But you know what, although that's nasty, we	8	sometimes, like for whatever for whatever reason, I
9	used to try to hit the birds with the basketball. Like	9	don't know, say well, like if all the kids couldn't
	•	10	participate because there was too many kids for that one
10 11	they would fly around, we'd throw the ball up and try to hit 'em. But usually we didn't hit 'em. And like nasty	10	part of the gym. But sometimes he'd like get a lot of
11	feathers would be flying around, make you cough.	11	the kids on the floor and we would have like relay races
12	Q How often would you say did students get, for	12	or something like that.
		13	Q How would Mr. Gray decide who got to play gym
14	lack of a better term, pooped on?	14	• • • • • •
15	A I apologize for that. But I remember it	15	on a certain day and who didn't? A Like one, two, one, two, one, two, one, two in
16	happened like twice.		
1/	Q Twice during the semester?	17 18	a line. Because we lined up against the wall every day for attendance, and then he would count off. Or he'd
18	<ul><li>A I remember it happened like twice.</li><li>Q Did everybody ever complain about it?</li></ul>	18	like, "If you don't want to play basketball today, you
20	A The kids told Mr. Gray.	20	can go upstairs and sit in the bleachers."
20	Q And what did Mr. Gray say?	20	Q And people who sat up in the bleachers did
21	A Laughed. Mr. Gray, he laughed, and told 'em to	21	homework and things like that?
22	go help $-$ like because he didn't have passes. He had a	22	A Some did work. Some sat and talked. Some
23	walkie-talkie. He had to walkie-talkie the main office	23	listened to their Walkman.
24	and tell them that he's about to send a student, you	24	Q You also said that one of the unfair conditions
25	and ton menn marine's about to send a student, you	25	$\chi$ 1 on also said that one of the diffall conditions
		<b> </b>	
1	Page 518	1	Page 520
1	know, out of the gym, probably to the bathroom so they	1	was that there wasn't enough balls and things like that.
2	can like wipe it off or and it wasn't usually serious	2	Is that what you just testified to?
3	enough to go home, but if the student wanted to go home	3	A Yeah.
4	to change clothes, tell them to go to the office.	4	Q Anything else you can think of as far as there
5	Q Did you ever ask Mr. Gray why he didn't have	5	not being enough equipment in gym?
6	gym outside more often?	6	A That's about it.
7	A We complained about it like on some nice days,	7	Q Did you ever complain to Mr. Gray about lack of
8	we'd tell him, "It's hot in here, why can't we go	8	gym equipment?
9	outside?" And then he would tell us that we're too ugly	9	A Yes.
10	to see you outside. We would mess up the sun if we go	10	Q What'd you say to him?
11	outside. Mr. Gray plays a lot.	11	A Like sometimes like if me and I my friend
12	Q You also said that not all students could play	12	want to play basketball or something and there wasn't
13	during P.E. Can you tell me about that?	13	enough balls for us, we'd tell him, "You need to get
14	A Well, there was not a lot of things to play	14	some more balls," and he'd tell us, "You don't know how
15	with, like the balls and stuff like that. So half the	15	to play anyway."
16	kids would be upstairs on the bleach not the	16	Q Would you play during gym class pretty much
17	bleachers. Yeah, the bleachers inside the gym. Like	17	every day or?
18	just sitting up there. They can do work if they got	18	A I didn't play every day. I'd play maybe like
19	homework for the next class, or be up there talking or	19	three days out of the five days. I played most of the
20	listening to their walkman or something, while the other	20	time.
21	half the kids would be downstairs playing basketball	21	Q On the approximately two days a week that you
22	the second	22	didn't play, is that because you didn't want to play or
	what did we play? We played basketball. We had soccer		
23	like two soccer balls. We had badminton, I think	23	because you weren't allowed to play?
23 24	like two soccer balls. We had badminton, I think that's what it is, where you hit it. What else?	24	A Usually because he knows I like playing, he
23	like two soccer balls. We had badminton, I think		
23 24	like two soccer balls. We had badminton, I think that's what it is, where you hit it. What else?	24	A Usually because he knows I like playing, he

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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	one, two, if I fell on two and two had to go upstairs, he would just tell me to stay downstairs. But then sometimes like if he did one, two, one, two, one, two, and I fell on two and I was supposed to go upstairs, I was just like, "I'll go upstairs." Q Was there ever an instance where you were supposed to go upstairs but you wanted to play and you weren't allowed to play? A There was instances like that, but sometimes I'd just run and take the ball from the other kids, so I'd play. Q So you were always able to play in gym when you wanted to? MS. PERRIN: Misstates her testimony. She said there was some instances where she couldn't. THE WITNESS: Like I could if I wanted to go take the ball from the kids. Like I did a couple of times. Like there'd be some kids over there playing, I'd just go over and take it from them. But then Mr. Gray, he would make me give it up or ask 'em if I can play, and then because I was a girl, they'd say no, but BY MR. ROSENTHAL: Q I'm not sure you answered question though. A Oh, I'm sorry.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	<ul> <li>have their own basketball or were they playing a game with several boys using one ball?</li> <li>A Playing a game with several boys using one ball.</li> <li>Q You also said that one of the unfair conditions in the gym was that it was unbearably cold on some occasions, and I think you said it was because there were some broken window panes; is that right?</li> <li>A Yeah.</li> <li>Q Can you tell me about that unfair condition?</li> <li>A Oh. Well, like I said, it was like the window panes missing, that birds flew in and it would be cold. But I mean, we got to wear our coats pretty much, but then we had to change our cloths for gym and wear the gym uniform, and usually our coats would be downstairs in our locker, and sometimes Mr. Gray wouldn't let us downstairs, like let us leave the gym. Because he had to give us the key and you know, we're not supposed to have a key, so</li> <li>Q Did you ever complain to Mr. Gray that it was cold in the gym?</li> <li>A Yep.</li> <li>Q What'd he say?</li> <li>A He probably say something stupid like my breath</li> </ul>
24	A Oh, I'm sorry.	24	
18 19 20 21 22 23 24 25	Q Did students in gym class typically share the balls? A Not the boys. If some girls got some balls, like the girls would share with each other, but the boys didn't normally. Q So when boys played basketball, did they each	18 19 20 21 22 23 24 25	<ul> <li>Q You also said that you thought the gym class</li> <li>was too much for Mr. Gray to handle and you thought it</li> <li>would be helpful if he had a second teacher there as</li> <li>well?</li> <li>A Yes.</li> <li>Q Do you remember how many students were in the</li> <li>gym class?</li> <li>A No, I don't. But I know on his role sheet</li> </ul>

	Page 525		Page 527
1	he had two role sheets, right, Role Sheet 1 and Role	1	trying to get a sense of the layout of the gym. You had
2	Sheet 2, but our class, and on the role sheet, I think	2	those basketball courts. Was there
3	it goes like the role sheet goes up to I think 30 or	3	MS. PERRIN: Just permanent structures?
4	32 or something like that, on the role sheet. Like 30	4	BY MR. ROSENTHAL:
5	slots for 30 kids' names. So I know it had to be more	5	Q I guess so, yeah, but
6	than 30 because he had like I think he even had	6	A It was the one, two, three, four basketball
7	three. I'm not sure. But I know for a fact he had two.	7	hoops.
8	Q Were there more than 50 kids in the gym class?	8	Q Right.
9	A I don't know. I don't know. I really don't	9	A It was the room when there was a wrestling team, the wrestling room. But that was usually closed
10 11	know. Q Would you say the gym was overcrowded?	10 11	off. And it was the room where all the balls and stuff
12	A Well, he obviously felt it was overcrowded if	12	was at. And then you go up the stairs and around and up
13	all of us couldn't play downstairs at one time. Some of	13	some more stairs, it's the bleachers. Like if there was
14	us had to go upstairs.	14	a basketball game, that's where the people sit, and
15	Would I say it? I mean, yeah, it was	15	that's where kids would sit like if they wasn't able to
16	overcrowded if everybody couldn't play at one time.	16	participate.
17	Q If there was enough equipment in the gym class,	17	Q You mentioned before you take badminton
18	if there were enough basketballs, soccer balls,	18	sometimes in gym as well. Where'd you'd play badminton?
19 20	badminton equipment, would it have been overcrowded with the number of students in the class?	19 20	A Usually see, Mr. Gray was biased to people who played basketball, like to boys who play basketball
20	A I think that even if there was enough balls	20	I should say, because they get the full court, and then
22	downstairs, all the kids still couldn't be able to come	22	the girls who wanted to play would have to use the half
23	down and play.	23	court. And usually it was girls who wanted to play
24	Q The gym's bigger than a normal classroom; isn't	24	badminton, like the corner by where the wrestling room
25	that right?	25	was, like in that corner.
	Page 526		Dec. 529
			Page 528
1	-	1	-
1 2	A Oh, yeah.	1	Q So there was room to play badminton next to the
1 2 3	<ul><li>A Oh, yeah.</li><li>Q About how many times the size of a normal</li></ul>	1 2 3	Q So there was room to play badminton next to the wrestling room?
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	Page 529		Page 531
1	probably where the mice came from.	1	A Yes.
2	But usually they were like downstairs, like	2	Q Was it required that all students buy a uniform
3	where the boys' and girls' locker rooms were and the	3	in gym class?
4	vending machines and the heaters. They were down there	4	A It was required that all students buy a uniform
5	most the time.	5	because like to get he wouldn't really let you play
6	Q Do you remember how many times you saw mice	6 7	in jeans, like play ball and stuff in jeans, so in order to like actually play or participate or get like
7	during your gym class during the fall semester of '98? A In the actual gym or just period?	8	participation points, you would have to be dressed. If
9	Q During gym class.	9	you weren't dressed in gym cloths, then he wouldn't give
10	A Probably like once or twice.	10	you your points for the day. But everybody didn't get
11	Q Did you tell anybody about that?	11	it, I mean buy 'em.
12	A Mr. Gray.	12	Q Could you bring in your own gym cloths?
13	Q What did Mr. Gray say?	13	A We could bring in our own like sweats pants,
14	A Again he would say something stupid like,	14	but like we were supposed to have at least the Balboa
15 16	"That's probably my cousin or something." Mr. Gray, he	15 16	T-shirt.
17	was great. Q Did you ever tell anybody else about the mice?	10	Q So was it required to buy the Balboa T-shirt or is that just something that it was an option that you
18	A Later on, like when I actually started noticing	18	could?
19	that, it was like a problem. Because like before when I	19	A Everybody was supposed to but everybody didn't
20	saw the mice when I was in 6th grade, I didn't too much	20	though.
21	care.	21	Q Were they not allowed to play because they
22	Q It didn't affect your ability to learn phys ed	22	weren't wearing the Balboa T-shit, or were they still
23	or to participate in phys ed? A No.	23	allowed to play?
24	Q The fact that you saw mice once or twice didn't	24 25	A Most of the kids who like participated, everybody had the Balboa T-shirt. I think it was just
25		2.5	everyoody had the Datoba 1-shift. I think it was just
	Page 530		Page 532
1			
1	trouble you at that time?	1	some kids who didn't like everybody didn't have the
2	trouble you at that time? A No.	1 2	actual shorts, but mostly everybody participated a lot
2 3	<ul><li>A No.</li><li>Q Did it trouble you at some later date?</li></ul>	2 3	actual shorts, but mostly everybody participated a lot had the T-shirt. There was some kids who didn't buy
2 3 4	<ul><li>A No.</li><li>Q Did it trouble you at some later date?</li><li>A Like later on when after I got in law chem</li></ul>	2 3 4	actual shorts, but mostly everybody participated a lot had the T-shirt. There was some kids who didn't buy anything, or bring anything from home, just didn't do
2 3 4 5	<ul> <li>A No.</li> <li>Q Did it trouble you at some later date?</li> <li>A Like later on when after I got in law chem</li> <li>and 11th grade is when I first when the unfair</li> </ul>	2 3 4 5	actual shorts, but mostly everybody participated a lot had the T-shirt. There was some kids who didn't buy anything, or bring anything from home, just didn't do nothing.
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	Page 533		Page 535
1	they wanted to participate?	1	because of the number of absences you had in P.E?
2	A Yeah.	2	A I don't think so. No.
3	MS. PERRIN: Objection, asked and answered.	3	Q That's not possible?
4	THE WITNESS: To get Mr. Gray's points everyone	4	A Anything's possible. It could be. I don't
5	like if you didn't dress, he didn't give you a good	5	know. But I don't think so. Mr. Gray, he don't do stuff like that. Like as far as absences affecting your
6	grade.	6	
7	BY MR. ROSENTHAL:	7	grade, normally if you participate, that's just a
8	Q I understand that. I'm just trying to figure	8	because you're dressed and you participate. But I really don't think absences make the
9 10	out if you could if you were required to wear that specific T-shirt in order to participate.	10	Q But when you're absent from class, you're not
10 11	MS. PERRIN: Objection, asked and answered.	10	participating, right?
11	THE WITNESS: I don't know if we had to exactly	12	A Correct, but I wasn't absent from class ten
12	wear that particular one. I just know everybody did,	12	times. Like I say, we would get into like a verbal
14	so	14	argument and he would tell me if I keep talking to him
15	BY MR. ROSENTHAL:	15	he would mark me absent.
16	Q So in your class everybody wore the T-shirt but	16	Q Other than the things you've identified, did
17	you don't know if they had to wear it?	17	any of the unfair conditions that we talked about in
18	A Yeah.	18	P.E. affect your ability to participate in class?
19	Q I'm not sure if learned is the right verb to	19 20	<ul><li>A Other than what we talked about, no.</li><li>Q Okay. Let's move to your modern world class.</li></ul>
20 21	use here, but would you say that you learned phys ed? A I participated. I got a good grade. I played.	20	You told me that one of the unfair conditions was that
21	I don't think there's too much I could have learned in	21	you had no books in the class. Can you tell me about
23	yeah.	23	that?
24	Q But you participated sufficiently in your mind	24	A Yeah, we didn't have no modern world book. But
25	in P.E?	25	the teacher, Miss Kwak, she was smart so she just knew
J			
1 2 3	Page 534 A Yes. Q Do you remember what your grades were in P.E.? A	1 2 3	Page 536 things in her head. So she would just write 'em down as far as notes go, and we would write 'em down. Or she used a lot of Xeroxes. She would Xerox everything she
2 3 4	<ul> <li>A Yes.</li> <li>Q Do you remember what your grades were in P.E.?</li> <li>A Are you reading that from your transcript?</li> </ul>	2 3 4	things in her head. So she would just write 'em down as far as notes go, and we would write 'em down. Or she used a lot of Xeroxes. She would Xerox everything she could get her hands on.
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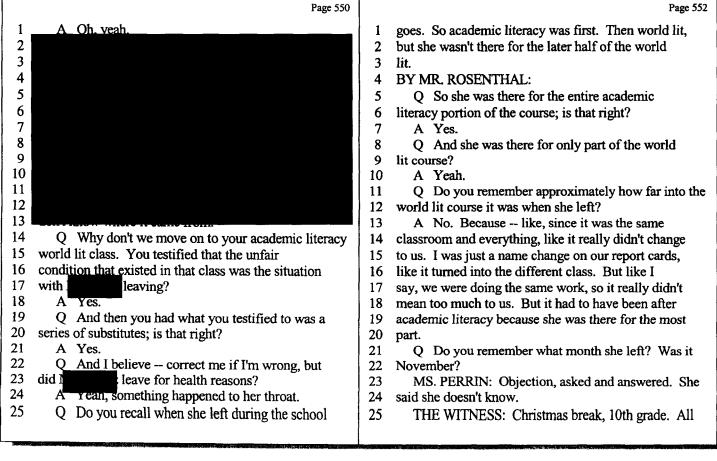
	Page 537		Page 539
1	O You said that Ms. Kwak gave you Xeroxs in	1	a book, it didn't necessarily affect the way I learned.
2	connection with your modern world class?	2	But I don't think I think it was pretty much
3	A Yeah.	3	her, it was because of her that like maybe we didn't
4	Q Did everybody get their own copies of the	4	need a book. I don't know. But like I said, she was smart. She would write down stuff, like notes on the
5	photocopies? A Yeah.	5 6	board from her head, like dates and all that stuff from
6	Q Were you able to take those home?	7	her head.
8	A Yeah.	8	BY MR. ROSENTHAL:
9	Q Did you get did she give those to you on a	9	Q So you didn't need a textbook to learn modern
10	regular basis, or was it at the beginning of the year	10	world, did you?
11	where you got a I know in one other class you had a	11	A Because of Miss Kwak. I think if it was
12	reader which was a bunch of photocopies. Was it similar	12	anybody else, I would have greatly needed a textbook.
13	to that, or was it like every week? How did that work?	13	I didn't do so well on some of the tests, so
14	A It would be like every week. It wasn't a	14 15	maybe the textbook would have helped. But then again, I did learn a lot though.
15	reader. Q And every time she gave those out, everybody in	15	Q What do you think the distinction is between a
17	the class got their own copy?	17	textbook and getting photocopies of reading materials?
18	A Yeah.	18	Why is a textbook why would that have helped you
19	Q And everybody was able to take those home?	19	learn modern world better?
20	A Uh-huh, yes.	20	MS. PERRIN: Objection, calls for expert testimony,
21	Q Did you know any other students who took modern	21	but go ahead.
22	world with a different teacher?	22	THE WITNESS: A textbook got a index page, and if
23 24	MS. PERRIN: Vague as to time. During that semester?	23 24	it's Xerox copies, it doesn't have a index page. And it's easier because like before in our
25	BY MR. ROSENTHAL:	25	other deposition you asked about like you had a copy
		25	
	D		
[	Page 538	ł	Page 540
1	Q Fine, let's start with that semester, yeah.	1	
1 2		1 2	of my report card and you asked about the grades and you asked about the comments. Now, had you had the actual
2 3	Q Fine, let's start with that semester, yeah. A There was another modern world teacher. I don't know who the teacher was though, but I just know	1	of my report card and you asked about the grades and you asked about the comments. Now, had you had the actual report card, you would have been able to see the
2 3 4	Q Fine, let's start with that semester, yeah. A There was another modern world teacher. I don't know who the teacher was though, but I just know everybody didn't have Miss Kwak.	2 3 4	of my report card and you asked about the grades and you asked about the comments. Now, had you had the actual report card, you would have been able to see the comments. But because it was only photocopied and the
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2 3 4 5 6	<ul><li>Q Fine, let's start with that semester, yeah.</li><li>A There was another modern world teacher. I don't know who the teacher was though, but I just know everybody didn't have Miss Kwak.</li><li>Q Do you know if they used a textbook in that class?</li></ul>	2 3 4 5 6	of my report card and you asked about the grades and you asked about the comments. Now, had you had the actual report card, you would have been able to see the comments. But because it was only photocopied and the information was limited, you couldn't see the comments although you would like to have seen them. It's the
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	Page 541		Page 543
1	students, so they kind of made it hard for the kids who	1	camps, that stuff. The war, the Pearl Harbor, when they
2	do want to learn. And Miss Kwak would have to like use	2	bombed Pearl Harbor. I guess that's Japanese internment
3	a lot of time, I guess you'd say taking disciplinary	3	camp thing. So and just in great deal, we studied the
4	action because of those kids that like using instead	4	Holocaust and Japanese internment camps.
5	of teaching us or helping us or us learning something,	5	Q A lot of modern history would you say?
6	she would to attend to the kids that weren't acting	6	A Yeah.
7	right or something.	7	Q Can you tell me where that classroom was
8	Q So students misbehaved in her class?	8	located?
9	A You can say that. Some students, yeah, but	9	A Third floor, right building.
10	yeah.	10	Q And you said the third floor of the right
11	Q Did the overcrowding affect your ability to	11	building was where there was a lot of English classes as
12	learn in that class in any other way other than what you	12	well; is that right?
13	just testified to?	13	A Yes.
14	A As far as an individual aspect, maybe if she	14	Q Was it ever uncomfortably hot in Miss Kwak's
15	wouldn't maybe if the class didn't have so many kids,	15	classroom?
16	she wouldn't have to like take so much time dealing with	16	A Yes, but I think it was just because all the
17	kids who didn't, like I said want to learn or didn't	17	kids. Like it was just stuffy in there. There was a
18	want to do the work. She could have gave the people who	18	lot of people in the classroom.
19	did want to do the work a lot more attention.	19	Q Was it ever uncomfortably cold in that class?
20	But like I said, I did learn a lot in that	20	A Not that I can remember, no.
21	class. But I do believe I could have learned more.	21	Q Do you recall there ever being situations where
22	Q And even if the class size was smaller, there	22	there was a lot of external noise?
23	still may have been kids in the class who were	23	A No.
24	misbehaving; isn't that right?	24	Q Would you say that classroom was clean?
25	MS. PERRIN: Objection, calls for speculation.	25	A Crowded and clean.
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1			
	Doge 542		Page 544
	Page 542		Page 544
1	THE WITNESS: It might have been, but it would	1	Q Did you ever see any mice in that classroom?
2	THE WITNESS: It might have been, but it would have been easier for the simple fact that, if there's 40	2	Q Did you ever see any mice in that classroom? A No.
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2 3 4	THE WITNESS: It might have been, but it would have been easier for the simple fact that, if there's 40 kids in the class and five not acting right, she got to attend to those five, and then there's 35 students whose	2 3 4	<ul><li>Q Did you ever see any mice in that classroom?</li><li>A No.</li><li>Q Any mice droppings?</li><li>A No.</li></ul>
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	Page 545		Page 547
1	class affect your ability to learn in that class in any	1	THE WITNESS: I mean, besides from the
2	other way?	2	overcrowding, because when I first got there, like the
3	MS. PERRIN: Again, calls for expert testimony.	3	kids was doing stuff I didn't really know anything about
4	THE WITNESS: Other than what I said before, no.	4	that we hadn't did, that I hadn't seen anything at
5	BY MR. ROSENTHAL:	5	Mission about, so I was like probably a bit confused and
6	Q I think you've said this already, but did you	6	she couldn't give me the individual attention that I
7	learn a lot in modern world?	7	know I needed at that time. She couldn't because there
8	A Yes.	8	was so many other kids she had to attend to, whether it
9	Q Do you remember what grades you got in your	9	would be for disciplinary action or she was just helping
10	modern world class?	10	other kids with their work, she couldn't help me. And
11		11	so I couldn't do everything in the alloted time she
11	A	12	gave.
12	Q. Are those grades correct?	12	And also maybe if I would have gotten more help
14	A Yes.	14	during class with some of the work, I would have got
14	Q Did you deserve those grades?	15	more work done in class and then I wouldn't have had so
16	A Well, I mean I would say for the I would	16	much work to do at home.
17	deserve an A, but I think it was impossible for anybody	17	BY MR, ROSENTHAL:
18	to get a A in Miss Kwak's class. I don't remember	18	Q But got a for modern world 2, didn't you?
10	anybody ever saying they got a A in Miss Kwak. Probably	10	A Yes.
20	the valediction.	20	Q Weren't there the same disciplinary issues
20	Yes.	20	during that part of the semester that were an
21	Q So you deserved the l	21	impediment to you getting the individual attention you
	A Yes,	22	say you needed?
23		23	MS. PERRIN: Objection, compound.
24	Q Do you know why you got a for modern world 1?	24	THE WITNESS: Well, all I know is when I got a
25	A Well, because when I first got there, that's	25	THE WITNESS: Well, all I know is when I got a
	Page 546		Page 548
	-		-
1	when I first started or whatever, she gave me a lot of		didn't like that too much, and so what I did is I kind
2	work to do to like catch up with the other kids, what	2	of I think I pushed her a little too hard, because
3	the other kids had been doing. And I don't think I just	3	then I started demanding attention and I was taking time
4	could have done all that work in the time she expected	4	away from other kids, but oh, well, I wasn't about to
5	me to. She expected a lot from us, like she put us on a	5	have a loss of I demanded a lot more attention than I got
6	very high pedestal. At the time I didn't appreciate it	6	from her.
7	as much because I felt I couldn't do all that work in as	7	BY MR. ROSENTHAL:
8	little time that gave me, and obviously I couldn't.	8	Q So when you tried to get more individual
9	. But then later on, I see that	9	attention from her, you got it?
10	like that encouraged me, it helped, so I knew I didn't	10	A Yeah.
11	want in her class. I ain't no student, so I guess	11	Q And you tried to get more individual attention
12	I started doing the work in the time that she said.	12	from her after you got
13	That's how I pulled it up.	13	A Yes, after I saw the grade, what the grade was.
14	Q So you got a for modern world 1 not because	14	Q And that enabled you to get a at least in
15	of the unfair conditions you've identified, but because	15	part enabled you to get a in modern world 2?
16	you didn't do the work she expected you to do; is that	16	A The help that I got from her, it helped me a
17	right?	17	lot. And then when I got some help from her in the
18	A I did all the work, just not in the expected	18	class, it was easier for me to perform my homework and I
19	time. But I did all the work though.	19	didn't have as much to do. I think that's why my grade
20	Q But the fact that there were unfair conditions	20	got up.
21	in that class didn't affect were not the reason you	21	Q And did you also get your work in in a more
	got in that class, were they?	22	timely fashion for modern world 2?
22		23	A Yes.
23	MS. PERRIN: Objection, calls for speculation and		
23 24	also calls for expert testimony, and slightly misstates	24	Q Do you think that also helped your grade?
23			<ul><li>Q Do you think that also helped your grade?</li><li>A Yes.</li></ul>
23 24	also calls for expert testimony, and slightly misstates	24	

		Page 549		Page 551
	1	Q Were you absent for modern world at all?	1	year?
	2	A Yeah, it says on here.	2	A Yeah. It was in the spring I think. No, not
	3	Q Do you recall how many times you were absent?	3	in the spring because we didn't have her in the spring.
	4	A I think that say 13.	4	It was in like later on, like toward the
Í	5	Q And you're reading that from your transcript?	5	end.
	6	A Yes.	6	Q Was it in the second semester?
ł	7	Q And that's for modern world 1?	7	A Huh-uh, because I didn't have her the second
	8	A Yes.	8	semester. It was in the second part of that semester.
	9	Q How about for modern world 2?	9	Q I'm sorry, yeah, my mistake.
	10	A I think that say five.	10	So it was in the second half of the fall
ł	11	Q Does that sound right to you?	11	semester?
	12	A I don't know about no 13. I don't know about	12	A Yeah.
	13	13, because modern world was what was it? Was it the	13	Q So she was there for the entire first half of
	14	last period of the day? No, it was the third, not the	14	the semester?
	15	last period of the day.	15	A Yes.
1	16	So I don't see how I could have been absent,	16	Q Did you learn academic literacy during the
	17	since I don't cut classes, I don't see how I could have	17	first half of the semester and world lit for the second
	18	been absent 13 times from her class but not been absent	18	half of the semester? Is that the way that semester was
	19	13 times from the other classes in the first semester.	19	split up, or was it the reverse?
	20	Q So you don't think you were absent 13 times?	20	MS. PERRIN: She already testified that she
	21	A Oh, no.	21	doesn't remember.
	22	Q Do you know how many times you were absent?	22	THE WITNESS: I don't know which was first. But we
	23	A No, I don't know.	23	just had her both times.
	24	Q If you were absent 13 times from her class,	24	She wasn't there for world lit, though. So I
	25	could that have affected your grade?	25	guess academic literacy was first. Okay, I see how that



23 (Pages 549 to 552)

	Page 553		Page 555
1	right, Christmas break, 10th grade.	1	Q Do you remember approximately how long the
1 2	Well, I know we had subs in her class before	2	period of time was between increased leaving and
2	Christmas break and a little after Christmas break. So	3	Mr. Wilcox taking over the class as a permanent
3 4	it had to be before December.	4	substitute?
5	BY MR. ROSENTHAL:	5	A I don't know.
6	Q Do you remember approximately for how many	6	Q Was it less than a month?
7	weeks you had substitutes in that class?	7	A I don't know. I really don't know.
8	A No. I just remember it was the rest of the	8	Q Can you tell me how this unfair condition
9	school year after she left.	9	affected your ability to learn world literature?
10	Q Do you remember how many substitutes you had?	10	A I had a when I know I didn't deserve no I
11	A I know we had Mr. Ramos; we had Mr. Wilcox;	11	because I did all the work the substitutes asked me to.
12	we had I we had who else? Oh, that	12	I was there and I did all the work.
13	Chinese man. At least four. Those are the ones that I	13	I think it was because all the substitutes
14	remember their names.	14	assigned us different work, and then like once
15	Q Did any of them become a permanent substitute	15	Mr. Ramos would be like, "Okay, you all did this today
16	at any point?	16	in Animal Farm. I'm going to leave a note for the next
17	MS. PERRIN: Objection, vague as to permanent	17	substitute for you all to continue." But then the next
18	substitute.	18	substitute would come and we wouldn't do the Animal Farm
19	BY MR. ROSENTHAL:	19	work. We'd do whatever that sub wanted us to do.
20	Q Do you understand the question?	20	And then at the end of that I think that's I
21	A Yeah, I understand it.	21	don't know. That had to be how they calculated our
22	Mr. Wilcox, but he wasn't like permanent. He	22	grade because I don't understand where the came from,
23	did the most though. Like he was there for like one	23	and I did all of the work. I was there.
24	week, like maybe one and a half weeks. And he did the	24	Q So when substitutes assigned different work,
25	most, so I guess you would call him a permanent	25	you did that work?
<u> </u>			
	Page 554		Page 556
1	•	1	-
1 2	substitute. He was like the sub, because like he had	1 2	A I did all the work.
1 2 3	•	1 2 3	A I did all the work. I think that since they assigned different work
2	substitute. He was like the sub, because like he had subbed one day, and then like a different person would	2	A I did all the work. I think that since they assigned different work per substitutes, it didn't maybe some subs lost the
2 3	substitute. He was like the sub, because like he had subbed one day, and then like a different person would sub, and then he came back and did like the last week and a half straight.	2 3	A I did all the work. I think that since they assigned different work per substitutes, it didn't maybe some subs lost the other work or didn't pay attention to it and
2 3 4	substitute. He was like the sub, because like he had subbed one day, and then like a different person would sub, and then he came back and did like the last week	2 3 4	A I did all the work. I think that since they assigned different work per substitutes, it didn't maybe some subs lost the other work or didn't pay attention to it and started doing their own work, and they I don't know.
2 3 4 5	substitute. He was like the sub, because like he had subbed one day, and then like a different person would sub, and then he came back and did like the last week and a half straight. Q So at some point he came back and continued	2 3 4 5	A I did all the work. I think that since they assigned different work per substitutes, it didn't maybe some subs lost the other work or didn't pay attention to it and
2 3 4 5 6	<ul><li>substitute. He was like the sub, because like he had subbed one day, and then like a different person would sub, and then he came back and did like the last week and a half straight.</li><li>Q So at some point he came back and continued with the class until the end of the semester?</li></ul>	2 3 4 5 6	A I did all the work. I think that since they assigned different work per substitutes, it didn't maybe some subs lost the other work or didn't pay attention to it and started doing their own work, and they I don't know. But I know mostly everybody did get like
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	Page 557		Page 559
1	time?	1	as well?
2	A Well, I'm pretty sure gave us a	2	A I don't think we could, because that was one of
3	test. I don't remember taking a test with a substitute.	3	the red books.
4	If we did, I really don't remember.	4	Q Did you ever have to pay any fees in connection
5	Q Did Mr. Wilcox ever give you a test in world	5	with the academic literacy/world lit class?
6	lit during the fall of 1998?	6	A No.
7	A Not that I remember. Not that I remember, no.	7	Q Can you tell me where that class was located?
8	Q So do you have an understanding what your grade	8	A We were on the third floor, right building.
9	was based on?	9	Q Were you ever uncomfortably hot or cold in that
10	A No, that's how I don't understand how I got a	10	classroom?
11	when I know I did all the work the substitutes assigned.	11	A Not that I can remember.
12	It's a mystery.	12	Q Were there ever any issues regarding external
13	Q I'd like to I'm going to deal with this	13	noise?
14	strike that.	14	A No.
15	I'm going to deal with the academic literacy	15	Q Was the classroom clean?
16	world lit class globally as one class, and if we need to	16	À Yeah.
17	divide it up, we will.	17	Q Did you ever see any mice in that classroom?
18	A Okay.	18	A No, not that I remember.
19	Q Did you have a textbook in that class?	19	Q Did you ever see any mice droppings in that
20	A We had textbooks that we read, reading books.	20	classroom?
21	Like I said, we read Kidnapped and Animal Farm and Robin	21	A Not that I remember.
22	Hood, and we had those books. Each student had a book.	22	Q And how what was the condition of the, what
23	Q And were the students able to take those books	23	I'm calling permanent structures in that class?
24	home?	24	A They seemed fine.
25	A That's what I'm thinking about.	25	Q And I know you didn't have for the
		<u> </u>	
	Done 558		Page 560
1	Page 558	1	Page 560
1	The Animal Farm book we could take home,	1	entire semester, but would you say she was a good
2	The Animal Farm book we could take home, because I remember that was a paperback. But the	2	entire semester, but would you say she was a good teacher?
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	Page 561		Page 563
1	good teacher?	1	literacy and world lit course that you learned those
2	A Mr. Wilcox was cool. Like he I don't think	2	subjects?
3	he was I don't know what type of credentials he had	3	A Like I say, I don't see the distinction between
4	because I know he like he subbed in like a lot of	4	the two. They're the same thing A We can treat it as one, that's fine.
5	different subjects.	5	
6	But he basically did the same thing he did in	6 7	Q Okay. But I mean I guess, yeah, I learned some stuff. I don't know exactly what I was supposed to
	summer school, like he would read aloud to us and we would do journals and stuff.	8	learn in those classes, but like I learned like as
8	Q How about the other substitutes that taught the	9	far as like reading some of the books goes and that type
10	that filled in for the world lit portion of the	10	of stuff.
11	class, would you say they were good teachers?	11	Q I mean, you read novels you read books in
12	A Mr. Ramos was. He but l he's a	12	those classes that you hadn't read before?
13	old man, he was a little bit too old in my opinion to be	13	A I've read I had previously read Animal Farm.
14	trying to teach, substitute or anything, because he's	14	But like Kidnapped and Robin Hood and other books we
15	just an old man he couldn't hear. Like if you asked	15	read, I hadn't read those before.
16	him a question, he couldn't hear us.	16	Q So they're books you read that you hadn't read
17	And then Mr. B was just extremely impatient.	17	before?
18	Like he didn't like us asking him no questions if we	18	A Yeah.
19	didn't say he gave us like crossword puzzles oh,	19	Q And you had to do work relating to those books
20	we had a lot of crossword puzzles too. If we had a crossword puzzle and we'd ask a question and he'd get	20 21	that you read? A Yes.
21	mad because we don't know it already.	21	Q Did you ever have class discussions about the
23	Q Do you remember how many days you had	23	books you read?
24	?	24	A We what did, we had portfolios,
25	A I don't know approximately I know we had him	25	and what portfolios would be, it would be like Week 1,
			-
ļ			Dec. 564
	Page 562		Page 564
1	maybe like twice.	1	Week 2, Week 3, 4, if we read four chapters in one book
2	maybe like twice. Q How about Mr. B?	2	Week 2, Week 3, 4, if we read four chapters in one book in Week 1, then in the first portfolio words, it would
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1	appears you took four courses during that semester; is	1	A Yeah.
2	that right?	2	Q We might as well treat it as a class then for
3	A Yes.	3	these purposes. Were there any unfair conditions that
4	Q And just so we're clear, academic literacy 2	4	existed in connection with this class?
5	and world lit 2 was essentially one course in your mind?	5	A No.
6	A Uh-huh, yes.	6	Q Okay. I'm going to ask you a bunch of
7	Q And I also see that there are two slightly	7	questions that will deal with all four of those classes
8	different references to a course entitled student aid.	8	during that semester if I can, and if you have any
9	One says student aid, the other one says students aid	9	information that's particular to one of the classes,
10	I can't quite make it out. What is that?	10	just let me know and we'll see how that works. Do you
11	A Third.	11	understand what I'm saying?
12	Q Were those the same in your mind?	12	A Yeah.
13	A I think it was the same - it was the same.	13	Q Okay. Do you recall any of those classrooms
14	Q So we can call that one student aid course?	14	being uncomfortably hot, any of the four classrooms
15	A Yes.	15	where you had those classes?
16	Q And that semester you also took Japanese and	16	A No.
17	biology?	17	Q Do you recall any of them ever being
18	A Yeah.	18	uncomfortably cold?
19	Q Okay. Why don't you tell me what you had first	19	A No.
20	through fourth period.	20	Q Do you remember there being any issues
21	A Well, first was Miss Ricard for world	21	regarding external noise in connection with any of those
22	lit/academic lit. Second period was biology, third	22	classes?
23	period was student aid and fourth period was Japanese.	23	A No. A Were all those classrooms clean?
24	Q Okay. Starting with the academic lit 2/world	24	Q Were all those classrooms clean? A Yes.
25	lit 2 course, why don't you tell me any unfair	25	Λ 10.
L		<u> </u>	
		1	
	Page 566		Page 568
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12	conditions that you believe existed in that class, if	12	Page 568 Q Did you ever see mice in any of those classrooms?
1 2 3	conditions that you believe existed in that class, if there are any.		Q Did you ever see mice in any of those
2	conditions that you believe existed in that class, if there are any. A No, but Miss Ricard left, she said because she	2	Q Did you ever see mice in any of those classrooms?
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2 3 4 5	conditions that you believe existed in that class, if there are any. A No, but Miss Ricard left, she said because she wasn't getting paid enough and also because she wasn't getting any support from the administration. But as	2 3 4 5	<ul> <li>Q Did you ever see mice in any of those classrooms?</li> <li>A No.</li> <li>Q Did you ever see mice droppings in any of those classrooms?</li> </ul>
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A Yeah. 

Q So you also received a grade in the class?

27 (Pages 565 to 568)

Page 567

- permanent structures in all of those classrooms was, to
- 25 the extent you can deal with them globally?

1       MS. PERRIN: Just generally?       1       take the biology book home. The reading b         2       MR. ROSENTHAL: Again, along the same lines we've       2       just remember reading Romeo and Juliet, th         3       been asking this question for each particular class. I       4       Everybody had their own copy of Romeo ar         4       mean, were they in good condition, were they –       5       A       They were fine.         6       Q       All the doors worked, all the windows were in       got to take that home, yeah.       7         7       A No.       8       Q And you don't remember anybody no       to take a book home in either of those classes?         10       A Yes.       11       Q Can you describe for me the condition         11       Q Were any of the four classes overcrowded?       11       Q Can you describe for me the condition         12       A Miss Ricard had a lot of kids, but it didn't       12       book for those two classes?       11         13       make any difference. 1 still learned a lot and still       13       A I really don't remember the Romeo an         14       got everything done.       1       10 on't know       12       book, but the biology books, they were good         15       Q Would you say Miss Ricard's class was       10       1 don't know       12 <th>at's it. nd Juliet. We</th>	at's it. nd Juliet. We
2       MR. ROSENTHAL: Again, along the same lines we've been asking this question for each particular class. I mean, were they in good condition, were they –       2       just remember reading Romeo and Juliet, th Everybody had their own copy of Romeo ar got to take that home, yeah.         5       A They were fine.       5       Q So for those two classes, you don't re- anybody not having a book?         7       god repair?       7       A No.         8       A Yeah.       9       Q And that's true for all four of those classes?         9       Q And that's true for all four of those classes?       10       A No.         11       Q Were any of the four classes overcrowded?       11       Q Can you describe for me the condition book, but the biology books, they were good Q By "good books," you mean new boot         13       make any difference. I still learned a lot af stuff.       11       Q Can you describe for me the condition book, but the biology books," you mean new boot         14       book, but the biology books, fley were good       0       Q By "good books?"         12       A Yeah. Everybody had desks but there was a lot of kids in there.       10       A I don't know         12       Q So is that an unfair condition that you believe existed in that class? You didn't identify it before, A I twas unfair, but it didn't impede my ability       20       Q You said you didn't remember the condition.         25       A I twas unfair, but it	at's it. nd Juliet. We
4       mean, were they in good condition, were they       5       A       They were fine.       6       Q       All the doors worked, all the windows were in       7       got to take that home, yeah.       5         7       god repair?       8       A       Yeah.       7       A       No.         8       A       Yeah.       8       Q       And you don't remember anybody no         9       Q       And that's true for all four of those classes?       7       A       No.         10       Q       Were any of the four classes overcrowded?       10       A       No.         11       Q       Were any of the four classes overcrowded?       11       Q       Can you describe for me the condition         12       A       Miss Ricard had a lot of kids, but it didn't       11       Q       Can you describe for me the condition         14       got everything done.       13       A       I cally don't remember the Romeo an         15       Q       Would you say Miss Ricard's class was       10       A       I don't know -         17       A       Miss.       1       I don't know -       17       Q       Relatively new books?       1         16       A       I don't know -       17	
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18       Q Would you say Miss Ricard's class was       18       A I don't know if they were new, but the good condition.         20       A Yeah. Everybody had desks but there was a lot       19       good condition.         20       A Yeah. Everybody had desks but there was a lot       20       Q You said you didn't remember the co         21       of kids in there.       20       Q You said you didn't remember the co         22       Q So is that an unfair condition that you believe       21       the Romeo and Juliet books. If they were in         23       existed in that class? You didn't identify it before,       1       A I'm pretty sure I would have. They meet in         24       I'm just trying to get the list out.       25       A It was unfair, but it didn't impede my ability       25         25       A It was unfair, but it didn't impede my ability       25       Q Did you have to pay any fees in commentation.         Page 570         1       to learn because everybody was in there doing the work       and stuff. It didn't matter one way or the other.       3       any of the four classes you took during the semester every your sophomore year?         3       Q How about the other classes, were they       3       A In Japanese when we went on field	
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24       I'm just trying to get the list out.       24       been in good enough condition.         25       A It was unfair, but it didn't impede my ability       25       Q Did you have to pay any fees in conn         Page 570         1       to learn because everybody was in there doing the work       1       any of the four classes you took during the         2       and stuff. It didn't matter one way or the other.       3       A       In Japanese when we went on field	
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4 overcrowded? 5 A No. 4 Q So you had to pay for a field trip in 5 class?	Japanese
5ANo.5class?6QIn all four of the classes, did everybody have6AUh-huh.	
7 their own desk? 7 Q Any other fees in any other classes?	,
8 A Yes. 8 A No.	
9 Q Were desks used in all four of those classes, 9 Q Was the entire class required to go	on the
10 or did any of those classes have tables and chairs? 10 field trip in Japanese class?	
11AWell, student aid was like the office, but in11AYes.12Japanese and all the other classrooms, it was desks.12OSo everybody had to pay the fee no	mottor
12Japanese and all the other classrooms, it was desks.12QSo everybody had to pay the fee no13QNow, you already told me that there were no13AYeah, but we all wanted to go, so	
14 textbooks in the Japanese class. Did you have textbooks 14 Q Hopefully, I've saved some time, bu	_
15 in the well, let me put it this way, were there any 15 go to over the courses individually a little	
16 textbooks in connection with student aid? 16 MS. PERRIN: I appreciate you trying	at I need to
17 A No. 17 things along.	at I need to bit.
18 Q For biology and academic literacy/world lit 2, 18 MR. ROSENTHAL: No problem.	at I need to bit.
19 did you have textbooks in those classes? 19 Q Can you just tell me where the second	at I need to bit. to speed
20AWe had biology textbooks, and in academic20literacy course classroom was the spring set21literature, we just read books.21your sophomore year?	at I need to bit. to speed and academic
21literature, we just read books.21your sophomore year?22QSo you had physical books?22AThird floor, main building.	at I need to bit. to speed and academic
23 A Yeah, reading books. Everybody got a copy of 23 Q Was this the same classroom that ye	at I need to bit. to speed and academic
24 the biology copy. We were able to take the biology book 24 fall, or was it a different classroom?	at I need to bit. to speed and academic emester of
25 home, as far as I can remember. Yeah, we were able to 25 A Different class.	at I need to bit. to speed and academic emester of
	at I need to bit. to speed and academic emester of

	Page 573		Page 575
1	Q Actually you said in the fall, you said it was	1	A Yes.
1		2	Q Do you recall Miss Ricard being absent from
2	the right building, didn't you?		
3	A Yeah.	3	class?
4	Q How about the biology class?	4	A I don't remember ever having a sub in her
5	A That was second floor, right building.	5	class. I don't remember ever having subs in her class.
6	Q That was the science wing, right?	6	Q How about biology, can you tell me who your
7	A Uh-huh.	7	teacher was in biology?
8	Q Japanese class, can you tell me where that was?	8	A Miss Therault.
9	A Third floor, main building. It was my old	9	Q Would you say Miss Therault was a good teacher?
10	economics class. No, it wasn't. That was a different	10	A She was yeah, she was fair.
11	room.	11	Q What do you mean by fair?
12	Q And student aid, that was I may not be	12	A I mean like she she was smart. She knew
12	remembering exactly, but I think you had didn't you	12	biology. She kind of she kind of I don't know.
14	do clerical work in different offices at different	14	She like she if you had a test or something,
14	times?	15	didn't do so well on the test, she'd give you the
16		16	opportunity to try to make it up for a higher grade.
	A Yeah. That was the attendance office. It was	17	Q Would you say she was qualified to teach
17	on the right side of the building.		
18	Q In the right building or was it in the main	18	biology?
19	building?	19	A Yes.
20	A It was in the main building, but on the right	20	Q Do you remember Miss Therault being absent from
21	side.	21	class at any time?
22	Q That was on the ground floor, right?	22	A I don't remember having subs in her class.
23	A Yeah.	23	Q How about your Japanese teacher, can you tell
24	Q Okay. I think you've already said, but	24	me that person's name?
25	Miss Ricard was your academic literacy/world lit 2	25	A Miss Goka.
	Page 574		Page 576
1	teacher; is that right?	1	Q Would you say Miss Goka was a good teacher?
2	A Yes.	2	A Yeah.
3	Q Would you say she was a good teacher?	3	Q Why was she a good teacher?
4	A Yes.	4	A Well, she was like native Japanese so she knew
5		-	
	Q Explain to me how she was a good teacher.	5	the language because she spoke it at home and stuff.
6			
6 7	A Because like we was reading Romeo and Juliet	5	the language because she spoke it at home and stuff.
7	A Because like we was reading Romeo and Juliet and I remember her explaining like if we didn't	5 6 7	the language because she spoke it at home and stuff. And then but she also like took it in school, so she had her credentials and all that stuff.
7 8	A Because like we was reading Romeo and Juliet and I remember her explaining like if we didn't understand whatever was going on in the story, she	5 6 7 8	the language because she spoke it at home and stuff. And then but she also like took it in school, so she had her credentials and all that stuff. But like we didn't have textbooks in her class
7 8 9	A Because like we was reading Romeo and Juliet and I remember her explaining like if we didn't understand whatever was going on in the story, she explained it to us and she did like we did writing	5 6 7 8 9	the language because she spoke it at home and stuff. And then but she also like took it in school, so she had her credentials and all that stuff. But like we didn't have textbooks in her class but we did a lot of activities to make up for it, and
7 8 9 10	A Because like we was reading Romeo and Juliet and I remember her explaining like if we didn't understand whatever was going on in the story, she explained it to us and she did like we did writing assignments, but like her class wasn't boring. Like	5 6 7 8 9 10	the language because she spoke it at home and stuff. And then but she also like took it in school, so she had her credentials and all that stuff. But like we didn't have textbooks in her class but we did a lot of activities to make up for it, and she took us on pretty cool field trips. She was nice
7 8 9 10 11	A Because like we was reading Romeo and Juliet and I remember her explaining like if we didn't understand whatever was going on in the story, she explained it to us and she did like we did writing assignments, but like her class wasn't boring. Like class was kind of boring. Miss Ricard's	5 6 7 8 9 10 11	the language because she spoke it at home and stuff. And then but she also like took it in school, so she had her credentials and all that stuff. But like we didn't have textbooks in her class but we did a lot of activities to make up for it, and she took us on pretty cool field trips. She was nice and she was smart too.
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>A Because like we was reading Romeo and Juliet and I remember her explaining like if we didn't understand whatever was going on in the story, she explained it to us and she did like we did writing assignments, but like her class wasn't boring. Like class was kind of boring. Miss Ricard's class wasn't boring. We did activities also.</li> <li>Q So would you say she was a smart teacher?</li> <li>A She was smart.</li> <li>Q Would you say she was an engaging teacher?</li> <li>A Engaging MS. PERRIN: Do you understand?</li> <li>THE WITNESS: Yeah. Yes.</li> <li>BY MR. ROSENTHAL:</li> <li>Q Did she encourage students to participate and you had good class discussions?</li> <li>A Yeah, we had discussions and activities and stuff.</li> </ul>	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>the language because she spoke it at home and stuff.</li> <li>And then but she also like took it in school, so she had her credentials and all that stuff.</li> <li>But like we didn't have textbooks in her class but we did a lot of activities to make up for it, and she took us on pretty cool field trips. She was nice and she was smart too.</li> <li>Q So it sounds like you think he was qualified to teach Japanese?</li> <li>A Yeah.</li> <li>Q Did you have a teacher for student aid?</li> <li>A I worked with the secretary to the office.</li> <li>Q Do you remember who the secretary was that you worked with?</li> <li>A It was two, Miss well, I know Louisa. That was her first name. I don't remember her last name.</li> <li>That's one lady. And the other lady oh, what's her name? I don't remember.</li> <li>Q But these were both secretaries in the</li> </ul>
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Page 577 Q There's a name referenced in your transcript. Does that ring a bell by any chance? A Virginia, I don't know where that comes from. Q But that's not one of the two secretaries you worked for? A No. Q It sounds like your student aid class is sufficiently different than your other classes? Did you get any homework in that class? A No. I just did clerical work. Q Did you get homework in all the other three classes, the other three classes being biology, Japanese, academic lit 2/world lit 2? A Yeah. Q Did you get tested in all of those classes? A I don't yes. I don't remember taking too many tests in Miss Ricard's class though. Q But you remember taking at least one test? A Yeah. Q All right. Why don't we deal with the individual unfair conditions that you said existed in each one of these classes. First, focusing on the academic literacy 2/world lit 2 class, you said the first unfair condition that existed was that Miss Ricard left?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	<ul> <li>Page 579</li> <li>Q So even though you had Miss Ricard for the entire semester in that course, you still think it's an unfair condition that you suffered in that class that she left after the class ended?</li> <li>A I mean, I learned a lot in her class, and like</li> <li>I said she well, you brought up the word engaging.</li> <li>She was a very engaging teacher, and it's not right that they left because she wasn't getting paid enough, I guess she said, and she's not getting enough support from the administration. I mean, that's not right. She was a good teacher. They always lose the good teachers.</li> <li>I don't count her as a good teacher. But</li> <li>Miss Kwak and Miss Ricard and Miss Goka and Mr. Medina, they're like the best teachers and they lost 'em.</li> <li>Q But you had the benefit of having Miss Ricard in that class, didn't you?</li> <li>A I did, but other kids didn't. And I don't think that whoever's teaching those classes now is half as good as Miss Ricard was, so maybe they won't learn as much as I learned.</li> <li>Q So you think it was unfair for kids who were going to take the class in the future; is that right?</li> <li>A Yes.</li> <li>Q But it wasn't really an unfair condition that you suffered individually in connection with that class;</li> </ul>
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	<ul> <li>A Yes.</li> <li>Q And you briefly said what the reasons for her leaving were. Can you elaborate on that a little bit?</li> <li>A Her and Miss Kwak, they left for the same reasons. Basically they said that they weren't getting paid enough, and also they weren't getting a lot of support. I don't know what that meant, but that's what they said, that they weren't getting any support from the administration.</li> <li>Q Did Miss Kwak leave at the same time as Miss Ricard?</li> <li>A Yeah, they both left.</li> <li>Q So you didn't have Miss Kwak when Miss Kwak left; is that right?</li> <li>A No. She like they both left at the end of 10th grade.</li> <li>Q Did Miss Ricard teach you the entire semester, the entire spring semester of 10th grade?</li> <li>A Yeah.</li> <li>Q So then they didn't come back the following fall?</li> <li>A Yeah.</li> <li>Q So you didn't have any substitutes in the academic lit 2/world lit 2 class?</li> <li>A No.</li> </ul>	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	<ul> <li>Page 580</li> <li>isn't that right?</li> <li>A That's true. But in this lawsuit I do represent a class, so I think it's kind of relevant since the other kids didn't get to have her.</li> <li>Q But other students are taking that class other students have taken that class since you took it; isn't that right?</li> <li>A Yes, but they didn't have Miss Ricard.</li> <li>Q But you have a teacher; isn't that right?</li> <li>A Yeah, but the teacher's not as good as Miss Ricard, trust me.</li> <li>Q But you haven't taken the other teacher?</li> <li>A No, but I heard some kids talking, and had they had Miss Ricard's class, they would have known more than they know now. Kids talk to me and they tell me, "I wish I would have had Miss Ricard, I heard she was nice."</li> <li>Q And you also said that the academic literacy 2/ world lit 2 class was what you described as overcrowded, but you said it didn't impede your ability to learn in that class at all; isn't that right?</li> <li>A Correct.</li> <li>Q So there were no other unfair conditions that you suffered in connection with that class?</li> <li>A No.</li> </ul>

	Page 581		Page 583
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>Q All right. Let's move on to well, let me stick with that class for a minute. At the end of the academic literacy 2/world lit</li> <li>class 2, would you say you learned the subject matter? A I still don't know what the subject matter is,</li> <li>but I learned like from Romeo and Juliet and stuff like that.</li> <li>Q Well, didn't you tell me before that that</li> <li>course was sort of a combination of a literature course and an English grammar course and we sort of called it</li> <li>globally an English class?</li> <li>A Yes, but I don't know if that's what it was</li> <li>supposed to be.</li> <li>Q But that was your understanding?</li> <li>A That's what I got from it. But that don't mean</li> <li>that it's right. I don't know what it's supposed to be.</li> <li>Q Well, in connection with that course, did you</li> <li>read various works of literature?</li> <li>A I remember just remember doing Romeo and</li> <li>Juliet. We probably read something else, but I just</li> <li>remember Romeo and Juliet.</li> <li>Q Did you also do the sort of work that you</li> <li>described that you did in the source of the</li></ul>	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	But I should have got because when we because like I said, we were doing the play, so we worked on that a lot, and I was Juliet and I got the awarded for best actress. So if I got the award for best actress. I should have got I got the award for best overall performance, and I got the award for best pop-ups. So if I could win all the awards, I should have got a I got the award for best pop-ups. So if I could win all the awards, I should have got a I got the award for best pop-ups. So if I could win all the awards, I should have got a I got the award for best pop-ups. So if I could win all the awards, I should have got a I got the awards in class as much as perhaps they should is somebody who should get an I got I can remember all that and do the emotions like she wanted us to do 'em. Because certain things she wanted us to do at certain times. That's what the pop-ups were. And if I did that, then yes, I do believe I deserve an I got Q Now, did any of the unfair conditions that you identified in connection with this course affect your grade in that class? MS. PERRIN: Calls for speculation. THE WITNESS: No, I don't think it affected my
24	on vocabulary and other work regarding English grammar?	24	grade.
25	A We had vocabulary words in Miss Ricard's class.	25	BY MR. ROSENTHAL:
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Page 582 We didn't do portfolios like the journals and stuff like that. We did have vocabulary words though. But we did basically like when we read Romeo and Juliet, we did work as far as like character and emotions and did activities like that because we were going to do the play afterwards. That's what we worked on a lot. Q Can you tell me what your grades were in academic literacy 2 class, world lit 2? A Q And you're reading that from your transcript? A Yeah. Q Did you deserve those grades? A I think I deserved but I don't know. Q Well, let me take a step back. Are those grades accurate? A Oh, they're correct, yes, but I think I deserved Q Can you tell me why you believe you deserved A Well, I don't I'm not going to say I did all the homeworks, but if there was ten homeworks given, I'd	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Page 584 Q Moving on to your biology class. The only unfair condition you identified was that there were broken sinks in the classroom; is that right? A Yeah. Q I think you just told me how the broken sinks impeded your ability to learn in that class. A It didn't impede my ability to learn. The sinks were just broken so we had to go to the bathroom and wash our hands. Q Is that the only time you used the sinks? A To wash our hands when we like touched stuff. Q After doing experiments you mean? A Yes. Q But after you touched stuff in connection with doing various experiments, you could go to the bathroom and wash your hands? A Yeah. Q At the end of your biology course, would you say you learned the subject matter? A No. Q Why not?
22	say I did at least eight of them. I was there for the most part. I didn't I participated, but I didn't	22	A I don't know why. I'm not a sciencey person,
23		23	I guess that's why. I think probably because I didn't
24	participate as much as I could have to probably get more points in her class.	24	care for it too much, I didn't learn a lot. I don't
25		25	know what it is. I probably deserved the since I

	Page 585		Page 587
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	<ul> <li>didn't do well at all on those tests. And the homework that I did do, I didn't get good marks on it because I didn't do the homeworks right a lot of times.</li> <li>Q You didn't do poorly in biology because of any unfair conditions that existed at your school, right?</li> <li>A No. I just didn't get biology I guess.</li> <li>Q We talked about Japanese class. Would you say at the end of the Japanese course you learned the subject matter?</li> <li>A Yeah.</li> <li>Q Actually, let me - I should have dealt with the unfair conditions first.</li> <li>You said that there were no textbooks in your Japanese class, right?</li> <li>A Yeah.</li> <li>Q How did you learn the subject matter in Japanese class without textbooks?</li> <li>A Because the teacher spoke it. That was her</li> </ul>	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	<ul> <li>Q Do you recall what your grades were in Japanese?</li> <li>A I got A's.</li> <li>Q Two A's?</li> <li>A Yeah.</li> <li>Q And you're reading that from your transcript?</li> <li>A Yes.</li> <li>Q Did you deserve the A's?</li> <li>A Yes.</li> <li>Q Did the fact that you had no textbook in Japanese class affect your grade in any way?</li> <li>MS. PERRIN: Object, calls for speculation.</li> <li>THE WITNESS: No. I think I was a natural at Japanese too. I think it was her though. I don't think any teacher could have pulled off me learning Japanese like I did like she did.</li> <li>BY MR. ROSENTHAL:</li> <li>Q So is it fair to say that if you have a good</li> </ul>
19 20 21	native language. We used a lot of flash cards, stuff like that. Q Did she use handouts?	19 20 21	teacher in a particular class, it's your opinion that a textbook isn't something that's required to learn the subject matter sufficiently?
22 23 24 25	A No. She – flash cards and mini skits, and she would write – oh, no, she did use handouts. She did have – we got like a single handout we had to use throughout the year. And she used – yeah, I take that	22 23 24 25	A I mean I would say that for Japanese class. I don't know like everything, but for Japanese class. Q Let's just very quickly deal with your student aid class. Can you tell me what your grades were in
	Page 586		Page 588
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	<ul> <li>back, she used handouts. Like cartoon character</li> <li>handouts about they're speaking Japanese and we got</li> <li>to figure out what they're saying and stuff like that.</li> <li>Q Did she use the chalkboard to teach Japanese?</li> <li>A Yes.</li> <li>Q Did you take notes in that class?</li> <li>A Yes.</li> <li>Q And did you feel that that was a good way to be</li> <li> strike that.</li> <li>Did you feel that that was a did you feel</li> <li>that you were able to learn Japanese in the class</li> <li>through a teaching method like that?</li> <li>A Through a teaching method, yeah.</li> <li>Q So you didn't need a textbook to learn</li> <li>Japanese?</li> <li>MS. PERRIN: Objection, calls for expert testimony,</li> <li>but go ahead.</li> <li>THE WITNESS: No. She taught it good enough.</li> <li>BY MR. ROSENTHAL:</li> <li>Q Do you know why there was no textbook in your</li> <li>Japanese class?</li> <li>A I don't know why.</li> <li>Q Did you ever hear that it was because the</li> <li>school didn't have any Japanese textbooks?</li> </ul>	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	<ul> <li>that class?</li> <li>A A and A.</li> <li>Q And you're reading that from your transcript?</li> <li>A Yes.</li> <li>Q Did you deserve A's in that class?</li> <li>A I don't see how how I got really graded</li> <li>because I didn't do anything but like answer phones and</li> <li>help kids. But I guess.</li> <li>Q Were you supervised in your capacity in the</li> <li>work you did there?</li> <li>A I was rarely left alone in the office, so most</li> <li>of the time I was supervised. It was like I was one of</li> <li>the actual real secretaries in there.</li> <li>Q Do you know who gave you the grades for your</li> <li>student aid class?</li> <li>A No, I don't. I think like maybe Mr. Chesky</li> <li>asked like how did I do in helping him, I'm pretty sure.</li> <li>Louisa like probably was "She does real good." I mean,</li> <li>that's the only way I can think of it. I don't know who</li> <li>gave me the grades.</li> <li>Q I just want to spend a very short period of</li> <li>time on your time at Mission High School and then we can</li> <li>take a break, I'll go over my notes and we can come back</li> </ul>
25	A No, I didn't hear that. I don't know why.	25	MS. PERRIN: Okay.

	Page 589		Page 591
1	BY MR. ROSENTHAL:	1	A No.
2	Q Now, Miss Jones, we'd spoken briefly during our	2	Q How about the facilities at Mission High
3	first day about your time at Mission High School. You	3	School, and by that I mean, you know, the actual
4	were there as a freshman; is that right?	4	building. I'm not asking you to describe it. If you
5	A Yeah.	5	can just tell me what the condition was generally.
6	Q And I had asked you during the first day about,	6	A I don't even I would say it was fine, but
7	you know, whether there were any unfair conditions that	7	that was just a guess. I don't even remember 9th grade.
8	you believe existed at Mission High School, and you	8	Q Do you remember there being any problems with
9	identified a situation where there was a problem with	9	any of the windows, doors, floors? We already discussed
10	the roof on the third floor which resulted in some	10	a problem with the ceiling.
11	flooding, and I guess some classrooms on the third floor	11 12	A No. Q Do you remember any classes being overcrowded?
12 13	were closed down, I guess; is that right? A Yeah.	12	A No, I don't think so.
13	Q Are there any other unfair conditions that you	13	Q Do you ever remember any classes where students
15	can think of that existed at Mission High School?	15	didn't have their own chair or desk?
16	A I don't even remember back to ninth grade all	16	A No.
17	like that. Okay, Mr let me think. We just read	17	Q Did you have textbooks in each of your classes
18	books in class. Mr	18	in which a textbook was used? Strike that.
19	Q Why don't we try it this way. Do you recall	19	Did you have textbooks in each of your classes
20	any of your classes the Mission High School being	20	at Mission High School?
21 22	unbearably hot?	21	A Not at all I don't think all classes
22	A No. Q Do you remember any of your classes at Mission	22 23	required textbooks. Q Can you tell me which classes you didn't have
23	High School being unbearably cold?	23 24	textbooks for?
25	A No.	25	A Mr. Sangarito oh, world lit, San Francisco
1	Bage 500		Page 502
	Page 590		Page 592
1	Q Do you remember issues regarding any external	1	perspective, P.E. and I'm trying to remember science. I
2	Q Do you remember issues regarding any external noise?	1 2 2	perspective, P.E. and I'm trying to remember science. I don't think no, I don't think we used textbooks in
2 3	Q Do you remember issues regarding any external noise? A No.	3	perspective, P.E. and I'm trying to remember science. I don't think no, I don't think we used textbooks in science. Where it says reading and writing enrichment.
2 3 4	<ul><li>Q Do you remember issues regarding any external noise?</li><li>A No.</li><li>Q Were the classrooms that you had class in</li></ul>	3 4	perspective, P.E. and I'm trying to remember science. I don't think no, I don't think we used textbooks in science. Where it says reading and writing enrichment. Q Did you use a text I'm sorry, I missed
2 3	Q Do you remember issues regarding any external noise? A No.	3	perspective, P.E. and I'm trying to remember science. I don't think no, I don't think we used textbooks in science. Where it says reading and writing enrichment. Q Did you use a text I'm sorry, I missed that
2 3 4 5	<ul> <li>Q Do you remember issues regarding any external noise?</li> <li>A No.</li> <li>Q Were the classrooms that you had class in clean, orderly?</li> </ul>	3 4 5	perspective, P.E. and I'm trying to remember science. I don't think no, I don't think we used textbooks in science. Where it says reading and writing enrichment. Q Did you use a text I'm sorry, I missed
2 3 4 5 6 7 8	<ul> <li>Q Do you remember issues regarding any external noise?</li> <li>A No.</li> <li>Q Were the classrooms that you had class in clean, orderly?</li> <li>A Yes.</li> <li>Q Did you ever see any mice at Mission High School?</li> </ul>	3 4 5 6	<ul> <li>perspective, P.E. and I'm trying to remember science. I don't think no, I don't think we used textbooks in science. Where it says reading and writing enrichment.</li> <li>Q Did you use a text I'm sorry, I missed that</li> <li>A No.</li> <li>Q no textbook in that class either?</li> <li>A No.</li> </ul>
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	Page 593		Page 595
1	A Math, yeah.	1	when we did labs, we had like
2	Q And you used the same textbook in both of	2	Q Did you work in groups?
2	those classes?	3	A partners, group.
4	A Oh, yes.	4	Q For example, in world lit, when you read a
		5	certain book, everybody got their own copy of the book?
5	Q Rather than textbooks, did you use other	I .	A Yeah.
6	instructional materials in the classes that you	6	
7	identified in which no textbook was used? And let's put	7	Q And you were able to take that book home?
8	P.E. aside. I assume you didn't use	8	A I don't remember. I know everybody had their
9	A Yeah. Mr. Palagrino used some type of book	9	own.
10	like like we read I don't even remember what book,	10	Q Do you remember the condition of the books you
11	but we read something, and we did like a lot of grammar	11	used in any of your classes?
12	stuff in his class.	12	A I sure don't.
13	Q So you had books in his class, you just didn't	13	Q Do you remember ever having to pay any fees in
14	have a textbook?	14	connection with any of your classes at Mission High
15	A Yeah, we had reading books.	15	School?
16	Q So for example if you read - I don't expect	16	A No.
17	you to remember what you read in that class, but I mean,	17	Q Did you ever remember watching any
18	if you read Romeo and Juliet, you would have had a copy	18	noneducational movies in any of your classes at Mission
19	of Romeo and Juliet?	19	High School?
20	A Yes.	20	MS. PERRIN: By "noneducational," you mean
21	Q How about for San Francisco perspectives, did	21	something that's not relevant to the course that's being
22	you have other instructional materials, to the extent	22	taught?
23	you remember?	23	BY MR. ROSENTHAL:
24	A We used like maps.	24	Q Right.
25	Q And for science is that the class that's	25	A Probably in like gym.
L			
	D 604		De 504
1	Page 594	]	Page 596
1	referenced as nine, i-n-t-e-g-e-r	1	Q Do you know why you watched movies like that in
2	A Ninth, integrated science.	2	gym?
3	Q Okay. Did you use other instructional	3	A Probably like it was a lazy day, we'd just
4	materials in that class?	4	watch a movie.
5	A We did labs every day.	5	Q Do you remember there being any shortage of
6	Q Do you have an understanding as to why you	6	classroom supplies at Mission High School?
7	didn't use textbooks in any of the classes in which you	1 7	
8		7	A No.
9	did not use them?	8	Q So there was always enough paper, chalk, things
	did not use them? A Well, San Francisco perspective, I still don't	8 9	Q So there was always enough paper, chalk, things like that?
10	did not use them? A Well, San Francisco perspective, I still don't know to this day what that class was about. I don't	8 9 10	<ul><li>Q So there was always enough paper, chalk, things like that?</li><li>A As far as I can remember, yeah.</li></ul>
10 11	did not use them? A Well, San Francisco perspective, I still don't know to this day what that class was about. I don't even think it would have been a book. That class was	8 9 10 11	<ul><li>Q So there was always enough paper, chalk, things like that?</li><li>A As far as I can remember, yeah.</li><li>Q How about your teachers at Mission High School,</li></ul>
10 11 12	did not use them? A Well, San Francisco perspective, I still don't know to this day what that class was about. I don't even think it would have been a book. That class was stupid.	8 9 10 11 12	<ul><li>Q So there was always enough paper, chalk, things like that?</li><li>A As far as I can remember, yeah.</li><li>Q How about your teachers at Mission High School, would you say they were all good teachers?</li></ul>
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issues that I have. A In the fall grades I'm going to say I should 1 1 2 It sounds like, from your testimony, that 2 have gotten all A's. Mission is, for lack of a better term, a better school Q Why do you think you should have gotten all A's 3 3 than Balboa is. Would you say that's a fair 4 4 in the fall? 5 characterization? A Because that's when I first started high school 5 6 A No. and I know I did every single work. I did every single 6 Q Why not? homework, I was there full time, I always participated. 7 7 8 A I mean, because it probably -- or maybe it's 8 O How about the spring, do you think you deserved just me, unfair conditions that I don't remember because 9 all of those grades? 9 like it was so long ago, or that I like looked past 10 10 A I probably didn't deserve the got. But for because it didn't mean anything to me back then. But I the most part, yes. 11 11 don't know if I'd say Mission is better than Balboa. 12 O When you say "for the most part." are there any 12 O So you think students who attend Mission High particular grades that you don't think you deserved? 13 13 14 A I deserved 'em all. School are suffering, if not exactly the same 14 conditions, conditions that are similarly unfair? 15 Q In the fall all of your grades were 15 and in the spring all of your grades were 16 A Well, I dont know about similarly now, because 16 I haven't visited Mission in close to three years. But 17 17 18 18 I mean -- I don't know. I'm pretty sure Mission has 19 19 things that are unfair too, just because it was like 20 20 little stuff when I was there. 21 21 O Is it your understanding that students who 22 22 attend Mission High School are part of the class of 23 students that you represent that suffer unfair 23 24 conditions in California public schools? 24 25 25 MS. PERRIN: Objection, calls for a legal Page 600 Page 598 1 1 conclusion. Q Do you recall how many days you were absent 2 2 THE WITNESS: I feel every student who goes to a 3 during the spring? I'm asking because there's a pretty 3 public school, whether they pay attention to the unfair 4 wide discrepancy based on the transcript, as you can 4 conditions or not, I represent those people. I feel I 5 see. Do you think any of those is more accurate than 5 represent everybody who goes to school in the bathrooms 6 the other? is nasty or there's like mice or not enough books, 6 7 A Well, where it says algebra, I know I was 7 frequent substitutes. I represent all those kids. If 8 absent to her class more than five times. Maybe, I'd 8 that's at Mission, then that's who I represent also. 9 say -- I really don't know. But I know I was absent 9 BY MR. ROSENTHAL: 10 more than five times from Miss Swett's class. 10 Q So you represent all students in California 11 Q Do you remember how many weeks you were absent public schools who suffer any of those conditions? 11 12 during the spring? Let me ask an additional question. 12 A Any of the conditions that I haven't named 13 Were you out for a couple weeks at a time and 13 probably aren't at my school, but at other schools --14 no. I actually feel I would represent all public school was there a block of time that you were absent from 14 15 school? 15 kids. 16 A I wasn't absent like a couple weeks at a time. 16 Q So you represent students who go to any public 17 It would be different days. 17 school in the entire State of California, that's your 18 Q Was spread out through the entire semester? 18 understanding? 19 A Yeah. 19 MS. PERRIN: I think that slightly misstates her 20 MR. ROSENTHAL: All right, why don't we break here. 20 testimony and again calls for a legal conclusion. 21 (Recess.) 21 THE WITNESS: Well, when it was explained to me 22 BY MR. ROSENTHAL: 22 what a class representative was, I don't think that's 23 Q Okay, I have just a couple of very brief 23 what it's referring to. But on a more personal note, 24 questions following up on our discussions about Mission 24 that's what I personally believe so that's what I'm High School, and then we'll move on to the remaining 25 gonna go by. I believe I'm representing everybody, 25

	Page 601		Page 603
1	whether or not they pay attention or notice or, you	1	on test days, they withdraw the information, so whatever
2	know, care about the conditions or not, I still	2	they told you, they just take it right back. You
3	represent them since I care about them.	3	haven't actually learned anything. Like the banking
4	BY MR. ROSENTHAL:	4	system, like when you deposit money and you withdraw it,
5	Q How about a student who goes to the school	5	it's
6	where there are none of the unfair conditions that you	6	deposit and withdraw education. And that was introduced
7	suffered, do you feel that you represent them? Do you	7	to me in my 11th grade year. I forgot it was in Miss Safir's class, I forgot where it was in a
8 9	feel that they're members of the class as well? MS. PERRIN: Again objection, calls for a legal	9	reader, that's when that was introduced to me.
10	conclusion.	10	And class was definitely,
11	MR. ROSENTHAL: I'm just asking for her	11	definitely banking system education. And that's
12	understanding.	12	opposite to problem-posing education, where
13	THE WITNESS: I feel that, yeah, I represent them	13	problem-posing education is where teachers actually
14	too. So even though they probably don't suffer the same	14	teach you and instruct on things and you ask why, you
15	things as me and other people suffer, they can keep it	15	ask how and you learn, not just people putting notes on
16	that way.	16	the board and expecting you to learn. That's not how
17	BY MR. ROSENTHAL:	17	you learn.
18 19	Q So you're representing them to insure that the good conditions they have remain good?	18 19	Q So is banking system education a term you learned in connection with one of your classes?
20	A Yeah.	20	A Yeah.
21	Q Okay. There were a couple of terms you used in	21	Q You gave me one example of a course that was
22	the earlier days of testimony that I just wanted you to	22	thought class, you said she practiced
23	define for me, you know, to the best of your ability.	23	the banking system of education or whatever. Can you
24	MS. PERRIN: And Alondra, when he says "define,"	24	give me an example of a class where did you call it
25	just explain what you meant by them, I think is where	25	problem solving?
	Page 602		Page 604
1	Michael's going, like Master Splinter.	1	A Problem-posing.
2	BY MR. ROSENTHAL:	2	Q Problem-posing education, can you give me an
3		3	example of a class in which that methodology was used?
4		4	A Miss Safir's class. Her U.S. history and her
5		5	prelaw. She totally comes in or we read something in
6		6	the reader. Like we will read the theories of Carl
7		7	Marx. We won't just have to write the notes in, expect
8		8	to know what we just read on test day. We would ask her
9 10		9	why this was this and how this was this and where did
10		10   11	all this come about and who else things like this and, you know, whatever.
12		12	Some teachers, if you ask them stuff like that,
13		13	they would get frustrated, either because they don't
14		14	know the answer or they don't care for you to know the
		1 10	answer. They just want you to know what they just told
15		15	
16		16	you
16 17		16 17	Q In addition to class, are there
16 17 18	Q At some point you used the term a couple	16 17 18	Q In addition to <b>Constant of Class</b> , are there any other classes that you recall that you categorize as
16 17 18 19	times actually you used it, the banking system	16 17 18 19	Q In addition to <b>provide the class</b> , are there any other classes that you recall that you categorize as teaching in the banking system style?
16 17 18		16 17 18	Q In addition to class, are there any other classes that you recall that you categorize as teaching in the banking system style? A Biology, chemistry.
16 17 18 19 20 21 22	times actually you used it, the banking system education, do you remember using that? A Yes. Q Can you tell me what that meant?	16 17 18 19 20	Q In addition to <b>provide the class</b> , are there any other classes that you recall that you categorize as teaching in the banking system style?
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<ul> <li>Q And that was for the whole year?</li> <li>A Yeah, but not by Miss Ricard.</li> <li>Q You just mean the first semester?</li> <li>A Yeah.</li> <li>Q Any others?</li> <li>A No.</li> <li>Q Now, you said you learned the term in</li> <li>Miss Safir's class. Did you spend a portion of your</li> <li>class with Miss Safir discussing education and</li> <li>inequalities between schools?</li> <li>MS. PERRIN: Well, you can answer the question, but</li> <li>she did say that was part of a reading assignment.</li> <li>MR. ROSENTHAL: I'm just asking if that was a topic</li> <li>area in her class with Miss Safir.</li> <li>THE WITNESS: No. The topic area's how like the</li> <li>banking system, how teachers don't teach.</li> <li>BY MR. ROSENTHAL:</li> <li>Q Because I know you mentioned you went on a</li> <li>field trip with Miss Safir to, I think it was Marin</li> <li>Academy; is that right?</li> <li>A Yeah.</li> <li>Q And you said the focus of that was looking at</li> <li>the inequalities of schools; is that right?</li> <li>A That wasn't the exact focus. They had a law</li> </ul>	<ul> <li>courses are useful in preparing students for college?</li> <li>A I don't know since I've never took one. But</li> <li>I'm pretty sure they make your transcript look nice like</li> <li>if you showing A.P. courses.</li> <li>Q So can you tell me why you didn't take any?</li> <li>A Because they never gave me any.</li> <li>Q But you could have taken some this year, right?</li> <li>A Well, 12th grade, it started at 6:30 in the</li> <li>morning and I was unable to do that because of personal</li> <li>thing, so</li> <li>Q So A.P. courses are only offered at 6:30 in the</li> <li>morning?</li> <li>A Uh-huh. The English one they told us about</li> <li>over the e-mail.</li> <li>Q What about other A.P. courses?</li> <li>A That's the only one I know of.</li> <li>Q So you don't know if there's any A.P. science</li> <li>courses offered at school?</li> <li>A I don't know. I never took one.</li> <li>Q Did you ever ask?</li> <li>A Yes.</li> <li>Q Who did you ask?</li> </ul>
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<ul> <li>academy in that school, too, so our programs were the</li> <li>same. But while we were there, that was brought up.</li> <li>Q Is Marin Academy a public school?</li> <li>A I think it's a public school in that district.</li> <li>I'm not sure.</li> <li>Q So if it's a public school, you think you</li> <li>represent those students as well?</li> <li>A Well, they have good conditions. I want to</li> <li>make sure that their conditions stay good. If it was a</li> <li>public school. I'm not sure, I think it is though.</li> <li>Q Have you taken any A.P. courses? Do you know</li> <li>what an A.P. course is?</li> <li>A Yes.</li> <li>Q Advanced placement courses? Have any of your</li> <li>courses been advanced placement courses offered at</li> <li>Balboa High School?</li> <li>A They were offered this year.</li> <li>Q But they were never offered prior to this year?</li> <li>A Not that we knew of. No, the only time I ever</li> <li>heard of A.P. courses this year, over the summer, going</li> <li>into the 12th grade, they introduced us, they sent</li> <li>e-mails to us. And then like 12th grade people had A.P.</li> </ul>	<ul> <li>A Miss Balisi, my counselor. She told me what I</li> <li>need to do, the classes I need to be the classes</li> <li>required to graduate, that's all I had to worry about.</li> <li>Q Did you want to take any A.P. courses?</li> <li>A I wouldn't have mind. Like I don't know</li> <li>like I say, I don't know. The only thing I would see</li> <li>A.P. courses being relevant to is making your transcript</li> <li>look better for colleges. Maybe it would be easier</li> <li>getting into the college you want to get into if you</li> <li>took some A.P. courses.</li> <li>Not at 6:30 in the morning though when I had to</li> <li>do something, I wouldn't have mind taking any other A.P.</li> <li>courses.</li> <li>Q That was one of your concerns, though, about</li> <li>getting into college, wasn't it?</li> <li>A Yeah, but the main concern was the general</li> <li>classes I took because there was so many problems with</li> <li>that one, I'd probably be scared to take a A.P. course.</li> <li>Q Well, just I know you said you were only</li> <li>taking is it only two courses this semester? I know</li> <li>this semester just ended, but you only took two courses,</li> <li>right?</li> <li>A Yeah.</li> <li>Q And you're not aware of any A.P. courses being</li> <li>offered from third period on?</li> </ul>

	Page 609		Page 611
1	A No. I asked my counselor, Miss Balisi, and she	1	only afford one janitor; is that correct?
1	told me I need to worry about the classes that were	2	A Uh-huh.
3	required for graduation.	3	Q So if I told you that Ms. Gray told me there
4	Q Are you aware that advanced placement courses	4	were four janitors at the school, would you say that's
5	- if you take an advanced placement course and do	5	incorrect?
6	sufficiently well in the advanced placement test, you	6	A Yes, I would. I said that one Asian lady.
7	can get college credit for that course?	7	Q So she's the only janitor, that's your
8	A No, I didn't know that.	8	testimony?
9	Q So you just focused on fulfilling your	9	A Uh-huh. Maybe it's four little Asian ladies
10	requirements to graduate?	10	that look the same.
11	A My counselor focused me on fulfilling my	11	Q We also discussed a situation where you paid
12	required things to graduate.	12	some money to your art teacher, Miss Codabandaloo
13	I has concerned about my requirements for	13	I think I can finally say that name.
· 14	graduation because of the continuous substitutes, and	14	Did she ever I'm sorry, we also discussed
15	when I went to City, the night class when they cut	15	that at some point you became informed that the money
16	Japanese. But I had inquired about A.P. classes. At	16	was going to be reimbursed and that some students
17	that point I was shut up very quickly about that because	17	obtained reimbursement; isn't that right?
18	I was told I don't need to worry about A.P., I need to	18	A Yeah.
19	worry about things I need to pass graduation.	19	Q Did she ever tell you that the reason she
20	Q Well, did you tell your counselor you were	20	collected the money and then subsequently reimbursed the
21	concerned about getting into college and it was your	21	money is because she was unaware of the school policy
22	understanding that it was helpful to have those courses	22	regarding the charging of fees?
23	on your transcript and that perhaps you should consider	23	A Who is "she"?
24	them?	24 25	<ul><li>Q She being Miss Codabandaloo.</li><li>A No. If it wasn't policy, I don't understand</li></ul>
25	MS. PERRIN: Objection, compound.	25	A No. If it wasn't poncy, I don't understand
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	Page 610		Page 612
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2	THE WITNESS: I told her that I think I should have 'em, but she tells me don't worry about it. I need	2	why she did it. Q We also talked about a particular bathroom. If
2 3	THE WITNESS: I told her that I think I should have 'em, but she tells me don't worry about it. I need to take what I need to take to graduate from high school	2 3	why she did it. Q We also talked about a particular bathroom. If you remember you said there was yellow caution tape on
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- Ms. Gray, the principal, about janitors at the school and you said that she told you that the school could 24
- 25

38 (Pages 609 to 612)

Q Can you tell me why you think there was a

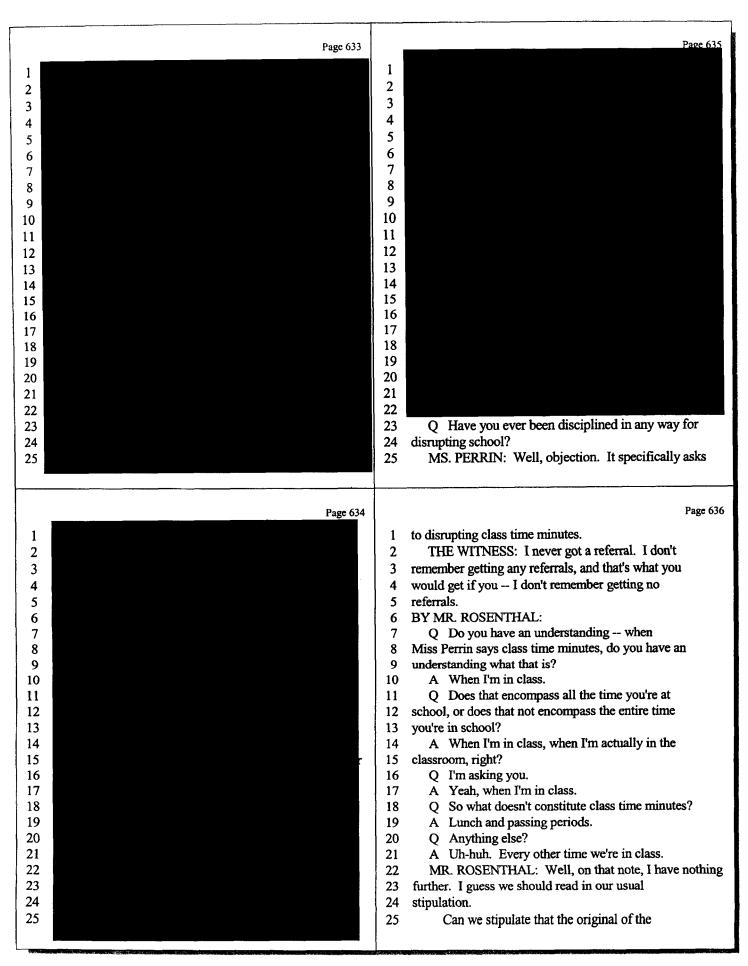
1connection?2A We didn't have them books when I didn't say3nothing to the newspaper. It seems pretty damn funny to4me that we got the books after we exploited a little of5the problems Miss Gray didn't want out there.6Q Did you ever hear that Balboa High School had7received a grant to buy textbooks that was scheduled8that was allocated prior to the article ever being9published?10A Nope. Pretty coincidental we got the stuff11after a article though.12Q So you still think it was the article that13resulted in new books appearing at the school?14A I think it was the exploitation of the school15that resulted in us getting the books at the school?16A little embarrassing. I think the money came from to buy19the books, do you have an understanding?20MS. PERRIN: Well okay, go ahead.21THE WITNESS: No.22MS. PERRIN: Well okay, go ahead.21THE WITNESS: No.22MS. PERRIN: Well okay, go ahead.21THE WITNESS: No.22MS. PERRIN: Well okay, go ahead.23that came in?	;
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24that came in?24QDid you hear from any other schools during the25MR. ROSENTHAL: Yes.25time we last met on June no, it was May	ne
25 WIN ROBENTIAL. TOS. 25 UNR We last like on Julie 10, it was iviay	
Page 614 Page	Page 616
	age oro
1MS. PERRIN: Okay.1AMay 16th?2BY MR. ROSENTHAL:2QNo, it was subsequent to that. May 25th?	
2       Q       No, it was subsequent to that. May 25th?         3       Q       Did you graduate from Balboa High School?       3       A       I just received like my financial aid awards	
4 A Yes, June 6th. 4 thingies.	,
5 Q So you're no longer attending public school in 5 Q Did you receive any scholarships to any	
6 California; is that correct? 6 schools?	
7 A That's correct. 7 A Yeah.	
8 Q You received a high school diploma obviously in 8 MS. PERRIN: Vague as to scholarships.	
9connection with graduating?9BY MR. ROSENTHAL:10A Yes.10O Do you know what a scholarship is?	
10AYes.10QDo you know what a scholarship is?11QIs it your opinion that you received an11AYes.	
12 adequate high school education? 12 Q Can you tell me where you received a	
13 MS. PERRIN: Objection, vague as to adequate and 13 scholarship from?	
14 calls for expert testimony, but you can answer. 14 MS. PERRIN: Well, can we also	
15 BY MR. ROSENTHAL: 15 MR. ROSENTHAL: Do you want her to define	
16QDid you understand the question?16scholarship?	ne
17 A I understand the question. In some classes. 17 MS. PERRIN: Yeah, I do.	ne
18 Q Overall would you say you received an adequate 18 THE WITNESS: Oh, they gave me some money 19 high school education? 19 got - oh well maybe that's not a scholarship. The	
	ney. I
of the grant ang.	ney. I
21THE WITNESS: In compared to other people's21MS. PERRIN: Right.22education, no.22THE WITNESS: That's what I got.	ney. I
23BY MR. ROSENTHAL:23MS. PERRIN: Just for the record, there's a	ney. I
24 Q So is it your opinion that you received an 24 difference between scholarships and financial aid. I	ney. I
25 inadequate high school education? 25 just want to make sure that you're testifying as to the	ney. I he
	ney. I he

Page 617         Page 617           1         right one.         address and all that stuff, and when I get all that           3         Q         A scholarship for these purposes I guess I'll         address and all that stuff, and when I get all that           3         Q         Na scholarship for these purposes I guess I'll         address and all that stuff, and when I get all that           4         A         Like mert-based.         Q         Will it be more difficult for to you supervise           5         A         Like mert-based.         Q         Will it be more difficult for to you supervise           6         A         No.         No.         No.           7         Q         No.         A         No.           8         attending college?         A         No.         No.           11         A         Yes.         Yes.         Yes.           12         Q         Can you tell me where that is?         A         Yes.           13         A Howaid University in Washington, D.C.         A         Yes.           14         A Yesh.         Q         Can you take a sense of when you're planning on noving?         A         Yes.           14         A Can you describe for me what efforts you will         A icke to supervise. you at				
2       PX MR. ROSENTHAL:         3       Q A scholarship for these purposes I guess FII         4       ask is -         5       A Like merit-based.         6       A Like merit-based.         7       Merit-based.         9       Q Right, is merit-based.         9       Q Have you decided where you're going to be attending college?         10       A Yes.         12       Q. Can you tell me where that is?         13       A Howard University in Washington, D.C., in that correct?         14       A Yes.         15       A Tike new soluto begins?         16       A Yeah.         17       Q Can you decarb ense of when you're planning on moving?         18       moving?         14       Q Can you decarb ense of when you're planning on moving?         15       A Trike tarsith and oright op unders and rest whan orientation is like that, I         16       A Trike to supervise your attomeys in connection with this         17       Q Kan you decarb for me what efforts you will         2       ask vestions, Hoid the unfair to say that you intention was to answer.         2       MS. PERRIN: Objection, vague as to supervise. Ady?         2       MS. PERRIN: Objection, vague as to supervise. Ady?		Page 617		Page 619
2       Pix MR. ROSENTHAL:       2       ask is -         3       Q Ascholarship for these purposes I guess I'll ask is -       3       Q With it be more difficult for to you supervise 4 your attorneys as a result of you moving to Howard         5       A Like merit-based.       G With is merit-based.       G With is merit-based.         6       A No.       Q Now, we have also previously discussed your         7       Q Now, we have also previously discussed your       declaration?         9       Q Have you decided where you're going to be to attending college?       A No.         11       A Yes.       I an understanding as to why you were asked to put         12       Q Can you tell me where that is?       I and understanding as to why you were asked to put         13       A Howard University in Washington, D.C.; isn't that correct?       A Yes.       Q Can you tell me where that is?         13       A Traken orientation is -because August 18th.       Q Can you describe for me what efforts you will       Q So is it unfair to say that your intention was to answer the questions being         14       are we taking about present day?       MR. ROSENTHAL: I'm itsit trying to lay the saked and answered.       Q Lat metry to rephrase it?         14       MS. PERRIN: Mack and answered.       MR. ROSENTHAL: I'm itsit trying to lay the focus of the declaration on negative aspects of Balboa High School?         14 <td>1</td> <td>right one.</td> <td>1</td> <td>address and all that stuff, and when I get all that</td>	1	right one.	1	address and all that stuff, and when I get all that
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6       A No.         7       Dright, is merit-based. Did you receive any merit-based awards to any school at this point?       A No.         9       Q Have you decided where you're going to be attending college?       A No.         9       Q Have you decided where you're going to be attending college?       Schubit 4, and 1 think 1 had assed you this question be fore, or you tell me where that is?         11       A Yes.       a noderstanding as to why you were asked to put to togethy you're planning to move to to you have a sense of when you're planning to move to q. So obviously you're planning to move to q. Q La you tell me what that correct?         16       A Yes.         17       Q Is that when school begins?         20       A Freshman orientation is - because August 18th.         21       a don't know, week.         2       Q Can you dell't me where that?         2       A res.         3       don't know, week.         2       Q So obviously reservise you attorneys in connection with this         2       Can you dell't me what efforts you will         2       case?         1	4	ask is	4	your attorneys as a result of you moving to Howard
7       mert-based awards to any school at this point?       A       No.       Q       Now, we have also priviculty discussed your         8       A       No.       C       Have you decided where you're going to be       attending college?         10       attending college?       A       Howard University in Washington, D.C.       before, but just to lay a foundation here, do you have         12       Q       Can you tell me where that is?       13       A Howard University in Washington, D.C.       Haves         14       Q       So obviously you're planning to move to       14       Q       Can you tell me what that understanding was?         15       Washington, D.C.; isn't that correct?       15       A       So obviously you're planning to move to         16       Ike they're my work and nobody else's worka.       7       Q       No intat when school begins?         21       A       Freshman orientation is like that, I       16       declaration?         21       do T know, week.       4       My intention was to answer the question's a little vague.         22       a case?       Page 618       Page 620         1       case?       Do you avan understanding that you have ange as to supervise. And       3       The wintention was to answer.       3         2       case? <td>5</td> <td>A Like merit-based.</td> <td>5</td> <td>•</td>	5	A Like merit-based.	5	•
8       A No.       8       declaration dated February 7, 2001, which we've marked         9       Q Have you decided where you're going to be       attaching college?       as Exhibit 4, and I think 1 had asked you this question         11       A Yes.       an understanding as to wty you were asked to put       as can before, but just to lay a foundation here, do you have         12       Q Can you tell me where that is?       an understanding as to wty you were asked to put         13       A Howard University in Washington, D.C.       is a Ministron, D.C.       is A Sub that whoever, like the judge or something         14       Q So obviously you're planning on       is a Saturday and fershman orientation is he that.       1         16       A Yeah.       17       Q Was it you intention vas to answer the questions being         18       rowing?       A So that whoever, like the yidge or something         19       A I reshman orientation is like that, I       G O so you have a sense of when you're planning on         12       is a Saturday and fershman orientation is like that, I       G Q So you have a sense of when you're planning on         12       is A Freshman orientation is like that, I       G Q So is it unfair to say that your intention was to any out getter a dealbaoa High School?         13       dort know, week.       G Q So is it unfair to say that you but be uso wore a understanding that you have a - <td>6</td> <td>Q Right, is merit-based. Did you receive any</td> <td>6</td> <td></td>	6	Q Right, is merit-based. Did you receive any	6	
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25       take to supervise your attorneys in connection with this       25       MS. PERRIN: I think the question's a little vague.         26       Page 618       Page 620         1       case?       1       Do you want to try to rephrase it?         2       MS. PERRIN: Objection, vague as to supervise. And are we talking about present day?       1       Do you want to try to rephrase it?         3       are we talking about present day?       3       THE WITNESS: I don't know - this probably won't answer your question much. But all I know is when I was a saked questions, I told the truth. I wasn't trying to a saked questions, I told the truth. I wasn't trying to a saked questions, I told the truth. I wasn't trying to a saked questions about something I knew about and I answered         3       A I don't get the question.       6       get anyone in trouble. I wasn't trying to a saked questions about something I knew about and I answered         4       MS. PERRIN: Asked and answered.       10       BY MR. ROSENTHAL: I'm just trying to lay the foundation.         16       MG. ROSENTHAL: That's fine.       11       Q But the focus of the declaration was unfair         18       talk about the lawsuit, okay. Not supervise in the parental sense.       10       BY MR. ROSENTHAL:         19       Dressent the questions.       11       Q Let me try to rephrase my question. Was the focus of the declaration on negative aspects of Balboa         16       MR. ROSENTHAL:<			1	
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	Page 621		Page 623
1	Q I'm just trying to figure out if this	1	complete?
2	declaration was a document that was intended to identify	2	MR. PLAINTIFF: Vague as to complete.
3	problems at Balboa High School. I'm not saying you had	3	THE WITNESS: I don't understand the question.
4	any sinister motive.	4	BY MR. ROSENTHAL:
	•	5	Q In your declaration, for example, you talk
5	A I really don't know. I don't think I fully		
6	understand what you're talking about.	6	about situations where you did not have textbooks in
7	Q Let me just give you an example. You said that	7	connection with certain classes; isn't that right?
8	like Miss Safir was a great teacher, right?	8	A Yeah.
9	A Yeah.	9	Q Was it your intention in the declaration to
10	Q That's not mentioned in the declaration, right?	10	identify all the situations where you did not have
11	A Yeah, because like who I think was a great	11	textbooks, or was it your intention to only identify
12	teacher wasn't asked.	12	some of the situations?
13	Q But you were asked things like, you know I	13	A Just say that some classes I didn't have
14	mean, I'm paraphrasing here, but were you asked things	14	textbooks, but not to go through each and every one of
15	like what are the problems that exist at Balboa High	15	them.
16	School.	16	Q So you identified some of the situations where
17	A No, I was asked stuff like	17	you didn't have textbooks and some of the situations
18	MS. PERRIN: Actually, don't say the specific	18	where you experienced other unfair conditions; is that
19	questions that your attorneys told you, but you can talk	19	right?
20	generally in your own words.	20	MS. PERRIN: In the declaration?
21	THE WITNESS: Okay. Well, I wasn't asked that.	21	BY MR. ROSENTHAL:
22	BY MR. ROSENTHAL:	22	Q In the declaration?
23	Q It might be helpful if I read back what you	23	A Yeah.
24	told me during your first day.	24	Q In our three days together you've given me a
25	MS. PERRIN: Can we go off the record?	25	lot of information and you've identified a lot of what
		e.	
[	Page 622		Page 624
1		1	•
1 2	(Pause in the proceedings.)	1	you've called unfair conditions that existed in a lot of
2	(Pause in the proceedings.) BY MR. ROSENTHAL:	2	you've called unfair conditions that existed in a lot of your individual classes. Is there some reason you
	(Pause in the proceedings.) BY MR. ROSENTHAL: Q So is it your understanding then that your	2 3	you've called unfair conditions that existed in a lot of your individual classes. Is there some reason you didn't include that in your declaration?
2 3 4	(Pause in the proceedings.) BY MR. ROSENTHAL: Q So is it your understanding then that your declaration was your opportunity to tell your story	2 3 4	you've called unfair conditions that existed in a lot of your individual classes. Is there some reason you didn't include that in your declaration? MS. PERRIN: Well, objection. She stated that she
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2 3 4	(Pause in the proceedings.) BY MR. ROSENTHAL: Q So is it your understanding then that your declaration was your opportunity to tell your story about the conditions at Balboa High School? A Well, not entirely. My understanding would be	2 3 4 5 6	you've called unfair conditions that existed in a lot of your individual classes. Is there some reason you didn't include that in your declaration? MS. PERRIN: Well, objection. She stated that she didn't actually draft the declaration. THE WITNESS: That's the only reason I didn't go
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1	Page 625	1	Page 627
1 2	unique student? MS. PERRIN: Vague as to unique.	1	your own opinion. THE WITNESS: By harmed meaning?
3	BY MR. ROSENTHAL:	3	BY MR. ROSENTHAL:
4	Q Do you understand the question?	4	Q How were you harmed by the unfair conditions?
5	A What do you mean by "unique"?	5	A Harmed physically? Harmed emotionally?
6	Q One of a kind.	6	Q Any way?
7	A Oh, yeah. Yeah.	7	A Well, my education was harmed. Like I said
8	Q Yes?	8	it's a shame I went to school for four years in my life
9	A Yeah. But I'm still I'm not that unique to	9 10	I still felt I learned more studying on my own. That's harmful. Going to school sometimes was harmful
10 11	where I can't represent everybody else. Q Why do you say that?	10	physically, it being unbearably cold or hot. And seeing
12	A I mean, because if I was that unique and	12	that nasty bird stuff on the floor made my stomach turn
13	different, I can't represent everybody I'm representing	13	sometimes. And it harmed emotionally every time I had
14	being a class representative. And although I think I'm	14	to walk in that dump.
15	a very extraordinary person, that's just due to my	15	Q But yet you got admitted to every college you
16	conceitedneess. I'm general enough to be the same as	16	applied to so far, right?
17 18	everybody else. Q You said that you were able to overcome a lot	17 18	<ul><li>A That's the exception of me.</li><li>Q Since we last met on May 25th, has anybody</li></ul>
19	of unfair conditions because of your unique abilities;	18	asked you to collect any documents regarding your
20	is that right?	20	education?
21	A Yeah.	21	MS. PERRIN: I'll actually make a representation
22	Q But not all student possess the same abilities	22	there. We have discussed it and what she had in her
23	that you do, right?	23	possession was what she had. There was nothing else
24	A Yeah, that's what makes me so exceptional.	24	from the guardian, if that's your question.
25	But I feel I shouldn't have to have been the	25	MR. ROSENTHAL: So I mean, can you make a
	Page 626		Page 628
1	one to I shouldn't have to I mean, I was going to	1	representation that a diligent search was made for the
2	one to I shouldn't have to I mean, I was going to be a exceptional person regardless. But as far as the	1 2	representation that a diligent search was made for the progress reports that we discussed?
2 3	one to I shouldn't have to I mean, I was going to be a exceptional person regardless. But as far as the school going and being able to overcome all this stuff,	3	representation that a diligent search was made for the progress reports that we discussed? MS. PERRIN: Yes.
2 3 4	one to I shouldn't have to I mean, I was going to be a exceptional person regardless. But as far as the school going and being able to overcome all this stuff, I shouldn't have to have overcame all that stuff.	3 4	representation that a diligent search was made for the progress reports that we discussed? MS. PERRIN: Yes. MR. ROSENTHAL: An updated transcript?
2 3 4 5	one to I shouldn't have to I mean, I was going to be a exceptional person regardless. But as far as the school going and being able to overcome all this stuff, I shouldn't have to have overcame all that stuff. Q So wouldn't you say that you were affected by	3 4 5	representation that a diligent search was made for the progress reports that we discussed? MS. PERRIN: Yes. MR. ROSENTHAL: An updated transcript? MS. PERRIN: Yes, everything that she had in her
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	Page 629		Page 631
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Page 629 A Economic grade probably will be (inaudible) probably will be a Q Will your grades be mailed to your where will your grades be mailed, do you have an understanding? Will they be mailed to your current residence at the transitional home? A They should be, yes. Q Do you have an understanding when you'll be receiving those? A No, I don't know. I thought I should have got them already. MR. ROSENTHAL: I'd ask that when you get those, you provide us with a copy. It's obviously responsive. Q To the extent you receive an updated transcript I don't know what the policy is, but oftentimes after you graduate school they send you a final transcript for your academic career book. We'd like to see an updated copy of the transcript as well. MS. PERRIN: Okay. THE WITNESS: I think if I do got it, that my counselors may have it, because I don't have it. But I can ask. BY MR. ROSENTHAL: Q But are your grade typically sent to where have your provent event have a unt?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Do you recall ever having to have a meeting with the dean with your guardian as a result of your tardies in connection with any class at Balboa High School? A Like my name's been on the tardy list before and I was supposed to have a meeting, but I was kind of embarrassed, you can say, I didn't have a parent or something like that to come in and meet, and so I didn't. Q You did not go to the meeting? A I couldn't. I didn't have nobody to go to the meeting on my behalf. Q You have a guardian, don't you? A Yep. She wouldn't have came. Q So did you not have any meetings with the dean about tardies? A Not no tardies, no, not that I know of. I was supposed to go to one but I didn't. Q Did anything happen as a result of that? A No. Q Do you recall when that was? A Whenever I was on the tardy list. I don't remember. Q How would you get on the tardy list?
24 25	Q But are your grade typically sent to where have your report cards been sent?	24 25	<ul><li>Q How would you get on the tardy list?</li><li>A If you was tardy like three times.</li></ul>
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	Page 630		Page 632
1	MS. PERRIN: In the past?	1	Q Three times in one class?
23	BY MR. ROSENTHAL: Q Yeah. I mean, I know you've moved around,	2	A Not classes. Like if you was tardy to school three times.
4	but	4	Q So if you were late to the opening of school?
5	A Place of residence? Oh	5	A Yeah, at 8:15, three times, then you'd be put
6	Q Have you ever received any grades at the	6	on the tardy list if they were unexcused.
7	transitional home?	7	Q We're getting close to wrapping up.
8	A Yeah.	8	
9 10	Q So is it likely you'll get your report card	9	
	there?	)	
	there? A Yeah But like I said my counselors may get	10	
11	A Yeah. But like I said, my counselors may get	10 11	
		10	
11 12 13 14	A Yeah. But like I said, my counselors may get the mail, get my report card. But I can ask though. Q I'd ask that you do that, and provide copies to Miss Perrin. And also we never got a complete copy of	10 11 12	
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<ul> <li>deposition will be signed under penalty of perjury; that</li> <li>the original will be delivered to the office of Morrison</li> <li>&amp; Foerster; that the reporter is relieved of liability</li> <li>for the original deposition; that the witness will have</li> <li>15 days from the date of the court reporter's</li> <li>transmittal letter to read and sign and correct the</li> <li>deposition; that Miss Perrin will notify all parties of</li> <li>any changes in the deposition, and if there are no such</li> <li>changes communicated or signature, that any unsigned</li> <li>copy may be used as signed and corrected?</li> <li>MS. PERRIN: Yes.</li> <li>MR. ROSENTHAL: Very good. Thank you very much for</li> <li>your time, Miss Jones.</li> <li>(Whereupon, the deposition concluded at 4:12 p.m)</li> <li>//</li> </ul>	1       STATE OF CALIFORNIA )         : ss         2       COUNTY OF ALAMEDA )         3       I, the undersigned, a Certified Shorthand         5       Reporter of the State of California, do hereby         6       certify:         7       That the foregoing proceedings were taken         8       before me at the time and place herein set forth; that         9       any witnesses in the foregoing proceedings, prior to         10       testifying, were placed under oath; that a verbatim         11       record of the proceedings was made by me using machine         12       shorthand which was thereafter transcribed under my         13       direction; further, that the foregoing is an accurate         14       transcription thereof.         15       I further certify that I am neither         16       financially interested in the action nor a relative or         19       subscribed my name.         20
Page 638          1         2         3         4         5         6         7         8         9       I, ALONDRA JONES, do hereby declare under         10       penalty of perjury that I have read the foregoing         11       transcript of my deposition; that I have made such         12       corrections as noted herein, in ink, initialed by me, or         13       attached hereto; that my testimony as contained herein,         14       as corrected, is true and correct.         15       EXECUTED this	