

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

ELIEZER WILLIAMS, et al.,) Case No.
) BC 312 236
PLAINTIFFS,)
vs.) VOLUME III
STATE OF CALIFORNIA; DELAINE EASTIN,)
State Superintendent of Public)
Instruction; STATE DEPARTMENT OF)
EDUCATION; STATE BOARD OF EDUCATION,) (Pages 450-
DEFENDANTS.) 684)

-----)

AND RELATED CROSS ACTION)

-----)

CONTINUED DEPOSITION OF:

TRAVIS KIEL
TUESDAY, JULY 03, 2001
8:44 A.M.

REPORTED BY:

DONNIE A. STICKLEY
C.S.R. 9510, R.P.R., R.M.R.

1 CONTINUED DEPOSITION OF TRAVIS KIEL, A WITNESS,
2 TAKEN BY THE STATE OF CALIFORNIA ON TUESDAY, JULY
3 03, 2001, COMMENCING AT 8:44 A.M. A.M. AT 400 SOUTH
4 HOPE STREET, TWELFTH FLOOR, LOS ANGELES, CALIFORNIA,
5 BEFORE DONNIE A. STICKLEY, C.S.R. NO. 9510, R.P.R.,
6 R.M.R.

7
8 APPEARANCES OF COUNSEL:

9
10 FOR THE PLAINTIFFS:

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12 FOR THE DEFENDANT LOS ANGELES UNIFIED SCHOOL
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25

1 INDEX

2
3 WITNESS

4
5 TRAVIS KIEL

6
7 EXAMINATION PAGE

8
9 BY MS. LHAMON 455
10

11
12 EXHIBITS

13
14 NO. PAGE DESCRIPTION

15
16 1 544 13-page document entitled School
17 Accountability Report Card for
18 1999-2000 School Year, Issued 02/01,
19 Location Code: 8596
20 2 551 13-page document entitled School
21 Accountability Report Card, Crenshaw
22 Teacher Training Academy Magnet for
23 1999-2000 School Year, Issued 02/01,
24 Location Code 8595
25

1 EXHIBITS (CONTINUED):

2
3 NO. PAGE DESCRIPTION

4
5 3 556 13-page document entitled School
6 Accountability Report Card, Crenshaw
7 Senior Highly Gifted Magnet for
8 1999-2000 School Year, Issued 02/01,
9 Location Code 8594
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11

12 INDEX TO INSTRUCTIONS NOT TO ANSWER

13
14 PAGE LINE

15
16 522 5
17 538 20
18 632 14
19 634 1
20
21
22
23
24
25

1 TRAVIS KIEL,
2 having been first duly sworn, testified as follows:

3
4 EXAMINATION

5
6 BY MS. LHAMON:

7 Q. We reswore you today because there is a new
8 court reporter.

9 Good morning, Mr. Kiel.

10 A. Good morning.

11 Q. I want to remind you that the same rules
12 apply, that we have discussed earlier in your
13 deposition, apply today.

14 Is that okay?

15 A. Yes.

16 Q. You haven't taken any medication or
17 anything else that would alter your ability to
18 testify fully and truthfully today?

19 A. Not that I know of.

20 MR. ROSENBAUM: And the vision of going to
21 Bakersfield would not influence your testimony?

22 THE WITNESS: I hope not.

23 BY MS. LHAMON:

24 Q. Well, let me know if it does, please.

25 A. If I want something more pleasant to think

1 A. Well, we have meetings there, various
2 district meetings. And I have gone back there
3 because I used to be the principal there.

4 Q. How many times have you been to Audubon
5 since you have been principal at Crenshaw?

6 A. I don't know. Maybe two.

7 Q. Okay.

8 A. Yes.

9 Q. So two times in the three years?

10 A. Right.

11 Q. And how about Manual Arts; what took you to
12 Manual Arts?

13 A. A meeting; I took a group of students for a
14 conference.

15 Q. So just the one time since you have been
16 principal of Crenshaw?

17 A. That I can recall. I'm sorry. Football
18 games now that I think about it. I have been to
19 other high schools for football games, but not
20 necessarily in the school; just to the football
21 stadium. Okay.

22 MS. GODFREY: I think I might like to
23 interpose a late objection just to the term "visit."
24 I don't know if you mean set foot on campus or any
25 length of time.

1 about, I will think about that.

2 Q. I know going to Bakersfield compares more
3 favorably to being here today.

4 A. Anyway.

5 Q. Okay. In your time as principal at
6 Crenshaw, have you had occasion to visit other
7 schools?

8 A. Yes.

9 Q. What other schools have you visited since
10 you have been principal at Crenshaw?

11 A. Visited Audubon, Manual Arts, Washington
12 Prep.

13 Q. Those are the only schools that you have
14 visited since you have been principal at Crenshaw?

15 A. Well, Hamilton High School.

16 Q. Can you think of any other schools, other
17 than those, while you have been principal at
18 Crenshaw that you visited?

19 A. That's the only ones I can think of.

20 Q. Where is Manual Arts High School?

21 A. It is in Los Angeles Unified School
22 District. It's on Robertson near the 405 freeway --
23 near the 10 Freeway.

24 Q. And starting with Audubon, what took you to
25 Audubon since you have been principal at Crenshaw?

1 THE WITNESS: I might visit in terms of
2 setting foot on campus.

3 BY MS. LHAMON:

4 Q. I appreciate the clarification. If you can
5 think of any other schools, please go ahead and let
6 me know.

7 As for Washington Prep, what took you to
8 Washington Prep since you have been principal at
9 Crenshaw?

10 A. I stopped by to visit a counselor, a friend
11 of mine; we went to college together. And I stopped
12 by to talk to him one day when I was out in the
13 area.

14 Q. Have you been there for any other purpose
15 since you have been principal of Crenshaw?

16 A. Football and basketball.

17 Q. Hamilton High School, what took you to
18 Hamilton High School, since you have been principal
19 of Crenshaw High School?

20 A. My son attends Hamilton High School, and I
21 have gone there as a parent and for meetings.

22 Q. Were those meetings related to your son or
23 were they related to your duties as principal?

24 A. Most of them were related to my son. I
25 can't think of any meetings, since I have been

1 principal at Crenshaw, that allowed me to go to
2 Hamilton to visit for district purposes.

3 Q. And how do you think that Audubon compares
4 in any way with Crenshaw High School?

5 MS. GODFREY: Objection; vague and
6 ambiguous.

7 MS. STRONG: Join.

8 THE WITNESS: Audubon is a middle school
9 and Crenshaw is a high school. And I'm not sure I
10 know what you mean when you said comparison.

11 BY MS. LHAMON:

12 Q. Okay. Thanks for letting me know.

13 How do the facilities at Audubon compare,
14 or do you think the facilities at Audubon are
15 roughly equivalent to those at Crenshaw High
16 School?

17 MS. GODFREY: Objection; vague and
18 ambiguous and compound.

19 MS. STRONG: Join; calls for speculation.

20 THE WITNESS: I would think that the
21 facilities are somewhat comparable as far as
22 grounds, halls, the campus; they are pretty much,
23 they are pretty much kept in the same manner.

24 BY MS. LHAMON:

25 Q. And does Audubon Middle School have the

1 BY MS. LHAMON:

2 Q. Do you let your son know that?

3 A. They are better than us in golf because my
4 son is on the golfing -- no.

5 I don't know. I don't know. I honestly,
6 to be honest with you, I think the Crenshaw campus
7 is cleaner than the Hamilton campus. I noticed
8 that, just as I walked through the campus, I felt a
9 little more, I felt our school was a little cleaner
10 than Hamilton High School.

11 Now that's my opinion.

12 Q. That's what I'm asking for.

13 A. Yes.

14 Q. Thanks.

15 Have you had occasion to visit classrooms
16 at Hamilton?

17 A. Yes.

18 Q. And how did you think that the classrooms
19 compared to classrooms at Crenshaw?

20 A. It depends on the teacher. Some classrooms
21 were --

22 MS. STRONG: Objection; vague as to
23 "compared."

24 THE WITNESS: Some classrooms were all
25 decorated at Hamilton and some was boring, and the

1 same number of credentialed teachers as Crenshaw
2 High School has?

3 MS. STRONG: Objection; calls for
4 speculation, and time, vague as to time.

5 MS. GODFREY: Join.

6 THE WITNESS: I don't -- okay. I don't
7 know.

8 BY MS. LHAMON:

9 Q. When you were principal at Audubon Middle
10 School, do you know if they had the same number of
11 teachers that Crenshaw now has?

12 MS. GODFREY: Objection; vague as to time.

13 MS. STRONG: Again, calls for speculation.

14 THE WITNESS: I really can't remember.

15 However, there is more teachers in Crenshaw than
16 there are at Audubon.

17 BY MS. LHAMON:

18 Q. Okay. Thanks.

19 Hamilton High School and Crenshaw High
20 School, how do the two high schools compare?

21 MS. GODFREY: Objection; vague and
22 ambiguous.

23 MS. STRONG: Join.

24 THE WITNESS: Well, we are much better than
25 them in basketball; we beat them all the time.

1 same with Crenshaw.

2 BY MS. LHAMON:

3 Q. Okay. If you had a choice between sending
4 your son to Hamilton or sending your son to
5 Crenshaw, which would you prefer to send your son
6 to?

7 MS. STRONG: Objection; his personal
8 opinion testimony is completely irrelevant to this
9 case; so beyond the scope.

10 MS. GODFREY: Yes, I would have to join.

11 I'm just not sure what the relevance is of
12 Mr. Kiel's personal preference with respect to his
13 son, you know. That's calling for some personal
14 information.

15 I'm not really sure that's relevant to
16 issues that are at bar in this lawsuit.

17 BY MS. LHAMON:

18 Q. You can answer.

19 A. I wouldn't have -- I allowed my son to
20 attend the school that he wanted to attend. His
21 friends went to Hamilton High School.

22 If I had to make a decision between
23 Crenshaw and others, I would look at the program.

24 Crenshaw has a gifted magnet program that I feel
25 very good about. Hamilton had a music academy; he

1 was a music, he played a musical instrument. But he
 2 chose to go before, because his brother had gone to
 3 Hamilton.
 4 So I don't know. I would have a problem.
 5 Let me put it like this: I wouldn't have a
 6 problem with my son going to Crenshaw if I was there
 7 as principal. And that's just my personal feelings
 8 about my son.
 9 So that's as close as I can come to an
 10 answer to that.
 11 Q. Okay. Thank you.
 12 Have you heard of the Learning Walk?
 13 A. Yes.
 14 Q. Have you participated in the Learning Walk?
 15 A. Very -- I went to one training session at
 16 the, I can't remember the hotel, but it was
 17 downtown. I think it was the old Hilton, but it may
 18 be something else now. I don't know. And we spent
 19 a day in training for that Learning Walk; that's
 20 all. And we haven't had any followups on that.
 21 Q. And what is the Learning Walk?
 22 A. Learning Walk is a process whereby
 23 administrators can walk through, or not just
 24 administrators, but people walk through the
 25 classes. And they teach you how to observe what's

1 going on in a very short period of time, as far as
 2 whether the teachers are using standards based
 3 instruction or teaching methods. And so you get the
 4 --
 5 So it's actually an evaluation process of
 6 what's happening in the classroom. And you look,
 7 it's a technique for observing and evaluation. And
 8 if, later on if you are the principal of a school,
 9 not a visitor, it would be a situation to offer
 10 guidance and assistance to the teacher.
 11 Q. And have you gone on any Learning Walks?
 12 A. I haven't gone on a Learning Walk. Our
 13 district was in the process of training, and we have
 14 only had that one day.
 15 Q. Okay. And when you say "our district," do
 16 you mean LAUSD as a whole?
 17 A. I'm using it interchangeably. L.A.
 18 district as a whole is in training, but I'm pretty
 19 much referring to the local District G.
 20 Q. And so to your knowledge, no principal in
 21 local District G has actually gone on the Learning
 22 Walk yet?
 23 A. I don't know that; I don't know that.
 24 Q. Okay. Has the Learning Walk gone through
 25 Crenshaw High School?

1 A. No.
 2 Q. So you haven't had a chance to benefit from
 3 the Learning Walk from other people visiting your
 4 school?
 5 A. No.
 6 MS. STRONG: Objection; vague and
 7 ambiguous, misstates testimony.
 8 BY MS. LHAMON:
 9 Q. Are there other trainings scheduled
 10 relevant to Learning Walk?
 11 MS. GODFREY: Objection; vague and
 12 ambiguous.
 13 THE WITNESS: Yes, I'm sure there is.
 14 MS. GODFREY: She isn't asking you if you
 15 were sure. She asked if you knew, what your
 16 understanding was.
 17 THE WITNESS: Okay. I don't know if any is
 18 scheduled at the time.
 19 BY MS. LHAMON:
 20 Q. You are not scheduled to go to any further
 21 trainings to the Learning Walk?
 22 A. Not currently.
 23 Q. What did you think of the Learning Walk
 24 from the training that you did go to?
 25 MS. STRONG: Objection; vague and

1 ambiguous.
 2 MS. GODFREY: Join.
 3 THE WITNESS: I think it's another process
 4 for evaluating instruction in the classroom. There
 5 are several techniques that you can use, but that's
 6 as good as any, I think.
 7 BY MS. LHAMON:
 8 Q. What are some other techniques that you
 9 know about to evaluate learning in classrooms?
 10 MS. GODFREY: Objection; vague and
 11 ambiguous.
 12 THE WITNESS: Well, you go into the
 13 classroom and you sit with, sit down and observe
 14 what's going on to see if the kids are involved and
 15 active; see if the teacher is teaching from using
 16 standards based instruction; see if the kids are
 17 involved in the teaching process or in the learning
 18 process, and whether or not she's using a variety of
 19 techniques to spark the interest of the students.
 20 BY MS. LHAMON:
 21 Q. Have you ever seen training in that method
 22 of evaluating what's going on in the classroom?
 23 A. Yes.
 24 MS. STRONG: Objection; vague.
 25 BY MS. LHAMON:

1 Q. When did you receive that training?
 2 A. All my career, 32 years of it, including
 3 college.
 4 Q. Okay. And have you received any formal
 5 training in that form of evaluation?
 6 MS. GODFREY: Objection.
 7 MS. STRONG: Objection; vague.
 8 MS. GODFREY: And ambiguous.
 9 THE WITNESS: Formal training outside of
 10 the universities? Conferences.
 11 And I don't know. I'm not quite sure when
 12 you say formal training.
 13 BY MS. LHAMON:
 14 Q. I don't mean outside of the university and
 15 conferences.
 16 I mean, have you received any training that
 17 is specific to that form of evaluation in the
 18 classroom?
 19 MS. GODFREY: Same objection.
 20 THE WITNESS: I can't think of, I can't
 21 think of the last training that I have attended
 22 right now.
 23 BY MS. LHAMON:
 24 Q. At any time?
 25 A. In our meetings, principals' meetings, we

1 talk about techniques. We talk about, we go to
 2 conferences. I went to Educating the Black Child
 3 Conference sometime in June; maybe it was June, the
 4 first weekend in June, the second week. I can't
 5 remember the exact date. We talked about educating
 6 the black child; talked about techniques. There was
 7 several workshops that you could go in to attend.
 8 I went to a conference in Atlanta,
 9 Georgia. I can't remember the exact dates, but it
 10 would have had to have been the first year that I
 11 was principal at Crenshaw. So it must have been in
 12 '99. And there I learned from a gentleman by the
 13 name of Harry Long, who was very impressive. And he
 14 talked about teachers, of helping teachers, having a
 15 program to help teachers, new teachers to your
 16 school.
 17 And I use some of that information to
 18 assist the new teachers at Crenshaw.
 19 Q. When you say you went in June to the
 20 Educating the Black Child Conference in June of
 21 2001 --
 22 A. Yes.
 23 Q. -- where was that conference?
 24 A. At the Marriott.
 25 Q. Here in Los Angeles?

1 A. Yes, at the Airport Marriott.
 2 Q. And who organized that conference?
 3 A. A group called Council of Black
 4 Administrators.
 5 Q. Was that conference a required conference
 6 for you?
 7 MS. STRONG: Objection; vague.
 8 THE WITNESS: No.
 9 MS. GODFREY: Join.
 10 BY MS. LHAMON:
 11 Q. What made you decide to go?
 12 A. Well, they give scholarships. There was a
 13 combination of conference and a scholarship, and I
 14 have just attended that over the years. I went
 15 because I wanted to go to the council.
 16 Q. They gave scholarships to students at the
 17 school?
 18 A. To the students at schools. Kids have to
 19 apply for these scholarships across the district;
 20 it's not guaranteed to any one school. They have a
 21 scholarship committee, and the kids apply.
 22 Q. And you said that you went because you
 23 wanted to?
 24 A. Yes.
 25 Q. Why? I'm sorry.

1 Why did you want to go?
 2 A. To support the organization, because I'm a
 3 member of the organization, and to learn new
 4 techniques or strategies; that there was a speaker
 5 that I was interested in hearing; and to support the
 6 scholarship program the organization offers to kids,
 7 needy students.
 8 Q. Who was the speaker you were interested to
 9 hear?
 10 A. Dr. Ernest Smith. He is a doctor, well, I
 11 don't know where from. I think he practices at King
 12 Drew over at Martin Luther King Hospital.
 13 Q. What was the topic of his talk?
 14 A. The topic of his talk was, the title of his
 15 workshop is parenting and how to successfully
 16 prepare your kids.
 17 Q. Did you find it helpful to you as principal
 18 to go to that topic?
 19 MS. GODFREY: Objection; vague.
 20 MS. STRONG: Join.
 21 THE WITNESS: I found it stimulating, yes.
 22 BY MS. LHAMON:
 23 Q. And what about it was stimulating?
 24 A. Well, we got to hear from a lot of people,
 25 parents in the audience, to talk about their

1 experiences in raising their children.

2 And one of the things that I tend to
3 believe is that, our value system structure, the
4 values that students are getting there is not, it
5 has a problem -- there is a problem with the value
6 structure. And so I, and I'm always, I always want
7 to find out and look for ways to work towards
8 improving the value system. That's one of the
9 things that I feel that our system, our society has
10 lost its value structure that comes from parents. I
11 think the family structure has broken down.

12 And, therefore, a number of kids, as we
13 know them at our instructional program and our
14 educational system, is not able to cope with some of
15 the values kids have and where our kids are getting
16 their, who should give kids their values. I think
17 that's an area that we really need to focus on as
18 educators and as a society in the home.

19 And so I was, I went to -- I'm always
20 interested in those type of issues. And whenever I
21 can hear somebody speak about those types of issues,
22 I go and listen.

23 Q. You said you went to the conference because
24 you hoped to learn.

25 Was that the topic principally what you

1 So the answer to the question is: No.

2 BY MS. LHAMON:

3 Q. Okay. Has there been any particular thing
4 that's been important to you when selecting schools
5 at which to be an administrator?

6 MS. GODFREY: Objection; assumes facts not
7 in evidence and vague and ambiguous.

8 MS. STRONG: Vague and ambiguous.

9 THE WITNESS: I can't -- I know I went to,
10 I have tried to get a variety of experiences, so I
11 have gone to different communities and different
12 schools and middle schools and high schools in
13 different areas of the City. And sometimes you are
14 assigned to schools by the superintendent who will
15 ask you to go to the school. So you don't always
16 just have your choice of where you want to go.

17 So I would say that my desire has been to
18 get a well-rounded experience throughout the schools
19 and throughout the community in the City.

20 BY MS. LHAMON:

21 Q. Have you satisfied that desire in your
22 experience as an administrator?

23 A. Yes.

24 Q. I'm going to turn to some of the specifics.
25 On your first day -- I'm sorry -- your

1 learned from the conference?

2 A. Yes.

3 Q. And you said you are a member of the
4 organization, Council of Black Administrators.

5 How long have you been a member?

6 A. Since I have been administrator, which was
7 approximately -- a lot of years. More than 15.

8 Q. What does that membership involve?

9 A. Paying your dues. Paying your dues;
10 seeking information; ways to ensure that
11 African-American students get a fair play; to level
12 the playing field; to assist administrators,
13 African-Americans administrators to work in
14 improving life for all children, but with a focus on
15 African-American students.

16 Q. Have you, when selecting schools at which
17 to be an administrator, has it been important to you
18 that the students be African-Americans?

19 MS. GODFREY: Objection; assumes facts, and
20 vague and ambiguous.

21 MS. STRONG: Join.

22 THE WITNESS: No. I am an educator that
23 happens to be African-American. Whether they are --
24 kids are kids. I find out they all need to be
25 taught and they all need to learn.

1 deposition last Friday, so on your second day of
2 deposition, you listed textbooks as among things
3 that you believe a child needs to learn.

4 Why are textbooks important?

5 MS. STRONG: Objection; I believe it
6 slightly misstates the testimony.

7 MS. GODFREY: I'm going to object as vague
8 and ambiguous, and may even call for a narrative.

9 BY MS. LHAMON:

10 Q. You can answer.

11 A. Repeating your question, why do I think
12 textbooks are important?

13 Q. That's right.

14 A. Okay. Well, I think textbooks is an aid to
15 assist students in learning. There are a number of
16 things that you can use to assist kids in learning,
17 and textbooks is certainly one of them. So I think
18 it's important that your students have textbooks.
19 And that's why I think textbooks are important.

20 Q. Okay. Thanks for clarifying.

21 You also list teachers among things that
22 you think are important for kids for learning.

23 Why are teachers important?

24 MS. GODFREY: Objection; vague and
25 ambiguous and calls for a narrative.

1 MS. STRONG: Also objection to the extent
2 that it's asking for anything other than his
3 personal opinion testimony, which is irrelevant to
4 this case.

5 THE WITNESS: I think teachers are
6 important because you have to, I think that it's a
7 process of having knowledge and being able to -- I
8 think it's the same, I think it is as -- teachers
9 are important just like parents in raising
10 children. You have to teach kids to be adults as a
11 subject matter. And how would kids learn if they
12 didn't have teachers. So that's why I think it's
13 important to impart information to the students, to
14 be a guiding force for students to learn.

15 BY MS. LHAMON:

16 Q. And are you basing that on your experience
17 as an educator?

18 A. I'm basing that on my experience of a human
19 being and going to college and being an
20 administrator and a teacher over the last 50 years.

21 Q. What makes an effective teacher?

22 MS. GODFREY: Objection; vague and
23 ambiguous.

24 MS. STRONG: Calls for expert testimony;
25 calls for speculation.

1 irrelevant to the case.

2 THE WITNESS: I think experience,
3 experience -- experience is like anything else; it's
4 like driving, you need, the more you do something
5 the better you get at it, the more prepared. If you
6 have some failures, if you try a technique and it
7 doesn't work, you get more to draw from, from your
8 experiences. You make mistakes; you improve upon
9 them.

10 So those are the things that experience
11 lends as to why experience is important.

12 I just think that the more you cross the
13 road the better you are going to be at crossing the
14 road. You got to look both ways. And you get hit,
15 or you almost get hit, you will, the next time you
16 will definitely look both ways to make sure no car
17 is coming.

18 So experience is important. Certainly when
19 it comes to a doctor, you wouldn't want a rookie
20 versus a guy who had a number years of experience at
21 operating or doing open heart surgery, the first
22 time versus a person who has done it a couple times
23 successfully, which one would you choose.

24 So I think experience, those are the
25 reasons I think experience is important.

1 THE WITNESS: I think what makes an
2 effective teacher is a person that knows the subject
3 matter; persons that have a knowledge of the
4 community and students that they are teaching, and
5 one who cares. I think caring is a major part of an
6 effective teacher, caring that they are trying to
7 reach all students within the classroom, being
8 prepared to teach every day.

9 BY MS. LHAMON:

10 Q. Can you think of anything else?

11 A. Let's see. What I said, knowledgeable,
12 skilled, caring, prepared; I think that those are
13 terms that describe an effective teacher.

14 Q. Do you think that experience matters to
15 teaching?

16 MS. STRONG: Objection; vague.

17 MS. GODFREY: Join.

18 THE WITNESS: Yes, I think experience
19 matters.

20 BY MS. LHAMON:

21 Q. And how does it matter?

22 MS. GODFREY: Objection; vague and
23 ambiguous.

24 MS. STRONG: Object to the extent it calls
25 for anything beyond his opinion testimony, which is

1 BY MS. LHAMON:

2 Q. What qualities do you look for in teachers
3 at Crenshaw?

4 MS. GODFREY: Objection; vague and
5 ambiguous.

6 MS. STRONG: Join in the objection.

7 MS. GODFREY: Can you repeat the question?

8 BY MS. LHAMON:

9 Q. I said:

10 What qualities do you look for in teachers
11 at Crenshaw?

12 MS. STRONG: Same objection.

13 As part of the process or as principal?

14 Just vague and ambiguous.

15 THE WITNESS: In the selection process?

16 BY MS. LHAMON:

17 Q. That's what I mean.

18 A. Well, you look for certainly experience, if
19 they have any. You look for, you look at their
20 ability to do the course work that they are
21 teaching. You look for experience, to see if they
22 have any experience in teaching; that certainly
23 would be desirable. But you also look to try to
24 find a sophisticated person to cover a classroom, to
25 cover the classes.

1 You look for diction; see if they can speak
2 well. Try to ask questions to see if they think on
3 their feet. You ask them in that regard how they
4 would handle things, to let them express
5 themselves. You have the manuals, but you also just
6 try to determine whether or not they have experience
7 in and are able to handle the classroom work with
8 students.

9 Q. Can you think of anything else?

10 A. No. I think that's all I can think of
11 right now.

12 MS. GODFREY: Could we take a break for a
13 minute?

14 MS. LHAMON: Sure.

15 (Recess taken.)

16 MS. LHAMON: We can go back on.

17 BY MS. LHAMON:

18 Q. During your deposition last Friday, you
19 described some teacher training programs at Crenshaw
20 for new teachers.

21 Who qualifies as a new teacher for purposes
22 of those training programs?

23 MS. STRONG: Objection; calls for
24 speculation.

25 MS. GODFREY: It's vague as to time.

1 it.

2 But can I really go and say that it helped
3 this person? I don't know that. I would sure like
4 to think that it does.

5 Q. And when you say you don't know for sure,
6 why do you say that?

7 A. Because I don't go and give them a test and
8 say that, you know, are you, did this help you.

9 We did some staff development on standards
10 based instruction, and teachers did start posting
11 standards in their classroom and posting them on the
12 board as they actually taught.

13 So I would say that would be a management
14 tool.

15 Q. Okay. What do you do to try to recruit
16 teachers at Crenshaw?

17 MS. GODFREY: Objection; assumes facts not
18 in evidence -- well, I should qualify that.

19 I wasn't here for the other two days. If
20 there was some testimony that Mr. Kiel gave about
21 recruitment efforts at Crenshaw, I would apologize.

22 But objection; it assume facts, vague and
23 ambiguous.

24 MS. STRONG: And also asked and answered.

25 MS. GODFREY: Oh.

1 Are you speaking about this school year or
2 what specific school year?

3 BY MS. LHAMON:

4 Q. Go ahead.

5 A. We like to have all -- there is a segment
6 for all new teachers at Crenshaw and then there is
7 segments for teachers that are new to teaching
8 totally.

9 Q. Okay. So you have different programs for
10 both sets of teachers?

11 A. The same program; just that one deals with
12 pieces, that you deal with, with people new to
13 teaching, with people that's new to Crenshaw.

14 Q. Thank you.

15 Do you notice that professional development
16 assists teachers?

17 MS. GODFREY: Objection; vague and
18 ambiguous.

19 MS. STRONG: Join.

20 THE WITNESS: Do I notice or do I know?
21 I'm sorry. I didn't get that.

22 BY MS. LHAMON:

23 Q. I asked if you notice.

24 A. Oh. You know, I don't know. I know we get
25 all excited and we present it, and we go through

1 THE WITNESS: We have a couple programs we
2 try that allows teachers or students from colleges
3 to do student teaching at Crenshaw, and hope that
4 they do a good job, then we will keep them. That's
5 one of the things that we do.

6 We go, I have gone out to UCLA to visit
7 with the personnel specialists to meet new college
8 graduates that's in education to try and to select
9 and encourage them to come to Crenshaw.

10 That's all I can think of.

11 BY MS. LHAMON:

12 Q. You anticipated my next question.

13 The student teachers who teach at Crenshaw,
14 were they students?

15 MS. GODFREY: Objection; vague and
16 ambiguous.

17 MS. STRONG: Calls for speculation.

18 THE WITNESS: From UCLA.

19 BY MS. LHAMON:

20 Q. Exclusively or at other schools that were
21 also students?

22 A. We are trying to get Mary Mount Loyola
23 students. But right now, we just have UCLA.

24 Q. Why don't you, how come you don't have any
25 Loyola students, do you know?

1 A. We have met with the director, and we are
 2 trying to make that happen. I don't know. Maybe
 3 because we haven't tried. Or I don't know why.
 4 Q. Okay. After you --
 5 Well, when do you go to UCLA to meet with
 6 new college graduates?
 7 MS. GODFREY: Objection; assumes facts.
 8 MS. STRONG: Vague as to time.
 9 THE WITNESS: Sometime in the month of May.
 10 BY MS. LHAMON:
 11 Q. Is that a month?
 12 A. Yes.
 13 Q. So you went this last May?
 14 A. I didn't go this last May.
 15 Q. Did someone go in your stead from Crenshaw?
 16 A. No, no.
 17 Q. Did you go at any other time or you just
 18 didn't go this year?
 19 A. I just didn't get to go this year.
 20 Q. In the past, did you go the past two years
 21 to meet with recent graduates?
 22 A. Yes.
 23 Q. And after those two years, did you see
 24 applicants from that pool?
 25 A. Yes.

1 Q. Did you hire any?
 2 A. No.
 3 Q. Did you offer any jobs?
 4 A. Yes.
 5 Q. And they just didn't come?
 6 A. That's correct.
 7 Q. Do you know why they didn't come?
 8 MS. GODFREY: Objection; calls for
 9 speculation.
 10 MS. STRONG: Join to the extent it's beyond
 11 a yes or no question.
 12 THE WITNESS: No, I don't,
 13 BY MS. LHAMON:
 14 Q. They didn't tell you why they didn't come?
 15 A. No.
 16 Q. Did you make inquiry to find out why they
 17 didn't come?
 18 A. Not really, no, I didn't.
 19 Q. How come you didn't?
 20 A. Because I was too busy trying to get people
 21 that would come and help them.
 22 Q. And given the lack of success in the last
 23 two years from going to that program, do you expect
 24 to go again next year to the UCLA program?
 25 MS. GODFREY: Objection; misstates prior

1 testimony.
 2 MS. STRONG: Join.
 3 THE WITNESS: Yes, I expect to go.
 4 BY MS. LHAMON:
 5 Q. Okay. Is that because hope springs
 6 eternal?
 7 MS. STRONG: I didn't hear that.
 8 (The record was read as follows:
 9 Is that because hope springs
 10 eternal?)
 11 MS. STRONG: Objection; vague.
 12 THE WITNESS: I don't know. I still
 13 continue to try every technique that I can to get
 14 teachers.
 15 BY MS. LHAMON:
 16 Q. Why are you trying every technique that you
 17 can to get teachers?
 18 A. Because you have classrooms that you need
 19 teachers; you need teachers at the school. And
 20 that's why we will try to get them, because you need
 21 teachers.
 22 Q. And if you didn't engage in teacher
 23 recruitment, what would happen?
 24 MS. GODFREY: I'm sorry? What was the
 25 first part of the question?

1 BY MS. LHAMON:
 2 Q. And if you didn't engage in teacher
 3 recruitment, what would happen?
 4 MS. GODFREY: Objection.
 5 MS. STRONG: Objection.
 6 MS. GODFREY: Assumes facts and vague and
 7 ambiguous.
 8 MS. STRONG: Calls for speculation;
 9 incomplete hypothetical.
 10 MS. GODFREY: Join.
 11 THE WITNESS: I think that part of the task
 12 that principals have is to try to staff the school.
 13 So from a district office, you list openings, and
 14 they refer people out. You still have to interview
 15 them.
 16 So the district would say: Here are the
 17 candidates.
 18 BY MS. LHAMON:
 19 Q. Okay. Do you talk to other principals
 20 about what they do to recruit teachers?
 21 MS. STRONG: Objection; vague as to time.
 22 THE WITNESS: Yes.
 23 BY MS. LHAMON:
 24 Q. To whom have you spoken about recruiting
 25 teachers?

1 A. Margaret Lamont, principal of Washington
 2 Prep; Wendell Greer, Yolanda Anderson.
 3 That's all I can think of.
 4 Q. Where is Wendell Greer a principal?
 5 A. He is principal at Manual Arts.
 6 Q. Where is Yolanda Anderson a principal?
 7 A. She is principal at Audubon Middle School.
 8 Q. What has Margaret Lamont told you about her
 9 efforts to recruit principals?
 10 A. Nothing.
 11 Q. I'm sorry. I thought that you told me you
 12 spoke to her about efforts to recruit principals; is
 13 that not correct?
 14 A. I never spoke to her about efforts to
 15 recruit principals.
 16 MR. ROSENBAUM: You said efforts to recruit
 17 principals.
 18 BY MS. LHAMON:
 19 Q. I mean teachers.
 20 What has Margaret Lamont told you about her
 21 efforts to recruit teachers?
 22 A. That she visited colleges. She was going
 23 to a number of colleges and she tries to, she has
 24 gone on the internet. That was I think, if I
 25 remember the conversation, that was the biggest

1 thing that I remember that she said was something
 2 new that she had done.
 3 BY MS. LHAMON:
 4 Q. Have you tried going on the internet
 5 yourself?
 6 A. Yes.
 7 Q. Has that yielded teachers for Crenshaw?
 8 MS. STRONG: Objection; calls for
 9 speculation.
 10 THE WITNESS: Yes.
 11 BY MS. LHAMON:
 12 Q. How many teachers has that yielded?
 13 A. Two.
 14 Q. And when did you first go on the internet?
 15 A. I don't remember. I know -- I can't
 16 remember if it was the last school year or this
 17 school year.
 18 Q. And what did Wendell Greer tell you about
 19 his efforts to recruit teachers?
 20 A. I can't really remember the details of the
 21 conversation. I do know we have discussed teacher
 22 recruitment, and just kind of shared some ideas and
 23 thoughts which we, which were some of the things
 24 that we were encountering as it relates to
 25 recruiting teachers. But I can't remember if he

1 gave me any specific thing that he was doing that
 2 helped me.
 3 Q. And how about Yolanda Anderson, what did
 4 she tell you about her efforts to recruit teachers?
 5 A. I remember discussing it with her, because
 6 I had worked at that school prior to going to
 7 Crenshaw. And she was just telling me that the
 8 number of people that come in sometime off the
 9 street that's not prepared and how difficult it is
 10 to get teachers with experience.
 11 Q. Do you agree with that statement?
 12 A. I don't remember whether I agreed with it
 13 or not.
 14 Q. Do you agree with it now?
 15 A. It's difficult to find teachers with
 16 experience.
 17 Q. Can you tell me about the internet searches
 18 you have done for teachers at Crenshaw?
 19 MS. GODFREY: Objection; assumes facts and
 20 vague and ambiguous.
 21 MS. STRONG: And calls for a narrative.
 22 THE WITNESS: We have a Staff Selection
 23 Committee. And one of the chair persons of the
 24 Staff Selection Committee went on the internet. And
 25 as a result, we got two applicants and set up

1 interviews.
 2 BY MS. LHAMON:
 3 Q. And you hired both of them?
 4 A. Yes.
 5 Q. Did those teachers have teaching
 6 credentials?
 7 MS. GODFREY: If you know.
 8 THE WITNESS: I don't know. I know that if
 9 they came from the district, the district don't
 10 allow anyone to be processed; our teachers are
 11 processed through the district, at the district
 12 office. And they don't allow anyone to be processed
 13 without a credential.
 14 BY MS. LHAMON:
 15 Q. And that includes emergency credentials?
 16 A. That's correct.
 17 Q. And you don't know if those teachers, who
 18 came from the internet search, had emergency
 19 credentials?
 20 A. I don't remember whether they had
 21 credentials or emergency credentials.
 22 Q. Okay. What subject areas did those two
 23 teachers, who came to your school from the internet,
 24 teach?
 25 MS. GODFREY: Hold on a second.

1 I'm just concerned about being able to
2 identify specific teachers and whether or not they
3 were credentialed or had emergency credentials as
4 being some form, or being a form or something that
5 would be protected by the personal privilege or
6 privacy right.

7 So if I can just ask him a question, I
8 think I can maybe let him answer that question.

9 MS. LHAMON: Okay. Let me tell you that
10 credentialed teachers are a matter of record, and
11 that information is available from the district, so
12 it's not private.

13 MS. GODFREY: Whether or not a teacher has
14 credentials, a specific teacher, not the number of
15 credentialed teachers at school.

16 MS. LHAMON: Where they teach is a matter
17 of public record, and it's not private material.

18 MS. GODFREY: You can answer the question.

19 Maybe she needs to read the question back
20 to you.

21 Would you read it back.

22 (The record was read as follows:

23 What subject areas did those two
24 teachers, who came to your school
25 from the internet, teach?)

1 BY MS. LHAMON:

2 Q. When I ask you about "you," I'm asking
3 about you personally.

4 That's one of the steps you follow.

5 MS. GODFREY: So you need to identify
6 teachers --

7 BY MS. LHAMON:

8 Q. So if I am asking --

9 MS. GODFREY: So you need to identify --

10 BY MS. LHAMON:

11 Q. You as a --

12 MS. LHAMON: If you will let me finish
13 before you start talking.

14 MS. GODFREY: I'm sorry. I thought I did.

15 THE WITNESS: What is the question on the
16 floor?

17 BY MS. LHAMON:

18 Q. What are the steps you follow to identify
19 the need for teachers at Crenshaw High School?

20 MS. GODFREY: Objection; vague and
21 ambiguous and assumes facts not in evidence.

22 MS. STRONG: Join.

23 THE WITNESS: Well, you have a master
24 schedule; you have a list of subjects that you
25 offer. You look at the number of teachers that's

1 MS. GODFREY: Objection; assumes facts.

2 MS. STRONG: Could we take a break?

3 BY MS. LHAMON:

4 Q. I have got a question pending, so you need
5 to answer the question first.

6 A. If I remember correctly, and I'm not
7 absolutely sure because we interview a lot of
8 teachers, I think one was math and Spanish I think.
9 I'm not absolutely sure.

10 Q. Okay. Thank you.

11 Do you need a break, Mr. Kiel, or are you
12 fine to keep going?

13 A. I'm fine.

14 MS. STRONG: We are fine.

15 THE WITNESS: I'm fine.

16 BY MS. LHAMON:

17 Q. What are the steps you follow to identify a
18 need for teachers at Crenshaw High School?

19 MS. GODFREY: Objection; assumes facts,
20 vague and ambiguous.

21 And I would like to clarify something for
22 the record.

23 When you ask Mr. Kiel "you," are you asking
24 him personally or are you asking as to Crenshaw High
25 School?

1 needed; the number of students to be served; the
2 subject matter.

3 It's usually pretty much a pattern now,
4 because you have the same subjects. And if English
5 teachers resign or retire or get married and leave
6 the City, you know you need to fill that position.
7 So it's not rocket science. You just fill the
8 vacancies that people usually leave.

9 And so you look at the board and say:
10 Okay; this Spanish teacher is leaving; you need to
11 find a Spanish teacher. This social studies teacher
12 is leaving; we need to find a social studies
13 teacher.

14 So we list those vacancies as soon as we
15 know them. We try to send out a survey to ask
16 teachers are you returning; are you retiring; are
17 you resigning, and as early as possible to establish
18 how many vacancies we need to fill.

19 And that's pretty much the way we do it.

20 BY MS. LHAMON:

21 Q. Is there a time in the school year when the
22 school sends out this survey to teachers to ask them
23 if they intend to return?

24 A. Uh-huh. Yes.

25 Q. When is that time?

1 A. We try to send it out in May for the
2 upcoming school year.
3 Q. When do you get the responses to those
4 surveys?
5 A. We put a timeline on. We usually ask for
6 them back within a week, five to seven days.
7 Q. And do teachers respond promptly?
8 A. I was very pleased with the response. It
9 has really helped. That's one of the things that I
10 have been proud of at our school as principal that
11 we have started to identify to start trying to
12 recruit teachers as early as possible.
13 Q. And so if you know in May or in June how
14 many teachers do not plan to return to the school in
15 the fall, do you have enough time to recruit
16 teachers for the next year?
17 MS. GODFREY: Objection; vague as to time,
18 and assumes facts, and misstates prior testimony.
19 THE WITNESS: I think it's adequate time,
20 yes; I think we have adequate time.
21 BY MS. LHAMON:
22 Q. You said that you were proud at Crenshaw
23 that the school has instituted this survey.
24 Did the survey not exist before you became
25 principal?

1 A. I don't know.
2 Q. Why is it that you are proud of it?
3 A. I don't know. In all my years of
4 experience, a lot of times I remember as assistant
5 principal and principal, and just growing up through
6 the district, we didn't find out people were not
7 coming back until late in the summer. And so now if
8 we can know, the sooner we know the better.
9 So I was proud that a number of people
10 stepped up and said I'm not coming back or I have
11 passed the allowance exam, and I'm not, you know.
12 Just everybody identifies reasons why they weren't
13 coming back. And I was pleased to be able to get a
14 good, solid number.
15 So that's why I said I was proud.
16 Q. Thanks. I appreciate the clarification.
17 When teachers have told you that they don't
18 plan to come back, have you ever tried to convince
19 the teacher to stay?
20 A. I don't know if I have tried to convince
21 them to stay. I would ask them to explain why they
22 are leaving. I have certainly wanted some to stay.
23 Q. What have teachers told you about why they
24 leave?
25 MS. GODFREY: Objection; compound, vague

1 and ambiguous.
2 MS. STRONG: Join.
3 THE WITNESS: Okay. Some of them retire.
4 Some of them are pregnant; you can see why they are
5 not coming back. Some move; some go to different
6 jobs. Some realize that teaching is not for them
7 for a variety of reasons.
8 No set reason as to why; a number of
9 reasons.
10 BY MS. LHAMON:
11 Q. Are those all the reasons that you heard
12 from teachers about why they leave Crenshaw High
13 School?
14 A. That's all I can think of right now.
15 Q. Do you know of any other principals'
16 teacher recruitment practices that you do not
17 follow?
18 MS. GODFREY: Objection; vague and
19 ambiguous.
20 THE WITNESS: I'm sorry. I didn't
21 understand the question.
22 BY MS. LHAMON:
23 Q. Okay. You said that you have talked to a
24 few other principals about what they do to
25 recruit teachers to their campuses.

1 And I'm wondering if you know from any
2 other principals about things that they do to
3 recruit teachers to their campuses that you have
4 elected not to do?
5 MS. STRONG: Objection; he already
6 testified he doesn't remember speaking to any other
7 principals about this issue.
8 THE WITNESS: I can't think of anything.
9 BY MS. LHAMON:
10 Q. You can't think of anything that they do
11 that you don't do?
12 A. That's correct.
13 Q. Do you know, do you know if other schools
14 in LAUSD have the same success in recruiting
15 teachers that you have at Crenshaw High School?
16 MS. GODFREY: Objection; vague, ambiguous
17 and compound.
18 MS. STRONG: Join.
19 THE WITNESS: I don't know.
20 BY MS. LHAMON:
21 Q. Okay. Have you heard about any particular
22 schools in the school district, and I'm talking
23 about the LAUSD-wide school district, that have
24 particular difficulty in recruiting teachers to
25 their campuses?

1 MS. STRONG: Objection; vague and
2 ambiguous.
3 THE WITNESS: I don't know. I'm too busy
4 with my school. I really don't know.
5 BY MS. LHAMON:
6 Q. Okay. Do you know if other schools in the
7 state have the same success in recruiting teachers
8 that Crenshaw High School has?
9 MS. GODFREY: Objection; calls for
10 speculation.
11 MS. STRONG: Join.
12 THE WITNESS: I don't know.
13 BY MS. LHAMON:
14 Q. Okay. Is that also considered true at
15 Crenshaw school?
16 A. And I am playing golf and raising a son and
17 with an ailing mother; all the things that people
18 have to do.
19 Q. So that's --
20 A. Yes.
21 Q. Are there particular subjects for which you
22 have trouble recruiting teachers at Crenshaw High
23 School?
24 MS. GODFREY: Objection; misstates the
25 testimony and assumes facts not in evidence.

1 MS. STRONG: Vague and ambiguous.
2 THE WITNESS: Yes
3 BY MS. LHAMON:
4 Q. What subject are those?
5 A. Math and science.
6 Q. Why is it that you have trouble recruiting
7 teachers for math and science?
8 A. According to the university professors, and
9 I don't know their names, I read this article
10 somewhere --
11 MS. GODFREY: Hold on a second.
12 MR. ROSENBAUM: No. You don't tell that to
13 a witness while the witness is talking. Most of
14 your objections are unprofessional and
15 inappropriate, but you do not cut off a witness when
16 he is beginning to answer.
17 MS. STRONG: Mr. Rosenbaum, I don't think
18 it's appropriate to have two counsel objecting and
19 asking the questions here today. I don't think you
20 have got a place to speak.
21 MR. ROSENBAUM: I have a professional
22 responsibility to stop a lawyer when she cuts off
23 her responding witness.
24 MS. STRONG: I think Ms. Lhamon can handle
25 it on her own if she feels it's appropriate.

1 MS. GODFREY: Okay.
2 MR. ROSENBAUM: Please finish your answer,
3 sir.
4 MS. GODFREY: I would make the statement
5 that we are not going to have tag teaming here.
6 There is one person conducting the deposition, and
7 that's the way it's going to be. And if that's
8 Ms. Lhamon, I would appreciate that the deposition
9 be conducted just by Ms. Lhamon.
10 Now I would like to respond to your
11 objection.
12 You know, I believe that my objections have
13 been appropriate and professional, and I'm entitled
14 to make them for the record. I am entitled to in my
15 opinion to make sure that the witness is listening
16 and answering the questions that are being posed to
17 him.
18 I will let this witness answer the
19 question, if you can read it back.
20 (The record was read as follows:
21 Question: Why is it that you have
22 trouble recruiting teachers for
23 math and science? Answer:
24 According to the university
25 professors, and I don't know their

1 names, I read this article
2 somewhere --)
3 BY MS. LHAMON:
4 Q. Please finish your answer.
5 A. That they are just not a large number of
6 individuals going into math and science for
7 teaching. So there appears to be a shortage of
8 graduates coming out of school to teach math and
9 science.
10 Q. So it's your understanding that the
11 shortage of math and science teachers is not
12 specific to Crenshaw High School, is that right?
13 A. That's correct.
14 Q. Is it district wide?
15 MS. STRONG: Objection; calls for
16 speculation.
17 THE WITNESS: I think so.
18 BY MS. LHAMON:
19 Q. Okay. Is it state-wide?
20 A. I think so.
21 MS. STRONG: Calls for speculation.
22 BY MS. LHAMON:
23 Q. You are doing fine.
24 Could you give an answer for the record?
25 I'm not --

1 A. I think it's state wide as well.
 2 Q. That's based on your understanding from
 3 these university professors?
 4 A. Correct.
 5 Q. Given the difficulty recruiting teachers
 6 for math and science, do you engage in any
 7 particular practices for math and for recruitment of
 8 math and science teachers for Crenshaw High School?
 9 A. No more than the ones that we have stated
 10 earlier what we try to do to recruit teachers.
 11 Q. Okay. So you engage in the same practices
 12 for teachers of all subjects at Crenshaw high
 13 school?
 14 A. That's correct.
 15 Q. Do you keep a particular lookout for math
 16 or science teachers?
 17 MS. GODFREY: Objection; vague and
 18 ambiguous.
 19 THE WITNESS: Continuously.
 20 BY MS. LHAMON:
 21 Q. Okay. And what do you mean by that?
 22 A. Well, we just always are trying to find
 23 good, well, we are always trying to find experienced
 24 math teachers.
 25 Q. And science teachers as well?

1 A. And science teachers, yes.
 2 Q. If you can't find an experienced -- or has
 3 it come to pass that you have had a vacancy in the
 4 Math Department at Crenshaw High School when you
 5 could not find an experienced math teacher to fill
 6 that vacancy?
 7 MS. STRONG: Objection; asked and
 8 answered. He already testified about filling
 9 vacancies.
 10 THE WITNESS: I'm not sure I got that
 11 question. I'm sorry.
 12 Could you repeat it?
 13 BY MS. LHAMON:
 14 Q. Sure.
 15 I asked if it has come to pass that you
 16 have had a vacancy in the Math Department at
 17 Crenshaw High School when you could not find an
 18 experienced math teacher to fill that vacancy?
 19 MS. GODFREY: Objection; vague and
 20 ambiguous as to experience.
 21 THE WITNESS: Okay. We have had situations
 22 where we couldn't, where we didn't have an
 23 experienced math teacher and had to use a sub.
 24 BY MS. LHAMON:
 25 Q. To fill that teacher vacancy?

1 A. Yes.
 2 Q. And when was that?
 3 A. This past school year.
 4 Q. Oh. So the 2000/2001 school year?
 5 A. That's correct.
 6 Q. Has that been the only time it's happened
 7 since you have been principal at Crenshaw High
 8 School?
 9 A. I can't remember in the past school.
 10 Q. What did you do to fill -- I'm sorry.
 11 You said you have had a substitute in the
 12 classroom to fill that teacher vacancy?
 13 A. Yes.
 14 Q. Was it the same substitute for the entire
 15 time that the vacancy was vacant?
 16 A. Yes.
 17 Q. So make sure I understand, when the
 18 2000/2001 school year began, there was no permanent
 19 teacher hired for one math teacher slot at Crenshaw
 20 High School?
 21 A. That's correct.
 22 Q. And for the 2000/2001 school year, students
 23 in those math classes saw only one teacher for the
 24 entire year?
 25 A. Saw only one teacher?

1 Q. I'm sorry. That's a bad question.
 2 For the 2000/2001 school year, students who
 3 were slotted in the vacant teacher's classes saw
 4 only one teacher for that class, for those classes
 5 during the 2000/2001 school year?
 6 A. That's correct.
 7 Q. And that teacher was a long-term
 8 substitute?
 9 A. That's correct.
 10 Q. Was that teacher a substitute teacher?
 11 A. Yes.
 12 Q. Okay. How many students did that
 13 substitute teacher teach?
 14 MS. GODFREY: If you know.
 15 THE WITNESS: I don't know the exact
 16 number.
 17 BY MS. LHAMON:
 18 Q. Do you have an approximation?
 19 A. Yes: Approximately 30 times five.
 20 Q. Okay. That's about 150, going back to my
 21 high school math.
 22 A. Yes.
 23 Q. And that sounds right?
 24 A. That sounds right.
 25 Q. And what math classes did that long-term

1 substitute teacher teach?
 2 A. Algebra.
 3 Q. All five courses were algebra?
 4 A. I don't know. I know one of them was
 5 algebra.
 6 Q. And was that long-term substitute teacher
 7 trained in math?
 8 MS. GODFREY: Objection; vague as to
 9 "trained in math."
 10 MS. STRONG: May call for speculation.
 11 THE WITNESS: I don't know the total
 12 background. That was a law student, so I don't know
 13 how many years of math he had.
 14 BY MS. LHAMON:
 15 Q. Okay.
 16 Turning to science, then, has it come to
 17 pass that there were science vacancies during your
 18 tenure as principal at Crenshaw High School that you
 19 could not fill with a science teacher?
 20 MS. STRONG: Objection as to asked and
 21 answered.
 22 THE WITNESS: No.
 23 BY MS. LHAMON:
 24 Q. Okay. That's lucky; no shortage.
 25 Do you visit classrooms to monitor the

1 A. It varies. Meetings are called. The first
 2 and third Wednesdays I have principals' meetings.
 3 I'm on a number of ad hoc committees for the
 4 district, so I go to conferences.
 5 And so I can't tell you how many days a
 6 month I'm on campus. A lot, you know.
 7 Q. Okay. That's good.
 8 Is there an average number of days a week
 9 in a month that you are on campus?
 10 MS. STRONG: Objection; asked and
 11 answered. He said he can't tell you.
 12 THE WITNESS: I can't, I really can't tell
 13 you an average number of days of a month. I can
 14 guess.
 15 BY MS. LHAMON:
 16 Q. I don't want you to guess.
 17 A. Okay.
 18 Q. But if you have an approximation, I would
 19 like that.
 20 A. It's approximately 20 teaching days per
 21 month; I'm going to say approximately 15 days.
 22 Q. Thanks. I appreciate that.
 23 A. A month.
 24 Q. And your goal is to visit four classrooms
 25 per day of those 15 days?

1 quality of teaching?
 2 MS. STRONG: Objection; vague, and I
 3 believe to some extent it has been asked and
 4 answered.
 5 THE WITNESS: I visit classes.
 6 BY MS. LHAMON:
 7 Q. And when you are in those classes, do you
 8 monitor the quality of the teaching?
 9 A. Yes, yes.
 10 Q. Do you evaluate the teachers?
 11 A. Yes.
 12 Q. How often do you visit the classrooms?
 13 MS. STRONG: Objection; asked and answered.
 14 THE WITNESS: I try to, I try to as often
 15 as I can. I mean there is no set pattern, but I try
 16 to visit a minimum of four classes a day the days
 17 that I'm on campus. That's kind of my goal. But I
 18 pop in and out of classes and walk down the halls
 19 all the time. So I'm in and out of a number of
 20 classrooms.
 21 But on my evaluation process, I try to do
 22 four classes a day. That's just kind of a goal that
 23 I have set for myself.
 24 BY MS. LHAMON:
 25 Q. And how many days a week are you on campus?

1 A. Yes.
 2 Q. Are there -- well, strike that.
 3 Do you visit every teacher's classroom
 4 during the school year to evaluate the quality of
 5 that teacher's teaching?
 6 A. No.
 7 Q. How many of the teacher's classes do you
 8 visit to evaluate the quality of their teaching?
 9 A. We have the school broken up by
 10 departments. The principal has two departments; the
 11 assistant principal, the various assistant
 12 principals have a department. And their visits are
 13 for evaluations, say, where we visit across the
 14 board. But for evaluation's sake, I evaluate the
 15 English Department and Music Department.
 16 Q. And then other administrators evaluate
 17 teachers in the other departments?
 18 A. That's correct.
 19 Q. Do you see the other -- strike that.
 20 When you evaluate a teacher, do you write
 21 up that evaluation?
 22 A. There is an official evaluation called the
 23 Stull evaluation at the conclusion of the school
 24 year. So those teachers get the Stull evaluation.
 25 Q. Is that S-T-U-L-L?

1 A. Uh-huh.
 2 Q. And the Stull evaluation is written?
 3 A. They are written evaluations, yes.
 4 Q. Okay. And there is no other evaluation
 5 that's written for teachers at the school?
 6 A. No, no, that -- no, not that I can think
 7 of.
 8 Q. Do you see the Stull evaluations for
 9 teachers outside of the English and Music
 10 Departments?
 11 A. Yes.
 12 Q. Do you have to sign off on those?
 13 A. Yes.
 14 Q. And do you sign off on the Stull
 15 evaluations for teachers in all departments of the
 16 school?
 17 A. Yes.
 18 Q. And is every teacher at Crenshaw High
 19 School evaluated every school year?
 20 A. No.
 21 Q. How many teachers are evaluated in any
 22 school year?
 23 A. It's broken up to about 50 percent; 50
 24 percent this year, 50 percent next year. And so the
 25 permanent credentialed teachers are evaluated every

1 other year, but the emergency credentialed permitted
 2 status teachers are evaluated every year.
 3 Q. Did you say permanent or?
 4 A. Permanent status.
 5 Q. And why is it that emergency credentialed
 6 teachers are evaluated every year?
 7 A. I inherited it from the district. I don't
 8 know.
 9 MS. STRONG: Objection; calls for
 10 speculation to the extent you don't know.
 11 MS. GODFREY: Join.
 12 BY MS. LHAMON:
 13 Q. Why is it that emergency credentialed
 14 permitted teachers are evaluated every year?
 15 MS. STRONG: Calls for speculation.
 16 MS. GODFREY: Join.
 17 THE WITNESS: Well, it's -- I inherited it
 18 as a policy from the district.
 19 BY MS. LHAMON:
 20 Q. Are you continuing that policy?
 21 A. Yes.
 22 Q. Do you think it's a good policy to evaluate
 23 emergency credentialed permitted teachers every
 24 year?
 25 A. Yes.

1 Q. Why is that?
 2 A. To see their progress.
 3 Q. Do you think it's a good policy to evaluate
 4 emergency credentialed teachers every year?
 5 MS. STRONG: Objection; vague.
 6 THE WITNESS: I don't have a problem with
 7 it. I don't think there is anything wrong with it.
 8 BY MS. LHAMON:
 9 Q. And you will continue that policy?
 10 A. Yes.
 11 Q. Do you think it's a good policy to evaluate
 12 permanent teachers every other year?
 13 MS. STRONG: Objection; vague as to policy.
 14 THE WITNESS: I think that's good, I think
 15 it a good policy, yes.
 16 BY MS. LHAMON:
 17 Q. You will continue that policy?
 18 A. Correct.
 19 Q. Have you considered evaluating all teachers
 20 every year?
 21 A. No.
 22 Q. Why not?
 23 A. Well, I think it would be just, it's very
 24 difficult to try to sit down and evaluate every
 25 teacher every year. So I don't, I hadn't thought

1 about it, no.
 2 Q. Okay. And what goes into a teacher's
 3 evaluation? What's involved?
 4 MS. GODFREY: Objection; vague and
 5 ambiguous.
 6 MS. STRONG: And objection; calls for
 7 speculation, at least on the evaluations that he's
 8 given.
 9 MS. GODFREY: Could I ask for a point of
 10 clarification?
 11 When you say an evaluation, are you
 12 speaking about this Stull evaluation that the
 13 witness has identified or just evaluation in
 14 general?
 15 BY MS. LHAMON:
 16 Q. Did you understand my question, Mr. Kiel?
 17 A. Not now I don't.
 18 Q. Okay, okay. Well, let's start with the
 19 Stull evaluation.
 20 What's involved in the Stull evaluation?
 21 A. The Stull evaluation process is, at the
 22 beginning of the school year, teachers will submit a
 23 planning sheet, so a common planning sheet. And
 24 this is the plan that they anticipate, this is what
 25 they plan to teach or the techniques and the method.

1 We take this planning sheet. We look over
 2 the planning sheet. And we sit down with each
 3 teacher and have a conference with that teacher.
 4 Then we give the teacher the okay or we assist them
 5 in modifying their teaching plan with the teacher.
 6 Then we go visit teachers. We go to the
 7 classroom; we visit the teacher. At the conclusion,
 8 we write on this form these areas which we would
 9 discover on the evaluation form, and we provide them
 10 with a copy and place a copy in their file.
 11 Q. And the Stull evaluation takes place as to
 12 every emergency credentialed teacher every school
 13 year?
 14 A. There is a Stull -- not for emergency.
 15 There is a different process for non-permanent
 16 teachers. Now the Stull, there is a different
 17 process for emergency credentialed. It's called, it
 18 is -- the form is called 1020. And it has similar
 19 categories, but it's different.
 20 Q. How is it different?
 21 A. It's not as detailed as the Stull
 22 evaluation form.
 23 Q. Okay. And do you personally review the
 24 emergency credentialed teachers in the English and
 25 Music Departments every year?

1 A. Uh-huh; the ones that are hired into those
 2 departments, yes.
 3 Q. Do you personally perform the evaluation,
 4 the 1020 form evaluation for any other emergency
 5 credentialed teachers at the school?
 6 A. They are programmed by, are broken down by
 7 departments just as the Stull evaluation is.
 8 Q. And do you have to sign off on the 1020
 9 form evaluation?
 10 A. Yes, I do.
 11 Q. As a part of the 1020 evaluations, do
 12 department chairs play any role?
 13 A. No.
 14 Q. As a part of the Stull evaluation, do
 15 department chairs play any role?
 16 A. No.
 17 Q. Do you consult with department chairs when
 18 performing any teacher evaluations?
 19 A. No.
 20 Q. Does any of your administrative staff
 21 consult with department chairs for performing any
 22 teacher evaluation?
 23 A. I don't know.
 24 Q. Okay.
 25 MS. STRONG: Objection; vague. It depends

1 what discussion, if it's different from the school
 2 evaluation.
 3 BY MS. LHAMON:
 4 Q. Do you, when performing any teacher
 5 evaluations that you have to perform, consult with
 6 students about a teacher's performance?
 7 A. No.
 8 Q. Do students evaluate teachers at school, at
 9 Crenshaw?
 10 MS. STRONG: Objection; calls for
 11 speculation.
 12 THE WITNESS: That is an individual
 13 teacher's right. Some teachers have their students
 14 evaluate them; some don't.
 15 BY MS. LHAMON:
 16 Q. And students in the evaluations play no
 17 part in the evaluation of teacher performance for
 18 the year?
 19 A. No.
 20 MS. GODFREY: Objection; vague and
 21 ambiguous.
 22 BY MS. LHAMON:
 23 Q. As part of the 1020 evaluation, do you
 24 assess standardized test scores with the students?
 25 A. No.

1 Q. As part of the Stull evaluation, do you
 2 assess standardized test scores with students?
 3 A. No.
 4 Q. And do the standardized test scores
 5 typically play any role in teacher evaluations?
 6 MS. STRONG: Objection; vague.
 7 THE WITNESS: No.
 8 BY MS. LHAMON:
 9 Q. Why is it that the standardized test scores
 10 don't play a role in evaluation of teachers?
 11 MS. STRONG: Objection.
 12 MS. GODFREY: Objection; calls for
 13 speculation.
 14 MS. STRONG: Join; may call for expert
 15 testimony.
 16 THE WITNESS: The evaluation process is
 17 contractual, and it comes from the district.
 18 BY MS. LHAMON:
 19 Q. And when you say it comes from the
 20 district, you are referring to LAUSD?
 21 A. That's correct.
 22 Q. Do you solicit input from parents about a
 23 teacher's performance when you are conducting any
 24 teacher evaluations?
 25 A. No.

1 Q. Do you take into account input from parents
 2 when you are performing any teacher evaluation?
 3 MS. STRONG: Objection; vague.
 4 MS. GODFREY: Asked and answered.
 5 THE WITNESS: No.
 6 BY MS. LHAMON:
 7 Q. Why is that?
 8 A. Because there is a format for evaluating
 9 teachers, and I follow the format --
 10 Q. For the --
 11 A. -- as prescribed by the district, yes.
 12 Q. Excuse me. I didn't mean to interrupt you.
 13 That format didn't include any input from
 14 parents?
 15 A. No.
 16 Q. If you identify areas in which a teacher
 17 could improve, what do you do to monitor the
 18 teacher's improvement?
 19 MS. STRONG: Objection; vague.
 20 MS. GODFREY: Join.
 21 THE WITNESS: Classroom visits and usually
 22 conduct a conference, and give them a conference
 23 memo to that effect of what we think the improvement
 24 should be.
 25 BY MS. LHAMON:

1 Q. And if another administrator identifies
 2 areas which a teacher can improve in, you don't
 3 directly supervise, but do you monitor the teacher's
 4 improvement?
 5 MS. STRONG: Objection; vague as to
 6 "monitor"; vague in total.
 7 THE WITNESS: Pretty much follow the same
 8 process. The assistant principal calls up and works
 9 with them and does a conference memo to the effect
 10 of what they consider the weaknesses and where their
 11 improvement is needed.
 12 BY MS. LHAMON:
 13 Q. And then does that assistant principal do
 14 followup or do you participate as well?
 15 A. The assistant principal will do followup.
 16 However, it's brought to my attention in staff
 17 meetings. And if we recognize a problem, it's kind
 18 of made known to all the administrators to keep an
 19 eye on this particular class or this particular
 20 teacher.
 21 Q. And how do you keep an eye on a particular
 22 class?
 23 A. Just the number of times that you walk by
 24 the room; open the door, look in on everybody; try
 25 to visit as often as possible.

1 Q. Is that successful; is that helpful in
 2 helping a teacher to improve?
 3 MS. STRONG: Objection; vague and
 4 ambiguous.
 5 THE WITNESS: It's hard for me to determine
 6 whether it's successful, but it really, whether it
 7 improves the style. It's trying to monitor what is
 8 happening with the kids
 9 BY MS. LHAMON:
 10 Q. During your deposition on Friday, you
 11 described a teacher who had an ongoing problem with
 12 tardiness during the 2000/2001 school year.
 13 Did that teacher also have a tardiness
 14 problem during the 1999/2000 school year?
 15 A. I can't remember the nature of -- I can't
 16 remember. I don't know. I don't know if it was
 17 called to my attention this school year.
 18 Q. I am sorry. I said:
 19 Was it called to your attention this school
 20 year?
 21 A. Yes.
 22 Q. And you can't remember if it was called to
 23 your attention during the 1999/2000 school year?
 24 A. That's correct.
 25 Q. What was that teacher's name?

1 MS. GODFREY: Objection. Instruct the
 2 witness not to answer on the grounds of privacy.
 3 BY MS. LHAMON:
 4 Q. Are you going to follow that instruction?
 5 A. Yes, I am.
 6 Q. For the record, I don't think that's a
 7 proper instruction but we will leave it at that for
 8 now.
 9 A. Okay.
 10 Q. We may have to come back to it.
 11 Do you remember if there were any problems
 12 with teacher tardiness at Crenshaw during the
 13 1999/2000 school year?
 14 MS. GODFREY: Objection; vague and
 15 ambiguous.
 16 MS. STRONG: Join.
 17 THE WITNESS: I don't know. I know that
 18 people are late, everybody is late sometime. And
 19 the process is to get the doors open in a timely
 20 manner and cover the classes until the teachers can
 21 get there. So that's --
 22 I don't know if you call it a problem.
 23 It's a task someone has to do every day to make sure
 24 the rooms are open, to go down to see who signed in
 25 and who hasn't. So that's a task that we do; that's

1 our job.

2 So I can't think of anything that stands
3 out, any one person that stands out.

4 BY MS. LHAMON:

5 Q. Okay. Do you think teacher tardiness
6 affects students?

7 MS. GODFREY: Objection; vague and
8 ambiguous.

9 MS. STRONG: Objection; calls for expert
10 testimony; to the extent that it's asking for his
11 personal opinion, it's irrelevant.

12 THE WITNESS: Yes, I think it does.

13 BY MS. LHAMON:

14 Q. How does it affect students?

15 A. I think you are trying to set a standard
16 for excellence, and you are trying to, you know, we
17 want kids to be on time; I think teachers should be
18 on time. So I think it sets a tone for the school
19 and for the class to be on time. Being on time is
20 important; I think kids should learn that. I think
21 they learn it from the teachers.

22 Q. Do you think that teacher tardiness affects
23 students' learning?

24 MS. GODFREY: Objection; vague and
25 ambiguous.

1 MS. STRONG: Objection.

2 MS. GODFREY: Objection; vague and
3 ambiguous and is an incomplete hypothetical.

4 MS. STRONG: And calls for speculation.

5 THE WITNESS: I'm not -- I don't know how
6 you would do that.

7 BY MS. LHAMON:

8 Q. Why not?

9 A. Because if you have five people absent and
10 somebody was sick, and they didn't get to prepare
11 and call the sub in advance, then you just may get a
12 substitute teacher. And it is a certificated
13 person, so you don't just say that you can't -- you
14 may not be a social studies teacher, you may have an
15 English background, but hopefully we have lesson
16 plans and they can follow that lesson plan.

17 Q. When you say -- I'm sorry.

18 A. I'm through.

19 Q. When you say a certificated person, what do
20 you mean by that?

21 A. Everyone has a certificate. It just merely
22 means that they finished college and are classified
23 and has a status of, we usually divide the
24 certificated. And a classified employee is an
25 employee usually that, that's not always the case,

1 MS. STRONG: Objection; to the extent it
2 calls for his personal opinion testimony, it's
3 irrelevant.

4 THE WITNESS: It hard to say. I'm not sure
5 on that. I don't have an opinion.

6 BY MS. LHAMON:

7 Q. Okay. Does Crenshaw sometimes have
8 teachers teaching classes that are outside the
9 subject areas in which they have received training?

10 MS. STRONG: Objection.

11 MS. GODFREY: Objection; calls for
12 speculation, vague and ambiguous.

13 THE WITNESS: I'm sure we do. We have
14 substitutes coming on campus every day. So we don't
15 assign teachers outside of the subject field.

16 BY MS. LHAMON:

17 Q. Okay. But the substitutes could be
18 teaching outside their subject field?

19 A. Yes.

20 Q. But you don't know if they are?

21 A. I don't know how many -- I mean I don't
22 have any data on that.

23 Q. Okay. Is there any way to ensure that a
24 substitute teacher teaches the subject that the
25 teacher is teaching?

1 but they don't have a college degree versus the
2 certificated. When we refer to certificated, we
3 refer to teachers, counselors and people that has
4 finished college.

5 Q. Okay. So if a teacher calls in sick, the
6 only assurance is that there will be a certificated
7 person in the classroom; there is no assurance that
8 that person will have training in that particular
9 subject area?

10 MS. GODFREY: Objection; misstates prior
11 testimony and calls for speculation.

12 MS. STRONG: Objection, incomplete
13 hypothetical.

14 THE WITNESS: We will assure that there is
15 a certificated person in the room.

16 BY MS. LHAMON:

17 Q. How do you assure that?

18 A. We have someone standing at the counter
19 every morning, and we have walkie-talkies, and we
20 see who in what classrooms is missing. And when
21 there is someone missing, we confirm with anyone who
22 didn't sign in. And we have runners. And we go out
23 and we open the doors, and we get subs over. We
24 find teachers with a conference period.

25 It's a job; it's our task. That's what we

1 do. We cover classes the first thing in the
 2 morning. And assistant principal, Ms. Cannon, and
 3 two classified staff members work on covering
 4 classes.
 5 That's one of the major tasks of an, of the
 6 school.
 7 Q. And they don't ensure that the person
 8 covering the class has training in the subject
 9 matter that the class is being taught in?
 10 MS. STRONG: Objection; asked and answered.
 11 THE WITNESS: No.
 12 BY MS. LHAMON:
 13 Q. And why is that?
 14 MS. STRONG: Objection; calls for
 15 speculation.
 16 MS. GODFREY: Join.
 17 THE WITNESS: Because sometimes we don't
 18 get the proper sub for the proper subject matter, so
 19 we have to cover the class.
 20 BY MS. LHAMON:
 21 Q. Okay. You said it's a major task for
 22 Mrs. Cannon and two classified personnel to make
 23 sure there are certificated persons covering every
 24 class at the school.
 25 A. Did I say major task?

1 Q. I think so.
 2 Does that sound right to you?
 3 A. I said that there was a job and that
 4 that's, one of the responsibilities that they
 5 have --
 6 Q. Okay.
 7 A. -- is to cover classes.
 8 Q. Okay. And you don't think it's a major
 9 task?
 10 A. Some days it's greater than others; it's
 11 the holidays, the Friday before and when the cold
 12 and flu season is in. It's just like, it's no
 13 different from -- we don't sit down there in a
 14 school on an island alone; we are tied to society.
 15 And we have all the same good things and difficult
 16 things as everybody else. And on certain days it's
 17 good. Some days it's better; some days it's bad.
 18 Q. Okay. Is there a time in the school year
 19 by which Crenshaw notifies teachers of what classes
 20 the teachers will teach for the coming school year?
 21 A. Yes.
 22 Q. When is that?
 23 A. Approximately the first week of June.
 24 Q. Okay. And is that set in stone or are the
 25 classes changeable still?

1 A. No, no; they are changeable still.
 2 Q. Does there come a time when classes can no
 3 longer be changed that a teacher will be teaching?
 4 MS. STRONG: Objection; vague and
 5 ambiguous.
 6 MS. GODFREY: Join.
 7 THE WITNESS: Usually pretty much -- yeah,
 8 it's set by September that this is what you are
 9 going to teach, you know. Usually after that date,
 10 we don't change teachers around.
 11 BY MS. LHAMON:
 12 Q. What date in September is it?
 13 A. When school starts; by the opening of the
 14 school, everybody is set.
 15 Q. So by the first day of school?
 16 A. Yes.
 17 Q. Does it happen regularly that teachers'
 18 course loads change after the first week in June
 19 when they are notified what their classes will be
 20 for September?
 21 MS. GODFREY: Objection; vague and
 22 ambiguous and compound.
 23 MS. STRONG: Join.
 24 THE WITNESS: No; it's a rarity. Things
 25 are pretty much set. I mean, it's not like we have

1 to redesign the wheel every year. I mean the school
 2 is pretty much organized, and it stays within that
 3 same model of schedule, you know, of classes.
 4 BY MS. LHAMON:
 5 Q. So in general at the end of a school year,
 6 you know how many freshmen English classes you are
 7 going to need to offer for the following school
 8 year?
 9 A. Yes, we know how many, yes.
 10 Q. And you can assign the teachers to the
 11 number of classes these teachers will be teaching
 12 within a general subject area with a degree of
 13 certainty by the end, by somewhere around the end of
 14 the school year?
 15 MS. STRONG: Objection; vague and
 16 ambiguous.
 17 THE WITNESS: With a reasonable degree of
 18 certainty, we can assign teachers.
 19 BY MS. LHAMON:
 20 Q. And how, how does Crenshaw assess how many
 21 classes in a given subject will need to be offered
 22 for the coming school year?
 23 MS. STRONG: Objection; asked and answered.
 24 THE WITNESS: By the number of student
 25 names that we have from the feeder schools.

1 BY MS. LHAMON:
 2 Q. And does the existing campus population
 3 come into the calculation at all?
 4 A. Yes. The incoming ones that is coming in,
 5 the ones that is leaving, and the ones that is there
 6 determines the number.
 7 Q. Have you received any complaints from
 8 teachers about their course load changing after that
 9 notification in June?
 10 MS. GODFREY: Objection; vague as to the
 11 term "complaints" and vague as to time.
 12 MS. STRONG: Objection; vague and
 13 ambiguous.
 14 THE WITNESS: I don't recall. I can't
 15 remember right now.
 16 BY MS. LHAMON:
 17 Q. Have you ever spoken to any teachers about
 18 their course loads changing after notification in
 19 June?
 20 MS. STRONG: Objection; vague as to time.
 21 It goes beyond his experience and expertise.
 22 THE WITNESS: Yes, I guess I have had
 23 conversation with teachers that talks about the
 24 course load and the number of, what classes they are
 25 going to teach.

1 BY MS. LHAMON:
 2 Q. What have those teachers told you?
 3 A. Well, one case I remember where a teacher
 4 felt that they had seniority to teach a class that
 5 another teacher was teaching, and so we dealt with
 6 it.
 7 Q. How did you deal with it?
 8 A. Followed the contract with UCLA, and the
 9 person with the most seniority had the opportunity
 10 to teach the class.
 11 Q. Do you recall any other conversations with
 12 teachers about their caseloads changing?
 13 A. I can't think of any right now.
 14 Q. Does Crenshaw have -- I'm sorry.
 15 You are looking at your watch.
 16 Do you want to take a break?
 17 A. It's 10:15, and we have nutrition time.
 18 Time to take a break.
 19 Q. Absolutely.
 20 MS. LHAMON: Let's take one now. Thanks.
 21 (Recess taken; reconvened in the absence
 22 of Mr. Rosenbaum.)
 23 MS. LHAMON: Go back on the record.
 24 BY MS. LHAMON:
 25 Q. Does Crenshaw have a policy regarding

1 teacher absences?
 2 A. No.
 3 MS. STRONG: Objection; vague.
 4 THE WITNESS: I'm not sure what you are
 5 referring to.
 6 BY MS. LHAMON:
 7 Q. Okay. Is there any rule about the number
 8 of days that a teacher can be absent during a given
 9 school year at Crenshaw High School?
 10 MS. STRONG: Objection; vague.
 11 THE WITNESS: No, but it certainly goes
 12 into their evaluation, you know, if there is
 13 excessive absences; that's part of the evaluation
 14 process.
 15 BY MS. LHAMON:
 16 Q. What do you consider to be excessive
 17 absences?
 18 A. I think the district labels it as 10 days a
 19 year, anything more than 10 days.
 20 Q. Okay. And do teacher absences matter for
 21 students?
 22 MS. GODFREY: Objection; vague and
 23 ambiguous.
 24 MS. STRONG: Join in that.
 25 And also object to the extent it calls for

1 expert testimony.
 2 MS. STRONG: It calls for speculation.
 3 THE WITNESS: Yes, I think that teacher
 4 absences affect students, yes.
 5 BY MS. LHAMON:
 6 Q. How do they affect students?
 7 A. Because if the teacher is not there -- some
 8 teachers leave very detailed plans, and you can
 9 follow them. And it depends on the students. There
 10 is a lot of variables as to what degree, but
 11 certainly I think teacher absence affects students.
 12 MS. GODFREY: I would just like to
 13 interpose a late objection that the question calls
 14 for speculation.
 15 BY MS. LHAMON:
 16 Q. Do you think that teacher absences affect
 17 the students' learning?
 18 MS. STRONG: Objection for anything beyond
 19 his personal opinion testimony; again, calls for
 20 expert testimony and speculation.
 21 MS. GODFREY: Join.
 22 THE WITNESS: I don't know if it affects
 23 students' learning. It may affect the amount that
 24 they learn.
 25 BY MS. LHAMON:

1 Q. What do you mean by that?

2 A. Well, if the teacher is not there, maybe
3 there is certain issues that they can't cover and
4 they don't get to cover all of them. But the kids
5 certainly have the option to go out and continue to
6 work.

7 Q. Have you received complaints from anyone
8 concerning teacher absences at Crenshaw High School?

9 MS. GODFREY: Objection; vague and
10 ambiguous.

11 (At this point Mr. Rosenbaum
12 returns to the deposition room.)

13 THE WITNESS: We discuss teacher absence
14 during staff meetings every Monday, and we are
15 concerned about certain people. And we follow up on
16 it.

17 BY MS. LHAMON:

18 Q. Do you personally follow up on them?

19 A. Not all of them. Some of them I do.

20 Q. How do you determine which ones to follow
21 up with?

22 MS. GODFREY: Objection -- sorry.
23 I'm sorry.

24 THE WITNESS: Okay. Usually it is the ones
25 within the department that I cover.

1 What prompted you to follow up with that
2 teacher?

3 A. Because she was absent a great deal.

4 Q. How often is a great deal?

5 A. She was absent more than 10 days.

6 Q. And what happened after you wrote the
7 teacher a memo?

8 A. Not much.

9 Q. Did she continue to be absent?

10 A. Yes.

11 Q. Was she absent a lot more than 10 days?

12 MS. STRONG: Objection; vague.

13 THE WITNESS: I don't know the exact number
14 of days, but she was absent, she was continuously
15 absent. And I think it's, I don't know exactly why;
16 I'm not sure. It may be health related.

17 MS. GODFREY: Mr. Kiel, I'm going to
18 instruct you not to discuss any reasons why a
19 particular teacher was absent.

20 THE WITNESS: Okay.

21 BY MS. LHAMON:

22 Q. Do you have an estimate for the number of
23 days she was absent during the 2000/2001 school
24 year?

25 A. I don't know; I don't know right offhand.

1 BY MS. LHAMON:

2 Q. Okay.

3 A. We kind of stay with the evaluation of
4 those teachers and working with those teachers and
5 assisting those teachers as well within the
6 departments that we cover divided up among the
7 administrators.

8 Q. During the 2000/2001 school year, did you
9 have to have followup on any teacher's absence in
10 the Music Department that you supervised?

11 MS. STRONG: Objection; vague and
12 ambiguous.

13 THE WITNESS: Yes.

14 BY MS. LHAMON:

15 Q. How many teachers did you have to follow up
16 with regarding teacher absences?

17 A. Just one.

18 Q. And what did you do to follow up with that
19 teacher?

20 A. Well, called her up for a conference, and
21 we discussed the importance of being on time. And I
22 gave her a written memo.

23 Q. I'm sorry. You gave her a written?

24 A. Memo.

25 Q. Memo.

1 I know we talked after 10 days with the teacher
2 personally. And I don't know how many days she was
3 absent totally.

4 Q. Do you know if that teacher will return to
5 Crenshaw for the 2001/2002 school year?

6 A. I'm not sure.

7 Q. When you say you are not sure, why are you
8 not sure?

9 A. Because I don't know.

10 Q. Has she told you she intends to leave the
11 school?

12 A. No, she hasn't told me that.

13 Q. Have you asked her to leave the school?

14 MS. GODFREY: Objection; it's -- I'm going
15 to object on the grounds of privacy of third
16 parties, and instruct the witness not to answer,
17 MS. LHAMON: I haven't asked for the name
18 of the teacher.

19 MS. GODFREY: I know but --

20 MS. LHAMON: I haven't asked for the
21 department in which the teacher teachers.

22 MS. GODFREY: Just the plan or any specific
23 ramification or the outcome of any discipline, I
24 think that we have narrowed things down probably
25 more than I'm comfortable with here. And it's

1 really not the district's privilege to waive.
 2 In the absence of a court order or consent,
 3 I don't think that the witness should answer
 4 questions about discipline of a particular teacher.

5 MS. LHAMON: Okay. Fine. As I said
 6 before, I don't think that's a proper instruction,
 7 but you may go ahead.

8 MS. GODFREY: We can revisit the issue
 9 later. I'm sticking to the instruction not to
 10 answer as to that particular teacher absent a court
 11 order.

12 MS. LHAMON: Okay. We can revisit that
 13 issue later

14 BY MS. LHAMON:

15 Q. Are there any particular substitute
 16 teachers that are specifically assigned to Crenshaw
 17 High School?

18 MS. STRONG: Objection; vague.

19 MS. GODFREY: Join.

20 THE WITNESS: When you say specifically, I
 21 mean every day they are assigned to Crenshaw. But
 22 when you say specifically assigned, I don't
 23 understand that. I don't know what you mean by
 24 that.

25 BY MS. LHAMON:

1 THE WITNESS: No.

2 BY MS. LHAMON:

3 Q. So at any time there is a need for a
 4 substitute teacher, there is always a substitute
 5 teacher there?

6 MS. STRONG: Objection; asked and answered;
 7 contrary to prior deposition testimony.

8 THE WITNESS: No, there is not; every time
 9 there is a need, there is not always a substitute
 10 teacher.

11 But you asked me if I had problems; I said
 12 no. And the answer to that question is "no" also.

13 BY MS. LHAMON:

14 Q. Okay. I'm not trying to trick you here.
 15 I'm just asking questions because it's my job.

16 A. Okay. Thank you.

17 Q. I appreciate you letting me know.

18 A. Okay.

19 Q. Why do you not think there is trouble --

20 What happens when there is not a substitute
 21 teacher who comes to fill a classroom when a teacher
 22 is absent?

23 A. We --

24 MS. STRONG: Objection; asked and answered.

25 THE WITNESS: We use our teacher with a

1 Q. Okay. Thanks for asking for that
 2 clarification. I appreciate it.

3 I'm asking whether -- well, let me step
 4 back.

5 I know that some schools have a substitute
 6 teacher who is on staff at that school and is at
 7 that school every day. And if there is a teacher
 8 absent, that teacher would counsel that teacher.

9 So I'm asking if there is a staffed
 10 substitute teacher at Crenshaw High School available
 11 every day for any teacher's absence?

12 MS. STRONG: Objection; it's still vague.

13 THE WITNESS: I'm not sure. I don't, I
 14 don't know if there is one that we just employ every
 15 day, no; I don't know of anyone of that nature.

16 BY MS. LHAMON:

17 Q. Okay.

18 A. And there are people who work a lot, but I
 19 don't think they allow us to designate any
 20 particular one.

21 Q. Okay. Do you have trouble finding
 22 substitute teachers to come to Crenshaw High School?

23 A. No.

24 MS. STRONG: Objection; vague.

25 MS. GODFREY: Join.

1 conference period to cover the class.

2 BY MS. LHAMON:

3 Q. And when you use a teacher with a
 4 conference period, does that teacher, do you always
 5 use teachers who teach the same subject as the
 6 absent teacher?

7 MS. GODFREY: Objection; vague and
 8 ambiguous, compound and incomplete hypothetical.

9 MS. STRONG: Join.

10 THE WITNESS: No, we don't.

11 BY MS. LHAMON:

12 Q. Why is that?

13 A. Because there may not be a teacher within
 14 that subject field that has a conference period. If
 15 there is one, we certainly would. We wouldn't --

16 If there is a PE teacher available, we get
 17 a PE teacher to cover that class. Or if it's
 18 science, we get a certificated teacher. But if
 19 there is not, then we have to get a certificated
 20 person, or we get a teacher to cover the class.

21 Q. From another subject area?

22 A. That's correct.

23 Q. So could it happen that, if there is a
 24 math teacher absent, a history teacher fills that
 25 class?

1 A. For that period.
 2 MS. STRONG: Objection; incomplete
 3 hypothetical.
 4 THE WITNESS: Yes.
 5 BY MS. LHAMON:
 6 Q. And do teachers have a choice whether to
 7 use their conference period to cover other classes?
 8 MS. STRONG: Objection; vague.
 9 THE WITNESS: Within reason. But if there
 10 is no one there and there is no one available, the
 11 principals have the right to direct the teacher to
 12 go to the classroom during her conference period.
 13 BY MS. LHAMON:
 14 Q. Okay. And do teachers get paid extra if
 15 they use their conference period to cover other
 16 class?
 17 MS. STRONG: Objection; vague, calls for
 18 speculation.
 19 MS. GODFREY: Yes.
 20 If you know.
 21 THE WITNESS: Yes, they do.
 22 BY MS. LHAMON:
 23 Q. I will show you an exhibit.
 24 (Discussion off the record.)
 25 MS. LHAMON: This will be marked as Exhibit

1 Accountability Report Card before now?
 2 A. I didn't see the date on it at the time
 3 when I saw it. This is a new logo I didn't remember
 4 seeing. So some parts of it I guess I haven't seen;
 5 some parts of it I have.
 6 Q. Okay. Do you see there is a Message from
 7 the Principal on the first page?
 8 A. Uh-huh.
 9 Q. And it says "Travis Kiel, Principal";
 10 that's on the first page of Exhibit 1.
 11 A. Oh, yes, I see it. Right.
 12 Q. See that message there?
 13 MS. STRONG: Objection; vague.
 14 MS. GODFREY: The document speaks for
 15 itself.
 16 And it's more of a form letter.
 17 BY MS. LHAMON:
 18 Q. So it's not from you?
 19 A. Did I write it? It's from me.
 20 Q. Okay.
 21 A. But did I write it?
 22 Q. Did you write it?
 23 A. No.
 24 Q. And who did write it?
 25 MS. STRONG: Objection; calls for

1 1.
 2 (Deposition Exhibit No. 1 was marked
 3 for identification and is annexed hereto.)
 4 MS. LHAMON: Are we back on the record?
 5 BY MS. LHAMON:
 6 Q. I will show you Exhibit 1, and give it to
 7 your counsel as well.
 8 This is the March 1999 School
 9 Accountability Report Card for Crenshaw. It's a
 10 13-page document. The first page of it says "School
 11 Accountability Report Card" at the top.
 12 Now have you seen this document before?
 13 A. Over the years, yes; not this particular
 14 one.
 15 MS. GODFREY: You can take your time to
 16 look through the document if you need to.
 17 THE WITNESS: Okay.
 18 The year on this one?
 19 BY MS. LHAMON:
 20 Q. This is the 1999/2000 year. And that's in
 21 the middle of the page, right on the first page.
 22 A. Okay. I see it now. Thank you.
 23 Okay.
 24 Q. Okay. And then you say that you have not
 25 seen this, the 1999/2000 school year School

1 speculation.
 2 THE WITNESS: I don't know who wrote it.
 3 BY MS. LHAMON:
 4 Q. And how do you know it's a form letter?
 5 A. Because I didn't write it.
 6 MS. STRONG: Objection; the document speaks
 7 for itself.
 8 THE WITNESS: The format.
 9 BY MS. LHAMON:
 10 Q. Did you receive a template for this
 11 document at any time?
 12 A. Yes.
 13 Q. When was that?
 14 A. I don't remember; I don't remember the date
 15 I'm not being flippant. I don't remember the date
 16 that it came out. I don't know what month. I know
 17 they come out every year.
 18 I don't remember, because my assistant
 19 principal handles this report.
 20 Q. Which assistant principal is that?
 21 A. Mrs. Cannon.
 22 Q. And she handles the School Accountability
 23 Report Card every year?
 24 A. Yes.
 25 Q. Do you review the School Accountability

1 Report Card before it's turned in?
 2 MS. GODFREY: Objection; vague and
 3 ambiguous.
 4 THE WITNESS: Yes.
 5 BY MS. LHAMON:
 6 Q. Do you ever play any role in reviewing the
 7 School Accountability Report Card?
 8 MS. STRONG: Objection, vague and
 9 ambiguous.
 10 MS. GODFREY: Join.
 11 THE WITNESS: No.
 12 BY MS. LHAMON:
 13 Q. Do you approve the School Accountability
 14 Report Card before it's turned in?
 15 MS. STRONG: Objection; vague and
 16 ambiguous.
 17 THE WITNESS: I'm just trying to see if
 18 there is anything on here that requires my
 19 approval. Most of this information is public data;
 20 it's taken directly from the computer system.
 21 There is nothing in here that I would have
 22 to approve --
 23 BY MS. LHAMON:
 24 Q. Okay.
 25 A. -- that's unique to Crenshaw High School.

1 Q. Okay. In what context do you review the
 2 School Accountability Report Card?
 3 MS. GODFREY: Objection; vague and
 4 ambiguous.
 5 MS. STRONG: Join.
 6 And I believe it misstates his testimony.
 7 MS. GODFREY: Yeah, I don't, I don't --
 8 It's assuming facts. I don't believe the
 9 witness testified he did review it.
 10 MS. LHAMON: I think we can read the record
 11 back or you can just answer my question.
 12 MS. GODFREY: No. I mean it's more of a
 13 question, did you say that?
 14 The objection stands.
 15 THE WITNESS: Is there a question?
 16 BY MS. LHAMON:
 17 Q. I asked you in what context do you review
 18 the School Accountability Report Card?
 19 MS. GODFREY: Same objections.
 20 THE WITNESS: Okay. It's discussed in
 21 staff meetings. We go over the figures, and we make
 22 it available for the public.
 23 BY MS. LHAMON:
 24 Q. When you said that you receive a template
 25 for the School Accountability Report Card, from whom

1 do you receive a template?
 2 A. There is a district office, and I don't
 3 know which one. I would guess to say it comes from
 4 the Office of Instruction or School Operations.
 5 Q. Okay. And then Crenshaw High School is
 6 directed to fill in blanks in the template, is that
 7 correct?
 8 A. That's correct.
 9 Q. Is the school profile part of the template?
 10 A. That's down at the bottom?
 11 Q. That's at the bottom of page one and goes
 12 on to page two in Exhibit 1.
 13 MS. STRONG: Objection; calls for
 14 speculation as to template. He doesn't know.
 15 THE WITNESS: This information is found
 16 within our, within our beliefs and our vision, our
 17 vision statement. So it's --
 18 This is not updated every year.
 19 BY MS. LHAMON:
 20 Q. When you say "our" who is "our"?
 21 A. The school, Crenshaw High School.
 22 Q. And this information is the information
 23 under School Profile at page one continuing on to
 24 page two of Exhibit 1, is that right?
 25 A. Yes, yes.

1 Q. I'm going to come back to the School
 2 Accountability Report Card in general, but I want to
 3 ask you some questions about page 10, if you will
 4 turn to that.
 5 Do you see where it says "Substitute
 6 Teachers" toward the top of page 10?
 7 A. Uh-huh.
 8 Q. And then do you see where it says on
 9 Exhibit 1:
 10 "This school has experienced various
 11 difficulty in obtaining substitute
 12 teachers to provide classroom
 13 instruction for absent teachers. Last
 14 year the approximate average yearly
 15 absence for teachers was 9.845 days."
 16 Do you see that?
 17 A. Yes.
 18 Q. Is that an accurate figure for the
 19 approximate average yearly absence for teachers?
 20 MS. STRONG: Objection; calls for
 21 speculation.
 22 To the extent that you know.
 23 MS. GODFREY: Join.
 24 THE WITNESS: I think that that's the
 25 approximate average. That's less than 10 days.

1 BY MS. LHAMON:

2 Q. And why is it you think that's the
3 approximate average?

4 A. Because that was one of the
5 accountabilities for the school over the last, for
6 schools over the last three or four years. And this
7 is one of the figures that we monitored. And we
8 tried to encourage teachers to be absent from school
9 for less than the 10 days. And so we took a little
10 pride in that if it was lower than 10.

11 So this is just something that we have kind
12 of watched over the years, and I would. So that's
13 why I'm thinking that is approximately, that
14 approximation is right, it is correct.

15 Q. So you encourage teachers to be absent from
16 school for fewer than ten days for the school year,
17 is that right?

18 A. Yes.

19 Q. Okay.

20 MS. LHAMON: I'm going to show you another
21 exhibit. And this will be marked as Exhibit 2.

22 (Deposition Exhibit No. 2 was marked
23 for identification and is annexed hereto.)

24 MS. LHAMON: And this Exhibit 2 is also a
25 School Accountability Report Card, but this one is

1 Q. Is that a coordinator at Crenshaw or is
2 that a coordinator of the district?

3 A. At Crenshaw.

4 Q. Who is the coordinator at Crenshaw?

5 A. Beverly Silverstein.

6 Q. And is Beverly Silverstein responsible for
7 the School Accountability Report Card for the
8 Teacher Training Academy?

9 MS. STRONG: Objection; vague and
10 ambiguous.

11 THE WITNESS: I'm not --

12 MS. GODFREY: Join.

13 THE WITNESS: I'm sorry.

14 I'm not sure that Mrs. Cannon is
15 responsible. She may work with Beverly, but
16 Mrs. Cannon is responsible to me --

17 BY MS. LHAMON:

18 Q. Okay.

19 A. -- for the report card.

20 Q. And did you review this Teacher Training
21 Academy report card before it was sent to the
22 district?

23 MS. STRONG: Objection; vague.

24 THE WITNESS: I don't remember reviewing
25 this one; I don't remember it.

1 for the Crenshaw Teacher Training Academy Magnet.
2 And it's a 13-page document. And it is the
3 1999/2000 School Accountability Report Card.

4 BY MS. LHAMON:

5 Q. Have you seen Exhibit 2 before today?

6 MS. GODFREY: Take your time to read the
7 document if you need to.

8 THE WITNESS: I'm not sure.

9 BY MS. LHAMON:

10 Q. Do you want to review it to find out?

11 A. Some of these data and information I'm
12 familiar with, but I haven't looked at the total
13 packet in this context.

14 Q. Okay. How are you familiar with the data
15 in it?

16 A. The test data, analyzing the test data.
17 And we covered, we have analyzed test data, and I
18 have seen some of the test data. Okay.

19 Q. Is it Mrs. Cannon who would handle this
20 School Accountability Report Card also for the
21 Teacher Training Academy?

22 A. Her responsibility is to make sure the
23 information is sent to the district. And there is a
24 coordinator that also works with this school, with
25 the magnet school.

1 BY MS. LHAMON:

2 Q. I'm sorry. When I say this Teacher
3 Training Academy Magnet, School Accountability
4 Report Card, Exhibit No. 2.

5 A. Okay.

6 Q. Could you turn to page 10 of Exhibit 2,
7 also.

8 Do you see at the top of page 10 of Exhibit
9 2 where it says "Substitute Teachers"?

10 A. Yes.

11 Q. Do you see underneath that on Exhibit 2
12 where it says:

13 "This school has experienced various
14 difficulty in obtaining substitute
15 teachers to provide classroom instruction
16 for absent teachers. Last year the
17 approximate average yearly absence for
18 teachers was 7.075 day(s)."

19 A. Yes, I see that.

20 Q. Do you know why the approximate average
21 yearly absence for teachers in the Teacher Training
22 Magnet differed from the general school?

23 MS. STRONG: Objection; calls for
24 speculation to the extent it calls for more than a
25 yes or no answer.

1 MS. GODFREY: Join.
 2 THE WITNESS: I'm not sure.
 3 BY MS. LHAMON:
 4 Q. Do you think that the figure in Exhibit 2,
 5 the 7.075 figure for average daily absence in the
 6 Teacher Training Magnet, is accurate?
 7 A. I think so. I don't know. I have no way
 8 of knowing.
 9 Q. Okay. And you think so because it's here
 10 in this document, or is there another reason?
 11 A. Because it's here in this document.
 12 Q. Okay. So it's your belief that Exhibit 2
 13 is accurate?
 14 A. It is with the number, yes; with that
 15 number, I believe that it's accurate.
 16 Q. And you don't have any idea where the
 17 average daily absence for teacher in the Teacher
 18 Training Magnet would be different than the average
 19 daily absence for teachers in the general teacher
 20 population at Crenshaw High School?
 21 MS. GODFREY: Objection; asked and
 22 answered.
 23 MS. STRONG: Join.
 24 THE WITNESS: Speculation would be that
 25 it's a larger number in the regular school, that is

1 in teacher training. That's the only thing I can
 2 think of.
 3 BY MS. LHAMON:
 4 Q. I'm going to show you a third document.
 5 MS. LHAMON: We will mark it as Exhibit 3.
 6 (Deposition Exhibit No. 3 was marked
 7 for identification and is annexed hereto.)
 8 MS. LHAMON: Exhibit 3 is 1999/2000 school
 9 year for Crenshaw High School Highly Gifted Magnet.
 10 It's a 13-page document.
 11 BY MS. LHAMON:
 12 Q. Have you seen Exhibit 3 before today?
 13 MS. GODFREY: Take your time to review the
 14 document.
 15 THE WITNESS: I'm not sure.
 16 BY MS. LHAMON:
 17 Q. Want to take some time to look at it to
 18 see?
 19 A. I have seen some of the data. I haven't
 20 seen it, I haven't seen the total packet in this
 21 format.
 22 Q. Okay. I will ask you to turn to page 10 of
 23 Exhibit 3.
 24 Do you see at the top of page 10 where it
 25 says "Substitute Teachers" on Exhibit 3?

1 A. Uh-huh.
 2 Q. Is that yes?
 3 A. Yes. I'm sorry. I'm a little too
 4 comfortable.
 5 Yes.
 6 Q. I'm glad you are comfortable.
 7 Do you see underneath the Substitute
 8 Teachers on Exhibit 3 where it says:
 9 "This school has experienced various
 10 difficulty in obtaining substitute
 11 teachers to provide classroom instruction
 12 for absent teachers."
 13 A. Yes.
 14 Q. In the note, do you see where it says:
 15 "Last year the approximate average
 16 yearly absence for teachers was 7.308
 17 day(s)."
 18 A. Yes, I see that.
 19 Q. Do you think that that number on Exhibit 3
 20 of 7.308 days is an accurate number?
 21 MS. STRONG: Objection; calls for
 22 speculation.
 23 MS. GODFREY: Join.
 24 THE WITNESS: I think it is.
 25 BY MS. LHAMON:

1 Q. And that's because it's here in this
 2 document, or is there another reason?
 3 MS. STRONG: Objection; calls for
 4 speculation.
 5 THE WITNESS: Because it's here in this
 6 document.
 7 BY MS. LHAMON:
 8 Q. Thank you.
 9 Do you have any idea why the number of
 10 approximate days that teachers were absent from the
 11 Highly Gifted Magnet at Crenshaw differs from the
 12 number of days teachers were absent from the regular
 13 teacher population at Crenshaw?
 14 A. No, I don't.
 15 Q. Okay. Do you see where it says, do you see
 16 on Exhibit 3 underneath Substitute Teachers where it
 17 says:
 18 "This school has experienced various
 19 difficulty in obtaining substitute
 20 teachers to provide classroom instruction
 21 for absent teachers."
 22 A. Yes, I do.
 23 Q. Does that identical language appear in the
 24 language in Exhibit 2 underneath Substitute
 25 Teachers?

1 MS. STRONG: Objection.
 2 MS. GODFREY: The documents speaks for
 3 itself.
 4 MS. STRONG: Join.
 5 THE WITNESS: Is it in -- I have to go back
 6 and see. I will check in just a second.
 7 BY MS. LHAMON:
 8 Q. I appreciate your checking. I don't, I'm
 9 not supposed to testify, so I need you to tell me.
 10 A. It looks like it's identical information
 11 with the exception of the number.
 12 Q. Okay. Can you look to see if the
 13 information is identical also on Exhibit 1, please?
 14 MS. STRONG: Objection; the documents speak
 15 for themselves.
 16 MS. GODFREY: Join.
 17 THE WITNESS: This appears to be the same.
 18 BY MS. LHAMON:
 19 Q. Okay. Do you have an understanding of what
 20 "various difficulty" means in the first sentence of
 21 those sentences in Exhibits 1, 2 and 3 on page 10 of
 22 each exhibit?
 23 MS. STRONG: Objection; vague.
 24 THE WITNESS: I'm not sure what various
 25 difficulties mean. I don't know exactly what they

1 are referring to or what's being referred to.
 2 BY MS. LHAMON:
 3 Q. Okay. Thank you.
 4 You can put aside the exhibit for the time
 5 being, if you want to, or you can keep looking at
 6 them; whatever will make you happier.
 7 MR. ROSENBAUM: If either makes you
 8 happier.
 9 MS. GODFREY: You can hand those to the
 10 court reporter.
 11 THE WITNESS: She may come back.
 12 MS. GODFREY: I'm sorry. I thought you
 13 were done.
 14 BY MS. LHAMON:
 15 Q. Thank you.
 16 Has it ever happened at Crenshaw High
 17 School that an administrator has to cover a class
 18 when a teacher is absent?
 19 MS. STRONG: Objection; calls for
 20 speculation, incomplete hypothetical.
 21 MS. GODFREY: Join.
 22 THE WITNESS: It's rare, but occasionally
 23 it happens. I have covered several in my lifetime.
 24 BY MS. LHAMON:
 25 Q. In your lifetime at Crenshaw also?

1 A. Yes.
 2 Q. How many times have you had to cover a
 3 class since you have been principal at Crenshaw?
 4 MS. STRONG: Objection; vague.
 5 THE WITNESS: Maybe four.
 6 BY MS. LHAMON:
 7 Q. In the total of the three years?
 8 A. Yes.
 9 Q. And why is it rare that an administrator
 10 has to cover a class?
 11 A. Because we usually find -- there is a
 12 number of counselors and coordinators out of
 13 classroom personnel that we usually can find. And
 14 my actual coverage is probably by choice, that I was
 15 there and decided to stay.
 16 Q. Okay. So the class you wanted to take
 17 again?
 18 Was it a class you wanted to take again?
 19 A. No. Just sometimes I want to do that. And
 20 so I do have the luxury of doing some of the things
 21 that I want to do. Not many.
 22 Q. Nice to be principal.
 23 Okay. When a teacher will be absent for
 24 more than one day, is it your practice at Crenshaw
 25 High School to just choose one substitute who can

1 take the class for the entire time that the teacher
 2 is absent?
 3 MS. GODFREY: Objection; calls for
 4 speculation, incomplete hypothetical; assumes facts.
 5 MS. STRONG: Join.
 6 THE WITNESS: It's just standard procedure,
 7 if a teacher is absent and someone comes for me, you
 8 take that full schedule for the day.
 9 BY MS. LHAMON:
 10 Q. Okay. And I'm asking a slightly different
 11 question.
 12 A. Which was?
 13 Q. Whether, if the teacher is going to be
 14 absent for more than one day, whether it's the same
 15 person substituting for the teacher --
 16 A. Okay.
 17 Q. -- who will take the class for all the days
 18 the teacher is absent?
 19 MS. GODFREY: Same objection as the last
 20 time.
 21 MS. STRONG: Join.
 22 THE WITNESS: Yes, that would be ideal if
 23 we could get the teacher to cover the same class.
 24 And so we try to do that, yes.
 25 BY MS. LHAMON:

1 Q. Is that the practice at Crenshaw High
2 School?
3 A. Yes, that's the practice that we try to do
4 that. It depends on the sub, too. The sub may not
5 be able to sub but two days a week or one day a
6 week, or they may have some other things that they
7 have to do. But ordinarily, we try to keep that
8 continuity.
9 Q. Okay. Is there any other reason why there
10 might be a deviation from that practice at Crenshaw
11 High School?
12 MS. GODFREY: Objection; vague and
13 ambiguous, calls for speculation.
14 THE WITNESS: I can't think of any.
15 BY MS. LHAMON:
16 Q. That's okay.
17 So only when the substitute teacher would
18 be unavailable?
19 MS. STRONG: Objection.
20 MS. GODFREY: No.
21 MS. STRONG: Misstates the testimony.
22 MS. GODFREY: Join.
23 THE WITNESS: I'm not sure that's the only
24 reason. I just can't think of any situation where,
25 I can't think of -- I can't think of any other

1 variation right now.
2 BY MS. LHAMON:
3 Q. I appreciate that. That's all I'm asking
4 for, if that's what you can think of right now.
5 If you think of something later, you can
6 let me know later, too.
7 A. Okay.
8 Q. Is there always instruction going on in the
9 classroom when there is a substitute?
10 MS. GODFREY: Objection; vague and
11 ambiguous, incomplete hypothetical; calls for
12 speculation.
13 MS. STRONG: Join.
14 THE WITNESS: I really can't answer that
15 because I don't know --
16 BY MS. LHAMON:
17 Q. Okay.
18 A. -- if there is always instruction going
19 on. I don't know.
20 Q. Okay. Who is the assistant principal in
21 charge of monitoring substitutes?
22 MS. STRONG: Objection; assumes facts and
23 it's vague.
24 MS. GODFREY: Join.
25 THE WITNESS: Mrs. Cannon is the assistant

1 principal that's assigned to that task.
2 BY MS. LHAMON:
3 Q. Okay. How many teachers have left Crenshaw
4 High School during the time you have been principal
5 there?
6 MS. GODFREY: Objection; vague and
7 ambiguous.
8 MS. STRONG: Calls for speculation to the
9 extent that he doesn't know.
10 THE WITNESS: I don't know the exact
11 number.
12 BY MS. LHAMON:
13 Q. Do you have an approximation of a number?
14 A. It will take a minute to try to think about
15 that.
16 MS. STRONG: Same objections.
17 THE WITNESS: I would say over the three
18 years, just the approximate number 30.
19 BY MS. LHAMON:
20 Q. 30?
21 A. Yes; just an average of 10 per year,
22 roughly.
23 But once again, those are not facts. That
24 is just an approximation from my thinking. It could
25 be higher; it could be lower. I don't know.

1 Q. That's your best estimate?
2 A. That's my best estimate, right, yes.
3 Q. That's all I can ask for. I appreciate
4 you --
5 A. Okay.
6 Q. -- giving me the estimate.
7 Do you have any teacher vacancies that are
8 unfiled for the coming school year, the
9 2001/2002 --
10 MS. STRONG: Objection.
11 Q. -- for Crenshaw High School?
12 MS. STRONG: Objection; asked and
13 answered. We covered this.
14 MS. GODFREY: I join in the objection.
15 THE WITNESS: Yes, I have some vacancies
16 right now, yes.
17 BY MS. LHAMON:
18 Q. How many are there right now?
19 A. One, two, three, four that I know of.
20 Q. And in what subjects are those vacancies?
21 A. Two in English -- I'm sorry. It's five
22 that I know of: Two in English; two in math and one
23 in Spanish.
24 Q. Are you interviewing, in the process of
25 interviewing teachers to fill those vacancies now?

1 A. Yes, I am.
 2 Q. How many teachers have you interviewed so
 3 far to fill the English teachers' slots?
 4 MS. STRONG: Objection.
 5 THE WITNESS: 10.
 6 BY MS. LHAMON:
 7 Q. And that's 10 total for both slots?
 8 A. No. Just for English.
 9 Q. I'm sorry?
 10 A. Oh, yes. I'm sorry. For both of the
 11 English positions, yes.
 12 Q. I'm unclear. Thank you for the
 13 clarification.
 14 Have you made any offers to any of those 10
 15 teachers?
 16 A. Yes.
 17 Q. Has any of those teachers accepted?
 18 A. Yes.
 19 Q. So is the position filled?
 20 A. Well, the positions were filled prior to
 21 the two that I have left.
 22 Q. Oh, I see. So you interviewed 10 teachers
 23 to fill English vacancies?
 24 A. Right.
 25 Q. And you have filled some, but you still

1 have two left?
 2 A. Right.
 3 Q. Okay. Do you have any outstanding offers
 4 to English teachers that you have interviewed?
 5 A. Right at this moment?
 6 Q. At this moment.
 7 A. Yes.
 8 Q. How many outstanding offers do you have?
 9 A. Just one.
 10 Q. Is there a date by which you expect to hear
 11 back from that person?
 12 A. Yes.
 13 Q. When is that date?
 14 A. Friday.
 15 Q. You are getting very good at these
 16 questions.
 17 A. Okay.
 18 Q. Do you anticipate making an offer to any of
 19 the other 10 people that you have interviewed for
 20 those slots?
 21 A. I think some of them will turn me, have
 22 turned me down already; they found other positions.
 23 They shop just like, they interview
 24 different schools and they choose the schools that
 25 they want.

1 Q. Sure.
 2 And what I'm asking is, are there -- you
 3 have one offer outstanding and there is two English
 4 positions that you need to fill.
 5 Are there prospective candidates for the
 6 other English position that has no offer
 7 outstanding?
 8 MS. STRONG: Objection; vague and
 9 ambiguous.
 10 MS. GODFREY: Join.
 11 THE WITNESS: Yes, we have applications and
 12 resumes from English, individuals who want to teach
 13 English at Crenshaw.
 14 BY MS. LHAMON:
 15 Q. Whom you have not interviewed?
 16 A. That's correct.
 17 Q. How many people have turned you down for
 18 English so far this summer?
 19 MS. STRONG: Objection; calls for
 20 speculation; assumes he actually knows.
 21 MS. GODFREY: Well, I'm sorry.
 22 THE WITNESS: I think six. That's
 23 approximate. I'm --
 24 Six that I know, and there may be more.
 25 BY MS. LHAMON:

1 Q. Okay. Do you know what schools those
 2 people decided to go to instead?
 3 MS. STRONG: Objection; calls for
 4 speculation. It's beyond his yes or no.
 5 THE WITNESS: I don't, I don't know.
 6 MS. GODFREY: Objection; assumes facts.
 7 BY MS. LHAMON:
 8 Q. Did any of those six tell you why they
 9 turned you down?
 10 A. One lady did. I wasn't interested in
 11 hearing it, but I listened. She just wanted to go
 12 to a middle school instead of a high school.
 13 Q. Did she go to Audubon?
 14 A. I don't think so.
 15 I'm not sure where she went.
 16 And one person found something closer to
 17 their home.
 18 Q. Okay. Did any of the other four tell you
 19 why they decided not to come to Crenshaw?
 20 A. Sometimes they just leave messages, so I
 21 don't get to talk to them. Usually, if they
 22 actually get to me, I will try to generate
 23 conversation if I have time. But I don't take a lot
 24 of time with people who say they are not coming, I
 25 mean.

1 Q. Right.

2 A. They, I will admit that they were very,
3 they always say they are pleased with the process we
4 have in selecting teachers. And that's a committee
5 process where we have a panel of people who
6 interview. And they usually start out with that,
7 you know, and tell me how great I am. Then I start
8 feeling it: Oh, yeah, I know this is not, this is a
9 kiss of death. And then they say: I'm not coming.

10 But they don't make me feel very good, so I
11 don't sit there and say how is your mother and
12 father. I usually say, I got to go; thanks, in
13 essence just for the sake of talking.

14 Yes and no: Yes, I talk to some; some I
15 don't.

16 Q. Okay. Why is it that you have not yet
17 interviewed the people whose resumes you have who
18 are interested to teach English --

19 MS. GODFREY: Objection.

20 BY MS. LHAMON:

21 Q. -- at Crenshaw High School?

22 MS. GODFREY: Objection; assumes facts.

23 THE WITNESS: We just simply ran out of
24 time. My assignment ended for the year on June
25 29th, and I really am not supposed to be back at

1 Q. Have you ranked those resumes among people
2 you are most interested to interview?

3 MS. GODFREY: Objection; assuming facts,
4 vague and ambiguous.

5 MS. STRONG: Join.

6 THE WITNESS: I must at random.

7 BY MS. LHAMON:

8 Q. Of the resumes of those people you have not
9 interviewed, do they all have non-emergency teaching
10 credentials in California?

11 MS. GODFREY: Objection; compound, vague
12 and ambiguous.

13 MS. STRONG: Calls for speculation to the
14 extent you don't know.

15 THE WITNESS: Some of them, I don't know
16 some of them. Usually individuals will put on their
17 resume if they have a teacher, if they have a
18 teaching credential. And if they come from out of
19 state, they will tell us right upfront. And then --

20 But, as I say, everybody has some form of
21 credential, emergency credentials to be able to
22 work. And they are cleared through the district
23 before they allow them to come through the interview
24 process. Or if we find one, we send them to the
25 district. And they have to be cleared before we can

1 work until the 26th of July. But I will set up
2 dates between that time and interview.

3 BY MS. LHAMON:

4 Q. Okay. I want to make sure I understand
5 that.

6 Your vacation time is from June 29 until
7 July 26th, is that right?

8 A. That's correct.

9 Q. And when you say you are not supposed to be
10 back at school to be interviewing, is that a
11 district mandate?

12 A. I didn't say that.

13 Q. I'm sorry.

14 A. I said I'm not scheduled to go back to
15 work, you know. I'm not paid; my pay doesn't start
16 until the 26th, but my loyalty goes beyond that. So
17 we will set dates between that time that we will
18 have interview dates.

19 Q. Okay. So you do anticipate having to
20 interview people on July 26th to fill the English
21 Department position?

22 A. That's correct.

23 Q. Have you reviewed resumes of people that
24 you have interviewed?

25 A. Some of them.

1 hire them.

2 BY MS. LHAMON:

3 Q. So as to the people that you have ranked,
4 how have you decided whom you are more interested to
5 interview?

6 A. We don't turn people down. We have to
7 interview everybody, sometimes I should say
8 unfortunately. But we do have to interview
9 everyone. And then the committee rates the
10 candidate accordingly.

11 Q. And the district requires you to interview
12 everybody the district sends to you, is that right?

13 A. No.

14 MS. GODFREY: Objection; assumes facts.

15 BY MS. LHAMON:

16 Q. How is it that you are required to
17 interview everybody?

18 A. Well, we just, I mean how do I know I've --
19 I think everybody deserves, you know, they apply;
20 they want, they ask for an interview; we give it to
21 them. Okay. We don't just say I will look at your
22 resume, and say: No, I'm not going to interview
23 you. We don't do that.

24 Q. That's a decision that you have made?

25 A. Yes, it's a decision that we have made,

1 yes.
 2 Q. That's out of respect for the applicant?
 3 A. No. You know, sometimes you can just tell
 4 by looking at a person's resume; you can bring them
 5 in and talk to them. And so we, you know, I tend to
 6 like to interview people. Okay; let's see what they
 7 have to offer.
 8 Q. Okay. I want to step back a second before
 9 I start asking about math vacancies.
 10 How many total vacancies did you have for
 11 the 2001/2002 school year?
 12 MS. STRONG: Objection; calls for
 13 speculation.
 14 MS. GODFREY: And I believe asked and
 15 answered; incomplete hypothetical.
 16 THE WITNESS: It's a little different
 17 sometimes, the vacancies I have now versus how many
 18 total vacancies that I have. So if I remember
 19 correctly --
 20 Q. I can't --
 21 A. Everything runs together; years run
 22 together. It seems as though we have nine for the
 23 school year.
 24 Q. Nine for the coming 2001/2002 school year?
 25 A. Right.

1 Q. And how did you fill the other four that
 2 have already been filled?
 3 MS. STRONG: Objection; asked and answered.
 4 THE WITNESS: The interview process we
 5 post; we go on the internet and post all of the
 6 steps that we use to try and recruit teachers.
 7 I don't know exactly how each one of them
 8 came about, but just following the normal process.
 9 BY MS. LHAMON:
 10 Q. And of the four that have already been
 11 filled, how many applications did you receive for
 12 those four position?
 13 A. I really don't know; I don't know.
 14 Q. For those four teachers you have already
 15 hired of the vacant positions, did any of them have
 16 non-emergency teaching credentials in California?
 17 MS. STRONG: Objection; calls for
 18 speculation to the extent that you don't know.
 19 THE WITNESS: I do know one that was a
 20 credentialed, fully credentialed teacher.
 21 BY MS. LHAMON:
 22 Q. And were the other three fully credentialed
 23 as well?
 24 MS. STRONG: Same objection.
 25 MS. GODFREY: Join.

1 THE WITNESS: I don't know whether they
 2 were fully credentialed. I know they were qualified
 3 by the district for us to hire them, interview them
 4 and select them, if need be. But I just remember
 5 this one lady that continues to talk about, I mean
 6 the number of years she has been in the district and
 7 has been in Southern California, moved north and is
 8 moving back. So I remember that one.
 9 I don't remember talking as much about the
 10 credentials of the other ones that we hired.
 11 BY MS. LHAMON:
 12 Q. Okay. Then turning to the math vacancies,
 13 have you interviewed anyone to fill either of those
 14 two positions?
 15 A. No, not at this time.
 16 Q. And why not?
 17 A. I don't have an application.
 18 Q. Have you received an application to fill
 19 the math vacancy?
 20 A. Yes. We have filled two.
 21 Q. So two of the four have already been filled
 22 of the math vacancies?
 23 A. Yes.
 24 Q. And you don't have any new applications?
 25 A. That's correct.

1 Q. Do you anticipate receiving some over the
 2 time period between now and the beginning of school
 3 for the 2001/2002 school year?
 4 A. Yes.
 5 Q. And you anticipate that because that's just
 6 the normal course of business?
 7 A. That's correct.
 8 Q. How about for the Spanish vacancy, have you
 9 interviewed anyone to fill that position?
 10 A. Yes.
 11 Q. Have you extended any offers?
 12 A. I did not.
 13 Q. Do you anticipate interviewing more people?
 14 A. Yes, I do.
 15 Q. How many people have you interviewed so
 16 far?
 17 MS. STRONG: Objection; vague.
 18 THE WITNESS: For the Spanish position,
 19 just one.
 20 BY MS. LHAMON:
 21 Q. And how many positions have you received
 22 for the Spanish vacancies?
 23 A. Three, I think.
 24 Q. And do all of those applicants have full
 25 emergency credentials in California?

1 A. No.
 2 MS. STRONG: Objection; calls for
 3 speculation, compound.
 4 MS. GODFREY: Join.
 5 THE WITNESS: I'm not -- I don't know.
 6 No. I don't know.
 7 BY MS. LHAMON:
 8 Q. Okay.
 9 A. I'm sorry. I said no. But I don't really
 10 know if I had to stop and think about it. I don't
 11 know. I didn't conduct each one of them in that
 12 detail.
 13 Q. And you don't need to be sorry if you don't
 14 know the answer to any of my questions.
 15 A. I'm supposed to answer. I'm sorry to
 16 myself, not to you.
 17 Q. You can apologize to yourself. I have no
 18 problem with that.
 19 Okay. Do you take any steps to try to
 20 retain teachers at Crenshaw High School?
 21 MS. GODFREY: Objection; vague and
 22 ambiguous.
 23 THE WITNESS: Yes, I do.
 24 BY MS. LHAMON:
 25 Q. What are the steps that you take to try to

1 retain teachers?
 2 A. Well, I think the big thing is to support
 3 teachers and try and make sure that they feel
 4 comfortable, too.
 5 We started this program Teachers Helping
 6 Teachers to assist those new teachers to Crenshaw
 7 and new teachers to teaching. And we provided a
 8 resource center for them; provided a teacher to work
 9 with them to help them design lessons and a course.
 10 Then she met with them once a month.
 11 So that's a program that I'm pleased to say
 12 we have started at Crenshaw High School just to
 13 support new teachers. That's something I felt that
 14 we needed to do, instead of just always looking for
 15 teachers trying to retain the ones that we have.
 16 So we are very pleased with that particular
 17 program.
 18 Q. Do you know if that program is successful
 19 in retaining teachers at Crenshaw?
 20 MS. GODFREY: Objection; vague and
 21 ambiguous.
 22 MS. STRONG: Join.
 23 THE WITNESS: It's really too early to
 24 tell. It's only been in effect for one year. And
 25 we would have to evaluate the data and see next year

1 and make sure we have a better idea.
 2 BY MS. LHAMON:
 3 Q. Is a number, is the number of teacher
 4 vacancies that you started with for the teachers for
 5 the 2001/2002 school, do you consider that's
 6 consistent with the number of teacher vacancies that
 7 the school had for the prior two years that you were
 8 principal?
 9 MS. GODFREY: Objection; vague and
 10 ambiguous.
 11 MS. STRONG: Join.
 12 THE WITNESS: I really can't say, but it's
 13 just appearing to me that it's lower. And I don't
 14 know that for a fact. But I don't, I don't have
 15 those facts with me.
 16 BY MS. LHAMON:
 17 Q. Going back to the vacancies, the nine
 18 vacancies that you started with for the 2001/2002
 19 school year, I know that four of the nine were in
 20 math; two of the nine were in English, and one of
 21 the nine was in Spanish.
 22 What were the others?
 23 There is two more.
 24 MS. STRONG: Objection; calls for
 25 speculation if he doesn't know that.

1 THE WITNESS: I think we had, we needed a
 2 counselor.
 3 BY MS. LHAMON:
 4 Q. What was the other one?
 5 A. Let's see. What was the other one?
 6 Oh, yeah. We filled the science position;
 7 one was science.
 8 Q. Okay. Thank you.
 9 For the science position, what science
 10 classes does the teacher teach?
 11 MS. STRONG: Objection; calls for
 12 speculation, assuming you don't know.
 13 THE WITNESS: I don't remember whether it's
 14 integrated or biology. I don't know.
 15 BY MS. LHAMON:
 16 Q. But you remember that it was integrated or
 17 biology, one of the two?
 18 A. Yes.
 19 Q. And the counselor position, that is the
 20 ninth grade counselor position?
 21 A. Yes. Oh, no, no. I'm sorry. That's not
 22 for the counselor position. The ninth grade
 23 counselor is here, still there. It was the senior,
 24 the ninth grade counselor that was held in the
 25 senior class.

1 Q. And that would be for the next year, which
 2 happened to be the sophomore class, is that correct?
 3 A. That's correct.
 4 Q. And for the Spanish teacher, Spanish
 5 vacancy, what level Spanish does the teacher teach?
 6 A. I think she teaches Spanish one, 1-A and
 7 1-B.
 8 Q. And I know there is more math vacancies.
 9 There were originally four math vacancies.
 10 What level math are those vacancies?
 11 MS. GODFREY: Objection; compound.
 12 MS. STRONG: Join.
 13 THE WITNESS: Algebra, geometry.
 14 BY MS. LHAMON:
 15 Q. And those are the only subjects; there is
 16 no calculus or trigonometry or some other math?
 17 A. No, no calculus. But the problem with the
 18 new math program is that we have, that one of those
 19 teachers will probably have to teach math. Algebra
 20 is not, you don't get an algebra credit. It's
 21 Algebra I. I don't know how, I don't know the
 22 proper name, but it's a math elective. And it's a
 23 two-year -- it's a four-year program where teachers,
 24 where kids will take this course, and then after
 25 they do, if they do well, then they will go into

1 A. Science.
 2 Q. And are any of the nine vacancies for the
 3 Teachers Training Academy in Crenshaw?
 4 A. Yes.
 5 Q. How many?
 6 A. One, one; I think one of the math
 7 positions.
 8 Q. Thank you.
 9 Do you receive any assistance from anyone
 10 at the district level to try to retain teachers at
 11 Crenshaw High School?
 12 MS. GODFREY: Objection; vague and
 13 ambiguous.
 14 MS. STRONG: Join.
 15 THE WITNESS: I think there is a, we have a
 16 program, a district intern program. And their
 17 primary function is to work with new teachers and
 18 try and retain them. And teachers who go into this
 19 program come out with a credential, and are
 20 individuals right out of college. And they have an
 21 interim program that they work with them.
 22 So that's the one program that I, that I
 23 feel that it's out there to help retain teachers.
 24 BY MS. LHAMON:
 25 Q. So the district does assist Crenshaw High

1 regular algebra where they get a credit.
 2 It's the new math program that the district
 3 is unveiling for next year.
 4 Q. Is that a program that will bring pre-math
 5 investigations on the Crenshaw campus?
 6 A. That's correct.
 7 Q. And then for the two English vacancies,
 8 what English classes are they for?
 9 A. See, within the English Department, it
 10 varies. One of the English teachers is leaving who
 11 had some honors in 10th grade English classes and a
 12 couple 11th grade classes. So within the
 13 department, they will, I think will have to realign
 14 those classes, because seniority plays a role, and
 15 people who have been waiting to take the honors and
 16 who is qualified to teach honors.
 17 So I can't give you a great, just a direct
 18 answer as to what they will be teaching.
 19 Q. Okay. For those nine teacher vacancies,
 20 are any of those positions from the gifted magnet at
 21 Crenshaw?
 22 A. Yes; yes.
 23 Q. How many of them?
 24 A. One.
 25 Q. And which subject?

1 School to retain teachers who are in the district
 2 internship program, is that right?
 3 A. Yes. I --
 4 Q. Are there any other --
 5 I'm sorry.
 6 A. I wouldn't say just in Crenshaw High; it's
 7 just the teachers and teaching. And they don't
 8 necessarily say that, you know, if you do this, you
 9 know, you stay at Crenshaw. I don't think they tie
 10 Crenshaw to it. They just work with new teachers to
 11 help them do a better job.
 12 Q. Are there any district intern teachers at
 13 Crenshaw High School right now?
 14 A. Yes.
 15 Q. How many?
 16 A. I don't know; I really don't know. If I
 17 had to look that up, I'm sure I could, but I don't
 18 know right now sitting here.
 19 Q. It's always fair to say you don't know
 20 something.
 21 A. Okay.
 22 Q. And I will always understand if you don't
 23 remember; that's okay.
 24 Do you receive any assistance from anyone
 25 at the state in trying to retain teachers at

1 Crenshaw High School?
 2 MS. STRONG: Objection; vague and
 3 ambiguous.
 4 MS. GODFREY: Join.
 5 MS. STRONG: Calls for speculation.
 6 THE WITNESS: I don't, I don't know of any
 7 programs that's designed just for that. I'm not
 8 saying there are not any, but I don't know of any.
 9 BY MS. LHAMON:
 10 Q. Okay. You told me already about a math
 11 class where there was a teacher vacancy at the
 12 beginning of the school year, the 2000/2001 school
 13 year.
 14 Are there any other classes where there
 15 were teacher vacancies at the beginning of the 2001
 16 -- 2000/2001 school year?
 17 A. No. It seems like there was, but I can't
 18 think of one right now. I'm not sure.
 19 Q. Would it help if I asked you about a
 20 department?
 21 A. It could.
 22 Q. Okay. I will try it.
 23 In the English Department, were there any
 24 teacher vacancies at the beginning of the 2000/2001
 25 school year?

1 A. No, I don't think so, no.
 2 Q. How about for foreign languages?
 3 MS. GODFREY: Objection; compound.
 4 THE WITNESS: I think there was.
 5 BY MS. LHAMON:
 6 Q. Do you remember which foreign language the
 7 vacancy was in?
 8 A. I think it was Spanish.
 9 Q. And do you remember what the school did to
 10 fill that position?
 11 A. We did the normal procedures in trying to
 12 find a teacher.
 13 Q. Did that position ever get filled?
 14 A. Yes, it did.
 15 Q. How long did it take for the position to be
 16 filled?
 17 A. I really don't remember.
 18 Q. Do you remember if it was in the first
 19 semester?
 20 MS. GODFREY: Objection; vague and
 21 ambiguous.
 22 THE WITNESS: I don't remember; I really
 23 don't.
 24 BY MS. LHAMON:
 25 Q. Okay. Do you remember if there were any

1 teacher vacancies for the Science Department for the
 2 2000/2001 school year?
 3 A. No, I don't remember that. I don't think
 4 that there was. Could have been; could not have
 5 been. I don't think so. I don't know. I don't
 6 think so.
 7 Q. Do you remember any teacher vacancies in
 8 the PE department for the 2001/2002 school year?
 9 A. That I know there wasn't.
 10 Q. There were not any?
 11 A. No.
 12 Q. Do you remember if there were any teacher
 13 vacancies in the -- well, let me strike that.
 14 Are the elective courses at Crenshaw High
 15 School categorized together in a single department
 16 or in multiple departments?
 17 A. Multiple departments.
 18 Q. You make it hard for me.
 19 Were there any cooking teacher vacancies?
 20 A. No.
 21 Q. Were there any home economics teacher
 22 vacancies?
 23 A. No.
 24 Q. Were there any auto shop vacancies?
 25 A. No. We don't have an auto shop.

1 Q. It was all vacant. Okay.
 2 What other elective does Crenshaw offer?
 3 MS. STRONG: Assumes facts that he handled
 4 electives.
 5 BY MS. LHAMON:
 6 Q. What were the electives that Crenshaw
 7 offered to the extent they were offered?
 8 A. Computer graphic arts; English electives;
 9 contemporary computer. That's about it.
 10 Q. Were there any computer vacancies or any
 11 graphic arts vacancies?
 12 A. No.
 13 Q. I have exhausted my knowledge about what
 14 gets taught.
 15 A. I think it's pretty much exhausted mine,
 16 too. I don't think there are any other departments
 17 that had vacancies.
 18 Q. You can't think of any in the Art
 19 Department?
 20 A. No, no art.
 21 Q. Not in the Music Department?
 22 A. No, not in music.
 23 Q. Now I really have exhausted my knowledge.
 24 Do you receive any help from anyone at the
 25 state level in recruiting teachers to Crenshaw High

1 School?
 2 MS. GODFREY: Objection; vague and
 3 ambiguous.
 4 MS. STRONG: Join.
 5 Calls for speculation to the extent that's
 6 beyond his knowledge.
 7 THE WITNESS: I can't think of any.
 8 BY MS. LHAMON:
 9 Q. Going back to the Spanish teacher vacancy
 10 and that you can't really remember how long it took
 11 to get it filled, do you remember if there was a
 12 single substitute teacher who replaced or filled
 13 that vacancy until the vacancy was filled?
 14 A. I know that there wasn't a single
 15 substitute.
 16 Q. Do you know how many substitutes there
 17 were?
 18 A. No, I don't.
 19 Q. How do you remember there wasn't just a
 20 single substitute?
 21 A. I just remember it.
 22 Q. Do you remember whether that class was
 23 filled with a substitute teacher each day or whether
 24 the class had to be, whether it had to use teachers
 25 from a conference period to fill that class?

1 MS. STRONG: Objection, compound;
 2 objection, incomplete hypothetical.
 3 THE WITNESS: I can't remember how it was
 4 covered every day. I don't know the details of it.
 5 Just sitting here today, I don't know the details,
 6 so I would perjure myself if I tried to answer.
 7 BY MS. LHAMON:
 8 Q. Don't do that.
 9 A. No.
 10 Q. Okay. Do you know what level Spanish class
 11 that that vacancy was for?
 12 A. I really don't.
 13 Q. Do you know if the substitute teachers who
 14 taught spoke Spanish?
 15 MS. STRONG: Objection; calls for
 16 speculation to the extent he doesn't know.
 17 MS. GODFREY: Join.
 18 I'm sorry. Were you finished?
 19 MS. STRONG: Yes.
 20 THE WITNESS: I remember a period of time
 21 that there was a Spanish speaking set up.
 22 BY MS. LHAMON:
 23 Q. So for at least some portion of the time,
 24 there was a Spanish-speaking substitute?
 25 A. That's correct.

1 Q. You could have gotten a teacher who doesn't
 2 speak Spanish, that's also happened?
 3 MS. STRONG: Objection; incomplete
 4 hypothetical.
 5 THE WITNESS: I'm pretty sure it could have
 6 been.
 7 BY MS. LHAMON:
 8 Q. And were there five total classes for that
 9 vacant position taught?
 10 MS. GODFREY: Objection; vague and
 11 ambiguous, unintelligible.
 12 MS. STRONG: Join.
 13 THE WITNESS: There was a full teaching
 14 position for five classes, yes.
 15 BY MS. LHAMON:
 16 Q. Thank you.
 17 And you testified on your first day of
 18 testimony that there is approximately 33 students
 19 per class on average; is that correct?
 20 A. That's about -- yes.
 21 Q. So there would have been about 33 students
 22 for each of those five classes, is that correct?
 23 A. Between 30 and 33.
 24 Q. Thank you.
 25 Do you remember if there were any classes

1 during the 1999/2000 school year that began the
 2 school year without a permanent teacher?
 3 A. I don't remember.
 4 MS. STRONG: I'm sorry. Without a
 5 permanent teacher?
 6 MS. LHAMON: Yes.
 7 MS. STRONG: Objection; vague and
 8 ambiguous.
 9 MS. GODFREY: Join.
 10 THE WITNESS: I don't remember.
 11 BY MS. LHAMON:
 12 Q. Why does it happen in the school year that
 13 there are teacher vacancies at the beginning of the
 14 school year?
 15 MS. GODFREY: Objection; vague and
 16 ambiguous, calls for speculation, assumes facts.
 17 MS. STRONG: Join.
 18 THE WITNESS: Well, there is a number of
 19 reasons. One is, as carefully as we plan, when we
 20 have the names of all the kids, between the time
 21 that the kids say that they are coming in September
 22 -- in May and June and between that summer break
 23 until September, we may have as many as 400 to 500
 24 kids who don't show and that number that shows.
 25 So it makes it very difficult to have

1 everybody's program equally designed, scheduled and
2 ready to go for the first day of school, because of
3 the number of kids that don't come that also would
4 be programmed and the number of individuals that
5 come that have to be programmed.

6 So it just makes it difficult to open a
7 school with the exact right number of teachers,
8 classes and everybody completely programmed.

9 BY MS. LHAMON:

10 Q. Is that degree of student variation
11 something that is specific to Crenshaw High School?

12 A. I like to, I think it's unique to Crenshaw
13 High School.

14 Q. And why is that?

15 A. Because of the location of the school.
16 Crenshaw High School sets just across the street
17 from a very, I would say one of the most wealthiest
18 neighborhoods among African-Americans in the City or
19 probably anywhere, and a number of those kids tend
20 to go to the magnet. So they shop around and then
21 -- because we got a feeder database. And then the
22 parents shop, and they go to different magnets:
23 Hamilton; they go to Hollywood, and they go to
24 magnets that attract them.

25 We also have an influence of students

1 anyone about teacher vacancies at the beginning of a
2 school year?

3 MS. GODFREY: Objection; vague and
4 ambiguous, incomplete hypothetical.

5 THE WITNESS: I don't know. You know, I'm
6 sure somebody complains, you know, but I don't know
7 who or when or how many.

8 BY MS. LHAMON:

9 Q. You can't think of any right now?

10 A. I can't think of any right now.

11 Q. Okay. And have you talked to any parent
12 about teacher vacancies at the beginning of the
13 school year during the three years that you have
14 been principal at Crenshaw?

15 MS. STRONG: Objection; vague and
16 ambiguous.

17 THE WITNESS: Yes, I have talked to some
18 parents.

19 BY MS. LHAMON:

20 Q. What do those parent say to you?

21 MS. STRONG: Objection; compound.

22 THE WITNESS: We have had parent groups
23 that look at all aspects of the school and assist
24 and help. And some of those parent groups have
25 talked about the teacher selection and working and

1 coming here from further east that want to go to
2 Crenshaw. So they come from farther east to
3 Crenshaw High School, too, because they feel that,
4 you know, that's where they want to go to school;
5 they have brothers and cousins who have gone there.

6 So we wind up with the names of those
7 individuals who come on our transfer data
8 information that their parents have shopped, and the
9 kids who want to come to Crenshaw. And I think that
10 that creates, it creates a problem.

11 It's just a community that's just not
12 stable where the kids just go to one high school and
13 then go to college. It's just one of those
14 communities that is just, that's, there is a lot of
15 transients.

16 Q. And there are more transients in Crenshaw
17 than in the other communities in the district or in
18 the state?

19 MS. STRONG: Objection; calls for
20 speculation.

21 MS. GODFREY: Join.

22 THE WITNESS: Well, I really can't say, but
23 that's a feeling that I get.

24 BY MS. LHAMON:

25 Q. Okay. Do you receive complaints from

1 the teachers and the conditions of those schools and
2 all aspects of the school.

3 So, yes, those parent groups have talked to
4 me about it.

5 BY MS. LHAMON:

6 Q. Have you talked to anyone other than
7 parents in those -- I'm sorry.

8 Have you talked to any parents or parent
9 groups and teacher groups in Crenshaw?

10 A. I don't, I don't remember. I know I have
11 talked to a lot of parents over the three-year
12 period about a lot of things, but I can't just sit
13 here and remember a case where I have talked to a
14 parent about just that problem of not having a
15 teacher.

16 But you run into, I mean there is just a
17 whole lot of things. And a lot of things you send
18 to your assistant principal and your deans to work
19 with.

20 So I don't remember a case right now.

21 Q. And what are the parent groups that you are
22 referring to when you say there are parent groups at
23 Crenshaw?

24 A. We have a parent group called Friends of
25 Crenshaw/Dorsey. We have NRC and we have CEAC.

1 It's a parent group that supports the Title I
 2 program. And we have parents on the various
 3 committees at the school.
 4 Q. And the group that's Friends of Crenshaw
 5 and Dorsey, I take it these are parents of students
 6 at both Crenshaw High School and Dorsey High School,
 7 is that right?
 8 A. Yes.
 9 Q. And is that a booster club? Is that a fund
 10 raiser?
 11 A. No, it's not a fund raiser.
 12 We used to be, we used to be a cluster, and
 13 so I think that's derived from that cluster. Now
 14 that we are a district, that group just kind of hung
 15 on as Friends of Crenshaw and Dorsey that do things
 16 for Crenshaw and Dorsey now that it's a district.
 17 And I need to go to the bathroom.
 18 MS. LHAMON: Okay. Me, too.
 19 Let's take a break.
 20 (The luncheon recess was taken
 21 at 11:45 A.M.)
 22
 23
 24
 25

1 (The deposition of TRAVIS KIEL
 2 was reconvened at 1:21 P.M.)
 3 MS. LHAMON: Can we go back on the record.
 4
 5 TRAVIS KIEL,
 6 having been previously duly sworn, testified further
 7 as follows:
 8
 9 EXAMINATION (CONTINUING)
 10
 11 BY MS. LHAMON:
 12 Q. Good afternoon, Mr. Kiel.
 13 Did you drink any alcohol over lunch or
 14 take any medication that would affect your ability
 15 to remember today?
 16 A. No, I did not.
 17 Q. I appreciate that. Thank you.
 18 How does it impact student education to
 19 have classes where there is no permanent teacher?
 20 MS. STRONG: Objection; calls for
 21 speculation and calls for expert testimony.
 22 MS. GODFREY: I join that.
 23 Also vague and ambiguous and assumes facts
 24 not in evidence.
 25 MS. STRONG: Join.

1 APPEARANCES OF COUNSEL:
 2 (P.M. SESSION)
 3
 4 SABRINA HERON STRONG, ESQ.
 5
 6 CATHERINE E. LHAMON,, ESQ.
 7
 8 MARK D. ROSENBAUM, ESQ.
 9
 10 DENISE G. GODFREY, ESQ.
 11
 12
 13 ALSO PRESENT:
 14
 15 JEAN SHIN
 16
 17
 18
 19
 20
 21 REPORTED BY:
 22
 23 DONNIE A. STICKLEY, C.S.R. No. 9510
 24
 25

1 THE WITNESS: I think it affects students
 2 in the sense that if the teacher is not prepared and
 3 there may be, sometimes it's a permanent teacher or
 4 a teacher with less experience, and they may not be
 5 as prepared as one with experience. And so that's
 6 how it would affect students. Undoubtedly, they
 7 wouldn't be exposed to the best presentations. It
 8 doesn't mean that it's impossible to learn. It just
 9 means that it may be easier.
 10 BY MS. LHAMON:
 11 Q. It may be easier if there were a teacher
 12 permanently assigned to the classroom?
 13 A. Yes.
 14 Q. Do you ever receive assistance from anyone
 15 at the state to fill in teacher vacancies at
 16 Crenshaw High School?
 17 MS. STRONG: Objection; calls for
 18 speculation.
 19 MS. GODFREY: Join.
 20 I think asked and answered.
 21 THE WITNESS: I'm not aware of direct
 22 assistance.
 23 BY MS. LHAMON:
 24 Q. Do you ever notify anyone at the state of
 25 teacher vacancies at Crenshaw High School?

1 A. No.
 2 MS. STRONG: Vague and ambiguous; calls for
 3 speculation.
 4 BY MS. LHAMON:
 5 Q. Does anyone from the state level ever
 6 inquire of you whether there are teacher vacancies
 7 at the Crenshaw High School?
 8 MS. STRONG: Objection; vague.
 9 MS. GODFREY: Join.
 10 THE WITNESS: Not that I know of.
 11 BY MS. LHAMON:
 12 Q. Do you ever report the number of vacant
 13 teacher positions at Crenshaw High School to anyone
 14 at the state level?
 15 MS. STRONG: Objection; vague and
 16 ambiguous.
 17 THE WITNESS: No.
 18 BY MS. LHAMON:
 19 Q. Do you ever report the number of teacher
 20 vacancies at Crenshaw High School to anyone at the
 21 district level?
 22 MS. STRONG: Objection; vague and
 23 ambiguous.
 24 THE WITNESS: They are aware.
 25 BY MS. LHAMON:

1 Q. They are aware?
 2 A. Yes.
 3 Q. And how are they made aware?
 4 A. We have a personnel specialist who works at
 5 the downtown office with personnel, so he and I work
 6 together to staff the school. And so he is aware of
 7 every opening that I have at the school.
 8 Q. And is he the person to whom you
 9 communicate the need of teachers at Crenshaw?
 10 MS. STRONG: I couldn't hear the question.
 11 MS. LHAMON: I said is he the person to
 12 whom you communicate the need for a teacher at the
 13 school site.
 14 THE WITNESS: Yes.
 15 BY MS. LHAMON:
 16 Q. And what happens after you communicate that
 17 need to him?
 18 A. I'm not absolutely --
 19 MS. STRONG: Objection; vague.
 20 THE WITNESS: I'm not absolutely sure as to
 21 what he does. But according to my knowledge of the
 22 personnel specialist, he has it posted downtown on a
 23 posting list of how many vacancies in schools that
 24 he has that he is responsible for, because I will
 25 get a call from personnel that says: I see you have

1 two English positions available. Are they still
 2 available? And I will say yes or no.
 3 And then they send people out as a result
 4 for interviews.
 5 BY MS. LHAMON:
 6 Q. Is there anyone in a parallel position at
 7 the state level who works on personnel at the
 8 school?
 9 MS. STRONG: Objection; calls for
 10 speculation.
 11 MS. GODFREY: Join.
 12 THE WITNESS: I'm not aware of it.
 13 BY MS. LHAMON:
 14 Q. There is no one with whom you communicate
 15 at the state level about the needs for teachers at
 16 Crenshaw High School?
 17 MS. STRONG: Objection; vague and
 18 ambiguous.
 19 MS. GODFREY: Misstates prior testimony.
 20 THE WITNESS: No.
 21 BY MS. LHAMON:
 22 Q. Does Crenshaw maintain a list of
 23 credentials that teachers have?
 24 MS. STRONG: Objection; vague and
 25 ambiguous.

1 MS. GODFREY: Join in that objection.
 2 THE WITNESS: No.
 3 Occasionally, I get a printout maybe once a
 4 year or once every, I don't know how often, but we
 5 get a printout from the district that shows
 6 seniority and credentials held.
 7 BY MS. LHAMON:
 8 Q. And does Crenshaw High School maintain any
 9 records of teachers' credentials?
 10 MS. STRONG: Objection; vague and
 11 ambiguous.
 12 MS. GODFREY: Join.
 13 THE WITNESS: Just that list.
 14 BY MS. LHAMON:
 15 Q. Just that list within the district?
 16 A. Right.
 17 Q. And you said that you received that list
 18 from the district about once a year?
 19 A. To the best of my knowledge, I think that's
 20 right.
 21 Q. For what purpose is that list sent to you?
 22 MS. STRONG: Objection; calls for
 23 speculation.
 24 THE WITNESS: Well, so that you will know
 25 just to verify what teachers teach and what they

1 should teach and what they are best suited and
 2 qualified to teach.
 3 BY MS. LHAMON:
 4 Q. And what do you do with the list when you
 5 receive it?
 6 A. Well, I share it with the other
 7 administrators, preferably with the assistant
 8 principal of Counseling Services who is ultimately
 9 responsible for making teachers' programs.
 10 Q. And that's Mrs. Cannon?
 11 A. No.
 12 Q. There is one thing she doesn't do?
 13 A. Yes. Mrs. Cannon sounds real busy.
 14 But no. This is Ms. McAdoo.
 15 Q. And just for the reporter's benefit, how do
 16 you spell Ms. McAdoo's last name?
 17 A. M-c, M-c-A-D-O-O.
 18 MR. ROSENBAUM: Capital A?
 19 THE WITNESS: Yes.
 20 BY MS. LHAMON:
 21 Q. Thank you.
 22 A. Yes.
 23 Q. M-c-A-D-O-O. Thank you.
 24 And just so I understand, the only
 25 documentation maintained at Crenshaw High School of

1 his knowledge.
 2 THE WITNESS: Fully credentialed?
 3 BY MS. LHAMON:
 4 Q. Yes.
 5 A. All of them are credentialed to teach in
 6 California schools; everybody.
 7 When you say do they have a credential,
 8 fully credentialed meaning they are emergency
 9 credentialed or they are not emergency
 10 credentialed?
 11 Q. That's what I mean, fully credentialed.
 12 A. I don't know how many, I don't know how
 13 many is on emergency and how many that's not
 14 emergency credentialed at this time. That's data
 15 that can be obtained.
 16 Q. Okay. And do you know how many teachers
 17 are district intern teachers at Crenshaw High
 18 School?
 19 A. No. I think, if I couldn't remember this
 20 morning, I don't remember this afternoon.
 21 No, I don't know.
 22 Q. Do you have an estimate of the number of
 23 teachers who have the full amount of fully
 24 non-emergency credentialed teachers at Crenshaw High
 25 School?

1 credentials that teachers at Crenshaw have comes
 2 from the district itself; is that correct?
 3 MS. STRONG: Objection; vague and
 4 ambiguous.
 5 THE WITNESS: That's correct.
 6 BY MS. LHAMON:
 7 Q. And then do you know where the district
 8 gets information about teachers' credentials?
 9 MS. STRONG: Objection; calls for
 10 speculation if you don't know.
 11 MS. GODFREY: Join.
 12 THE WITNESS: I don't know. That's a whole
 13 department. And so personnel probably assists some
 14 teachers in applying to the state for the
 15 credential. I don't know the details of how that
 16 works.
 17 BY MS. LHAMON:
 18 Q. When you say personnel, you are referring
 19 go the L.A. --
 20 A. L.A. Unified Personnel Office.
 21 Q. Thank you.
 22 Do you know how many teachers at Crenshaw
 23 High School are fully credentialed to teach in
 24 California public schools?
 25 MS. STRONG: Calls for speculation beyond

1 MS. GODFREY: Objection; asked and
 2 answered.
 3 THE WITNESS: I don't have one, but I can
 4 estimate.
 5 MS. GODFREY: She doesn't want you to
 6 guess.
 7 THE WITNESS: Okay. Well, I don't know.
 8 BY MS. LHAMON:
 9 Q. Okay. You can say you were going to
 10 guess. If you can make an estimate, I would
 11 appreciate it.
 12 A. I'm sorry. Now which one?
 13 Would you repeat the question?
 14 Q. Sure, sure.
 15 I'm asking if you can give me an estimate
 16 of the number of teachers who have full
 17 non-emergency teaching credentials at Crenshaw High
 18 School?
 19 A. I really don't know.
 20 MS. STRONG: Objection. I'm sorry.
 21 Objection; vague still as to full
 22 non-emergency teaching credentials.
 23 THE WITNESS: You know, to be honest with
 24 you, I really don't know. I couldn't even guess.
 25 BY MS. LHAMON:

1 Q. That's fair.
 2 Do you know if the information is kept at
 3 Crenshaw High School?
 4 MS. STRONG: Objection; vague and
 5 ambiguous.
 6 THE WITNESS: I think that that form that I
 7 told you about that is a list, I think it probably
 8 determines that from that list. But it's at the
 9 district level.
 10 BY MS. LHAMON:
 11 Q. Okay. Do you know how many teachers in
 12 math are fully credentialed, that is who do not have
 13 emergency credentials at Crenshaw High School?
 14 MS. STRONG: Objection. He already
 15 testified he doesn't know this information.
 16 MS. GODFREY: Join.
 17 THE WITNESS: No, I don't know.
 18 BY MS. LHAMON:
 19 Q. And for the two departments that you
 20 supervise, the English and Music Department, do you
 21 know how many teachers have full and non-emergency
 22 teaching credentials?
 23 MS. STRONG: Objection; asked and answered.
 24 THE WITNESS: I don't know in the English
 25 Department but I know in the Music Department.

1 BY MS. LHAMON:
 2 Q. Okay. How many teachers in the Music
 3 Department have full non-emergency credentials? .
 4 MS. STRONG: Objection; calls for
 5 speculation.
 6 THE WITNESS: Two.
 7 BY MS. LHAMON:
 8 Q. How many teachers are there in the Music
 9 Department?
 10 A. Two.
 11 Q. How did you know that they have full
 12 non-emergency credentials and not emergency
 13 credentials?
 14 A. I hired one when I was assistant principal,
 15 and I just know she has credentials, full
 16 credentials. And the second one has worked in the
 17 district for many years and came over for the
 18 credentials.
 19 Q. Okay. And for the English Department, have
 20 you ever made any inquiry about how many teachers
 21 have full non-emergency credentials?
 22 MS. STRONG: Objection; vague.
 23 MS. GODFREY: Join.
 24 THE WITNESS: You go through at some point
 25 over the years and get the credentials. The data

1 is, you know, I don't remember the date. I don't
 2 remember the date or number of teachers we have in
 3 the English Department, including Special Ed English
 4 teachers, I don't know how many have emergency
 5 credential versus credentials.
 6 BY MS. LHAMON:
 7 Q. Okay. For the faculty as well, have you
 8 ever made inquiry about how many teachers or faculty
 9 as a whole have full non-emergency teaching
 10 credentials?
 11 MS. GODFREY: Objection; vague and
 12 ambiguous.
 13 MS. STRONG: Join.
 14 THE WITNESS: I think it was talked about a
 15 couple years ago when this board member came
 16 aboard. And I don't remember the details, but I
 17 know that that was one of the issues with the local
 18 District G and that they wanted to try and reduce
 19 the number of emergency credentialed teachers.
 20 BY MS. LHAMON:
 21 Q. When you say board members, are you
 22 referring to that governing board at Crenshaw High
 23 School?
 24 A. No. I'm referring to the Board of Los
 25 Angeles, the school board member.

1 Q. And it's your understanding that a new
 2 school board member became a member of the board a
 3 couple years ago, and that school board member was
 4 concerned about the number of full non-emergency
 5 credentialed teachers in local Districts G and I?
 6 A. Yes.
 7 MS. STRONG: Objection to form.
 8 BY MS. LHAMON:
 9 Q. Why is that your understanding?
 10 A. Why is it my -- well, she talked about it
 11 in some of her speeches.
 12 Q. I'm sorry. I didn't mean to interrupt
 13 you.
 14 A. No. I was through.
 15 Q. Who was that board member?
 16 A. Janithia Hayes.
 17 Q. Have you ever had any conversations with
 18 Janithia Hayes about the number of credentialed,
 19 full non-emergency credentialed teachers at Crenshaw
 20 High School?
 21 MS. STRONG: Objection; vague.
 22 THE WITNESS: Not that I know of
 23 personally.
 24 BY MS. LHAMON:
 25 Q. Okay. And what do you recall Janithia

1 Hayes saying about the numbers of full non-emergency
2 credentialed teachers in local District G and I?

3 A. That the numbers were higher than other
4 areas of the district and that we would look at ways
5 to reduce those numbers.

6 Q. And when you heard her say that, did you
7 investigate the numbers at Crenshaw High School?

8 MS. STRONG: Objection; vague and
9 ambiguous.

10 THE WITNESS: No, I didn't.

11 BY MS. LHAMON:

12 Q. Why is that?

13 A. Why didn't I investigate the numbers? I
14 don't know. I don't remember. I don't remember why
15 I didn't investigate the number of emergency
16 credentialed teachers. I don't know. I don't know
17 what I could do about it by knowing how many it
18 was. The idea is to try and help teachers, help new
19 teachers to Crenshaw. And so that's what we spent a
20 lot of energy and efforts on trying to help the
21 teachers that we had.

22 Q. Just so I'm clear on that, Janithia Hayes
23 is the President of the Los Angeles School Board?

24 A. That's correct.

25 Q. And did Janithia Hayes ask you to make any

1 teachers?)

2 THE WITNESS: Did she ask me to make a
3 report? No, she didn't. She can get it from the
4 personnel specialist, so she wouldn't have to ask me
5 for it.

6 BY MS. LHAMON:

7 Q. Okay. Have you had any discussions with
8 anyone at the district level about possible ways to
9 reduce the number of teachers who had no full
10 non-emergency credentials at Crenshaw High School?

11 MS. STRONG: Objection; vague.

12 THE WITNESS: No.

13 BY MS. LHAMON:

14 Q. Have you had any conversations with anyone
15 at the state level about possible ways to reduce the
16 number of teachers who do not have full
17 non-emergency credentialed teachers at Crenshaw High
18 School?

19 MS. STRONG: Objection; vague.

20 MS. GODFREY: Join.

21 THE WITNESS: No, I haven't.

22 BY MS. LHAMON:

23 Q. And on your first day of testimony, you
24 stated that some of the administrators at Crenshaw
25 High School are concerned about the number of

1 reports to her about the number of credentialed
2 teachers --

3 MS. STRONG: Objection.

4 MS. GODFREY: Objection

5 BY MS. LHAMON:

6 Q. -- at Crenshaw High School --

7 MS. GODFREY: Objection.

8 MS. LHAMON: Let me finish.

9 BY MS. LHAMON:

10 Q. -- the number of full non-emergency
11 credentialed teachers?

12 MS. GODFREY: He has already testified he
13 hasn't had any personal conversations with Ms. Hayes
14 about credentialed, or whatever, the description you
15 just gave, non-emergency credentialed teachers

16 BY MS. LHAMON:

17 Q. You can answer the question.

18 A. I'm sorry. You better repeat it for me.

19 MS. LHAMON: Could you read it back.

20 (The record was read as follows:

21 And did Janithia Hayes ask you to
22 make any reports to her about the
23 number of credentialed teachers at
24 Crenshaw High School the number of
25 full non-emergency credentialed

1 teachers who do have full non-emergency teaching
2 credentials.

3 What are the concerns these administrators
4 have shared with you?

5 A. Well, there is discussion in staff
6 meetings. We talk about the lack of experience and
7 the assistance and guidance that they need, and we
8 need to be aware of certain individuals and certain
9 teachers. Just normal discussions that occur at the
10 local school side.

11 Q. Did you make any plans to follow up on
12 these concerns?

13 MS. STRONG: Objection; vague and
14 ambiguous.

15 MS. GODFREY: Join.

16 THE WITNESS: The total program that we
17 designed for teachers helping teachers was designed
18 to work and was held as a result of the number of
19 emergency credentialed teachers. We design the
20 program to assist the new teachers to teach and the
21 teachers that were new to Crenshaw. So that the
22 program was designed specifically to help those
23 teachers.

24 BY MS. LHAMON:

25 Q. Did you design that program, did you

1 participate in the design of that program because
2 you also were concerned about the number of teachers
3 at Crenshaw High School that did not have full
4 non-emergency credentials?

5 MS. STRONG: Objection; vague.

6 THE WITNESS: Yes, that was the primary
7 purpose of that program, as well as to try and offer
8 them the kind of assistance that would retain them.
9 So it was a two, it was several folds --

10 BY MS. LHAMON:

11 Q. Sure.

12 A. -- as a purpose of that program.

13 Q. What are your concerns about the delivery
14 by full non-emergency credentialed teachers?

15 MS. GODFREY: Objection; vague and
16 ambiguous.

17 MS. STRONG: Objection to the form and that
18 the testimony is irrelevant to the purpose of this
19 issue.

20 MS. GODFREY: Join.

21 And additionally, that it also assumes
22 facts.

23 BY MS. LHAMON:

24 Q. This testimony is highly relevant to he
25 suit, and I'm very interested in what you have to

1 finally and ask you about some facilities.

2 What are some of the facilities that are
3 needed?

4 A. I presume you mean at Crenshaw High School.

5 MS. GODFREY: Objection; vague and
6 ambiguous.

7 MS. STRONG: Calls for speculation.

8 MS. GODFREY: Calls for a narrative.

9 MS. STRONG: May call for expert testimony.

10 THE WITNESS: What are the facilities'
11 needs? We need some flowers in the CHS. We need
12 the blacktop resurfaced. We need some more chairs
13 in the MPR room, the multi-purpose room and some
14 newer chairs.

15 We need a surveillance system in the halls
16 so we can observe individuals who sit in stairwells
17 during class time and write graffiti on the walls.
18 So a nice surveillance system in the hall, but also
19 in the stairwells.

20 I don't know. That's among some of the
21 things I can think of. I can't think of any other
22 things right now.

23 BY MS. LHAMON:

24 Q. You said you need some flowers in CHS.
25 Is that Crenshaw High School?

1 say, Mr. Kiel.

2 A. Well, emergency credentials and
3 non-emergency credentials don't determine the level
4 of delivery that a teacher may have. So our
5 experienced teachers tend to have a better delivery
6 and our goal and objective is to get the best
7 delivery to students. So I have a concern to help
8 those individuals be able to deliver instruction.

9 Q. And so is it fair to say that you believe
10 that credentials matter in teaching, too, because
11 teaching experience matters to teaching?

12 MS. STRONG: Objection; misstate testimony.

13 BY MS. LHAMON:

14 Q. My question was:

15 Is it fair to say that you believe
16 credentials matter to teaching because teaching
17 experience matters to teaching?

18 MS. STRONG: Also objection; vague and
19 ambiguous.

20 MS. GODFREY: Join that.

21 THE WITNESS: I think experience is
22 important in teaching.

23 BY MS. LHAMON:

24 Q. Okay. Thank you.

25 I will move off the teaching subject

1 A. Yes.

2 Q. So it's not a specific area at Crenshaw?

3 A. Yes. It's the big CHS in the middle of the
4 lawn in the middle of the quad. It's beautiful.

5 Q. Does it --

6 A. It just needs flowers in it.

7 Q. Okay. And why does it need the flowers?

8 A. We can't seem to -- I don't know. It's
9 just nothing there; that's why we need some.

10 Q. Okay. And you say the blacktop needs to be
11 resurfaced?

12 A. Yes.

13 Q. Why is that?

14 A. Well, after years and years, it cracks, and
15 we just need to resurface it.

16 Q. Is it dangerous right now?

17 MS. STRONG: Objection; calls for
18 speculation; may call for expert testimony.

19 THE WITNESS: I don't think it's
20 dangerous. It just has real tiny cracks. It would
21 be nicer if it wasn't, if it didn't have those
22 cracks.

23 BY MS. LHAMON:

24 Q. You say you need some more chairs in the
25 multi-purpose room and some newer chairs.

1 Why is that?

2 A. Well, they are old and some of them are
3 broken, so we just need additional and/or some new
4 chairs in that room to set up for assemblies and for
5 various activities. They need to be replaced.

6 Q. Are there times now when there are not
7 enough chairs for people who are present in the
8 room?

9 MS. STRONG: Objection; vague.

10 THE WITNESS: Not really. We just have to
11 conduct smaller assemblies or more assemblies. We
12 would like to have more seating capacity in that
13 room.

14 You asked me what I think are some of the
15 things that we could improve upon, and that's
16 certainly one.

17 BY MS. LHAMON:

18 Q. Okay. And you say you need a surveillance
19 system in the hall?

20 A. Yes.

21 Q. You told me to watch to see if kids are
22 putting graffiti on the wall.

23 Is there any other reason you need a
24 surveillance system in the halls?

25 A. Just to help with security.

1 BY MS. LHAMON:

2 Q. Do you know how old the roof is at
3 Crenshaw?

4 A. I think, I think -- I'm getting confused.
5 I can't remember if it's at Audubon or Crenshaw, but
6 one was roofed within the last four years. I can't
7 remember if it was Crenshaw or not. It may have
8 been Audubon. So I don't know.

9 Q. I think what I could ask you to help you
10 remember, would visualizing the schools help you
11 remember which one had its roof redone in the last
12 four years?

13 A. I think it was Audubon.

14 Q. You think it was Audubon?

15 A. I think it was Audubon, yes.

16 Q. So sitting here today, do you have an idea
17 of how old the roof is at Crenshaw High School?

18 A. No. Crenshaw itself was built in 1968,
19 opened in '68. To my knowledge, I don't know of any
20 roofing problems with it or leaks in that school.

21 Q. Okay. And in your eight years as vice
22 principal at Crenshaw High School, you don't
23 remember any time that the roof was repaired?

24 MS. GODFREY: Objection; vague and
25 ambiguous.

1 Q. Is there a plan in place at Crenshaw High
2 School to meet any of those facilities' needs?

3 A. Yes.

4 Q. Which ones?

5 A. The surveillance system.

6 Q. When will that be installed?

7 A. Well, they are working on it now.

8 Q. So should it be installed by the time the
9 2001/2002 school year starts?

10 A. Yes.

11 Q. How about putting more chairs in the
12 multi-purpose room?

13 A. Nothing.

14 Q. There is no funds for that?

15 A. No funds for that.

16 Q. Is there a plan to resurface the blacktop?

17 A. Not that I know of.

18 Q. Is there a plan to put some flowers in the
19 CHS in the quad?

20 A. No, no, there is not.

21 Q. Are there any roofing needs at Crenshaw
22 High School?

23 MS. STRONG: Objection; vague and
24 ambiguous, calls for speculation.

25 THE WITNESS: Not that I know of.

1 THE WITNESS: No, I don't remember. I'm
2 saying -- I'm not saying it hadn't been, but I don't
3 remember.

4 BY MS. LHAMON:

5 Q. Okay. Then in your three years as
6 principal, you don't remember at any time if the
7 roof was repaired at Crenshaw High School?

8 MS. GODFREY: Objection; asked and
9 answered.

10 THE WITNESS: No.

11 BY MS. LHAMON:

12 Q. Okay. Are there any ceiling tile
13 replacements needed at Crenshaw High School?

14 MS. STRONG: Objection; vague and
15 ambiguous.

16 MS. GODFREY: Join.

17 MS. STRONG: May call, it calls for
18 speculation.

19 THE WITNESS: At this time, I don't think
20 so.

21 BY MS. LHAMON:

22 Q. When you say at this time you don't think
23 so, do you think --

24 A. I think, because I think we have repaired
25 some since I have been there.

1 Q. So you can't think of any time when there
2 were needs to repair some of the ceiling tiles at
3 Crenshaw High School?

4 A. Yes.

5 Q. Have you examined the ceiling tiles in the
6 classrooms to identify the need for ceiling tile
7 replacement?

8 MS. STRONG: Objection; vague and
9 ambiguous.

10 MS. GODFREY: Join.

11 THE WITNESS: No.

12 BY MS. LHAMON:

13 Q. How do you become aware of ceiling tile
14 replacement at Crenshaw High School?

15 MS. GODFREY: Objection; assumes facts.

16 THE WITNESS: Usually most repairs go to
17 the assistant principal. If something is on the
18 chart for a long period of time, and the teacher
19 gets really annoyed, they may come to me with the
20 situation. Or if the plant manager has exhausted
21 his efforts, he may come to me.

22 But most times I don't, I don't hear about
23 ceiling tiles.

24 BY MS. LHAMON:

25 Q. Who is the assistant principal who would be

1 bungalows, and I'm not sure.

2 BY MS. LHAMON:

3 Q. Okay. Is that something that Mrs. Garrison
4 would oversee?

5 A. Yes.

6 Q. Okay. Are there any restrooms that need
7 any repairs at Crenshaw High School?

8 MS. GODFREY: Objection; vague and
9 ambiguous.

10 MS. STRONG: And calls for speculation.

11 THE WITNESS: No.

12 BY MS. LHAMON:

13 Q. I will ask you to look at Exhibit 1 again.

14 If you could look at page 11 of Exhibit 1.

15 A. Okay. Page 11?

16 Q. Page 11.

17 A. Okay.

18 Q. Do you see under the heading on the
19 left-hand side of Exhibit 1, it says "Discipline and
20 Climate for Learning"?

21 And toward the bottom of that header, it
22 says:

23 "Major maintenance improvements in
24 campus appearance to promote a positive
25 learning environment. Please call the

1 in charge of ceiling tile replacement?

2 MS. GODFREY: Objection; vague and
3 ambiguous as to time.

4 THE WITNESS: Mrs. Garrison.

5 BY MS. LHAMON:

6 Q. Mrs. Garrison.

7 Are there any piping needs at Crenshaw High
8 School?

9 MS. GODFREY: Objection; vague and
10 ambiguous.

11 MS. STRONG: Join; calls for speculation.

12 THE WITNESS: At this time, no.

13 BY MS. LHAMON:

14 Q. And that's including both water pipes and
15 any heating pipes at the school?

16 MS. STRONG: Same objection.

17 THE WITNESS: That's correct.

18 BY MS. LHAMON:

19 Q. Do the bungalows need any repairs at
20 Crenshaw High School?

21 MS. STRONG: Objection; overbroad, vague
22 and ambiguous; calls for speculation.

23 THE WITNESS: I'm not -- I don't know. But
24 I do know we have some new bungalows that wouldn't
25 need anything. But there is about four older

1 school for additional information."

2 A. Uh-huh.

3 MR. ROSENBAUM: Say yes.

4 THE WITNESS: Yes, I see it.

5 BY MS. LHAMON:

6 Q. What does that mean?

7 MS. STRONG: Objection; calls for
8 speculation. The document speaks for itself.

9 MS. GODFREY: Join.

10 THE WITNESS: "Major maintenance
11 improvements in campus appearance to promote a
12 positive learning environment. Please --"

13 What does this statement mean?

14 BY MS. LHAMON:

15 Q. The first sentence, "Major maintenance
16 improvements in campus appearance to promote a
17 positive learning environment," what does that mean?

18 MS. STRONG: Same objections.

19 MS. GODFREY: Join.

20 THE WITNESS: To me it means, if you want
21 to know about them, call the school.

22 BY MS. LHAMON:

23 Q. Okay. And if someone calls the school, to
24 whom at the school would the person be directed?

25 MS. STRONG: Objection; incomplete

1 hypothetical, calls for speculation.
 2 THE WITNESS: It all depends on who
 3 answered the phone, whether a student answered the
 4 phone or the student department or an adult. It
 5 could range from me to Mrs. Garrison to Mr. Owens.
 6 BY MS. LHAMON:
 7 Q. Okay. Is Mrs. Garrison the person who has
 8 the most knowledge about the maintenance
 9 improvements at the school?
 10 A. No. Mr. Owens, I would say.
 11 Q. And who is Mr. Owens?
 12 A. He is plant manager.
 13 Q. And if you look again at the first
 14 sentence, the one that is on Exhibit 1, the one that
 15 says, "Major maintenance improvements in campus
 16 appearance to promote a positive learning
 17 environment," could you tell us what that means?
 18 A. To me it --
 19 MS. STRONG: Objection; calls for
 20 speculation, and the document speaks for itself.
 21 MS. GODFREY: I join in that.
 22 But also asked and answered.
 23 THE WITNESS: To me, it means that, if you
 24 want to know about any major improvements in the
 25 appearance of the school and this learning, positive

1 MS. GODFREY: And he told you; three times
 2 he told you what that sentence means. When you
 3 asked what does it mean, obviously, I didn't
 4 object. That means what he has testified to and
 5 whatever it meant he told you.
 6 The second time you asked what do you
 7 believe it means, and he answered again.
 8 And I think you are badgering and being
 9 argumentative with the witness.
 10 MS. LHAMON: I think that your
 11 characterization of what the record says is not what
 12 the record will reflect. And I think the record
 13 will reflect I'm not badgering the witness. And
 14 that is an improper basis to instruct him not to
 15 answer.
 16 MS. GODFREY: What is the question? Why
 17 don't you repeat what the question is. I will
 18 listen again.
 19 BY MS. LHAMON:
 20 Q. Mr. Kiel, I asked you if you are sure
 21 that's what that sentence means?
 22 MS. GODFREY: No. Same objections.
 23 MS. STRONG: Same objections. I join.
 24 MS. LHAMON: Are you instructing him not to
 25 answer on that basis?

1 learning environment, you should call and contact
 2 the school.
 3 And what I think it means, what, you asked
 4 me what I think, it means that we had some major
 5 repairs going on at the school, and if you want to
 6 know the progress of them or if you wanted to know
 7 what was happening, you could call the school and
 8 find out.
 9 BY MS. LHAMON:
 10 Q. Okay. And are you sure that that's what
 11 the sentence means?
 12 MS. GODFREY: Objection; asked and
 13 answered.
 14 I'm going to instruct the witness not to
 15 answer.
 16 MR. ROSENBAUM: No.
 17 MS. LHAMON: What is the basis for the
 18 instruction?
 19 MS. GODFREY: He told you, and then you are
 20 asking him are you sure that's what you mean.
 21 That's argumentative and burdensome and repetitive.
 22 MS. STRONG: You are badgering the witness.
 23 MS. LHAMON: I mean absolutely it's not. I
 24 asked the question what does it mean. I asked him
 25 to make sure.

1 MS. GODFREY: Yes. Uh-huh.
 2 BY MS. LHAMON:
 3 Q. Mr. Kiel, I feel it's an improper basis on
 4 which to instruct you not to answer. We do run the
 5 risk of having you come back to answer the question
 6 again, when she is instructing you not to answer
 7 that question on an improper basis.
 8 Are you going to follow that instruction?
 9 MR. ROSENBAUM: And you are --
 10 MS. GODFREY: Mr. Rosenbaum, it's not your
 11 deposition.
 12 MR. ROSENBAUM: I know that.
 13 Well, you can object to my making a
 14 statement. I'm trying to facilitate something. He
 15 answered to the best of his knowledge what it means,
 16 and you are correct it was repeated at one time or
 17 another.
 18 The question, however, Counselor, that
 19 wasn't asked was, do you, are you just telling us
 20 like reading these words this is what it means to me
 21 or are you certain that that is what the author
 22 intended here.
 23 That's all the question is designed to
 24 ask. It's one simple question. I don't think its
 25 worth getting into a dogfight over this.

1 MS. GODFREY: Well, I don't agree --
 2 MR. ROSENBAUM: Let me finish.
 3 MS. GODFREY: I'm sorry.
 4 MR. ROSENBAUM: I don't understand why you
 5 would object to a simple yes or no question. We
 6 have already spent more time than the process of the
 7 answer itself would take.
 8 I appreciate your indulgence in letting me
 9 explain it.
 10 MS. GODFREY: Okay. And I'm going to state
 11 for the record, again, I'm not going to allow
 12 tag-teaming in this deposition. It's Ms. Lhamon's
 13 deposition, and one person is going to conduct it.
 14 If it happens again, I'm going to consider
 15 adjourning the deposition.
 16 Second, I can appreciate what you just
 17 explained to me, and I understand what you are
 18 saying right now, but I don't believe that that's
 19 the question that Ms. Lhamon asked. And I feel an
 20 obligation to protect the witness from being
 21 pressured into answering a question in the form that
 22 it was posed.
 23 So if Ms. Lhamon wants to rephrase her
 24 question or try to get at it another way, that's
 25 fine. I don't want to have a dogfight either. I

1 understand what you are saying. But maybe the
 2 question could be asked differently.
 3 BY MS. LHAMON:
 4 Q. Mr. Kiel, are you the person who wrote the
 5 sentence about major maintenance improvements in
 6 campus appearance on Exhibit 1?
 7 A. I'm sorry. I didn't get the first part of
 8 what you said in your question.
 9 Q. I said:
 10 Are you the person who wrote the words,
 11 "Major maintenance improvements in campus
 12 appearance" on page 11 of Exhibit 1?
 13 A. No, I didn't.
 14 Q. Okay. Do you have personal knowledge of
 15 what that sentence meant to the author?
 16 A. No.
 17 Q. Okay. Thank you.
 18 You say that there were some major
 19 maintenance improvements that took place at Crenshaw
 20 High School during the 1999/2000 school year, is
 21 that correct?
 22 A. Yes.
 23 Q. Were there also some major maintenance
 24 improvements to Crenshaw High School in the
 25 2000/2001 school year?

1 A. Yes.
 2 Q. Would you tell me what the major
 3 maintenance improvements, I am presuming during the
 4 2000/2001 school year, were?
 5 A. We had -- they may have overlapped, but we
 6 had the total school replumbed, in other words all
 7 new plumbing, waterlines and drainage. And we also
 8 had an air conditioning system placed in the school.
 9 Q. Is that all the major maintenance
 10 improvements during the 2000/2001 school year?
 11 MS. STRONG: Objection; calls for
 12 speculation.
 13 THE WITNESS: We had some work done on the
 14 bathrooms, but the majority of the work was done on
 15 the bathrooms tied in with the plumbing. We had
 16 some of them painted and some tile laid down in some
 17 of the bathrooms.
 18 Q. Can you think of anything else?
 19 A. Oh, yeah. We had some buckled sidewalks,
 20 and so we have removed some trees and recemented the
 21 sidewalks. And that's it. And the bungalows, the
 22 bungalows were added that we talked about already.
 23 MS. GODFREY: Can I have a point of
 24 clarification, Ms. Lhamon?
 25 I thought you had asked about the 1999/2000

1 school year in the first part and the second part
 2 for the 2000/2001 school year.
 3 Can you just clarify that for me?
 4 Because I must have misheard which school
 5 year you are asking about.
 6 MS. LHAMON: I am talking about the
 7 2000/2001 school year.
 8 MS. GODFREY: Did you have that
 9 understanding?
 10 THE WITNESS: Yes. But I did, I said some
 11 of it overlapped.
 12 MS. GODFREY: Okay. I'm sorry. Thank you.
 13 THE WITNESS: I tried to just name
 14 everything that has occurred.
 15 BY MS. LHAMON:
 16 Q. So the list that you have just given me,
 17 the replumbing, installation of air conditioning,
 18 the work on the bathrooms, the buckled sidewalks and
 19 the addition of bungalows, that work took place
 20 during the time period of either 1999/2000 or
 21 2000/2001, although you are not sure which year the
 22 work took place?
 23 MS. STRONG: Objection.
 24 THE WITNESS: Yes, that's approximately --
 25 yes, that's correct.

1 BY MS. LHAMON:
 2 Q. Okay. Can you think of anything else that
 3 would qualify as a major maintenance improvement
 4 during those two school years?
 5 A. I can't think of anything right now.
 6 MS. STRONG: Excuse me. Could we take a
 7 break? I need a restroom break when you get a
 8 chance.
 9 MS. LHAMON: Let's take a five-minute
 10 restroom break.
 11 (Recess taken.)
 12 MS. LHAMON: Back on the record.
 13 BY MS. LHAMON:
 14 Q. You identified replumbing at the school as
 15 one of the major maintenance improvements for the
 16 2000/2001 school years.
 17 Why was the school replumbed?
 18 MS. STRONG: Objection; calls for
 19 speculation.
 20 THE WITNESS: Well, the flow of water in
 21 and out was poor, and we had continuous waterlines
 22 with problems. And because of the BB bond issue, we
 23 were able to upgrade first all of that, I'm happy to
 24 say, and it needed it.
 25 BY MS. LHAMON:

1 Q. How long had the problem existed before the
 2 school was replumbed?
 3 MS. STRONG: Objection; calls for
 4 speculation.
 5 THE WITNESS: I wasn't, for six years I
 6 wasn't at the school, so I don't, I don't know how
 7 bad it was during those six years. But when I was
 8 there as assistant principal, there was quite a few
 9 repairs that was constantly needed, and just because
 10 the water drained slow and the water ran slow. So I
 11 remember those couple scenarios.
 12 BY MS. LHAMON:
 13 Q. And the BB bond issue was a source of the
 14 funds for the repair of the replumbing of the
 15 school?
 16 A. That's correct.
 17 Q. Were there any other sources of funds?
 18 MS. STRONG: Objection; calls for
 19 speculation.
 20 THE WITNESS: I don't know. I don't know
 21 how all the work was funded.
 22 BY MS. LHAMON:
 23 Q. Okay. You said there was air conditioning
 24 work done at the school in the '99/2000 and
 25 2000/2001 school years.

1 Did any of the classrooms have air
 2 conditioning before that work was performed?
 3 MS. STRONG: Objection; asked and answered.
 4 THE WITNESS: No.
 5 MS. STRONG: I believe that
 6 mischaracterizes his testimony.
 7 MR. ROSENBAUM: Completely appropriate.
 8 THE WITNESS: I don't, I don't think any of
 9 the rooms was air conditioned prior to the new air
 10 conditioning.
 11 BY MS. LHAMON:
 12 Q. Okay. And after the air conditioning work
 13 was done, do all classroom now have air
 14 conditioning?
 15 A. No.
 16 Q. Which classrooms don't have air
 17 conditioning?
 18 A. Some of the bungalows, a couple of the
 19 bungalows, the old bungalows.
 20 Q. Is there a plan to put air conditioning in
 21 any of those old bungalows?
 22 A. Yes.
 23 Q. And when will that air conditioning be put
 24 in?
 25 A. I don't know.

1 Q. And why does the school have a plan to put
 2 air conditioning in those old bungalows?
 3 MS. STRONG: Objection; calls for
 4 speculation.
 5 THE WITNESS: The same reason that they had
 6 to put it in the regular school. I think that we
 7 felt the need in the summer months for, you know,
 8 when summer school was in session it can get
 9 extremely hot in some of the classrooms.
 10 BY MS. LHAMON:
 11 Q. Okay. Then the bungalows that don't have
 12 air conditioning in them, how many classrooms are
 13 there?
 14 A. I think it's four.
 15 Q. You said it can get extremely hot in the
 16 classes.
 17 How hot is extremely hot?
 18 MS. STRONG: Objection; calls for
 19 speculation.
 20 THE WITNESS: That I don't know. It's
 21 uncomfortable. Okay. I don't know how hot it is.
 22 I don't know.
 23 MS. GODFREY: I join in that last
 24 objection.
 25 BY MS. LHAMON:

1 Q. Do you have an estimate for how many
2 degrees it is when it's extremely hot or
3 uncomfortable?
4 A. I really don't; I really don't.
5 Q. Okay. Would it be above 80 degrees when
6 it's extremely hot?
7 MS. GODFREY: The witness answered that he
8 doesn't know.
9 Asked and answered.
10 Move on, Counsel.
11 BY MS. LHAMON:
12 Q. Will you answer my question?
13 A. You know, I don't know because, you know,
14 you raise windows you get a breeze, you know. I
15 don't know. So I can't give you, I really can't
16 give you an answer.
17 MS. GODFREY: At that time you said that --
18 MS. LHAMON: You really shouldn't cut off
19 the witness's answer. You should let him answer
20 questions.
21 MS. GODFREY: Not when you are pressuring
22 the witness for an answer. I'm going to conduct
23 myself as I see fit.
24 MS. LHAMON: Okay. I think it's
25 appropriate in a deposition to ask followup

1 questions to make sure I get complete answers to
2 questions.
3 MS. GODFREY: I agree you are entitled to
4 test the witness's memory. But this witness told
5 you he does not know the degree, and you have asked
6 him three times for that. And I think he has done a
7 good job of trying to describe for you what he means
8 by extremely hot.
9 BY MS. LHAMON:
10 Q. Mr. Kiel, I do appreciate your efforts to
11 clarify your answers. And if you have any further
12 clarification, I would appreciate it if you would
13 give it to me for this question or any other
14 question. Okay. Thank you.
15 As far as the air conditioning work at the
16 school in the '99/2000 and the 2000/2001 school
17 years, was it a single air conditioning system that
18 operates for the entire school or are there
19 different air conditioning systems with different
20 classrooms?
21 MS. STRONG: Calls for speculation.
22 THE WITNESS: It's one major unit, a big
23 unit that cools the entire three-story building and
24 the shop building.
25 BY MS. LHAMON:

1 Q. And does it also cool the bungalow
2 classrooms, or is there a different unit that cools
3 the bungalow class units?
4 A. Each bungalow has an individual unit.
5 Q. Are the bungalow classrooms the only
6 classrooms on campus that have individual units?
7 A. I think the shop building, some of the
8 shops have individual units as well.
9 Q. And the --
10 A. The print shop, the new media center has a
11 separate unit.
12 Q. And those are the only classrooms that have
13 individual units?
14 A. Those are the only ones I can think of at
15 this time.
16 Q. Okay. Thanks.
17 Does the main unit that cools most of the
18 classrooms on campus also cool your office?
19 A. Yes.
20 Q. Okay. Are there any offices on campus that
21 have individual units?
22 MS. STRONG: Objection; calls for
23 speculation.
24 THE WITNESS: None that I can think of.
25 BY MS. LHAMON:

1 Q. Okay. And then the main unit that cools
2 most of the classrooms and the offices on campus, is
3 there only one place where the temperature can be
4 regulated or are there more places than one where
5 the temperature can be regulated?
6 MS. STRONG: Objection; vague and
7 ambiguous, calls for speculation.
8 THE WITNESS: I think each room has a
9 thermostat that kicks on and kicks off the air for
10 that room. And I'm not 100 percent sure how it
11 operates, but I do know the rooms have thermostats
12 in them.
13 BY MS. LHAMON:
14 Q. Okay. And the air conditioning functions
15 in all the classrooms today at Crenshaw High School?
16 MS. STRONG: Objection; vague and
17 ambiguous, calls for speculation.
18 MS. GODFREY: Join.
19 THE WITNESS: That's -- as far as I know.
20 I didn't get any complaints when school was in
21 session.
22 BY MS. LHAMON:
23 Q. For the entire 2000/2001 school year?
24 A. Oh, no, no. I am sorry. I thought you
25 said for now.

1 Q. I did. Start with now.
 2 A. In the month of June, I didn't get any
 3 complaints.
 4 Q. Okay. Did you get any complaints about the
 5 air conditioning at all during the 2000/2001 school
 6 year?
 7 A. 2000/2001, I can't remember any.
 8 Q. Okay. And for the '99/2000 school year,
 9 can you remember any school complaints about air
 10 conditioning?
 11 A. Yes, we did have some.
 12 Q. When?
 13 A. When the system first went on line.
 14 Q. What were those complaints?
 15 A. It was too hot.
 16 Q. So when the system first went on line, it
 17 wasn't functioning fully correctly?
 18 MS. STRONG: Objection; vague and
 19 ambiguous.
 20 MS. GODFREY: I was just going to say that
 21 misstates prior testimony.
 22 BY MS. LHAMON:
 23 Q. And how long did it take to get the AC
 24 system fully operational, when it first went on
 25 line?

1 MS. GODFREY: Objection; misstates prior
 2 testimony.
 3 MS. STRONG: Objection; vague and ambiguous
 4 and calls for speculation.
 5 THE WITNESS: I don't, I don't know. I
 6 don't remember the details. Okay.
 7 BY MS. LHAMON:
 8 Q. Okay. Was the plant manager the person who
 9 was overseeing the repair of the air conditioning
 10 system in the 2000 school year?
 11 MS. STRONG: Objection; vague and
 12 ambiguous, and it assumes facts.
 13 MS. GODFREY: Join.
 14 THE WITNESS: Okay. He wasn't responsible
 15 for the repair. It was an installation of a new
 16 system, so it would be, the contractor was still on
 17 board. He did receive complaints, along with
 18 Mrs. Garrison.
 19 BY MS. LHAMON:
 20 Q. And then the contractors were responsible
 21 for fixing the installation during the '99/2000
 22 school year?
 23 MS. STRONG: Objection; vague and
 24 ambiguous.
 25 MS. GODFREY: Misstates prior testimony.

1 MS. STRONG: Assumes facts.
 2 THE WITNESS: Yes.
 3 BY MS. LHAMON:
 4 Q. And was that true for the entire '99/2000
 5 school year?
 6 A. I'm not sure of the dates and the time.
 7 Okay? I don't, I don't know the month, the dates,
 8 the time. I remember some complaints, and I
 9 remember Mrs. Garrison and working with the
 10 contractor and appliance manager.
 11 Q. Did there come a time when the contractor
 12 was no longer responsible for fixing the
 13 installation of the air conditioning units or system
 14 in the '99/2000 school year?
 15 MS. GODFREY: Objection; vague and
 16 ambiguous and misstates prior testimony. I don't
 17 believe there has been any testimony that they were
 18 fixing it.
 19 MS. STRONG: Objection -- I mean join.
 20 THE WITNESS: I don't know the exact time.
 21 I don't know what year, what school year it was,
 22 because I know the system overlapped. So I don't
 23 know if it was, I don't know which year. And you
 24 referred to the year. And I don't know, I don't
 25 know the exact year, school year.

1 BY MS. LHAMON:
 2 Q. Okay. But in one of the '99/2000 or
 3 2000/2001 school years, ultimately the contractor
 4 stopped having responsibility for the air
 5 conditioning system at Crenshaw High School?
 6 A. That is correct.
 7 MS. GODFREY: Same objections to the
 8 question.
 9 BY MS. LHAMON:
 10 Q. What was the source of funds for installing
 11 the air conditioning system at Crenshaw High School?
 12 MS. STRONG: Objection; calls for
 13 speculation.
 14 THE WITNESS: The BB bond funds.
 15 BY MS. LHAMON:
 16 Q. And do you know if there was any other
 17 source of funds for installing the air conditioning
 18 at Crenshaw High School?
 19 MS. STRONG: Objection; calls for
 20 speculation.
 21 THE WITNESS: No, I don't know of any.
 22 BY MS. LHAMON:
 23 Q. Okay. Do you know how much the air
 24 conditioning system cost?
 25 A. No, I don't know how much the air

1 conditioning system cost.
 2 Q. Do you know approximately how much the air
 3 conditioning system cost?
 4 A. You know, I don't remember. I don't
 5 remember the plumbing or the air conditioning; I
 6 can't remember those figures. I know it was some
 7 large numbers, but I don't know which one was
 8 which. I would be -- I don't, I don't know
 9 approximately.
 10 And so I don't know.
 11 Q. Okay. You could tell me both numbers and
 12 tell me that you are not sure which number went with
 13 which?
 14 A. There were some numbers in the 400,000 and
 15 I don't, and one was in the 500,000. So I don't I
 16 don't know which one is which.
 17 Q. Okay. But one was for air conditioning and
 18 one was for the other --
 19 MS. STRONG: Objection; vague.
 20 MS. GODFREY: Join.
 21 BY MS. LHAMON:
 22 Q. -- the plumbing?
 23 A. Yes.
 24 Q. And let me step back for a moment.
 25 Am I correct that the BB bond issue is a

1 conditioning system was in operation in March 2001?
 2 MS. STRONG: Objection; incomplete
 3 hypothetical.
 4 THE WITNESS: Yes, it's possible.
 5 BY MS. LHAMON:
 6 Q. Sitting here today, you don't have any
 7 information about whether it was in operation in
 8 2001 March?
 9 MS. GODFREY: Objection; asked and
 10 answered.
 11 MS. STRONG: Argumentative.
 12 MS. GODFREY: Join.
 13 THE WITNESS: I truly don't have any
 14 information on the air conditioning system today
 15 with me.
 16 BY MS. LHAMON:
 17 Q. Do you know about how many months that it
 18 was in operation?
 19 A. I really couldn't, I really couldn't tell
 20 you.
 21 MS. GODFREY: There is no question pending,
 22 Counsel. You can move on.
 23 I'm just going to let the record reflect
 24 that counsel is waiting a long time after she asks
 25 questions, certain questions, as if she is

1 local bond, local school bond issue.
 2 MS. GODFREY: Objection; calls for
 3 speculation.
 4 THE WITNESS: It's my understanding.
 5 BY MS. LHAMON:
 6 Q. Do you know how much the air conditioning
 7 system cost to operate for the 2000/2001 school
 8 year?
 9 A. I don't have a clue.
 10 Q. Okay. Do you know how many days the air
 11 conditioning system was in operation during the
 12 2000/2001 school year?
 13 A. No, I don't know.
 14 Q. Do you have an estimate for the number of
 15 days?
 16 A. I really don't know. I don't even know how
 17 to think about that.
 18 Q. Okay. Do you know which months the air
 19 conditioning system would have been in operation in
 20 the 2000/2001 school year?
 21 MS. STRONG: Objection; incomplete
 22 hypothetical.
 23 THE WITNESS: I really don't know.
 24 BY MS. LHAMON:
 25 Q. Okay. Is it possible that the air

1 anticipating or pressuring for a further response,
 2 after the witness has already said he doesn't know.
 3 And I do not want this witness to feel pressured to
 4 continue on.
 5 BY MS. LHAMON:
 6 Q. Mr. Kiel, do you feel any pressure to
 7 answer my questions?
 8 A. Well, I feel that you need an additional
 9 response sometimes. I don't know if it's pressure.
 10 I wouldn't call it pressure, but I think you may be
 11 waiting for an additional response.
 12 Q. Okay. I would appreciate it if you would
 13 let me know if you think that I'm waiting for an
 14 additional response, and you are not sure what it is
 15 I'm asking for, because I can absolutely ask you a
 16 question.
 17 Okay?
 18 A. Okay.
 19 Q. Thank you.
 20 You told me that during the 1999/2000
 21 school year and/or the 2000/2001 school year, there
 22 were major improvements to the school that included
 23 improvements to buckled sidewalks.
 24 Could you describe what those improvements
 25 were?

1 A. Yes. Along the football stadium and
2 service road, there were a number of trees that had
3 pushed the concrete up and buckled the sidewalks.
4 And those trees have since been removed, taken out,
5 and the concrete has been made new. And the tree
6 spaces are there. They are going to put in a
7 different type of tree.

8 Q. And all of that work took place during the
9 '99/2000 and 2000/2001 school year?

10 A. Yes.

11 Q. And the improvements included removing the
12 trees?

13 A. Yes.

14 Q. And that was the sidewalks along the
15 football field.

16 And that's the only places at the school,
17 or are there other places where the improvements
18 were made to buckled sidewalks?

19 A. Oh, yes. There is some areas in front of
20 the gymnasium, trees were removed there also. And I
21 understand that they are going to re-do that surface
22 as well, but it hasn't been completed as of this
23 date.

24 Q. Okay. Which part of the work has been
25 completed so far?

1 A. The work on the sidewalks, the sidewalk in
2 front of the stadium, alongside the stadium.

3 Q. When you say work on the sidewalk, I think
4 I'm confused.

5 You mean the sidewalk has been taken up or
6 do you mean something different?

7 A. I mean that --

8 (Discussion off the record.)

9 THE WITNESS: I remember the question.

10 I don't understand, but I remember the
11 question.

12 The sidewalk has been replaced and new
13 concrete has been placed down, so the sidewalk is
14 down as smooth as this table. There is no buckles
15 and no tree roots. It's all been removed and new
16 concrete is down.

17 BY MS. LHAMON:

18 Q. And part of the repair that has not been
19 completed is the planting of the new trees, is that
20 right?

21 A. Right. The trees are not in.

22 Q. Okay. Was the BB bond issue the source of
23 funds for repairing the buckled sidewalks at
24 Crenshaw High School also?

25 MS. STRONG: Objection; calls for

1 speculation.

2 THE WITNESS: I'm not sure, but I think so.

3 BY MS. LHAMON:

4 Q. Okay. Do you know if there are any other
5 sources of funds used to repair the buckled
6 sidewalks at Crenshaw High School?

7 MS. STRONG: Objection; calls for
8 speculation to the extent he doesn't know.

9 THE WITNESS: I don't know of any other
10 funds.

11 BY MS. LHAMON:

12 Q. Okay. How long had the sidewalks been
13 buckled at Crenshaw High School before they were
14 repaired?

15 MS. STRONG: Objection; calls for
16 speculation.

17 THE WITNESS: It was as long as I have
18 worked there.

19 BY MS. LHAMON:

20 Q. Including the time when you were vice
21 principal?

22 A. Yes.

23 Q. You told me that another form of major
24 improvement and repairs to Crenshaw High School,
25 that were done in the '99/2000 and 2000/2001 school

1 years, was the addition of some bungalows to the
2 campus, is that correct?

3 A. That's correct.

4 Q. How many bungalows were added?

5 MS. STRONG: Objection; asked and answered.

6 THE WITNESS: I testified to that. And I
7 don't, right now at this hour, I can't, I will have
8 to count them in my mind and try to count the right
9 number.

10 I don't know. It seems like it's about --
11 I don't remember. Let's see.

12 In the 2000/2001 school year.

13 Q. And the 1999/2000 school year; both years.

14 A. Seems like it's about 13.

15 Q. Okay. Are you still thinking?

16 A. No. I think it's 13.

17 Q. I don't want to cut you off.

18 MS. GODFREY: Do you need a break?

19 THE WITNESS: No. I just can't think. I
20 should, I feel like I should be able to think of
21 those rooms, and I can't. But my mind is somewhere
22 to the detail it's difficult to pinpoint.

23 Go ahead. I'm sorry.

24 BY MS. LHAMON:

25 Q. You just do the best that you can.

1 A. I know. I said the number before.
 2 Go ahead.
 3 I'm sorry.
 4 Q. That's okay.
 5 Why were the bungalows added at Crenshaw
 6 High School?
 7 MS. STRONG: Objection; calls for
 8 speculation.
 9 I believe he already gave his opinion as to
 10 this, so asked and answered in that regard.
 11 THE WITNESS: The number of students, we
 12 had a class-size reduction in overcrowding. That's
 13 why they were added.
 14 BY MS. LHAMON:
 15 Q. And all approximately 13 of these bungalows
 16 have been added since you have been principal at
 17 Crenshaw High School, is that correct?
 18 MS. STRONG: Objection; asked and answered.
 19 THE WITNESS: That's correct.
 20 BY MS. LHAMON:
 21 Q. Have you noticed that the addition of the
 22 bungalows relieve the overcrowding at Crenshaw High
 23 School?
 24 MS. GODFREY: Objection; vague and
 25 ambiguous.

1 THE WITNESS: Yes.
 2 BY MS. LHAMON:
 3 Q. What was the source of funds for installing
 4 the bungalows at Crenshaw High School?
 5 MS. STRONG: Objection; calls for
 6 speculation.
 7 THE WITNESS: I think it was state funds.
 8 BY MS. LHAMON:
 9 Q. And not the proposition BB funds?
 10 A. That's correct.
 11 Q. Okay. Do you know what the source of the
 12 state funds was?
 13 A. No, I don't.
 14 MS. STRONG: Objection; calls for
 15 speculation.
 16 BY MS. LHAMON:
 17 Q. Do you know if there was any district match
 18 to the funds for the addition of the bungalows?
 19 A. I really don't.
 20 Q. Does Crenshaw High School need anymore
 21 bungalows on campus?
 22 MS. GODFREY: Objection; vague and
 23 ambiguous.
 24 MS. STRONG: And calls for speculation.
 25 THE WITNESS: Not at the current time.

1 BY MS. LHAMON:
 2 Q. Not at the current time?
 3 A. No.
 4 Q. And how long has the overcrowding at
 5 Crenshaw High School existed that the bungalows
 6 relieved?
 7 MS. STRONG: Objection; vague and
 8 ambiguous, calls for speculation.
 9 MS. GODFREY: I believe it assumes facts.
 10 I don't think there has been any testimony that
 11 there has been overcrowding at Crenshaw.
 12 THE WITNESS: How long? The major portion
 13 of it was for the class size reduction to reduce the
 14 English classes to 20 to one. That was a big piece
 15 of it. And that directive came out in the 1999/2000
 16 school year.
 17 BY MS. LHAMON:
 18 Q. You also testified that the bungalows would
 19 actually relieve the overcrowding at Crenshaw High
 20 School. I'm asking:
 21 How long had that overcrowding existed at
 22 Crenshaw High School?
 23 MS. GODFREY: Objection; misstates prior
 24 testimony.
 25 THE WITNESS: Okay. The overcrowding I was

1 referring to was traveling teachers. And traveling
 2 teachers had been in place since I came back as
 3 principal at Crenshaw.
 4 BY MS. LHAMON:
 5 Q. When you say traveling teachers, what do
 6 you mean by that?
 7 A. Teachers that don't have an individual
 8 classroom to stay in all day. You have no rooms in
 9 the conference period; your classroom is not idle.
 10 And teachers travel to make sure every room is used
 11 every period of the day. And in that way some,
 12 rather than have one teacher travel five times, you
 13 have three teachers travel one or two times. And
 14 that way every classroom is being used.
 15 And so the district considers when a
 16 percentage of people that are traveling, that's
 17 okay. I mean, in other words they don't consider
 18 you over capacity until I think it's 30 percent of
 19 your teachers are traveling.
 20 Q. And so with the addition of bungalows at
 21 Crenshaw High School, are any teachers traveling
 22 now?
 23 A. No teachers are traveling at this time.
 24 Q. And is that preferable to having teachers
 25 traveling?

1 MS. STRONG: Objection; vague and
2 ambiguous.
3 THE WITNESS: No, not yet.
4 BY MS. LHAMON:
5 Q. Did you say yes?
6 A. It's preferable to have teachers not
7 travel.
8 Q. I thought that's what I meant to ask.
9 Think you for clarifying my question.
10 And why is it preferable to have teacher
11 not travel?
12 MS. STRONG: Objection; calls for
13 speculation and for opinion.
14 THE WITNESS: Okay. Well so the teachers
15 will have their own places, you know. They can stay
16 in the same room, and you can decorate your room,
17 display the students' work. You are there, and you
18 can have your own posters. You can give the room
19 personality.
20 If you have to travel from room to room,
21 you can understand that it's difficult. If I use
22 the room this period and someone else uses the room
23 the next period, they can't put their kids' work up,
24 you can't put your kids' work up. So it doesn't
25 lend to having the type of classroom that shows

1 individual teachers' needs and desires.
2 So I guess the answer is that an individual
3 room was more desirable than having to travel.
4 BY MS. LHAMON:
5 Q. Okay. Thank you.
6 In the final piece of major improvement
7 work, that you identified during the '99/2000 and
8 2000/2001 school years at Crenshaw High School, was
9 some work on bathrooms.
10 What work was that?
11 A. Well, as a part of taking out the drains
12 and putting in new drains and putting in new water
13 fountains, smart bathrooms, we painted the bathrooms
14 and filled in certain areas of the wall, put in
15 stalls, new stalls in the bathrooms, some work of
16 that nature.
17 Q. Which bathrooms got some new stalls?
18 MS. STRONG: Objection; asked and answered.
19 THE WITNESS: Bathrooms near the entrance
20 of the school. That's two that I know of.
21 BY MS. LHAMON:
22 Q. And were those new stalls replacing stalls
23 that already existed or were those expansions?
24 A. It was replacing stalls.
25 Q. And why were those stalls replaced?

1 MS. STRONG: Objection; calls for
2 speculation.
3 THE WITNESS: Oh, because they were old and
4 needed replacing.
5 BY MS. LHAMON:
6 Q. How long had they needed replacing?
7 MS. STRONG: Objection; calls for
8 speculation.
9 THE WITNESS: I don't know. I really don't
10 know.
11 BY MS. LHAMON:
12 Q. Do you know why they needed replacing?
13 MS. STRONG: Calls for speculation beyond a
14 yes or no answer.
15 MS. GODFREY: Asked and answered.
16 THE WITNESS: Some of the hinges was
17 broken; the corrosion of the metal had started. So
18 they needed, they needed replacing.
19 How do you know when something needs
20 replacing? You look at it and it needs replacing;
21 it's deteriorating.
22 BY MS. LHAMON:
23 Q. And what was the source of funds for that
24 bathroom work during the '99/2000 and 2000/2001
25 school years?

1 MS. STRONG: Objection; calls for
2 speculation.
3 THE WITNESS: That was the BB bond issue.
4 BY MS. LHAMON:
5 Q. I'm sorry.
6 Any other source of funds for that work?
7 MS. STRONG: Same objections.
8 THE WITNESS: Not that I know of.
9 BY MS. LHAMON:
10 Q. Is there any other bathroom work that
11 Crenshaw needs now?
12 MS. STRONG: Objection; calls for
13 speculation.
14 THE WITNESS: Not that I know of.
15 MS. STRONG: Vague and ambiguous.
16 BY MS. LHAMON:
17 Q. And the bathroom work that was performed at
18 Crenshaw during the '99/2000 and 2000/2001 school
19 years, was that bathroom work on both faculty and
20 student bathrooms?
21 A. Some occasions, but the majority of it --
22 oh, no. All the bathrooms were worked, was
23 replumbed, all the plumbing throughout the school.
24 So, yes, all faculty and students'
25 bathrooms were replumbed.

1 Q. Okay. What are deferred maintenance needs
2 at Crenshaw High School?

3 MS. GODFREY: Objection; vague and
4 ambiguous.

5 MS. STRONG: Calls for speculation; may
6 call for expert testimony.

7 THE WITNESS: I'm not sure; I'm not sure.

8 When you say deferred, what are you
9 referring to?

10 BY MS. LHAMON:

11 Q. Well, it's my understanding deferred
12 maintenance is a term of art in the district.

13 And I guess I should step back and ask
14 you:

15 Have you heard the term used?

16 A. I have heard the term used, but I'm not
17 sure I know what you are referring to when you say
18 deferred maintenance.

19 Q. Well, why don't you tell me what you think
20 it means. Maybe we can use that definition.

21 A. Deferred maintenance. I think it means
22 that items, that long range, long-range repairs on
23 certain things, whether it's painting or something
24 that you work toward for a period of time to
25 complete.

1 Q. Mr. Owens is the plant manager and
2 Mrs. Garrison is the assistant principal?

3 A. That's correct.

4 Q. Does Mr. Owens ever report to you about
5 deferred maintenance needs at Crenshaw High School?

6 MS. GODFREY: Objection; incomplete --

7 Well, I'm sorry. Go ahead.

8 MS. STRONG: Objection; vague and
9 ambiguous.

10 THE WITNESS: No, not -- not recently.

11 BY MS. LHAMON:

12 Q. Does Mrs. Garrison ever report to you about
13 deferred maintenance needs at Crenshaw High School?

14 MS. STRONG: Objection; vague and
15 ambiguous.

16 THE WITNESS: No.

17 BY MS. LHAMON:

18 Q. Does Mrs. Garrison have a deferred
19 maintenance plan in place?

20 MS. STRONG: Objection; vague and
21 ambiguous.

22 THE WITNESS: No.

23 MS. GODFREY: Join.

24 THE WITNESS: If it is, it could be with
25 Mr. Owens and with the operations person. And they

1 Q. That's a workable definition for me. Why
2 don't we use that definition.

3 And let me ask you:

4 Are there any deferred maintenance needs at
5 Crenshaw High School?

6 MS. STRONG: Objection; calls for
7 speculation.

8 THE WITNESS: That's true. I don't know, I
9 don't know what it would be now, you know, because I
10 feel pretty comfortable with where we are at, you
11 know, with the things that we have got going and the
12 repairs that has been made. So I don't know.

13 I would have to, I can't, I can't come up
14 with anything right now.

15 BY MS. LHAMON:

16 Q. Okay. And is there anyone who keeps, who
17 monitors the status of maintenance at the school?

18 MS. STRONG: Objection; vague and
19 ambiguous.

20 MS. GODFREY: Join.

21 MS. STRONG: May call for speculation.

22 THE WITNESS: Yes.

23 BY MS. LHAMON:

24 Q. And who is that person?

25 A. Mr. Owens and Mrs. Garrison.

1 do surveying of the school and they do
2 walk-throughs. And there could be some plans. But
3 before any work is done, they would share that with
4 me and discuss it with me.

5 But the overall plan for deferred
6 maintenance could be on the books somewhere, but I'm
7 not aware of it right now.

8 BY MS. LHAMON:

9 Q. Okay. You testified on Friday that if a
10 bird were nesting in a classroom in Crenshaw High
11 School, the school would call pest control.

12 Why would the school do that?

13 MS. GODFREY: Incomplete hypothetical. I'm
14 not sure if it misstates prior testimony. And vague
15 and ambiguous and calls for speculation.

16 THE WITNESS: That's the process for
17 removing any animal or any type of cleaning problem,
18 or any -- there is a department for ants, roaches,
19 birds, bugs, bees; that's the area which we call.

20 BY MS. LHAMON:

21 Q. Okay. You also told us on your first day
22 of testimony that you would bring us a school map so
23 that we could see where all the bathrooms are on
24 campus.

25 Did you bring us a map today?

1 A. Did I say I was going to bring you a map?
2 MS. STRONG: Objection; misstates
3 testimony. He mentioned that he could, not that he
4 was going to.

5 MS. GODFREY: Join.

6 THE WITNESS: I don't remember saying I
7 would bring a map. I apologize.

8 I sent a map to counsel.

9 BY MS. LHAMON:

10 Q. To your counsel?

11 A. Yes.

12 Q. Okay. I would love it if you could provide
13 that map to us. We haven't yet received it.

14 MS. GODFREY: Okay. I will just state for
15 the record that I wasn't here during Mr. Kiel's
16 first two days of deposition testimony. And it may
17 have been that that document was produced in the
18 document production that was sent out on Monday.
19 And I will confirm that with my office and be happy
20 to provide it to you if it has in fact been turned
21 over and not produced.

22 MS. LHAMON: Okay. I appreciate that.

23 MS. GODFREY: Uh-huh.

24 BY MS. LHAMON:

25 Q. On your first day of deposition, you told

1 MS. STRONG: Objection; misstates the
2 testimony, I believe.

3 THE WITNESS: There are the two that is
4 near the front entrance, and then there is two near
5 the lunch area that I spoke with you about.

6 BY MS. LHAMON:

7 Q. And those four bathrooms are all four
8 students' bathrooms, is that correct?

9 A. That's correct.

10 Q. And are two of the bathrooms bathrooms for
11 girls and two of the bathrooms bathrooms for boys?

12 A. That's correct.

13 Q. Do you know how many stalls there are in
14 those four bathrooms?

15 A. In the four bathrooms how many stalls.
16 Eight, I think.

17 Q. Eight total?

18 MS. STRONG: This is about eight?

19 THE WITNESS: Approximately eight.

20 BY MS. LHAMON:

21 Q. How do you know that those bathrooms are
22 always open?

23 A. I don't.

24 Q. Okay.

25 A. They are directed to keep them open, but I

1 us that you were not then sure how many bathrooms
2 there were on campus.

3 Have you had occasion to count the
4 bathrooms since then?

5 A. No, I haven't. I did assign it to my
6 assistant principal. He highlighted them and put
7 the map together and gave that packet of information
8 to the attorney.

9 Q. Okay.

10 A. So I didn't count them. I'm sorry.

11 Q. No. That's fine. I will get it from the
12 document when we receive the document.

13 A. Okay.

14 Q. I may have some questions then.

15 Is it fair to say that you don't today know
16 how many toilets there are on campus for girls?

17 MS. GODFREY: Objection; asked and
18 answered.

19 THE WITNESS: Not even the number of
20 bathrooms, so I don't know the number of toilets.

21 BY MS. LHAMON:

22 Q. You said on your first day of testimony
23 that there are four bathrooms that are open around
24 the clock at Crenshaw.

25 Which bathrooms are those?

1 don't know that they are always open, because I'm
2 not there every day.

3 I believe that they are open.

4 Q. Do you check to see if they are open?

5 A. Yes.

6 Q. On days that you are there?

7 A. Yes.

8 Q. Have you ever found them closed?

9 A. Only when there is a maintenance sign
10 that's on them. And that hasn't been there as
11 frequently since we have got the replumbing done.

12 Q. You check all four of the bathrooms on the
13 days that you are on campus?

14 A. I check them when I'm in the vicinity. I
15 don't walk out of my office to go and check on the
16 bathrooms. But when I'm in the area, usually
17 students will let me know if the bathrooms are not
18 open.

19 Q. And how do students let you know? Do they
20 come and tell you?

21 A. They see me. I'm visible in the lunch
22 area, the quad. If there is a problem with
23 bathrooms, or anything of that nature, they will
24 talk to me about it.

25 Q. Have they let you know about any of those

1 four bathrooms not being open?

2 A. I remember maybe two occasions where a
3 young man has spoken to me about the bathrooms. I
4 immediately find out what the problem is. And they
5 will say that the bathrooms are open, the C wing
6 first floor is open because there is a problem with
7 something with the bathroom. It could be a problem
8 with the bathroom. So I haven't really tried to
9 make sure.

10 But if there are any major repairs on a
11 bathroom, we let the students know where another
12 bathroom will be open. And that's, that's a concern
13 of mine to make sure that kids are aware. And I let
14 all AMAPs know if there are any reasons the bathroom
15 is closed. We go on the PA and make sure the kids
16 know where there are open bathrooms.

17 Q. So other than those four bathrooms, are
18 there, do you know if there are other bathrooms that
19 are not faculty bathrooms on campus?

20 MS. STRONG: Objection; asked and answered.

21 THE WITNESS: Yes, there are other
22 bathrooms.

23 BY MS. LHAMON:

24 Q. And those bathrooms are locked?

25 A. They are unlocked during class time. The

1 BY MS. LHAMON:

2 Q. But you don't know of any of the
3 requirements for high school?

4 MS. STRONG: Objection; asked and answered.

5 MS. GODFREY: Join.

6 THE WITNESS: No.

7 BY MS. LHAMON:

8 Q. Do you know if the district has any
9 requirements about the number of toilets that a
10 campus should have per student?

11 A. I haven't read them, so I don't know.

12 Q. Okay. Has anyone from the state ever
13 communicated with you about the number of toilets
14 that are available for students at the Crenshaw High
15 School?

16 MS. STRONG: Objection.

17 Go ahead.

18 MS. GODFREY: Vague and ambiguous.

19 MS. STRONG: Join.

20 THE WITNESS: I don't recall ever talking
21 to anyone from the state about the number of
22 bathrooms or toilets at the school.

23 BY MS. LHAMON:

24 Q. Have you ever seen anything in writing from
25 the state, from anyone at the state level as to the

1 teachers have the responsibilities for opening them
2 during passing period. And also teachers on certain
3 wings, if students have emergencies, they will
4 unlock bathrooms on the wing in the hallways.

5 Q. Do you check to see if other bathrooms are
6 unlocked during passing periods?

7 A. I know teachers are assigned to those
8 bathrooms. And sometimes I walk by to check during
9 passing period, when I'm in the area, to see if
10 bathrooms are open, if kids are coming in and out of
11 them. So I observe kids coming in and out.

12 I don't particularly go just to check to
13 see if the bathrooms are open.

14 Q. Do you know if there are any state
15 requirements about the number of bathrooms or number
16 of toilets that a campus should have per student?

17 MS. STRONG: Objection; calls for
18 speculation beyond a yes or no answer.

19 THE WITNESS: I don't, I don't know; right
20 now I don't know the requirements. I know there is
21 -- well, I won't go there.

22 I don't know if there is a requirement by
23 the state.

24 I'm sure in day-cares and preschools, there
25 are space requirements.

1 number of toilets on campus at Crenshaw High School?

2 MS. GODFREY: Objection; vague and
3 ambiguous.

4 MS. STRONG: Join.

5 THE WITNESS: Not that I know of.

6 BY MS. LHAMON:

7 Q. And have you ever seen anything in writing
8 from anyone at the state level about the number of
9 bathrooms or toilets that should be on a high school
10 campus?

11 MS. STRONG: Objection; asked and answered
12 to the extent it has been, but vague and ambiguous.

13 THE WITNESS: I don't recall reading it.
14 If I did in my 32 years, I don't remember reading
15 it.

16 BY MS. LHAMON:

17 Q. And have you ever read anything from anyone
18 at the district level about the number of toilets
19 that should be available on a high school campus?

20 MS. GODFREY: Objection; asked and
21 answered.

22 THE WITNESS: No.

23 BY MS. LHAMON:

24 Q. And has anyone from the district ever
25 communicated with you about the number of bathrooms

1 that are available to students on Crenshaw High
 2 School campus?
 3 MS. GODFREY: Objection; asked and
 4 answered.
 5 MS. STRONG: Join.
 6 THE WITNESS: Not the number.
 7 BY MS. LHAMON:
 8 Q. And has anyone from the district
 9 communicated with you about the number of bathrooms
 10 at Crenshaw High School?
 11 MS. GODFREY: Objection; vague and
 12 ambiguous.
 13 MS. STRONG: Vague and ambiguous and calls
 14 for speculation.
 15 THE WITNESS: Bathroom facilities, that
 16 students should have access to bathrooms at all
 17 times. And that's what we have made every effort,
 18 that's what we have done. We have made efforts, and
 19 we have done that.
 20 BY MS. LHAMON:
 21 Q. When have you received that communication
 22 from someone at the district level?
 23 A. I don't remember. Throughout my years as
 24 principal and assistant principal. I don't remember
 25 or recall the exact dates of the bulletins or memos,

1 but I do remember having discussions about bathrooms
 2 over the last four to five years.
 3 Q. And that's understanding that the district
 4 has a policy about bathroom availability to students
 5 on campus?
 6 A. I don't understand that was policy. I know
 7 there was some discussion, a directive that students
 8 must have access to bathrooms at all times.
 9 Q. And the directive is that students have
 10 access to bathrooms at all times, is that correct?
 11 A. That's right.
 12 Q. Would you change any of Crenshaw's
 13 policies, if you received information directing you
 14 to ensure that the school maintains one toilet and
 15 bathroom that is unlocked for every 30 girls and for
 16 every 40 boys?
 17 MS. GODFREY: Objection; vague and
 18 ambiguous, incomplete hypothetical; assumes facts
 19 not in evidence.
 20 And I would like to have the question
 21 repeated?
 22 MS. STRONG: Calls for speculation beyond
 23 what was said, and calls for speculation.
 24 MS. GODFREY: Can we have the question
 25 repeated.

1 BY MS. LHAMON:
 2 Q. Did you understand the question, Mr. Kiel?
 3 A. I would change the policy if I got it from
 4 district that a bathroom should be open for, that
 5 one toilet should be open for every 30 girls?
 6 Q. And for every 40 boys, that's the
 7 question.
 8 A. And for every 40 boys.
 9 I would change the policy. I haven't, I
 10 don't remember seeing the policy, and I would check
 11 it. I don't know. I can't imagine --
 12 I would try to comply with any district
 13 policy and/or guideline; I would try to comply with
 14 it.
 15 So that's where I will leave that. I will
 16 try to comply with all district policies and
 17 guidelines.
 18 MS. GODFREY: I want to take a break for a
 19 second.
 20 MS. LHAMON: Oh, sure.
 21 MS. GODFREY: There is no question pending.
 22 (Recess taken.)
 23 MS. LHAMON: Let's go back on the record.
 24 Are we back on?
 25 We have had an off-the-record

1 conversation. Mr. Kiel has stated that he is tired
 2 for the day. And we have decided to conclude the
 3 deposition now to honor that.
 4 And we would like to make the same
 5 stipulation we have made in the past, assuming
 6 that's okay with all counsel present.
 7 MS. STRONG: Correct.
 8 MS. GODFREY: Yes, it is.
 9 MS. STRONG: Yes.
 10 MS. LHAMON: And we intend to communicate
 11 with counsel for Mr. Kiel about the date on which he
 12 would be able to continue the deposition. We are
 13 anticipating that we would continue it some date
 14 during the week of July 16th.
 15 MS. GODFREY: That's correct. Mr. Kiel has
 16 indicated that he is unavailable for the remainder
 17 of this week and is going on vacation the following
 18 week. So we anticipate being able to reschedule
 19 something during the week of July 16.
 20 MS. LHAMON: Thank you.
 21 Now off the record.
 22 (WHEREUPON, AT 2:49 P.M., THE
 23 DEPOSITION OF TRAVIS KIEL WAS
 24 ADJOURNED.)
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DECLARATION

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I hereby declare I am the deponent in the within matter; that I have read the foregoing deposition and know the contents thereof, and I declare that the same is true of my knowledge except as to the matters which are therein stated upon my information or belief, and as to those matters, I believe it to be true.

I declare under the penalties of perjury of the State of California that the foregoing is true and correct.

Executed on the _____ day of _____, 2001, at _____, California.

WITNESS

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STATE OF CALIFORNIA)
ss:
COUNTY OF LOS ANGELES)

I, DONNIE A. STICKLEY, C.S.R. No. 9510, do hereby certify:

That the foregoing deposition was taken before me at the time and place therein set forth, at which time the witness was put under oath by me;

That the testimony of the witness and all objections made at the time of the examination were recorded stenographically by me, were thereafter transcribed under my direction and supervision and that the foregoing is a true record of same.

I further certify that I am neither counsel for nor related to any party to said action, nor in any way interested in the outcome thereof.

IN WITNESS WHEREOF, I have subscribed my name this day of _____, 2001.

DONNIE A. STICKLEY, C.S.R. No. 9510