

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

ELIEZER WILLIAMS, a minor, ) No. 312236  
by Sweetie Williams, his ) (Class Action)  
guardian ad litem, et al., ) Pages 1 - 175  
Plaintiffs,)  
VS. )  
STATE OF CALIFORNIA, )  
et al., )  
Defendants.)  
\_\_\_\_\_)

DEPOSITION OF JOSCELYN MC CAULEY  
TAKEN ON  
FRIDAY, SEPTEMBER 7, 2001

REPORTED BY: ASHALA TYLOR, CRR, RPR, CSR No. 2436  
CERTIFIED REALTIME REPORTER

1 Deposition of JOSCELYN MC CAULEY, taken on  
2 behalf of the Defendants at 400 South Hope Street,  
3 Los Angeles, California, on FRIDAY, SEPTEMBER 7,  
4 2001 at 9:38 A.M., before ASHALA TYLOR,  
5 CSR No. 2436, RPR, pursuant to Notice.

6  
7 APPEARANCES:

8  
9 FOR THE PLAINTIFF:

10 MORRISON & FOERSTER LLP  
11 BY: LEECIA WELCH, ESQ.  
12 425 Market Street  
13 San Francisco, California 94105-2482  
14 415 268-6924

15  
16 FOR THE DEFENDANTS:

17 O'MELVENY & MEYERS  
18 BY: STEVEN LA COMBE, ESQ.  
19 400 South Hope Street  
20 Los Angeles, California 90071-2899  
21 213 430-6000

22  
23 ALSO PRESENT:

24 JOHN LITTRELL  
25

1 LOS ANGELES, CALIFORNIA  
2 FRIDAY, SEPTEMBER 7, 2001; 9:38 A.M.

3  
4 (Deposition Exhibits 1 - 4 were marked by  
5 the reporter for identification and are attached  
6 hereto.)

7  
8 JOSCELYN MC CAULEY,  
9 Having been first duly  
10 sworn, was examined and testified  
11 as follows:

12  
13 EXAMINATION

14  
15 BY MR. LA COMBE:

16 Q. Good morning, Mrs. McCauley. My name is  
17 Steven LaCombe. I represent the state of  
18 California.

19 Would you please state and spell your name  
20 once for the record.

21 A. Joscelyn McCauley. It's J-o-s-c-e-l-y-n,  
22 M-c-C-a-u-l-e-y.

23 Q. I'm here today to take your deposition.  
24 Have you ever had your deposition taken before?

25 A. No.

1 I N D E X

2  
3 WITNESS EXAMINATION PAGE  
4 JOSCELYN MC CAULEY (By Mr. LaCombe) 4  
5 (By Ms. Welch) 170

6  
7  
8  
9 EXHIBITS PAGE  
10 1 - Declaration of Joscelyn K. McCauley 4  
11 2 - Notice of Deposition 4  
12 3 - Document entitled "History of  
13 Concerned Parents: Our Sweat and  
14 Tears" 4  
15 4 - Diagram of Frank D. Parent School 4

1 Q. Well, this is what's going to happen.  
2 I'll ask a series of questions. My questions and  
3 your answers will be taken down by the  
4 court reporter to be transcribed into a booklet.  
5 For the court reporter's sake and to have a clear  
6 record, it's important that you state your answers  
7 clearly. So nods of the head, shaking your head,  
8 uh-huh, uh-uh, things like that, are very difficult  
9 for the court reporter to take down.

10 Will you do that, please?

11 A. Yes.

12 Q. Also, in order to make sure we have a good  
13 record, it's important that one person speak only  
14 at a time. So please wait until I completely  
15 finish my question before you begin your answer.

16 Will you do that?

17 A. Yes.

18 Q. Mrs. McCauley, it's important to listen  
19 carefully to the question. If you don't understand  
20 the question for some reason, please tell me and  
21 I'll do my best to try and rephrase it so it's  
22 understandable.

23 Will you do that?

24 A. Yes.

25 Q. Please answer the questions to the best of

1 your ability. If you don't know the answer, just  
 2 say "I don't know." No need to make any wild  
 3 guesses.  
 4 However, if you aren't completely certain  
 5 about the answer, I may ask you for your best  
 6 estimate if you have one. Will you do that?  
 7 A. Yes.  
 8 Q. Your testimony today is under oath so it's  
 9 very important that you answer the questions as  
 10 fairly and fully as you can.  
 11 Will you do that?  
 12 A. Yes.  
 13 Q. If you need a break for any reason, just  
 14 let me know. I'll let the court reporter know that  
 15 we're off the record.  
 16 Sometimes it may happen that you'll  
 17 remember something after you answer. Later on in  
 18 the day, you'll remember some additional  
 19 information or realize that something you said,  
 20 perhaps, wasn't true at that time.  
 21 When you make that realization, let me  
 22 know immediately and we'll take care of it right  
 23 then.  
 24 Will you do that?  
 25 A. Yes.

1 Q. Everything we say is being transcribed  
 2 into a booklet that will be sent to you for your  
 3 review and signature. When you receive the booklet  
 4 you can make whatever changes you feel are  
 5 necessary. Keep in mind that the various lawyers  
 6 in this case are free to comment on any changes  
 7 that you make.  
 8 Does that make sense?  
 9 A. Yes.  
 10 Q. Do you understand these rules?  
 11 A. Yes, I do.  
 12 Q. Okay. Do you have any questions?  
 13 A. No.  
 14 Q. I have a couple basic questions to make  
 15 sure we are good to go.  
 16 Mrs. McCauley, have you recently consumed  
 17 any medication, alcohol or any other substance that  
 18 would make it difficult for you to understand or  
 19 answer my questions?  
 20 A. No.  
 21 Q. Are you sick today?  
 22 A. No, but my stomach is bothering me a  
 23 little.  
 24 Q. That wouldn't interfere with your ability  
 25 to understand or answer my questions?

1 A. No.  
 2 Q. Is there any reason you can think of why  
 3 you may not be able to answer my questions fully  
 4 and fairly?  
 5 A. No.  
 6 Q. Did you do anything to prepare for your  
 7 deposition today?  
 8 A. Yes.  
 9 Q. What did you do?  
 10 A. I found some documents. I talked with my  
 11 attorney, and read over some of the history that I  
 12 had given her.  
 13 Q. The documents that you reviewed  
 14 beforehand, are those the documents that you  
 15 brought today?  
 16 A. The documents that I reviewed are letters  
 17 that were given to the ACLU, the history that I had  
 18 gone through with the school.  
 19 Q. Okay.  
 20 A. My declaration and another deposition.  
 21 Q. What deposition are you referring to?  
 22 A. It had something to do with this case.  
 23 Q. It was a deposition of another witness?  
 24 A. It was, I think, an example, yes.  
 25 Q. Do you remember who the deponent was of

1 that deposition?  
 2 A. No.  
 3 Q. You said that you reviewed letters that  
 4 you sent to the ACLU; is that correct?  
 5 A. No. Letters that I sent to the school and  
 6 the school district.  
 7 Q. Okay. How many letters were those?  
 8 A. I don't know.  
 9 Q. Do you have an estimate?  
 10 A. Maybe between four and six.  
 11 Q. Okay. Do you recall which individuals  
 12 those letters were addressed to?  
 13 A. Marie Stricklin, principal, the  
 14 superintendent in charge or, I guess, she was  
 15 administrator in charge at the time, Dr. Montle,  
 16 Dr. James Harris, the current superintendent, Kevin  
 17 Murray, our state senator. I think that's it. Oh,  
 18 Dr. Nash, the previous superintendent.  
 19 BY MR. LA COMBE:  
 20 Q. I'd like to introduce the  
 21 Exhibit premarked 3.  
 22 Would you please open the document --  
 23 first of all, do you recognize this document?  
 24 A. Yes.  
 25 Q. What is it?

1 A. It's a document that we gave to our state  
 2 senator.  
 3 Q. Who was that?  
 4 A. Kevin Murray.  
 5 Q. Can you quickly look through the document.  
 6 (The witness complies.)  
 7 Q. Is this the entire document you presented  
 8 to Mr. Murray?  
 9 A. Yes.  
 10 Q. Okay.  
 11 A. Looks like it.  
 12 Q. Did you prepare this document?  
 13 A. Yes.  
 14 Q. Did anybody else assist you in preparing  
 15 this document?  
 16 A. Yes.  
 17 Q. Who was that?  
 18 A. It would be Beverly Kukyendall-Jones,  
 19 Diane Stasher-Thomas, Gerald Riberio.  
 20 Q. Okay.  
 21 A. Maria Gray.  
 22 Q. Anybody else?  
 23 A. No.  
 24 Q. We'll talk more about this document later.  
 25 I'd like to call your attention to the page that's

1 marked in the lower right-hand corner "PLTF 01290.  
 2 Do you see that?  
 3 A. Got my finger on it. Yes.  
 4 Q. Do you recognize this document?  
 5 A. Yes.  
 6 Q. What is it?  
 7 A. It's a letter I wrote to the principal of  
 8 the school.  
 9 Q. Okay. Is this one of the letters that you  
 10 reviewed in preparation for your deposition today?  
 11 A. Yes.  
 12 Q. Why did you read this letter in  
 13 preparation for your deposition today?  
 14 MS. WELCH: I'm going to object that it  
 15 calls for attorney-client privileged information.  
 16 THE WITNESS: What was the question again,  
 17 please?  
 18 BY MR. LA COMBE:  
 19 Q. Yes. Why did you read this letter in  
 20 preparation for today?  
 21 A. So that I would be refreshed on what I had  
 22 written.  
 23 Q. Okay.  
 24 A. This was written two years ago.  
 25 Q. Okay. And the next document is starting

1 on page 1292.  
 2 A. This is a letter I wrote to Dr. Montle,  
 3 the then acting superintendent.  
 4 Q. Is this another one of the letters that  
 5 you reviewed in preparation?  
 6 A. Yes.  
 7 Q. The next document is the same letter as  
 8 before to Mrs. Stricklin. Go ahead to 1308.  
 9 Do you recognize this document?  
 10 A. Yes.  
 11 Q. What is it?  
 12 A. This is a follow-up letter to Senator  
 13 Murray's chief of staff on a meeting that we had  
 14 with him concerning our issues at the school and  
 15 our dissatisfaction with things at the school.  
 16 Q. Okay. Is this one of the documents that  
 17 you reviewed in preparation for today?  
 18 A. Yes.  
 19 Q. And 1310, IUSD meeting. Do you recognize  
 20 this?  
 21 A. No, I don't actually recognize this one.  
 22 Q. Okay. I take it, then, this is not one of  
 23 the documents that you reviewed for today?  
 24 A. Well, I guess I could say that's correct.  
 25 Q. Okay. The next document that's in this

1 exhibit starting at 1311 --  
 2 A. Uh-huh.  
 3 Q. -- do you recognize this?  
 4 A. Yes.  
 5 Q. Yes?  
 6 A. Yes.  
 7 Q. What is it?  
 8 A. It's the agenda from the meeting with the  
 9 district officials.  
 10 Q. Okay. Do you remember which district  
 11 officials those were?  
 12 A. Dr. Nash, who was then the superintendent,  
 13 and all of his directors.  
 14 Q. Do you remember how many directors there  
 15 were there?  
 16 A. Oh, there were about eight to 10.  
 17 Q. Did you prepare this document?  
 18 A. No.  
 19 Q. Okay. Did you read it --  
 20 A. Which document?  
 21 Q. Specifically about the agenda for the IUSD  
 22 meeting.  
 23 A. No, I didn't prepare this.  
 24 Q. Did you read this in preparation for your  
 25 deposition today?

1 A. No.  
 2 Q. Okay.  
 3 A. Well, I scanned it.  
 4 Q. When you reviewed these documents, were  
 5 they as part of this larger document, the exhibit  
 6 as a whole?  
 7 A. Yes.  
 8 Q. Okay. Were there any other letters that  
 9 you reviewed besides those that we just discussed?  
 10 A. Yes.  
 11 Q. Okay. which ones were those?  
 12 A. The letter that we wrote to the current  
 13 superintendent.  
 14 Q. Is that Dr. Harris?  
 15 A. Yes.  
 16 Q. Okay.  
 17 A. Two other documents. One, I think, is a  
 18 letter from my daughter's current teacher.  
 19 Q. Okay.  
 20 A. A letter to parents. And the other one, I  
 21 can't remember what it was.  
 22 Q. There was one more?  
 23 A. Yes.  
 24 Q. If you remember what it is later on, just  
 25 let me know.

1 A. Okay.  
 2 Q. Okay. There was a letter to the current  
 3 superintendent, Dr. Harris?  
 4 A. Yes.  
 5 Q. Is that a letter that you wrote?  
 6 A. No. It came from her PTA president.  
 7 Q. Who was that?  
 8 A. Well, the past PTA president.  
 9 Q. Is that Beverly Kukyendall-Jones?  
 10 A. And Gerald Riberio, with a G.  
 11 Q. Who is Gerald?  
 12 A. Gerald Riberio was the co-president.  
 13 Q. They are both co-presidents?  
 14 A. Yes.  
 15 Q. Do you know what the date of that letter  
 16 is?  
 17 A. No.  
 18 Q. Do you have an estimate of when it would  
 19 have been?  
 20 A. Last fall.  
 21 Q. What does that letter discuss, if you  
 22 recall?  
 23 A. It requests documentation from the  
 24 district on policies for reviewing teachers. It's  
 25 requesting a lot of district policies.

1 Q. Okay. Do you know specifically what  
 2 policies besides the policies for reviewing  
 3 teachers?  
 4 A. No. I can't remember all of them.  
 5 Q. Okay. Do you have an estimate for about  
 6 how many different policies it requests?  
 7 A. It's about a page and a half letter, and I  
 8 would say there were at least requests for ten  
 9 different documents.  
 10 Q. Do you know if Dr. Harris ever produced  
 11 those policies?  
 12 A. I don't know. Not to my knowledge, I  
 13 guess I should say.  
 14 Q. How did you get this letter?  
 15 A. I'm a member of the PTA board.  
 16 Q. As a member of the PTA board you receive  
 17 all letters that the PTA produces?  
 18 A. No. But I was a part of the  
 19 decision-making process on this. And with that, I  
 20 got a copy of the letter.  
 21 Q. Okay. Why did the PTA decide to request  
 22 these policies from Dr. Harris?  
 23 A. Why did the PTA?  
 24 Q. Yes.  
 25 A. I don't think the PTA decided to request

1 these letters or policies. The PTA board was  
 2 interested in finding out information about the  
 3 school. And Dr. Harris is in charge of the school  
 4 district.  
 5 Q. Okay. Then maybe I should ask: Why did  
 6 the PTA board decide to request these policies?  
 7 MS. WELCH: Objection. Asked and  
 8 answered.  
 9 BY MR. LA COMBE:  
 10 Q. Go ahead.  
 11 A. Because they are questions about how  
 12 things -- about the way things operate within the  
 13 school. And we didn't get those answers from the  
 14 principal. We wanted to know if there was in fact  
 15 policy in place to answer those questions.  
 16 Q. Thank you. Did you bring that letter with  
 17 you today?  
 18 A. Yes.  
 19 Q. Okay.  
 20 MR. LA COMBE: Is it part of the documents  
 21 that you presented, Leecia?  
 22 THE WITNESS: No.  
 23 MR. LA COMBE: Which is it?  
 24 MS. WELCH: Not that I'm aware of.  
 25 THE WITNESS: No. She hasn't seen it.

1 It's in my car.  
 2 BY MR. LA COMBE:  
 3 Q. You also mentioned a letter from your  
 4 daughter's current teacher?  
 5 A. Correct.  
 6 Q. When was that letter from?  
 7 A. This week.  
 8 Q. Does your daughter attend Parent  
 9 Elementary?  
 10 A. No.  
 11 Q. What school does she attend?  
 12 A. 74th Street Gifted Magnet.  
 13 Q. Why did you review the letter from her  
 14 current teacher in preparation for the deposition?  
 15 A. Actually, I guess I didn't review it in  
 16 preparation for the deposition. The teacher sent  
 17 home a letter that I needed to respond to by today  
 18 so I had to read it last night.  
 19 Q. Okay.  
 20 A. And because this is about schools, I  
 21 included that.  
 22 Q. Do you remember what the other letter was  
 23 now?  
 24 A. No.  
 25 Q. Okay. You mentioned that you also talked

1 with your attorney in preparation for the  
 2 deposition.  
 3 A. Yes.  
 4 Q. Okay. Who was that?  
 5 A. Leecia Welch.  
 6 Q. When was that conversation?  
 7 A. Last night.  
 8 Q. Who was present?  
 9 A. Leecia and myself.  
 10 Q. Okay. How long did you talk?  
 11 A. Two hours.  
 12 Q. Was that in person?  
 13 A. Yes.  
 14 Q. I'd like you to look at the first amended  
 15 complaint, which is, as we agreed, is not marked as  
 16 an exhibit.  
 17 Here is a copy for you, Leecia.  
 18 Have you seen this document before?  
 19 A. Something similar. I'm not sure if this  
 20 is it? Oh, yes, this is the complaint.  
 21 Q. When have you seen the complaint?  
 22 A. Last August. 17th, I believe.  
 23 Q. Any time since then?  
 24 A. I'm not sure. I'm not sure if I saw this.  
 25 Q. Did you read the whole thing?

1 A. I believe so. Yeah, I think I did.  
 2 Q. How did you get the complaint?  
 3 A. At a press conference with the ACLU.  
 4 Q. Okay. Where was the press conference?  
 5 A. At the ACLU in Los Angeles.  
 6 Q. When was that?  
 7 A. August 17th, 2000.  
 8 Q. All right.  
 9 A. I believe.  
 10 Q. Sounds like a rough estimate. Please  
 11 review paragraphs 259 through 262.  
 12 MS. WELCH: It's on page 55.  
 13 THE WITNESS: Paragraph numbers again,  
 14 please.  
 15 BY MR. LA COMBE:  
 16 Q. Starting with 259 right under "Frank D.  
 17 Parent Elementary School."  
 18 A. 259 and?  
 19 Q. Through 262.  
 20 (The witness complies.)  
 21 A. Okay.  
 22 Q. Did you write these paragraphs?  
 23 A. No. I did read it last night, though.  
 24 Q. Oh, you did?  
 25 A. Yes.

1 Q. As part of the complaint or did you read  
 2 like the entire document or just these four?  
 3 A. I just read this. I did not read this  
 4 entire document.  
 5 Q. Good.  
 6 Did you help to prepare these documents,  
 7 these paragraphs?  
 8 MS. WELCH: Objection. Vague.  
 9 THE WITNESS: These are my complaints. I  
 10 don't know who prepared this.  
 11 BY MR. LA COMBE:  
 12 Q. Okay.  
 13 A. This is the issue.  
 14 Q. Right, fair enough.  
 15 I'd also like to direct your attention to  
 16 your declaration. This is premarked Exhibit 1.  
 17 Have you seen this document before?  
 18 A. Yes.  
 19 Q. On the last page, page 3, is that your  
 20 signature?  
 21 A. Yes.  
 22 Q. And this is your declaration?  
 23 A. Correct.  
 24 Q. Have you signed any other declarations for  
 25 this case?

1 A. I don't believe so.  
 2 Q. Did you write this document?  
 3 A. Yes.  
 4 Q. Okay.  
 5 A. Maybe I ought to clarify that, too.  
 6 Q. Yes.  
 7 A. I didn't type this.  
 8 Q. Okay.  
 9 A. I wrote a statement out and someone redid  
 10 it this way.  
 11 Q. Okay. You wrote it out by hand?  
 12 A. No.  
 13 Q. I saw you wave your hand like you were  
 14 using a pen.  
 15 A. No, I used a computer.  
 16 Q. Typed it out?  
 17 A. Yes.  
 18 Q. And you sent that to the ACLU?  
 19 A. Yes.  
 20 Q. Have there been any changes to this  
 21 document between the version that you sent to the  
 22 lawyers and the version that you executed, that you  
 23 signed?  
 24 MS. WELCH: Objection. Vague, calls for  
 25 speculation.

1 THE WITNESS: What kind of changes?  
 2 BY MR. LA COMBE:  
 3 Q. Changes to words, for instance. Not  
 4 formatting changes. I understand --  
 5 A. A change, they did get books. Her class  
 6 got books in the fall of 2000.  
 7 Q. Okay. I guess I should clarify my  
 8 question.  
 9 A. Okay.  
 10 Q. Between the draft version of the statement  
 11 that you sent to the lawyers and this final  
 12 statement, were there any changes to the statement  
 13 made?  
 14 A. No.  
 15 MS. WELCH: And I'm going to object to the  
 16 extent this calls for attorney-client information  
 17 and work product.  
 18 THE WITNESS: No.  
 19 BY MR. LA COMBE:  
 20 Q. No?  
 21 A. No, I do my own writing.  
 22 Q. Okay.  
 23 A. Is that what you mean?  
 24 Q. Yes.  
 25 A. Is this what I wrote?

1 Q. Yes.  
 2 A. Okay.  
 3 Q. Did you review the document before you  
 4 signed it?  
 5 A. Yes, I did.  
 6 Q. And did you have any conversations with  
 7 anybody before you signed this document?  
 8 A. No.  
 9 Q. You can set that aside for the time.  
 10 Let's talk about your children. Tell me about  
 11 them.  
 12 A. They are great. I have three. Ages 9, 4  
 13 and a half and two and a half.  
 14 Q. What are their names?  
 15 A. Sharifa, Kalonji and Niara.  
 16 Q. Do you know their birth dates?  
 17 A. Sharifa, 2-27-92; Kalonji 3-15-97. Niara,  
 18 10-15-98.  
 19 Q. Do any of them attend Parent Elementary  
 20 School?  
 21 A. No.  
 22 Q. Have you decided when Kalonji is going to  
 23 be starting school?  
 24 A. Yes.  
 25 Q. When?

1 A. When they have all-day kindergarten or in  
 2 the 1st grade.  
 3 Q. Do you know about what time of the year  
 4 that would be?  
 5 A. That would be fall of 2002.  
 6 Q. Do you intend to enroll Kalonji at an  
 7 Inglewood Unified School District school?  
 8 A. Yes.  
 9 Q. At Parent?  
 10 A. Yes.  
 11 Q. Why do you intend to enroll Kalonji at  
 12 Parent?  
 13 A. Because that's our neighborhood school.  
 14 Q. And Sharifa --  
 15 A. Do you want to know why else?  
 16 Q. Okay.  
 17 A. Because I bought my house to send my  
 18 children to that school.  
 19 Q. You mean it's close to the school?  
 20 A. Yes. It's walking distance. And when we  
 21 were sold our house, we were told that was a  
 22 fabulous school, that people come from all over to  
 23 go to that school, and we bought our home there.  
 24 Spent a lot of money, too.  
 25 Q. Is it true -- do you believe that it's a

- 1 fabulous school?  
 2 A. No.  
 3 Q. Okay. Why not?  
 4 A. Because the academic standards are not  
 5 what I -- not the same standards that I was  
 6 educated on. The school facilities in terms of  
 7 materials that the students have are lacking. The  
 8 textbooks, while they have improved a little, they  
 9 could still be better. The school facilities, such  
 10 as the library, is not what a library should be.  
 11 The school staff is not what I believe a school  
 12 staff should be. The administration is  
 13 ineffective, totally inefficient, and not doing a  
 14 very good job.  
 15 Q. Do you intend to enroll Kalonji at Parent  
 16 beyond kindergarten?  
 17 A. Kalonji will go there if they have all-day  
 18 kindergarten. He will definitely go there in the  
 19 1st grade, and they will educate my son.  
 20 Q. Okay. You mentioned it's contingent upon  
 21 whether or not there is all-day kindergarten?  
 22 A. Yes.  
 23 Q. Right now they only have half day, is that  
 24 it?  
 25 A. I believe it's about three hours.

- 1 What are all the schools she's attended?  
 2 Don't worry, we're not going to go through the  
 3 entirety of it. What are all the schools she's  
 4 attended since kindergarten?  
 5 A. She went to Dreamland Early Learning  
 6 Center for preschool and kindergarten;  
 7 Frank D. Parent, 1st grade through first semester  
 8 of 4th grade. Now she's at 74th Street Gifted  
 9 Magnet, 4th grade, second semester, and she's in  
 10 5th grade now.  
 11 Q. Are those all the schools she's attended?  
 12 A. Yes.  
 13 Q. What grade is she in now?  
 14 A. She's currently in 5th grade.  
 15 Q. School already started for the 5th grade  
 16 year?  
 17 A. Yes.  
 18 Q. Why did you take Sharifa out of Parent?  
 19 A. Because she was not being served. She was  
 20 not being taught appropriately. She was not being  
 21 challenged. She didn't have the exposure, I think,  
 22 that she should have and other forth graders should  
 23 have in the 4th grade. 4th graders should know  
 24 their multiplication tables or at least be taught  
 25 their multiplication tables. She wasn't. They

- 1 Q. If they don't have full-day kindergarten,  
 2 will you enroll Kalonji somewhere else?  
 3 A. No. Kalonji is -- well, I guess the  
 4 answer would be yes.  
 5 Q. Where would you enroll him?  
 6 A. He's currently at Dreamland Early Learning  
 7 Center.  
 8 (Recess.)  
 9 BY MS. WELCH:  
 10 Q. You indicated earlier that Sharifa  
 11 McCauley now is at 74 Street Magnet School.  
 12 A. Yes.  
 13 Q. Where is that school?  
 14 A. In Los Angeles.  
 15 Q. How far is it from your home?  
 16 A. Five miles.  
 17 Q. How does she get to school?  
 18 A. Now she takes the bus.  
 19 Q. Okay. Does the school provide a bus?  
 20 A. Yes.  
 21 Q. How long has she been going to the 74  
 22 Street Magnet School?  
 23 A. February of 2001.  
 24 Q. Let's go through her entire educational  
 25 career as a sketch.

- 1 were not doing math at a level that those students  
 2 could perform. The teacher wasn't really  
 3 interested in helping her.  
 4 Q. This is her 4th grade teacher?  
 5 A. Correct.  
 6 Q. Okay.  
 7 A. I'm sure the teacher did the best she  
 8 could, but Sharifa could -- she needed more.  
 9 Q. Any other reasons?  
 10 A. Other than not being properly educated?  
 11 Q. Uh-huh.  
 12 A. No.  
 13 Q. What was the name of her teacher in the  
 14 4th grade?  
 15 A. [REDACTED]  
 16 Q. Do you think that Sharifa's other teachers  
 17 she had were interested in her education?  
 18 A. I believe that all of the teachers are  
 19 interested in the student's education at some  
 20 level. I don't want to say that [REDACTED] was not  
 21 interested, but I will say that I've seen much  
 22 better performance out of other teachers.  
 23 Q. What teachers are you referring to?  
 24 A. Miss Debbie Burke, Sharifa's current  
 25 teacher, Debbie Martin, Rene Cole, our preschool



1 teacher. Rene Cole taught Sharifa to read at a 2nd  
2 grade level. When she went to Parent School, she  
3 was reading at a 2nd grade level. She was doing  
4 math, addition and subtraction, triple digits.

5 Now, I know the state of California  
6 doesn't require that of 1st graders or  
7 kindergarten, but when you have a child that has  
8 that ability, I think it's okay to give them some  
9 things that keep them stimulated in that grade.

10 Q. Who is Debbie Burke?

11 A. Sharifa's 1st grade teacher.

12 Q. So Jerry Martin is her current teacher?

13 A. Correct.

14 Q. Rene Cole, was she at Dreamland?

15 A. Correct.

16 Q. Okay. Any other teachers that you can  
17 think of?

18 A. Yes. [REDACTED] 2nd grade  
19 teacher, horrible. You know, school is a building  
20 process. They learn something at one level which  
21 enables a person at the next level to continue and  
22 take the child further. And if the children are  
23 not prepared before going to the next level, it  
24 gives the teacher at the following level a more  
25 difficult time. If the teacher has to spend time

1 2s and 5s. Then I expect that that would have been  
2 taught to my child in the 2nd grade. It wasn't.

3 When I look at the curriculum and see that  
4 the child should be doing a particular type of  
5 writing, sentences, and they are not doing that, it  
6 makes me think that, gee, this teacher didn't do a  
7 very good job.

8 Q. Did you complain to [REDACTED]?

9 A. I complained to the principal. I asked  
10 the principal not to put my child in her class in  
11 the first place. The principal, Mrs. Stricklin,  
12 assured me that [REDACTED] was one of her mentor  
13 teachers, that she was the best teacher, and it was  
14 a total waste of Sharifa's 2nd grade.

15 Actually, it wasn't because Sharifa had a  
16 blast. She had a fun time, and I'm glad about  
17 that. Okay. She got to do some art things.

18 [REDACTED] kind of artsy. She likes that, and  
19 that was good. So there was a benefit there.

20 Q. When you said -- was she a credentialed  
21 teacher?

22 A. Yes.

23 Q. Does she have full credentials?

24 A. I don't know. I didn't ask her. When the  
25 principal told me she was a mentor teacher, I

1 catching students up, then they are not able to  
2 push the class further so that when they go to the  
3 next level they are prepared.

4 So if you are in the 2nd grade and you  
5 don't learn basics about mathematics, you don't  
6 learn basics about reading, it's difficult when you  
7 get to the 3rd grade, and so on, for the 4th grade.  
8 And that's the situation.

9 Q. Who was her 3rd grade teacher?

10 A. Belinda Acuna.

11 Q. What did you think of Belinda Acuna?

12 A. She was good, but she still had the issue  
13 of dealing with students that were not all at the  
14 same level. It's difficult when teachers are not  
15 able to group their students and keep some at, you  
16 know, one level and some at another level so that  
17 everyone gets served.

18 Q. When you say that [REDACTED] was horrible,  
19 what do you mean by that specifically?

20 A. Well, that her focus, in my opinion,  
21 appeared to be on having fun. There were things --  
22 see, I looked at the state of California  
23 curriculum.

24 When I looked at the curriculum it says  
25 that the child should be doing multiplication 1s,

1 assumed that she had credentials. So I don't know.

2 Q. Do you know if any of the teachers that  
3 Sharifa has had were not fully credentialed?

4 A. No, I don't know that.

5 Q. You mentioned there was a problem that  
6 teachers have that they are not able to group  
7 according to ability?

8 A. Correct.

9 Q. What do you mean by that?

10 A. Well, in a classroom, Sharifa's 4th grade  
11 class in particular, there were what they  
12 considered GATE students, gifted and talented  
13 education is what the program is, and all the  
14 students were going along at the same pace.

15 I spoke to the counselor, whose name is  
16 also Gerry Martin. She looked at Sharifa's records  
17 and looked at her test scores, and told me that she  
18 had a conversation with the teacher and said,  
19 "Well, you should be grouping these students. You  
20 should be giving them additional work at different  
21 levels and having them work together to help each  
22 other to challenge them in addition to what's going  
23 on with the regular class."

24 That wasn't happening. I'm not a teacher.  
25 I can't tell the teacher what her line of work is,

1 you know, what she should be doing in her  
2 classroom. But the counselor said this to me. So  
3 that makes me think that that teacher was not able  
4 to group.

5 It also happened in 3rd grade when I  
6 complained to the teacher and the principal that  
7 Sharifa had not been given any multiplication in  
8 December. When was she in 3rd grade? '99? It was  
9 December I realized, gee, she hasn't done any  
10 multiplication. I asked the teacher on it. And  
11 she said, "Well, I'm working on catching everyone  
12 up."

13 Which is where I came up with the idea, my  
14 goodness, the children that were in her 2nd grade  
15 class didn't get what they needed in class.  
16 Therefore, when they get in 3rd grade, the 3rd  
17 grade teacher has got to go back and do the work  
18 that the 2nd grade teacher --

19 Q. Didn't do?

20 A. Well, I don't know if she didn't do it.  
21 Some kind of way it was missed.

22 Q. The GATE program starts in the 4th grade?

23 A. I believe it starts in the 3rd grade.

24 Q. Sharifa is a GATE student?

25 A. Correct.

1 And if you are not getting quality  
2 instruction, how can you do better?

3 Q. Did Sharifa ever indicate to you that she  
4 wanted to stay at Parent?

5 A. Sure, she did.

6 Q. Why did she want to stay at Parent?

7 A. She's a kid. It's her school. Her little  
8 friends are there. But you know what? She loves  
9 the school. She has better friends. She likes her  
10 teacher much better, and she's getting up early,  
11 getting on the bus to get there.

12 Q. And has she had any teachers at 74th  
13 Street other than Jerry Martin?

14 A. No.

15 Q. Why does she like her teacher at 74th  
16 Street?

17 MS. WELCH: Objection. Calls for  
18 speculation.

19 BY MR. LA COMBE:

20 Q. Okay, what reasons has she told you that  
21 she likes her?

22 MS. WELCH: Assumes facts.

23 THE WITNESS: I assume she's having fun  
24 with her. She likes the work they get in class.  
25 She likes the classroom itself. It's very nice.

1 Q. Has she been a GATE student since the 3rd  
2 grade?

3 A. Correct.

4 Q. Has there ever been a time where she's  
5 received additional work in a class as a GATE  
6 student?

7 A. The GATE students at Parent School were  
8 taken out of the class for an hour and a half two  
9 times a week and instructed by consultants. I  
10 don't remember what they did the first year.

11 I remember last they done something with  
12 Shakespeare and something -- they had some training  
13 from a marine biologist. That's three hours a  
14 week.

15 Q. So that was both the 3rd and 4th grade?

16 A. The 3rd grade I can't remember what they  
17 did. I believe it might have been a play.

18 Q. Any extra or alternative course work in  
19 the class itself for the GATE students?

20 A. No. When Mrs. Martin, the counselor,  
21 spoke with [REDACTED] the 4th grade teacher, she  
22 began getting some extra math assignments. But  
23 doing extra work doesn't necessarily help you.  
24 It's not the quantity of work. It's the quality of  
25 the work.

1 It has a lot of books. Students like herself.  
2 Miss Martin is a good teacher.

3 BY MR. LA COMBE:

4 Q. You mentioned earlier you bought your  
5 house to be located next to the school?

6 A. No. In order for my child to go to that  
7 school.

8 Q. Okay. How long have you lived there?

9 A. Seven years.

10 Q. You said when you moved there that people  
11 told you that it was a fabulous school?

12 A. Real estate agent.

13 Q. Anybody else besides --

14 A. Are they people? I'm sorry.

15 Q. Earlier you said you don't believe it's a  
16 fabulous school.

17 A. No.

18 Q. Do you believe it was true that people  
19 from all over bring their kids to Parent?

20 A. Sure. Yes, I believe that's true. I also  
21 believe that a good majority of the people in the  
22 neighborhood do not take their children to the  
23 school because they have no confidence in the  
24 quality of education at the school.

25 Q. Okay.

1 A. And I know that.  
 2 Q. Are you referring to any people in  
 3 particular?  
 4 A. Oh, sure.  
 5 Q. Who are those?  
 6 A. Cindy and Andrew Johnson, Angela Monte.  
 7 Gee. Calvin Jones. Let's see. Diane  
 8 Stasher-Thomas, Lisa and Michael Sunon. Those are  
 9 all the people I know that removed their children  
 10 from the school.  
 11 Q. Okay.  
 12 A. Dr. Rodney Cobb, C-o-b-b, Nina McColl. A  
 13 lot of people that have taken their children out of  
 14 the school.  
 15 Q. Are these members of the Concerned Parents  
 16 group?  
 17 A. Some of those people were. Their names  
 18 aren't there.  
 19 Q. Okay. "There" meaning on the Exhibit 3?  
 20 A. Correct.  
 21 Q. But also people who are not members of  
 22 this group?  
 23 A. Yes.  
 24 Q. Why did you initially choose Parent as the  
 25 school that you wanted to send your kids to?

1 A. Parent had a very good reputation, real  
 2 high academic standards. We were looking for a  
 3 home in a nice neighborhood. The two matched.  
 4 Q. Okay. How did you hear that Parent had a  
 5 good reputation?  
 6 A. Just through friends, real estate agent.  
 7 Q. Could you tell me about your educational  
 8 background since high school, after high school?  
 9 A. You should go before high school.  
 10 Q. Huh?  
 11 A. You should go before high school.  
 12 Q. Okay.  
 13 A. I went to school in Compton Unified School  
 14 District. I went to Cal State Northridge for two  
 15 years. I graduated from Howard University in  
 16 Washington, D.C. with a bachelor's.  
 17 Q. Okay. Anything else?  
 18 A. Just professional training -- technical  
 19 training.  
 20 Q. Where did you receive your technical  
 21 training?  
 22 A. Sun Microsystems systems, Silicon  
 23 Graphics, Incorporated, Cal State Long Beach,  
 24 Tivoli -- I don't know. I've had a lot of -- I'm  
 25 an IT, so I have a lot of classes.

1 Q. Do you all of your public schooling at  
 2 Compton Unified?  
 3 A. Yes, I did.  
 4 Q. You mentioned earlier that the education  
 5 that Sharifa was receiving at Parent did not  
 6 compare with the standards that you had at your  
 7 schooling?  
 8 A. That's correct.  
 9 Q. Okay. What did you mean by that?  
 10 A. Well, I mean that when I was in 3rd grade,  
 11 the things that were taught to me, math, one,  
 12 multiplication tables, two, she didn't get in 3rd  
 13 grade. They don't compare. And I know that, you  
 14 know, it's 30 years difference, but I think the  
 15 school to school should probably be the same or at  
 16 least close to.  
 17 Q. Okay.  
 18 A. I know that when I was in school we had a  
 19 library and a librarian. We had a school nurse.  
 20 We had art. We had music. We had PE. When I got  
 21 to junior high school, I went to a real junior  
 22 high school. They call it middle school now.  
 23 We had single subject teachers. We had PE  
 24 facilities. We had PE teachers. We had teachers  
 25 that lived in our neighborhood that went to our

1 church, teachers that would call our parents, that  
 2 knew us. It's not the same now. All the teachers  
 3 don't have to live in the neighborhood, but that  
 4 was just the way it was when I grew up.  
 5 Q. Are the 7th and 8th grade classes at  
 6 Parent single subject?  
 7 A. Are they single subject what? Teachers?  
 8 Q. I'm thinking of single subject classes.  
 9 A. You know, I would say yes. But the  
 10 teachers -- for instance, 6th grade, the math  
 11 teacher, was not a credentialed math teacher. The  
 12 woman had been teaching math there for seven years  
 13 and confessed last year that she didn't know math.  
 14 If you look at the Stanford 9 test scores, the  
 15 scores at the school just dropped down to the  
 16 bottom when the children get to the 6th grade in  
 17 math. It's not a dedicated single subject resource  
 18 teacher. They don't have PE teachers. They don't  
 19 have art. While they had science, they had a  
 20 science teacher, they had outdated science  
 21 textbooks. When I was in school, we had all of  
 22 those things.  
 23 Q. Okay. The woman who had been there for  
 24 seven years, you say, confessed that she didn't  
 25 know math? That's the 6th grade math teacher?

1 A. Correct.  
 2 Q. When she said she confessed that she  
 3 didn't know math, how did she confess that she  
 4 didn't know math?  
 5 MS. WELCH: Objection. Vague.  
 6 THE WITNESS: How did she confess that she  
 7 didn't know math? Well, she told one of our  
 8 parents that she was not a math teacher. She was  
 9 not credentialed in math, and sometimes she can't  
 10 do the problems. That was one of the letters I  
 11 reviewed for Dr. Harris.  
 12 Oh, that's the third letter, writing home  
 13 about what we wanted to have -- what I was  
 14 interested in having at school. Good.  
 15 BY MR. LA COMBE:  
 16 Q. This was a letter to Dr. Harris?  
 17 A. Yes.  
 18 Q. What?  
 19 A. I say good.  
 20 Q. When was that letter from?  
 21 A. It would have been in the fall, I guess.  
 22 I don't remember the date.  
 23 Q. Fall of 2000?  
 24 A. Yes.  
 25 Q. In that letter you mentioned the math

1 teacher?  
 2 A. I sent him an e-mail message about the  
 3 math teacher.  
 4 Q. So that was separate?  
 5 A. Yes.  
 6 Q. Do you know who the parent was who was  
 7 told by the math teacher that she wasn't  
 8 credentialed?  
 9 A. Yes.  
 10 Q. Who was it?  
 11 A. Beverly Kukyendall-Jones.  
 12 Q. What's the name of the teacher?  
 13 A. Her name is Jones, also. I don't know  
 14 what her first name was.  
 15 Q. Do you know if she still teaches at  
 16 Parent?  
 17 A. No, I don't know.  
 18 Q. What did -- let's talk about Sharifa's  
 19 other teachers. Are they all still working at  
 20 Parent?  
 21 A. I don't know. School starts next week.  
 22 Q. To your knowledge, were they all working  
 23 there last year?  
 24 A. Yes.  
 25 Q. Let return to the third letter to

1 Dr. Harris that you sent in fall 2000.  
 2 What did you -- what was the content of  
 3 that letter?  
 4 A. I expressed my concern about conditions at  
 5 the school and told him I was interested in having  
 6 a rigorous academic program, administration at --  
 7 well, better relationship between the parents and  
 8 teachers that would be supported by the  
 9 administration, and effective management team  
 10 there, I don't remember.  
 11 Q. Okay. Do you believe that Dr. Harris has  
 12 taken any steps in response to those concerns?  
 13 A. Yes.  
 14 Q. And what are those?  
 15 A. He promoted the principal. She's no  
 16 longer at our school.  
 17 Q. Mrs. Stricklin is no longer principal?  
 18 A. Correct.  
 19 Q. You think that's a positive step?  
 20 A. Sure. It's good for her. Hopefully,  
 21 we'll get an administrator that will be good for  
 22 the school.  
 23 Q. Do you know who the new principal will be?  
 24 A. No. We're working on that.  
 25 Q. What do you mean "We're working on that"?"

1 A. We're trying to participate in the  
 2 principal's selection process.  
 3 Q. Who is we?  
 4 A. We is a group of parents. Let's see. I  
 5 think there's a -- we have a charter -- charter  
 6 exploratory committee.  
 7 Q. Is that part of the PTA?  
 8 A. No.  
 9 Q. Okay.  
 10 A. PTA members are a part of the group.  
 11 Q. Is it an ad hoc committee?  
 12 A. Correct.  
 13 Q. Who are the members?  
 14 A. Oh, my goodness.  
 15 Q. About how many are there?  
 16 A. Oh, I don't know. 10, 20.  
 17 Q. Are there any particular administrators  
 18 that you favor as potential principals?  
 19 A. No.  
 20 Q. Have you begun to evaluate potential  
 21 principals?  
 22 A. No. The district is handling that, of  
 23 course. That's their job. They said that they  
 24 received resumes and we're waiting to see who they  
 25 select to choose from.

1 Q. How do you intend to participate in the  
2 principal selection?  
3 A. We asked the superintendent and the school  
4 board to allow a parent representative to  
5 participate in the process so when they decide to  
6 interview these people we expect they will invite  
7 us to the interview, allow us to review the resumes  
8 and participate in the questioning process.  
9 Q. Okay. Is there any indication that a  
10 parent will be allowed to participate?  
11 A. Yes.  
12 Q. Okay. Is it a firm commitment on the part  
13 of the district?  
14 A. Yes, it seems to be. But, you know, we  
15 haven't gotten any dates so --  
16 Q. Okay. Let talk about your employment.  
17 Where are you presently employed?  
18 A. Boeing Satellite Systems.  
19 Q. What's your job title?  
20 A. My job title?  
21 Q. Uh-huh.  
22 A. Technical staff E-5.  
23 Q. How long have you been working there?  
24 A. Two and a half years.  
25 Q. Do you know what the date of hire was?

1 A. April 15th, 1999.  
2 Q. And were you working before that?  
3 A. Yes.  
4 Q. Where was that?  
5 A. Research and Development Laboratories.  
6 Q. Okay. And what were your dates of  
7 employment there?  
8 A. August 14th -- August of 1995 through  
9 March just before I joined Boeing.  
10 Q. Okay.  
11 A. Of '99.  
12 Q. And you were also doing information  
13 technology there?  
14 A. Correct.  
15 Q. Let's go back one more step. Did you have  
16 employment before that?  
17 A. Yes.  
18 Q. Where was that?  
19 A. Rockwell.  
20 Q. What were the dates?  
21 A. June of 1990 to August of '95.  
22 Q. Was that in Los Angeles?  
23 A. Downey.  
24 Q. Okay. And then the job in between Boeing  
25 and Rockwell, Research Development, is that what it

1 is?  
2 A. Research Development Laboratories.  
3 Q. Was that in Los Angeles as well?  
4 A. Yes.  
5 Q. L.A. area?  
6 A. Yes, yes.  
7 Q. Have you had any other paying jobs from  
8 1990 on?  
9 A. Any other paying jobs?  
10 Q. Yeah.  
11 A. What do you mean? You mean have I worked  
12 anyplace else?  
13 Q. Yeah.  
14 MS. WELCH: In addition to what you've  
15 already testified.  
16 THE WITNESS: Gee, I tried to have a  
17 business. Let's see when? I started my own  
18 business in, I don't know, 1994. It didn't go very  
19 well. I couldn't bill people. They didn't want to  
20 pay me.  
21 BY MR. LA COMBE:  
22 Q. Okay. What business was this?  
23 A. Network installations.  
24 Q. How long did that last?  
25 A. Two clients.

1 Q. Was that between Rockwell and Research  
2 Development?  
3 A. It was while, current.  
4 Q. Okay. Anything else?  
5 A. Paying jobs? No. Just lots of PTA stuff.  
6 Q. And any other nonpaying volunteer work  
7 that you've done besides the involvement with the  
8 school?  
9 A. My church.  
10 Q. Okay. Anything else?  
11 A. Spent a lot of time at the PTA. There's  
12 no time for anything else.  
13 Q. I bet. Let's talk about your involvement  
14 at Parents School. Can you tell me about your  
15 personal involvement with the school?  
16 MS. WELCH: Objection. Vague.  
17 THE WITNESS: What? Do you mean things  
18 that I did at the school?  
19 BY MR. LA COMBE:  
20 Q. Uh-huh.  
21 A. Volunteering in my daughter's classroom,  
22 help raise money for the school, help do some  
23 cleaning at the school, work with the PTA since  
24 1997, on the PTA board for, I guess, two and a half  
25 years. Actually, let's see. Full board member,

1 two years. Worked with the board a third year, and  
2 I'm still working with the PTA board.

3 Q. Okay.

4 A. My husband volunteers at the school. My  
5 mother volunteers at the school.

6 Q. Does your mother live in Ladera Heights?

7 A. She lives with me, yes.

8 Q. Besides the PTA, are there any  
9 organizations that you have been involved with at  
10 the school?

11 A. I'm not sure I understand your question.

12 Q. Actually, let me step back. There's other  
13 organizations, apparently, that you've dealt with.  
14 Concerned Parents?

15 A. Yes.

16 Q. And this is the ad hoc group --

17 A. Yes.

18 Q. -- for the principal selection?

19 A. No. The ad hoc group is for exploring --  
20 turning the school into a charter.

21 Q. Oh. But is it also involved in the  
22 principal selection?

23 A. People within the group are interested in  
24 participating in the process, yes. I'm also a  
25 board member of the Ladera Heights Civic

1 A. Since fall of 2000. Well, actually I  
2 guess I was an alternate board member initially,  
3 and just became a full board member maybe in June  
4 of this year.

5 Q. Okay. How do you become a board member?

6 A. You are voted in by the community.

7 Q. When did the exploratory committee form?

8 A. This summer.

9 Q. This summer?

10 A. Correct.

11 Q. Is that its title, Exploratory Committee?

12 A. We are the charter -- the -- I can't  
13 remember the name. We just decided at our last  
14 meeting.

15 Q. Okay. If I refer to it as charter  
16 exploratory committee, you'll understand?

17 A. Yes.

18 Q. Who decided to form the charter  
19 exploratory committee?

20 A. A group of parents that were interested in  
21 seeing something different at the school.

22 Q. Does that include you?

23 A. Yes.

24 Q. What does the exploratory committee do  
25 besides the principal selection process?

1 Association.

2 Q. What is that organization?

3 A. That -- because we live in the County of  
4 Los Angeles, we have essentially no municipal  
5 representative. We don't belong to any city.  
6 That's our governing body, so to speak. They  
7 advocate for the community.

8 Q. As a member of the Ladera Heights Civic  
9 Association Board, is there any involvement in the  
10 school associated with that?

11 A. Yes. I joined the board to advocate for  
12 the school so we could get the board to help  
13 support the school.

14 Q. And does the board support the school?

15 A. Yes, it does.

16 Q. How so?

17 A. They helped to fund a breakfast for the  
18 students that the PTA gave during the week of  
19 Stanford 9 exams. Well, that's one thing most  
20 recently. The association had not been very active  
21 with the school and we have brought the two back  
22 together. The association is there to do whatever  
23 the school or the PTA asks of them.

24 Q. How long have you been a board member of  
25 the Ladera Heights --

1 A. The committee's focus is to look at  
2 turning the school into a charter school.  
3 Inglewood does not have any charter schools.

4 Q. Why is this group interested in turning  
5 Parent into a charter school?

6 A. Because we'd like to improve the academic  
7 performance at the school and we'd like to make  
8 things better for the students.

9 Q. How do you believe that converting the  
10 school to a charter school would help to achieve  
11 those objectives?

12 A. It would allow parents to have  
13 participation in setting standards for the school  
14 and have -- it would allow parents to have  
15 participation in governing the school.

16 Q. Okay. So as far as involvement in the  
17 school, we have the PTA, the charter exploratory  
18 committee, Ladera Heights Civic Association.

19 Are there any others you can think of that  
20 you participated in?

21 A. That I have participated in?

22 Q. Yes, now or in the past.

23 A. Yes, committees at the school. I was part  
24 of the study circle at the school. I was part of a  
25 mediation process at the school between parents and

1 teachers. I participated in the district strategic  
 2 planning. I think that's all I can remember right  
 3 now.  
 4 Q. Have you ever participated in school site  
 5 council?  
 6 A. Yes.  
 7 Q. Okay.  
 8 A. Actually my husband is the actual  
 9 representative for that, but I do attend the school  
 10 site council meetings.  
 11 Q. When you say he's a representative, does  
 12 he have a title?  
 13 A. He was on the school site council. He was  
 14 vice-chair, I believe the year before last and this  
 15 year just a parent representative.  
 16 Q. He was the vice-chair in 2000?  
 17 A. It would have been 99-2000, and then  
 18 2000-2001. He was just a parent representative.  
 19 Q. Can you tell me what the school site  
 20 council does?  
 21 A. Can I ask a question?  
 22 Q. Yeah.  
 23 A. Do you want to know what it does or what  
 24 it's supposed to do?  
 25 Q. Okay. Let's start with what it does.

1 A. According to the state guidelines, the  
 2 school site council is supposed to participate in  
 3 the governing of the school. It's a committee  
 4 comprised of teachers, administration and parent  
 5 and community representatives. They decide what's  
 6 going to take place at the school, what focuses  
 7 they are going to have, what -- how the budgeting,  
 8 the budget is going to be spent. They make the  
 9 plans for the school.  
 10 Q. And what does the school site council do?  
 11 A. At Parent School? Nothing.  
 12 Q. Why does it do nothing?  
 13 A. I don't know why. They didn't do the  
 14 things that we determined the state has decided,  
 15 you know, has set school site council up to do at  
 16 this school.  
 17 Q. If you know, did your husband try to get  
 18 the school site council to do those things?  
 19 A. Oh, yes, he tried to get some things done.  
 20 Q. What things did he try?  
 21 A. Well, there was a late receipt of some  
 22 funds, and I think the parents' suggestion was -- I  
 23 can't remember what their suggestion was, but  
 24 ultimately the decision was to divide the funds  
 25 among the teachers and give them, you know, a

1 little something to do something for their  
 2 classroom.  
 3 Q. Okay. What funds were these?  
 4 A. I can't remember the exact title or  
 5 category of those funds.  
 6 Q. Okay. These were funds received by the  
 7 school?  
 8 A. Yes.  
 9 Q. Did your husband decide to resign as  
 10 vice-chair?  
 11 A. No. There's a new election each year.  
 12 Q. Did he run for vice-chair for this year?  
 13 A. I don't know.  
 14 Q. You mentioned you're on strategic planning  
 15 committee?  
 16 A. No. I was not on the strategic planning  
 17 committee. I was a part of the study circle which  
 18 the strategic planning committee grew out of. I  
 19 attended their meetings and participated kind of on  
 20 the sidelines.  
 21 Q. What does the study circle do?  
 22 A. It's another one of those questions.  
 23 Q. Okay. You can answer both, what it's  
 24 supposed to do and what it does.  
 25 A. The study circle was a group that got

1 together to decide the types of things that we'd  
 2 like to focus on at the school. Academic  
 3 standards, discipline, communication were the top  
 4 three things, I think, that came out of that group.  
 5 But we came up with a list of wants. We met over  
 6 the summer. It was a waste of time.  
 7 Q. Why do you say that?  
 8 A. Because nothing came out of it. We didn't  
 9 conclude formally. We didn't produce the  
 10 documentation that we were supposed to have  
 11 produced. The group was facilitated by someone  
 12 from the district. Teachers participated in it.  
 13 Community members participated in it. We went  
 14 off -- there was a strategic planning meeting in,  
 15 let's see -- I guess this is probably summer of  
 16 1999. I'm not really sure of the dates. But we  
 17 took a break for the strategic planning meeting  
 18 that was taking place in Palm Springs. And when  
 19 they came back from that break, we never  
 20 reconvened -- well, actually we did after I made a  
 21 ruckus.  
 22 But we were supposed to have come up with  
 23 a list of things, develop them into a document and  
 24 submit it to the administration, and that didn't  
 25 happen. But the ideas that we did come up with

1 were taken by the strategic planning committee to  
2 go forward.

3 Q. Okay.

4 A. And they ultimately didn't do anything.

5 So just a waste of time.

6 Q. When was the study circled formed?

7 A. I want to say in the summer of 1999. I'd  
8 have to look back to be absolutely correct.

9 Q. And was the strategic planning committee  
10 formed after that?

11 A. Correct.

12 Q. Do you know when it was formed?

13 A. It would have been fall, fall and summer.

14 Q. So the fall of '99?

15 A. Yes, if that's correct.

16 Q. Have any of the proposals that were  
17 developed by the study committee been adopted?

18 A. Well, yeah. We had -- we suggested that  
19 the state curriculum be given to the teachers and  
20 that the teachers adopt their lesson plans  
21 according to the state guidelines, and that parents  
22 be given the curriculum or that in a meeting-type  
23 setting the curriculum be explained to parents, and  
24 that didn't happen.

25 Q. Okay.

1 people and they want to do some good things for the  
2 students. And at the same time I had meetings with  
3 the principal and she did tell me they were  
4 implementing some of these things.

5 Q. Which things did she say she was  
6 implementing?

7 A. You know, it's all vague.

8 Q. Did the strategic planning committee do a  
9 book review study?

10 A. Yes.

11 Q. Did you participate in that?

12 A. The study, no.

13 Q. Do you know when that was?

14 A. You know, I -- I don't have the years  
15 correct. I have been going -- working with the  
16 school over several years. So I'm not sure. It  
17 all seems to melt together. It would have been  
18 maybe 1999, 1998. I'd say most of it was in 1999.

19 Q. Okay. Have you ever heard of a  
20 principal's advisory council?

21 A. Yes.

22 Q. Have you ever been a member of that  
23 organization?

24 A. No.

25 Q. Do you know what it does?

1 A. Discipline. There were some things  
2 suggested to improve discipline at the school. I  
3 don't think anything came of that either.

4 Q. What was that?

5 A. They have a system of checking off the  
6 student's name on the board if they are having  
7 behavioural problems in the classroom. I don't  
8 know about you, but a check is not very threatening  
9 to me. So it was proposed that they make changes  
10 in that, and that didn't happen. I think that  
11 continued to be their policy last year.

12 Q. Okay.

13 A. What else? I think in terms of the  
14 academics, there was some improvement because of  
15 the suggestions, but they are not very tangible for  
16 me right now.

17 Q. What's not tangible?

18 A. The improvements.

19 Q. Okay.

20 A. I don't know what actually was proposed  
21 from the strategic planning committee and actually  
22 how that was implemented, but I'm assuming that  
23 they did implement some of the suggestions there.

24 Q. What makes you assume that?

25 A. Well, because I think they are all good

1 A. No. I assume they advise the principal.

2 Q. What about the achievement council?

3 A. Yes.

4 Q. Have you ever been a member of the  
5 achievement council?

6 A. No.

7 Q. Do you know what it does?

8 A. The achievement council, I believe, looked  
9 at test scores at the school to make  
10 recommendations or how they can address issues that  
11 the students are having to improve their academic  
12 performance.

13 Q. What about the parental discipline  
14 involvement group?

15 A. I'm not sure.

16 Q. What do you mean?

17 A. Well, I told you I was a part of this  
18 mediation process.

19 Q. Okay.

20 A. And as a part of that mediation, there was  
21 a decision that we set up a parent organization,  
22 you know, committee to help deal with discipline  
23 issues there at the school. And I'm not sure if  
24 that's referring to that or not.

25 Q. Okay. Have you heard that -- the name



1 parental discipline involvement?

2 A. Yes.

3 Q. Okay. But you haven't been a member of  
4 that organization?

5 A. No. Nothing -- nothing ever happened. We  
6 mediated over a period of time. We came to a  
7 decision. I think we signed off on a document, and  
8 nothing happened after that.

9 Q. This is the mediation between the parents  
10 and the teachers?

11 A. Correct.

12 Q. About discipline?

13 A. No. About issues. There was, oh, my  
14 goodness, dissension between the parents and the  
15 teachers. Teachers were a little upset that  
16 parents were being insistent that their children be  
17 educated. And, you know, we're a vocal group of  
18 parents. And there was also, I think, concern that  
19 the parents wanted to get rid of the principal.  
20 And so the teachers being loyal to their principal  
21 were, you know, I'm sure, a little bit upset about  
22 that. It's just a palpable contempt that  
23 teachers -- parents perceived from teachers. And  
24 so we got a mediator from, I believe, from the  
25 justice department to come in and try and resolve

1 was there.

2 I'd have to look back at the document to  
3 get all of the particulars. Because, again,  
4 nothing ever happened. Another waste of time.

5 BY MR. LA COMBE:

6 Q. No grievance committee was formed?

7 A. No.

8 Q. Have you heard of an organization called  
9 Friends of Parent?

10 A. Yes.

11 Q. What is that organization?

12 A. People that donate money to the school to  
13 help, you know, originally -- the PTA was paying  
14 for salaries for the librarian, one of the  
15 kindergarten aides and the computer lab technician.  
16 Fundraisers were not enough, so another group  
17 was -- another name was coined and donations were  
18 made to the PTA, I guess.

19 Q. Donations were made to the PTA?

20 A. Yes, for -- donations were made under the  
21 Friends of Parent campaign for the PTA is the way  
22 it should be said.

23 Q. Was Friends of Parent separate from the  
24 PTA?

25 A. I don't know how to answer that because,

1 those issues.

2 Q. Do you know when that was?

3 A. This was in the summer of 2000, spring,  
4 summer. We started in the spring.

5 Q. Did I understand you correctly that the  
6 parental discipline involvement group was an  
7 outgrowth of that process?

8 A. That group sounds like it was one of the  
9 committees that was supposed to be formed out of  
10 the mediation group. And I could be wrong.

11 Q. Do you know of any other specific  
12 proposals as a result of the mediation process?

13 MS. WELCH: Objection. Vague.

14 THE WITNESS: There was supposed to be a  
15 committee to -- a grievance committee where if  
16 parents had issues or teachers had issues, they  
17 would at that time issue to the committee, you  
18 know, an issue they weren't able to resolve  
19 directly with the teacher or with the parent to  
20 help work that issue out.

21 There was supposed to be a committee to  
22 help support students that had discipline problems  
23 within the school, someone that a student could  
24 talk to. And I don't know why the counselor wasn't  
25 used. This was in addition to whatever counselor

1 you know, everybody belongs to the same group.

2 Q. Okay. I understand.

3 A. But I don't know how to answer that.

4 Q. Were you ever a member of Friends of  
5 Parent?

6 A. Well, sure I'm a Friend of Parent. That's  
7 one group I forgot.

8 MR. LA COMBE: Why don't we take a break.  
9 (Recess.)

10 BY MR. LA COMBE:

11 Q. Let's talk about your involvement on the  
12 PTA.

13 You are an officer for the PTA?

14 A. No, not any more.

15 Q. You were before?

16 A. Yes.

17 Q. When was that?

18 A. It would have been 1999 to 2001.

19 Q. When in 2001 did you -- at the end of the  
20 school year?

21 A. At the end of the school year.

22 Q. What was your position?

23 A. Corresponding secretary.

24 Q. What kind of responsibilities did you  
25 have?

1 A. Send out letters, thank you's, some notes,  
2 note taking.

3 Q. Okay. Are you still a member of the PTA?  
4 A. Yes. I still work with the PTA board.

5 Q. Please tell me what the PTA does.  
6 A. PTA is an association at the school to  
7 work with parents and teachers for the betterment  
8 of life there for the students.

9 Our PTA raises funds for the school. They  
10 try to help coordinate room parents, volunteer to  
11 do whatever for the school and the staff. The PTA  
12 buys things for the schools, supplies for the  
13 teachers.

14 We held a spelling bee for the students.  
15 We give -- there's a book, kind of a reading  
16 contest over the summer for students. The PTA  
17 provides prizes for the students to encourage them  
18 to read. We hold parties for the kids, fall time,  
19 Halloween deal. We have had pizza parties for the  
20 classes that participate in fund raisers, you know,  
21 do little things at the school. The PTA does a lot  
22 of things there.

23 Q. Why did you decide to become involved in  
24 the PTA?  
25 A. Because that's the organization on campus

1 Q. When were you room parent coordinator?  
2 A. There you go with those dates again. In,  
3 I guess, 1999. Let's see. I think in '99.

4 Q. For the school year?  
5 A. Yeah. So, let's see, I think it may have  
6 been -- I have been -- I have been a room parent  
7 coordinator over two PTA terms. I was in the  
8 chair -- I was room parent coordinator in 1997 --  
9 '98 or, let's see, 98-99.

10 When did Sharifa start school? '97? So  
11 the following year -- I think I might have done the  
12 first year in '97-'98 and then on the board for  
13 1998-99.

14 The first time I did it, it was from '98  
15 to '99. The second time, I was a -- I worked with  
16 the -- I was on the committee. Okay? So I helped  
17 coordinate the parents. And then the second time,  
18 I was the committee chair. That would have been  
19 from 99-2000.

20 Q. This is a committee for room parent  
21 coordinators?  
22 A. Yeah. On the -- okay. You've got people  
23 that are on the board and then you have, for lack  
24 of a better word, parent champions. The first time  
25 I did it, it was somebody that was actually a board

1 that volunteers at the school.

2 Q. Does PTA have its own budget?  
3 A. Yes. Whatever money they raise, they get  
4 to budget.

5 Q. What is a room parent coordinator?  
6 A. That's the person who coordinates all the  
7 parents to go and work in the classrooms. They  
8 volunteer in the classrooms for the teachers.

9 Q. What's involved in that coordination  
10 process?  
11 A. You meet with the parents a couple times  
12 throughout the year. If there's going to be a PTA  
13 meeting, you contact the room parents and make sure  
14 they make phone calls to get the parents out to the  
15 PTA meetings. You talk with them to make sure that  
16 they are keeping in touch with their teachers to  
17 see if there's anything that teachers need in their  
18 classrooms.

19 Q. Does the room parent coordinator assign  
20 the parent to a particular teacher?  
21 A. No. The parents volunteer within their  
22 own classes and it's kind of an oversight  
23 committee.

24 Q. Okay. Have you been a room parent?  
25 A. Yes. I have been room parent coordinator.

1 member. They called me and asked me to work on her  
2 committee with the room parent coordinators. And  
3 then the following time I was actually a board  
4 member and doing -- held that position as a board  
5 member.

6 Q. Okay.  
7 A. And that was my first year on the PTA  
8 board.

9 Q. The position of room parent coordinator?  
10 A. Correct.

11 Q. Okay. It's a board position?  
12 A. Yes.

13 Q. And when have you been a room parent?  
14 A. Every year that my child has been at the  
15 school.

16 Q. Okay. And was it in your -- in Sharifa's  
17 class?  
18 A. Yes.

19 Q. Okay. Where does the PTA meet?  
20 A. Different places. We meet in our homes.  
21 We met -- sometimes we have met at the school. But  
22 because the majority of the board are working  
23 parents, we need to meet outside of school hours.  
24 So we generally meet in one of our homes.  
25 Q. Okay.

1 A. Excuse me. What did you say? Where does  
 2 the PTA meet or where does the PTA board meet?  
 3 Q. I'm sorry, the PTA board.  
 4 A. The PTA board meets in our homes.  
 5 Q. How often does the PTA board meet?  
 6 A. Too often. Oh, my goodness. Once or  
 7 twice a month. It depends upon -- this Saturday  
 8 the board is meeting for five hours planning for  
 9 the school year.  
 10 Q. And you're going to that meeting?  
 11 A. I am trying not to. I'm a shadow board  
 12 member. I just go to work.  
 13 Q. What about PTA meetings?  
 14 A. Once a month during the school year.  
 15 Q. How large is the PTA?  
 16 A. Not large enough. I think the last time I  
 17 heard there were 135 memberships. And that's out  
 18 of maybe 600 families.  
 19 Q. And how many board members?  
 20 A. Maybe ten.  
 21 Q. What do you think the PTA has done to  
 22 improve the school?  
 23 MS. WELCH: Objection, assumes facts.  
 24 Sorry.  
 25 BY MR. LA COMBE:

1 Q. If anything.  
 2 MS. WELCH: Okay.  
 3 THE WITNESS: Well, the PTA has helped to,  
 4 I think, improve the esteem of the students. The  
 5 campaign that they managed for the Stanford 9  
 6 breakfast was really something that uplifted the  
 7 students and put a positive face on for them.  
 8 They saw that people were there concerned  
 9 about them, that people were willing to get up and  
 10 be there at the school. I don't know if they  
 11 realized this, but parents were there at 4: 30 in  
 12 the morning to cook breakfast for them, serve them,  
 13 and get them to class before the 8:00 bell rang.  
 14 They saw that the PTA held a pep rally for  
 15 them for the Stanford 9. We brought talent on from  
 16 one of the local radio stations, and some of the  
 17 local celebrities in the neighborhood came and  
 18 spoke to the students. They showed the students  
 19 that, you know, somebody cares about them. That's  
 20 not to say that other people don't care about them  
 21 at the school, but --  
 22 BY MR. LA COMBE:  
 23 Q. Anything else?  
 24 A. The PTA supports the teachers?  
 25 Q. How so?

1 A. Helping them to get volunteers in the  
 2 classrooms. If the teachers ask for it, we try to  
 3 get it.  
 4 Q. You mentioned before that you volunteer at  
 5 the school. Besides being a room parent and your  
 6 association with these other organizations, is  
 7 there any other form of volunteering that you do at  
 8 the school?  
 9 A. You mean like going to the classroom,  
 10 helping students read, listening to them read?  
 11 I've done that. I've helped students with their  
 12 math in class. And I guess, you know, that's one  
 13 part of being a room parent. Room parents to me  
 14 are not just party givers. I prefer to handle and  
 15 deal with the work in something that's going to  
 16 help the teacher, you know, give them a break.  
 17 Q. You mentioned earlier that you've done  
 18 some cleaning at the school?  
 19 A. Yes.  
 20 Q. What was that?  
 21 A. The library.  
 22 Q. Anything besides the library?  
 23 A. No. Well, my daughter's classroom. Clean  
 24 out the desks, sweep the floor.  
 25 Q. When would you sweep the floor?

1 A. This was at the end of the Christmas, you  
 2 know, the fall session. They were going on the  
 3 break, but the floor was filthy and it needed to be  
 4 swept so I swept the floor.  
 5 Q. Did you do it once?  
 6 A. Once in Miss Burke's class.  
 7 Q. Any other time?  
 8 A. No. I was just cleaning desks in the  
 9 class.  
 10 Q. What do you mean by cleaning desks?  
 11 A. Take a paper towel and wipe them off.  
 12 Q. You mentioned that you cleaned the  
 13 library. Was this on one occasion?  
 14 A. It was on one occasion, but this was over  
 15 a period of time, you know. It was a project to  
 16 get the library back in working order. So I went  
 17 in on, I think, maybe two or three Saturdays and,  
 18 you know, helped move shelves and put some books  
 19 out.  
 20 Q. And did you do that on your own?  
 21 A. What do you mean did I do it on my own?  
 22 Q. Did you do it as part of one of these  
 23 organizations that you mentioned before?  
 24 A. Okay. Everybody that volunteers is part  
 25 of one of those organizations, so, you know, it

1 overlapped. It was the PTA. Maria Gray led up the  
2 library cleanup effort. She started it. And when  
3 somebody is doing something, you have to help them.  
4 So I guess it wasn't really on my own.

5 Q. Maria Gray. Was there anybody else  
6 involved?

7 A. Oh, sure. Gerald Riberio, Beverly  
8 Kukyendall. The kids helped.

9 Q. Your kids?

10 A. Our children. Although I'm not sure if  
11 they cleaned up or they messed up.

12 Q. You mentioned that you moved shelves  
13 around. What else was involved in the cleanup?

14 A. Well, there were some shelves in the  
15 library. I think we were trying to set up  
16 computers, new computers, and put them in the back  
17 of the library and looking for electrical outlets.  
18 I think the library must have been shut down at  
19 that time.

20 For some reason there were boards out that  
21 were part of the shelving so we just took the  
22 boards and put them back in there and put it back  
23 together.

24 Q. These are the shelves themselves?

25 A. Yeah, I think they were the shelves

1 inventoried books. She worked in the book room. I  
2 guess she numbered and inventoried the new books  
3 that came in.

4 Q. Is she still doing that?

5 A. Well, school hasn't started back. But,  
6 you know, whatever they ask her to do.

7 Q. And when was she working in the book room?

8 A. During the 2000-2001 school year.

9 Q. Any time before that?

10 A. No.

11 Q. Okay. And she also helped in the  
12 kindergarten?

13 A. Yes, she was helping in the kindergarten  
14 room.

15 Q. Is that on the side or at a previous time?

16 A. That was during the same year.

17 Q. Okay.

18 A. I think the year before she may have been  
19 in some classrooms.

20 Q. You mean as a room parent?

21 A. No. She was an aide -- actually, the  
22 first time she did it she was assigned to the  
23 school by the district. I don't know what all she  
24 did.

25 Q. Okay. When she helped in the

1 themselves.

2 Q. There was no books on the shelves?

3 A. The shelves weren't in there so, no, there  
4 weren't books on there.

5 Q. Were there books in the library?

6 A. Yes, there were some books in there.

7 Q. Where were the books?

8 A. Over on the side of the room on top of --  
9 on the cabinet. It's a bookcase.

10 Q. Okay.

11 A. Stacked on top of the bookcase.

12 Q. Anything else involved in the library  
13 cleanup?

14 A. You mean other than cleaning the bathroom,  
15 vacuuming the floor, you know, wiping down walls,  
16 that kind of stuff?

17 Q. Yeah.

18 A. No.

19 Q. When was this?

20 A. I don't know.

21 Q. You mentioned earlier that your mother  
22 works at the school as an aide, volunteers.

23 A. Yes.

24 Q. What does she do?

25 A. She helped in the kindergarten class. She

1 kindergarten, do you know what she did?

2 A. Do I know what she did?

3 Q. Generally.

4 A. No. But I assume she's probably an aide.  
5 I mean she's --

6 Q. What does an aide do?

7 A. Whatever the teacher asks them.

8 Q. How does that differ from a room parent,  
9 if at all?

10 A. Some aides get paid. A room parent is a  
11 parent who just goes and works in the room.

12 Q. The Concerned Parents group?

13 A. Right.

14 Q. Are you a member of that organization?

15 A. Yes.

16 Q. How many members are there?

17 A. There were 25.

18 Q. 25?

19 A. Yes.

20 Q. You say there were?

21 A. Yes.

22 Q. Why do you say there were?

23 A. As time has gone on, Concerned Parents  
24 has, I think, evolved into other groups. And some  
25 of the parents left the school. Many of them that

1 were part of it left.  
 2 Q. Do you believe that the membership has  
 3 been down from 25?  
 4 A. I don't know how to answer that because  
 5 there are lots of Concerned Parents and there are  
 6 lots of people that work with us. I could say we  
 7 have more than 25. We have 30 families that belong  
 8 to Story Time for Toddlers. They are all Concerned  
 9 Parents.  
 10 Q. What is Story Time for Toddlers?  
 11 A. Story Time for Toddlers is a story time  
 12 reading hour that one of our community board  
 13 members started to get families to come back to the  
 14 school, you know, something for the little people,  
 15 before you get to kindergarten and a lot of  
 16 children are at home with their nannies, and so  
 17 they started Story Time for Toddlers in the  
 18 library.  
 19 Q. In Exhibit 3, on the second to the last  
 20 page there's an e-mail. Do you recognize this  
 21 e-mail?  
 22 A. Yes.  
 23 Q. What is it?  
 24 A. What is it?  
 25 Q. Yeah.

1 A. What's the content of the e-mail message?  
 2 Q. Yeah.  
 3 A. It's a message indicating that a  
 4 demonstration has been postponed.  
 5 Q. Why do you laugh?  
 6 MS. WELCH: I think the document speaks  
 7 for itself.  
 8 MR. LA COMBE: Okay.  
 9 BY MR. LA COMBE:  
 10 Q. It's a forwarded message, the individuals  
 11 that are listed. It says from Beverly  
 12 Kukyendall-Jones to a variety of individuals.  
 13 Are those all members of the Concerned  
 14 Parents, if you know?  
 15 A. No. These look like people that are  
 16 parents at the school that are part of the PTA  
 17 body. One is a teacher. They are all PTA members.  
 18 Q. Does the Concerned Parent group have  
 19 officers?  
 20 A. No.  
 21 Q. No?  
 22 A. There was a -- there were, I would say,  
 23 two people that started the group, and I don't  
 24 remember them having any elections for officers.  
 25 Q. Who were those individuals?

1 A. Who were those individuals that what?  
 2 Q. The two individuals --  
 3 A. That started the group, Diane  
 4 Stasher-Thomas and -- Stasher Thomas and Gerald  
 5 Riberio.  
 6 Q. Okay.  
 7 A. Diane left the school or took her daughter  
 8 out of the school.  
 9 Q. Does the Concerned Parents group have  
 10 meetings?  
 11 A. Not any longer.  
 12 Q. When was the last meeting?  
 13 A. I don't know. Sometime in 19 -- maybe in  
 14 2000. See, I don't know when the last meeting was.  
 15 Again, the groups that overlap. You know,  
 16 everybody belongs to and was a part of multiple  
 17 committees here.  
 18 Q. Do you know how many meetings the group  
 19 had?  
 20 A. No. Over -- I met with them from, maybe,  
 21 1998 through 1999. I'm not sure if they had  
 22 anything in 2000.  
 23 Q. Do you know when the last meeting you  
 24 attended was?  
 25 A. No.

1 Q. Is it your belief they had meetings  
 2 since --  
 3 A. It would be in 2000. This is from 2000.  
 4 Q. What is the Concerned Parents group? Does  
 5 this organization still exist?  
 6 MS. WELCH: Objection. Asked and  
 7 answered.  
 8 THE WITNESS: I don't know.  
 9 BY MR. LA COMBE:  
 10 Q. Have you attended any district board  
 11 meetings?  
 12 A. No.  
 13 Q. When was the last district board meeting  
 14 that you have attended?  
 15 A. Early in July. I'm not sure if it was  
 16 June or July.  
 17 Q. Are you looking at your calendar?  
 18 A. Yes. I'm looking at just the dates  
 19 (indicating).  
 20 Q. I see.  
 21 MS. WELCH: If you can't remember, you can  
 22 just say "I don't remember."  
 23 BY MR. LA COMBE:  
 24 Q. Have you attended any district textbook  
 25 hearings?

1 A. No, not ---no.  
 2 Q. Are you aware whether the district has had  
 3 any textbook hearings?  
 4 A. They did have one.  
 5 Q. In Exhibit 3, the Concerned Parents'  
 6 document, second page, second paragraph, second  
 7 sentence, it states that:  
 8 "There is a serious discipline problem at  
 9 the school."  
 10 Do you agree with that statement?  
 11 A. There was a serious discipline problem at  
 12 the school. The school is out now. They don't  
 13 start until next week. So when this document was  
 14 written, yes, there was.  
 15 Q. What kind of serious discipline problem?  
 16 A. Classrooms out of control, students out of  
 17 control in the cafeteria during lunch periods.  
 18 Maybe that's just my opinion. Disorder.  
 19 Q. What do you mean by out of control?  
 20 A. When they have kids in the classroom that  
 21 are screaming and shouting and the teacher is  
 22 shouting, it seems to me that's out of control.  
 23 Q. Okay. Have you ever seen an incident  
 24 where students were shouting and the teacher was  
 25 shouting?

1 A. No. I've seen instances where students  
 2 were being very uncooperative and, I guess, the  
 3 teacher was probably getting frustrated.  
 4 Q. Okay. It goes on to say: "A problem that  
 5 hinders the academic progress of our children."  
 6 A. Correct. Because if the teacher has to  
 7 stop and tell Johnny to, you know, "Stop. Don't do  
 8 this, don't do that," then the teacher is not  
 9 teaching.  
 10 If the teacher is not teaching, the  
 11 children are not learning. Well, at least not --  
 12 they are not learning the things that they should  
 13 be there to learn, whatever material the teacher  
 14 prepares for them.  
 15 Q. You mentioned earlier that there was a  
 16 proposal to do away with the checkmark system?  
 17 A. Yes.  
 18 Q. What was that proposal?  
 19 A. Well, to -- well, the proposal was to get  
 20 rid of that and to put something more -- with more  
 21 substance in the class, something with a little  
 22 more teeth in the class.  
 23 Q. Like what, specifically?  
 24 A. Like if the child is acting up and the  
 25 teacher decides that the child should be removed

1 from the classroom, then there should be someplace  
 2 for that child to go to where they can, you know,  
 3 continue whatever lesson the teacher is giving them  
 4 or something else that the school decides that they  
 5 should do instead.  
 6 Q. You mean removing the kid from the  
 7 classroom?  
 8 A. Yes.  
 9 Q. For the day?  
 10 A. For whatever period of time. If it's for  
 11 5 minutes, ten minutes or the day. It depends  
 12 upon, I think, the severity of the behavior.  
 13 Q. To your knowledge, no such system has been  
 14 implemented.  
 15 A. No.  
 16 Q. Do you believe that the discipline  
 17 situation has improved since this document was  
 18 produced, since Exhibit 3 was produced?  
 19 MS. WELCH: Objection. Calls for  
 20 speculation.  
 21 THE WITNESS: I don't know. I don't know.  
 22 BY MR. LA COMBE:  
 23 Q. Paragraph 6 of that page, the third  
 24 sentence says:  
 25 "We want a school administration that

1 can effectively implement a program with  
 2 a higher level of academic and social  
 3 standards and expectations."  
 4 A. Yes.  
 5 Q. Do you agree with that statement?  
 6 A. Yes.  
 7 Q. What kind of program?  
 8 A. For higher academic standards, something  
 9 that covers everything in the California academic  
 10 curriculum. For higher social standards, something  
 11 that gives the students socially acceptable  
 12 guidelines.  
 13 For instance, when you go to the  
 14 cafeteria, you go in, you sit down and you eat your  
 15 lunch. And you can go outside and maybe you can  
 16 talk quietly in there while you're eating. But you  
 17 don't yell. You don't scream. You don't get up  
 18 and walk around. You don't throw food. You don't  
 19 make a mess and leave it for somebody else to have  
 20 to clean up behind you. That's a social standard.  
 21 Q. It sounds like you want the teachers to  
 22 teach in alignment with the state curriculum  
 23 content?  
 24 A. Yes.  
 25 Q. And firmer discipline?

1 A. Correct.  
 2 MS. WELCH: I object. I mean she said  
 3 what she said. Don't mischaracterize her  
 4 testimony.  
 5 BY MR. LA COMBE:  
 6 Q. Fair enough. Is there anything else  
 7 involved in this sort of a program that you want  
 8 the school administration to do?  
 9 A. Well, again I'm not a teacher. So I can  
 10 say that I was not satisfied with what they were  
 11 doing. And when I looked at the program, the  
 12 information given in the California state  
 13 curriculum was not being passed on to my daughter's  
 14 class.  
 15 MS. WELCH: And I would also just say that  
 16 the document speaks for itself. I mean there's  
 17 lots of paragraphs in between the two. You just  
 18 noted to talk about the things that they were  
 19 asking for.  
 20 BY MR. LA COMBE:  
 21 Q. Has the school taken any steps to meet  
 22 those standards?  
 23 MS. WELCH: Objection. Calls for  
 24 speculation.  
 25 THE WITNESS: I'm sure they have.

1 MS. WELCH: Also vague.  
 2 BY MR. LA COMBE:  
 3 Q. And why do you say that?  
 4 A. Why did I say that? Conversations with  
 5 the principal.  
 6 Q. Okay. What has the principal told you?  
 7 A. "We're working on it." And I quote.  
 8 Q. What about from the district level?  
 9 A. What about from the district level?  
 10 Q. Any steps been taken to implement those  
 11 standards?  
 12 MS. WELCH: Same objections.  
 13 THE WITNESS: None that I can see  
 14 tangible. I don't know what the district is doing.  
 15 BY MR. LA COMBE:  
 16 Q. I understand that Sharifa is a very good  
 17 student.  
 18 A. Yes.  
 19 Q. Which subjects does she get her best  
 20 grades in?  
 21 A. I think they are all about the same. She  
 22 does well in all subjects.  
 23 Q. Does anybody help her with her school  
 24 work?  
 25 A. What do you mean help her? I make her do

1 it. If it's, you know, not correct, I make her go  
 2 and do it again. But she does her work on her own.  
 3 Q. Okay. Does she ever come to you with  
 4 questions about homework?  
 5 A. Yes.  
 6 Q. And what kind of questions?  
 7 MS. WELCH: Objection. Vague.  
 8 THE WITNESS: How to do her division  
 9 problems.  
 10 BY MR. LA COMBE:  
 11 Q. Do you help her complete the assignment?  
 12 A. I showed her how to do long division.  
 13 Q. Does anybody help her with her homework?  
 14 A. Yeah, I'm sure my husband helps her if she  
 15 has questions.  
 16 Q. Does she have tutors?  
 17 A. No.  
 18 MS. WELCH: The questions are also vague  
 19 as to time. She's been in school for seven years  
 20 now. I don't know what you are referring to.  
 21 MR. LA COMBE: Fair enough.  
 22 Q. You were answering.  
 23 A. Yeah. Tutors -- her teacher tutored her  
 24 last year.  
 25 Q. Which teacher was this?

1 A. Jerry Martin.  
 2 Q. How did she tutor her?  
 3 A. After school in her classroom with other  
 4 students.  
 5 Q. How many other students, do you know?  
 6 A. I don't know.  
 7 Q. Okay. In any particular subject?  
 8 A. Math for Sharifa.  
 9 Q. Okay. Why math?  
 10 A. Because she was behind in math.  
 11 Q. Multiplication?  
 12 A. Yes. And division.  
 13 Q. What about Dominguez Hills?  
 14 A. Oh, yeah, the Excel program.  
 15 Q. What was that program?  
 16 A. It was a Saturday academic program. Kids  
 17 go up and they get tutored in science. They had  
 18 science. They had math. Yeah.  
 19 Q. And this was course work outside of  
 20 school, right?  
 21 A. Yes.  
 22 Q. Is this a program that she applied for?  
 23 A. Yes.  
 24 Q. Is it designed for gifted students?  
 25 A. No. When you said tutor, I thought you

1 meant a one-on-one tutor. I had forgotten about  
 2 Excel.  
 3 Q. Any other programs like Excel that she's  
 4 participated in?  
 5 A. Book club.  
 6 Q. What is that?  
 7 A. The Paper Dolls Book Club. It's a book  
 8 club of girls, ages -- we'll, now they are 9 to 12,  
 9 I think. They read a book once a month, they meet,  
 10 they discuss the book, and then they, you know, do  
 11 some activity afterward.  
 12 (Off the record discussion.)  
 13 BY MR. LA COMBE:  
 14 Q. Now, in her current school when she's in  
 15 school, how much does she study a day in hours?  
 16 A. Well, she does her homework. I can't tell  
 17 you how long that she sits down and studies. I  
 18 don't know.  
 19 Q. Do you have an estimate?  
 20 A. It depends on the assignments. Maybe a  
 21 couple hours.  
 22 Q. Is that more than when she was at Parent?  
 23 A. Actually, yes. She didn't get a lot of  
 24 detailed homework at Parent. The homework is  
 25 different so --

1 Q. How is it different?  
 2 A. It's a little more challenging. For  
 3 instance, her spelling words, instead of just  
 4 writing the words out, they write -- they have to  
 5 determine a synonym and antonym for it.  
 6 One day -- another day they will do  
 7 jeopardy question, you know, create a jeopardy,  
 8 what do you call it, type question using the  
 9 spelling words. They created crossword puzzles --  
 10 not the crossword puzzle, but the word search using  
 11 their spelling words.  
 12 Q. This is at the current school?  
 13 A. Yes.  
 14 Can I take a break?  
 15 Q. Yeah.  
 16 (At the hour of 12:01 P.M., a luncheon  
 17 recess was taken. The deposition resumed at  
 18 12:55 P.M., the same persons being present.)  
 19  
 20  
 21  
 22  
 23  
 24  
 25

1 LOS ANGELES, CALIFORNIA; FRIDAY, SEPTEMBER 7, 2001  
 2 12:55 P.M.  
 3  
 4 EXAMINATION (resumed)  
 5  
 6 BY MR. LA COMBE:  
 7 Q. Mrs. McCauley, I want to go back in time  
 8 through Sharifa's career basically at Parent  
 9 starting with the 4th grade year.  
 10 A. Okay.  
 11 Q. You mentioned the teacher was Kathy Burke?  
 12 A. Correct.  
 13 Q. Was that the only teacher she had that  
 14 year at Parent?  
 15 A. Yes.  
 16 Q. Was there an instructional aide in that  
 17 class?  
 18 A. No.  
 19 Q. Was there any parent volunteer?  
 20 A. I volunteered in there sometimes other  
 21 parents may have been volunteered.  
 22 Q. Which parents were those?  
 23 A. I think Barbara Rowe.  
 24 Q. Any other parents?  
 25 A. I don't know.

1 Q. How often did you volunteer in the class?  
 2 A. For the first semester, maybe twice a  
 3 month. Two or three times a month.  
 4 Q. Okay. And what things did you do to help  
 5 in the classroom for Kathy Burke?  
 6 A. I helped --  
 7 MS. WELCH: Objection. Vague.  
 8 THE WITNESS: What things did I do in the  
 9 classroom? What things did I help Miss Burke with?  
 10 BY MR. LA COMBE:  
 11 Q. Yeah.  
 12 A. I helped students to read. I'd take a  
 13 group of kids to the side and read to them -- allow  
 14 them to read to me.  
 15 Q. Anything else?  
 16 A. No, that's it.  
 17 Q. Do you know how many students were in that  
 18 class?  
 19 A. No.  
 20 Q. Do you have an estimate?  
 21 A. 28, 30.  
 22 Q. Okay. Were there textbooks in that class?  
 23 A. Yes.  
 24 Q. How many textbooks were there?  
 25 A. I don't know.



- 1 Q. You don't know?  
 2 A. I don't know.  
 3 Q. Was there a textbook in every subject?  
 4 A. There was a textbook for math, for social  
 5 studies, I believe, and a spelling book.  
 6 Q. Anything else?  
 7 A. I don't know.  
 8 Q. Okay. Did you ever read any of those  
 9 books?  
 10 A. Did I read them? I looked through them.  
 11 Q. Okay. Did Sharifa have her own copy of the  
 12 math textbook in that class to use in class?  
 13 A. Yes, I believe so.  
 14 Q. Did she have a copy to take home?  
 15 A. I believe they were the same.  
 16 Q. The same copy?  
 17 A. Yes.  
 18 Q. She was able to take home her math  
 19 textbook?  
 20 A. Yes.  
 21 Q. Okay. What about her other textbooks?  
 22 A. She brought them home.  
 23 Q. Okay. Did the teacher use instructional  
 24 materials other than textbooks?  
 25 A. I don't know.

- 1 Q. Do you know if she used any photocopy  
 2 materials?  
 3 A. They did have Xerox copies of things.  
 4 Q. Okay. Do you remember any in particular?  
 5 A. No.  
 6 Q. Okay. Do you know if they were pages from  
 7 a text that was used in class?  
 8 A. 4th grade, I don't remember.  
 9 Q. Okay. Do you remember the photocopy  
 10 materials from any other year?  
 11 A. Yes.  
 12 Q. Okay. Is there one that you keep thinking  
 13 of in particular?  
 14 A. A particular photocopy?  
 15 Q. Yeah, or type of materials.  
 16 A. Everything was photocopied.  
 17 Q. Okay.  
 18 A. Any math that came home, most of the  
 19 assignments. She didn't bring home books.  
 20 Q. Outside of the 4th grade?  
 21 A. Correct.  
 22 Q. Is the 4th grade the first year that she  
 23 took books home?  
 24 A. Yes.  
 25 Q. Okay. The 4th grade, were there any

- 1 novels that were assigned?  
 2 A. No. We had to buy them.  
 3 Q. Okay. How many novels did you buy?  
 4 A. I think there were two assigned.  
 5 Q. Do you know what they were?  
 6 A. I don't remember.  
 7 Q. Okay. Did she use any poems, any news  
 8 articles?  
 9 A. No.  
 10 Q. Do you know if she was assigned essays?  
 11 A. No, I don't remember any essays.  
 12 Q. Do you remember any maps that were used?  
 13 A. No. That's why we left.  
 14 Q. What?  
 15 A. That's why we left.  
 16 Q. What about the Internet?  
 17 A. Are you kidding? No.  
 18 Q. I'm asking you.  
 19 A. No. No. They did not -- they have a  
 20 computer lab there. And I don't remember that  
 21 the -- that the 4th grade class going to the  
 22 computer lab. I don't remember Sharifa talking  
 23 about that.  
 24 Q. Where is the computer lab?  
 25 A. It's across the campus in a -- one of

- 1 those portable classrooms.  
 2 Q. I have got a map of the school. I forget  
 3 what it's marked as. Exhibit 4.  
 4 Mrs. McCauley, does that map represent the  
 5 school campus?  
 6 A. It looks like it.  
 7 Q. Can you identify where the computer lab is  
 8 on the map?  
 9 A. Looks like number 21.  
 10 Q. 21?  
 11 A. Yeah.  
 12 Q. Do you know how many computers are in the  
 13 lab?  
 14 A. No, I don't know.  
 15 Q. Do you have --  
 16 A. I never counted them.  
 17 Q. -- an estimate of how many?  
 18 A. Maybe 25.  
 19 Q. Are those connected to the Internet, if  
 20 you know?  
 21 A. I don't know.  
 22 Q. Do you know if Kathy Burke ever used a  
 23 projector?  
 24 A. I don't know.  
 25 Q. PowerPoint?

1 A. I never saw a computer in the classroom so  
 2 I don't know.  
 3 Q. How often was Sharifa assigned homework in  
 4 Mrs. Burke's class?  
 5 A. She had it a few days a week. I'm sure at  
 6 least three times a week.  
 7 Q. Okay. What did you think of the quality  
 8 of her assignments?  
 9 MS. WELCH: Objection. Vague.  
 10 THE WITNESS: What do you mean what did I  
 11 think about the quality?  
 12 BY MR. LA COMBE:  
 13 Q. Uh-huh.  
 14 A. Did I think it was quality work?  
 15 Q. Not the work Sharifa did, but the  
 16 assignments themselves.  
 17 A. The assignment?  
 18 Q. Yes.  
 19 A. They were okay. Nothing challenging,  
 20 nothing innovative.  
 21 Q. Were the assignments out of the textbook?  
 22 A. Spelling came out of the spelling book,  
 23 and I don't know where the -- some of the  
 24 assignments would be out of the social studies book  
 25 to answer some questions that were in the book in

1 reference to something that she read in the book.  
 2 The math was in the math book.  
 3 Q. Okay. How often was she assigned projects  
 4 using materials outside of the course materials?  
 5 A. We had received -- she didn't receive any  
 6 projects outside of course materials the semester  
 7 that she was there for 4th grade.  
 8 Q. No book reports?  
 9 A. She did do a couple of book reports, I  
 10 think. I think she may have done book reports in  
 11 Miss Burke's class. She's part of the book club so  
 12 the books kind of melt together.  
 13 Q. Any research papers?  
 14 A. No.  
 15 Q. Any group projects that you know of?  
 16 A. No, not that I remember.  
 17 Q. Okay. What kind of instructional space  
 18 was the class taught in?  
 19 MS. WELCH: Objection. Vague.  
 20 THE WITNESS: You mean what was the  
 21 classroom like?  
 22 BY MR. LA COMBE:  
 23 Q. Yeah.  
 24 A. Normal 1950's kind of classroom, desks,  
 25 chairs, tables.

1 Q. Was it portable?  
 2 A. No. This was a real classroom, a real  
 3 building.  
 4 Q. Where is it on the map?  
 5 A. Number 9.  
 6 MS. WELCH: Counsel, tell me about the  
 7 document came from, what the number on the bottom  
 8 means.  
 9 MR. LA COMBE: This came from district  
 10 counsel, Inglewood.  
 11 Q. Okay. Melinda Acuna?  
 12 A. Yes, A-C-U-N-A.  
 13 Q. How was she as a teacher?  
 14 A. She was a good teacher.  
 15 Q. Of the four teachers she had at Parent,  
 16 which did you think was the best?  
 17 A. A tie between Miss Burke and Miss Acuna.  
 18 Q. Why do you think they were the best  
 19 teachers?  
 20 A. Because they were interested in -- they  
 21 seemed to push the students a little bit more and  
 22 give them a little bit more challenging work.  
 23 Q. Any other reasons?  
 24 A. They seemed to be more excited about being  
 25 with the students. They invited the parents into

1 the classroom to participate.  
 2 Q. What do you mean by they pushed the  
 3 students?  
 4 A. Well, the work that they gave the students  
 5 seemed to be at the level where the -- at the grade  
 6 level.  
 7 Q. Okay.  
 8 A. I thought that Sharifa was getting pretty  
 9 good work in the classrooms even though the work  
 10 that she had in those -- the 1st and the 2nd grade  
 11 she had already done that stuff before.  
 12 Q. If Sharifa continued to have teachers like  
 13 Debbie Burke and Belinda Acuna, would you have kept  
 14 her in Parent?  
 15 MS. WELCH: Objection. Calls for  
 16 speculation.  
 17 THE WITNESS: It's not just the teachers  
 18 there where the issue is. It's the administration,  
 19 their overall planning for the school. And Sharifa  
 20 is not the only -- she's not just one person in the  
 21 school. There are many people put into the overall  
 22 education there.  
 23 BY MR. LA COMBE:  
 24 Q. Right.  
 25 A. So yes, if there were teachers more like

1 Miss Wallace, who Sharifa did not have, because  
 2 she's a middle school teacher and more like  
 3 Miss Jurnikan, who she didn't have, yes, she'd be  
 4 there now.  
 5 Q. So Wallace and Jurnikan are both teachers  
 6 at Parent?  
 7 A. Yes.  
 8 Q. What grade does Jurnikan teach?  
 9 A. I think now she's going to be teaching 1st  
 10 grade.  
 11 Q. In the 3rd grade, Belinda Acuna, that's  
 12 her only teacher through the year?  
 13 A. Yes.  
 14 Q. Do you know if there were instructional  
 15 aids in any of these classes, any of the four years  
 16 she was at Parent?  
 17 A. Not to my knowledge.  
 18 Q. Were you a room parent in the 3rd grade as  
 19 well?  
 20 MS. WELCH: Asked and answered.  
 21 THE WITNESS: Yes.  
 22 BY MR. LA COMBE:  
 23 Q. Were you going there -- how often were you  
 24 going there?  
 25 A. I think for the first semester, I may have

1 A. Some from 1988, 1969. And I think their  
 2 reading stuff was from '95.  
 3 Q. The reading stuff?  
 4 A. The reading, yeah, the reading material.  
 5 Q. Do you remember the dates of any other  
 6 books in that class?  
 7 A. No.  
 8 Q. Did Sharifa have her own copy of those  
 9 books to use in the class?  
 10 A. I believe they did have enough? I'm not  
 11 sure. They worked on things in sections, you know.  
 12 Some students would do this and some students would  
 13 do something else.  
 14 Q. I believe you talk about some of these  
 15 textbooks in your declaration.  
 16 Do you have your declaration, Exhibit 2?  
 17 A. 1.  
 18 Q. Is it 1?  
 19 Paragraph 6, second sentence states:  
 20 "For example, one of the literature  
 21 books, the class uses was published in  
 22 1969."  
 23 A. Correct.  
 24 Q. Is that the book that you just referred  
 25 to?

1 gone there once a week pretty much. At least three  
 2 weeks out of the month.  
 3 Q. Okay. And then after that?  
 4 A. I think for the second semester, a little  
 5 bit less. I got a little bit more busy at work.  
 6 Q. Do you --  
 7 A. Going there and volunteering in the  
 8 classroom takes a lot of time. I spend an hour in  
 9 the classroom which really costs me two hours out  
 10 of my day. So it's a lot.  
 11 Q. And that 3rd grade year were you doing  
 12 reading work with the kids again?  
 13 A. Math.  
 14 Q. Math?  
 15 A. I worked with the students in math.  
 16 Q. Okay. Anything else besides math?  
 17 A. No.  
 18 Q. Do you know how many students were in that  
 19 class?  
 20 A. I think it was 2nd, 3rd grade.  
 21 Q. Were there textbooks in that class?  
 22 A. Yes.  
 23 Q. Couldn't take them home?  
 24 A. No. And they were old.  
 25 Q. How old were they?

1 A. Correct. I used that book in elementary  
 2 school.  
 3 Q. Compton Unified?  
 4 A. I remembered it, yes.  
 5 Q. That was in the 3rd grade that that book  
 6 was used?  
 7 A. Whose 3rd grade?  
 8 Q. Sharifa's 3rd grade.  
 9 A. Yes, yes.  
 10 Q. Do you know if that book is still in use  
 11 now?  
 12 A. I don't know.  
 13 MS. WELCH: Objection. Vague. When you  
 14 say "that book," what do you mean? Her daughter's  
 15 book or do you mean the book in that class?  
 16 BY MR. LA COMBE:  
 17 Q. The edition.  
 18 A. The 1969 literature book?  
 19 Q. Uh-huh.  
 20 A. I don't know.  
 21 Q. Okay. Could you describe the contents of  
 22 that literature book?  
 23 A. No. Literature.  
 24 Q. Literature?  
 25 A. Stories.

1 Q. Okay. When you say the class used the  
2 book, what do you mean exactly? How do they use  
3 the book?

4 A. The book was in the classroom on the  
5 shelf. It was part of the material that the  
6 teacher told me she was using in the classroom.  
7 Other than that, I can't tell you how they used it.

8 Q. Do you know if she received any  
9 assignments out of that book?

10 A. I don't know because the assignments came  
11 Xeroxed.

12 Q. Did you recognize any of the Xeroxes as  
13 coming from that book?

14 A. I couldn't say. The math book that was  
15 from, I think, 1988. I recognized the Xerox --  
16 that was also because I work with the students  
17 with, you know, using the book in the classroom.

18 Q. Did the class, to your knowledge, use any  
19 other books for learning literature?

20 A. They had Open Court reading books. I  
21 think that's what they -- I know Open Court was  
22 what the name of the series was. I believe it was  
23 for reading.

24 Q. Were those the materials from 1995?

25 A. I believe so.

1 grade?

2 A. Not really. They did science projects.  
3 Based upon what materials they learned, I don't  
4 know.

5 Q. Do you know what the projects were?

6 A. It was a -- something that the student had  
7 to pick from a list essentially. And they did it  
8 outside the class and presented it in the class. I  
9 don't remember what Sharifa's was. Something to do  
10 with colored water and I don't remember.

11 Q. Were these science fair projects?

12 A. Yes, it was the science fair. And based  
13 on what science training in the classroom, I never  
14 saw it so I didn't understand why they ever  
15 participated in it.

16 Q. Remind me. You may have answered this.  
17 Have you seen the 1969 literature book?

18 A. Have I seen it?

19 Q. Yes.

20 A. Oh, yes.

21 Q. Can you describe its condition? Just in  
22 general describe the condition of the books.

23 A. It's okay, you know.

24 Q. Were they readable?

25 A. Yes. I didn't look through every single

1 Q. Any other literature materials that you  
2 remember?

3 A. No.

4 Q. Okay. Do you believe the 1969 literature  
5 book interfered with Sharifa's ability to learn  
6 literature?

7 MS. WELCH: Objection. Vague, calls for  
8 speculation, expert testimony.

9 THE WITNESS: Do I believe that it  
10 interfered with her ability to learn literature?

11 BY MR. LA COMBE:

12 Q. Uh-huh.

13 A. No. But I do think that if I'm paying  
14 taxes and I'm paying extra money in order to add on  
15 to my property, money directly to the district,  
16 they ought to have some current materials in the  
17 classroom.

18 Q. Okay.

19 A. Because, you know, literature is  
20 literature. Literature is centuries old. So  
21 that's okay at times.

22 Q. Correct.

23 A. But when you talk about science, you need  
24 to be current.

25 Q. Okay. Was she learning science in the 3rd

1 book in the stack, you know.

2 Q. I understand.

3 Let's talk about the 1988 book, the math  
4 text. That's all discussed in paragraph 6 of your  
5 declaration.

6 That was the 3rd grade class?

7 A. Correct.

8 Q. Did Sharifa use a textbook that old in any  
9 other class?

10 A. Well, she went from 3rd to 4th grade. And  
11 in 4th grade they got new textbooks. So the answer  
12 would be no.

13 Q. Could you describe the condition of  
14 Sharifa's math textbook?

15 A. They were old books, but the bindings were  
16 still on. They were intact.

17 Q. They were readable?

18 A. Yes.

19 Q. Okay. Do you believe that a 1988 math  
20 book is out of data?

21 MS. WELCH: Objection, vague.

22 THE WITNESS: Well, based on conversation  
23 with the principal that said they were on a  
24 seven-year book adoption cycle, 1988 in the year  
25 1999 would seem to be a little outdated of that

1 cycle.

2 BY MR. LA COMBE:

3 Q. Any other reason why you would think that  
4 a 1988 math book is out of date?

5 A. Eleven years after the fact?

6 Q. No.

7 A. No, other than the fact that it's eleven  
8 years old.

9 Q. And do you believe that having a 1988 math  
10 book interfered with Sharifa's ability to learn  
11 math?

12 MS. WELCH: Objection. Vague, calls for  
13 speculation, calls for expert testimony.

14 THE WITNESS: The elementary school math  
15 book that my daughter was using was -- because I  
16 never had that book at home to really look through  
17 and go through thoroughly, I can't say how it  
18 necessarily helped or hindered her because I didn't  
19 see the material in the book that said, "This is  
20 how you learn to add. This is how you begin to  
21 multiply."

22 They have those books as instructional  
23 aides, I believe. It's the teacher that's supposed  
24 to do the teaching. Now, if it were a  
25 self-contained -- what are those popular books --

1 that I'm working with, and I'm in there for one  
2 hour. I don't have time to study the book, you  
3 know. I can look at preceding pages, things that  
4 kind of come afterward. But I'm sure -- I think  
5 that my ability to help the students was based upon  
6 my ability to do the math that they were performing  
7 at the time.

8 BY MR. LA COMBE:

9 Q. Also, at the beginning of paragraph 6 it  
10 states: "The books my daughter uses in class are  
11 out of date."

12 Which books are you referring to there?  
13 Or I should say, does it refer to any books other  
14 than the 1969 literature book and the 1988 math  
15 book?

16 A. No. You're asking about these books and  
17 the dates on them. All of this is -- my questions  
18 about this and my opinions about this is because  
19 the principal said they were on a seven-year book  
20 adoption cycle. They were out of bounds for that  
21 cycle. So my opinions about it have to do with  
22 what, you know, I was told should be taking place  
23 there.

24 Q. Okay.

25 MS. WELCH: In fairness, I mean that

1 Dummy's Guide to everything, it would tell her how  
2 to go from A to z. And in that vein, if I could  
3 see the material and it had all of those elements  
4 in it, I could answer your question as to whether  
5 or not a 1988 book would hinder or how that 1988  
6 book hindered her.

7 BY MR. LA COMBE:

8 Q. When you came into the class as a room  
9 parent and helped the students with math, were you  
10 using that textbook?

11 A. Yes.

12 Q. How did you use it?

13 A. The teacher would give me the pages she'd  
14 like for me to work on with the students, and  
15 that's what we would work on.

16 Q. Were you answering student questions --

17 A. Yes.

18 Q. -- as to this?

19 A. Yes.

20 Q. Were you able to answer the questions  
21 based upon the textbook and your knowledge of math?

22 A. No. Based upon my knowledge of math.

23 Q. Not based on the textbook?

24 MS. WELCH: Asked and answered.

25 THE WITNESS: Now, I have a couple pages

1 sentence, it just refers to this paragraph. I mean  
2 it doesn't refer to all time. There may be other  
3 books that Sharifa had not from that year that were  
4 out of date.

5 THE WITNESS: True. Because I didn't go  
6 and look at all the books in 2nd grade. I  
7 didn't -- hadn't realized there was that problem.

8 BY MR. LA COMBE:

9 Q. Are you aware of any books that she had in  
10 any other year that were out of date?

11 A. Well, no. I didn't realize the problem  
12 existed until we got to the 3rd grade.

13 Q. And the --

14 A. Because of, I'm sure, the ruckus that was  
15 caused about this they did get new books in the 4th  
16 grade.

17 Q. Okay. Now, where was this class, the 3rd  
18 grade class on the map?

19 A. 27.

20 Q. And is that a portable?

21 A. Yes.

22 Q. 2nd grade. Wendy Keir. Do you know how  
23 many students were in the class?

24 A. Should have been 20.

25 Q. Is that about the same in 1st grade?

1 A. Correct.  
 2 Q. Did you volunteer in the classroom that  
 3 year?  
 4 A. Yes.  
 5 Q. In?  
 6 A. In 2nd grade?  
 7 Q. Yes.  
 8 A. Yes, I volunteered. The teacher didn't  
 9 want any help.  
 10 Q. Why not?  
 11 A. I don't know.  
 12 Q. She told you that?  
 13 A. Well, she never invited me in so --  
 14 Q. Was that as a room parent?  
 15 A. Yes.  
 16 Q. What sort of things did you do in class?  
 17 A. Nothing. She didn't need any help. She  
 18 liked to do everything herself.  
 19 Q. So what did you do?  
 20 A. Nothing.  
 21 Q. Nothing?  
 22 A. Nothing. I was her volunteer room parent  
 23 and she didn't need us. I collected some things  
 24 for a party but --  
 25 Q. How often did you go?

1 A. How often did I go?  
 2 Q. Uh-huh.  
 3 A. Okay. Nothing. I was at the school  
 4 almost every day. I take my daughter to school.  
 5 She was 2nd grade, you know, she was pretty young  
 6 so I would a lot of times take her to her class or  
 7 my mom would take her to her class. I would see  
 8 the teacher quite often. I didn't volunteer in her  
 9 class because she didn't need my help.  
 10 Q. Okay. Do you remember any textbooks that  
 11 she used in that class?  
 12 A. No.  
 13 Q. Any instructional materials other than  
 14 textbooks?  
 15 A. Xerox copies.  
 16 Q. What were the copies of?  
 17 A. I have no idea at this point in time.  
 18 Q. Okay. Fair enough. How often was she  
 19 assigned homework in that class?  
 20 A. 2nd grade?  
 21 Q. Yes.  
 22 A. I don't know. I don't know. She had  
 23 homework, though.  
 24 Q. What did you think of the quality of the  
 25 assignments that she received?

1 MS. WELCH: Objection. Vague.  
 2 THE WITNESS: Not much.  
 3 BY MR. LA COMBE:  
 4 Q. Huh?  
 5 A. Not much.  
 6 Q. What do you mean "not much"?  
 7 A. In terms of the quality of the work  
 8 assignments that were received when Sharifa was in  
 9 the 2nd grade?  
 10 Q. Yeah.  
 11 A. I didn't think much of it. It was not  
 12 very challenging. She did her homework and went  
 13 back to school. It wasn't like the homework like  
 14 she had when she was in preschool.  
 15 Q. Do you mean -- how do you mean?  
 16 A. Before she went to Frank D. Parent  
 17 Elementary School she was in preschool, day care.  
 18 And I can remember that there were math  
 19 assignments. She had spelling words. She had  
 20 spelling dictation sentences that she had to make  
 21 up herself. I remember she had to use her spelling  
 22 words and had to create a story using her spelling  
 23 words, ten spelling words. So the quality of work  
 24 in 2nd grade, I don't remember anything about it.  
 25 It doesn't say to me a whole lot about the quality

1 of the work. It was not memorable. Maybe that's  
 2 what I should say.  
 3 MS. WELCH: You did.  
 4 BY MR. LA COMBE:  
 5 Q. And when was that class on the map in  
 6 2nd grade?  
 7 A. I think it's classroom 2.  
 8 Q. Is that the main building?  
 9 A. No.  
 10 Oh, what did you say?  
 11 Q. Is that the main building?  
 12 A. Main building? It's a building.  
 13 Q. A permanent building?  
 14 A. Yes, yes.  
 15 Q. Let's do the 1st grade. That was Debbie  
 16 Burke?  
 17 A. Yes.  
 18 Q. That was the same teacher the whole year,  
 19 right?  
 20 A. Yes.  
 21 Q. And do you remember any textbooks from  
 22 that year?  
 23 A. No.  
 24 Q. None?  
 25 A. Do I remember any?

1 Q. Uh-huh.  
 2 A. No, I don't remember any.  
 3 Q. Okay. Do you know if she used any  
 4 textbooks?  
 5 A. I'm sure she did, 1st grade class.  
 6 Q. Any instructional materials other than  
 7 textbooks that you remember?  
 8 A. Xerox copies?  
 9 Q. Yeah.  
 10 A. Yeah.  
 11 Q. Anything besides Xerox?  
 12 A. I don't know.  
 13 Q. And --  
 14 A. Like a computer?  
 15 Q. Yeah.  
 16 A. Yeah, she had two computers.  
 17 Q. There were two computers in the class?  
 18 A. Yes.  
 19 Q. Do you know if she used those computers in  
 20 class?  
 21 A. Yes, she did.  
 22 Q. How so?  
 23 A. There were games or, you know,  
 24 instructional type things on the computers that the  
 25 students used.

1 Q. And do you know if she assigned work off  
 2 of those computers?  
 3 A. I don't know how to really answer that.  
 4 She gave students things to do, and they did them  
 5 on the computer.  
 6 Q. Okay. What about Wendy Keir, did she have  
 7 computers in her class?  
 8 A. Not that I remember.  
 9 Q. What about the 3rd or 4th grade class?  
 10 A. Not in 4th. I don't think in 3rd.  
 11 Q. Do you remember what the Xerox copies were  
 12 of in the first grade?  
 13 A. Not really.  
 14 Q. What did you think of the quality of the  
 15 assignments in the first grade?  
 16 A. Well, after coming from Dreamland, you  
 17 know, they were kind of a let down, too. It was  
 18 okay. She was in first grade, and I knew that this  
 19 was a, you know, a regular school. And I think we  
 20 were just getting into the school and she seemed to  
 21 be going along okay.  
 22 Q. So you were satisfied with the quality of  
 23 work?  
 24 A. No.  
 25 MS. WELCH: Objection. Mischaracterizes

1 her testimony.  
 2 THE WITNESS: No.  
 3 BY MR. LA COMBE:  
 4 Q. Why weren't you satisfied?  
 5 A. Because it was less than what she had  
 6 already done. It was, as my husband calls it,  
 7 dumbing her down. So --  
 8 Q. Okay. I refer you to the complaint -- oh,  
 9 let me ask, where is it on the map the classroom  
 10 for first grade?  
 11 A. 27.  
 12 Q. Is that a portable unit?  
 13 A. Yes.  
 14 Q. In the complaint page 55, paragraph 260  
 15 states?  
 16 "Approximately 43 percent of the teachers  
 17 at Parent lacked full, nonemergency  
 18 teaching credentials."  
 19 A. Yes.  
 20 Q. Do you believe that statement to be true?  
 21 A. Yes.  
 22 Q. What makes you believe that 43 percent of  
 23 the teachers at Parent lacked full nonemergency  
 24 credentials?  
 25 MS. WELCH: Objection. Vague.

1 THE WITNESS: Articles in the paper,  
 2 comments from parents. I guess the fact I asked  
 3 these questions of the administration, the  
 4 principal there, and they have never been refuted.  
 5 BY MR. LA COMBE:  
 6 Q. Okay. Where did you read 43 percent, if  
 7 anywhere?  
 8 A. I really can't tell you. I read a lot of  
 9 stuff off the Internet. And over the years we have  
 10 gotten lots of documents from who knows where. I  
 11 can't say exactly where this figure came from.  
 12 Q. Do you know if this figure refers to any  
 13 particular school year at Parent?  
 14 A. I don't know.  
 15 Q. Why do you believe there are so few fully  
 16 credentialed teachers at Parent?  
 17 MS. WELCH: Objection. Vague.  
 18 THE WITNESS: Why do I believe that there  
 19 are so few fully credentialed teachers at Parent?  
 20 Because the administration there accepted  
 21 noncredentialed teachers to teach.  
 22 BY MR. LA COMBE:  
 23 Q. Do you believe that teachers that lack  
 24 full teaching credentials are qualified to teach?  
 25 MS. WELCH: Objection. Vague. Calls for

1 expert testimony. Calls for speculation.  
 2 THE WITNESS: Do I believe that  
 3 noncredentialed teachers are qualified to teach?  
 4 BY MR. LA COMBE:  
 5 Q. Yes.  
 6 A. They can be.  
 7 Q. How?  
 8 A. It depends on the emergency and their  
 9 education and training.  
 10 Q. Okay.  
 11 A. Their experience.  
 12 Q. To your knowledge, do the teachers that  
 13 are not fully credentialed at Parent receive any  
 14 training from the school?  
 15 A. I have no idea.  
 16 Q. What about at the district level?  
 17 A. I have no idea.  
 18 Q. State level?  
 19 A. I don't know.  
 20 Q. Okay.  
 21 A. Does the state train teachers? Or do  
 22 colleges and universities do that? The state  
 23 licenses teachers, though, right?  
 24 Q. Right.  
 25 A. Okay.

1 Q. It's a state university system, I guess.  
 2 Are you aware of an open court coach at  
 3 the school?  
 4 A. Yes.  
 5 Q. Do you know if that person provides  
 6 training to teachers?  
 7 A. I think that's what a coach does, to help  
 8 them in some kind of capacity.  
 9 Q. Are you aware of the BTSA, B-T-S-A,  
 10 program?  
 11 A. No.  
 12 Q. Beginning teachers support and assistance,  
 13 I think it is.  
 14 A. No.  
 15 Q. You never heard of it?  
 16 A. No. What is it?  
 17 Q. It's a support system for beginning  
 18 teachers.  
 19 To your knowledge, is the school taking  
 20 any steps to increase the number of full  
 21 credentialed teachers?  
 22 A. I believe that the district is doing that  
 23 now.  
 24 Q. Okay. What steps?  
 25 A. I believe they are recruiting across the

1 country for teachers.  
 2 Q. Anything at the school level?  
 3 A. I don't know.  
 4 Q. What steps do you believe should be taken  
 5 to increase the number of fully credentialed  
 6 teachers?  
 7 MS. WELCH: Objection. Assumes facts.  
 8 THE WITNESS: What steps should be taken  
 9 to get fully credentialed teachers?  
 10 BY MR. LA COMBE:  
 11 Q. Yeah.  
 12 A. Well, one, they could have some sort of a  
 13 policy in place where the teachers that are there  
 14 go through training to get their credentials within  
 15 a specified period of time. Two, when they hire  
 16 teachers, hire teachers that have credentials.  
 17 Q. Anything other than getting the teachers  
 18 that are on the emergency credentials to complete  
 19 their work and get their credentials or hire  
 20 teachers that already have credentials?  
 21 A. No.  
 22 Q. I think you said before that you are not  
 23 aware of Sharifa ever having a teacher that's not  
 24 fully credentialed; is that correct?  
 25 A. Correct.

1 MS. WELCH: I think that kind of  
 2 mischaracterizes her testimony. I think she said  
 3 she wasn't aware of what credentials Sharifa's  
 4 teachers had.  
 5 THE WITNESS: That's true. That is what I  
 6 said.  
 7 BY MR. LA COMBE:  
 8 Q. Are you aware of any teachers that Sharifa  
 9 had that are not fully credentialed?  
 10 A. I don't know whether or not they have  
 11 their credential.  
 12 Q. Did you ever complain to the -- to  
 13 Mrs. Stricklin about the number of not fully  
 14 credentialed teachers at Parent?  
 15 A. I don't know if we talked about the  
 16 credentials of the teachers. In particular, we  
 17 talked about the academics there at the school,  
 18 which really don't have anything to do with  
 19 credentialing. Okay.  
 20 Because if you have a good academic plan  
 21 and you are able to execute and implement that  
 22 plan, then the students are going to learn. So if  
 23 management does their job and make sure that the  
 24 teachers are planning and giving information to the  
 25 students, the students are going to learn.



1 Q. Irrespective of whether or not there's  
2 full credentials?  
3 A. I'm sure the credentials help if a person  
4 that has been trained and is licensed and has some  
5 sort of authority and credibility in executing that  
6 subject. So the credentials help.  
7 Q. What about to the district administration,  
8 did you ever complain about the number of nonfully  
9 credentialed teachers?  
10 A. I believe at school board meetings I've  
11 made statements to them concerning the credentials  
12 of teachers.  
13 Q. Did they have any reaction?  
14 A. You can --  
15 Q. What's that?  
16 A. They listen.  
17 Q. Okay. Did they say anything in response?  
18 A. They'd take it under consideration.  
19 Q. Okay. Do you know if they had taken any  
20 steps to improve?  
21 A. No, I don't know that.  
22 Q. Okay. On your declaration, paragraph 11.  
23 It states: "The school does not employ a  
24 librarian."  
25 A. Yes.

1 Q. Do you know if that is still the case?  
2 A. I don't know. The district finally  
3 decided that they would pay for the employees that  
4 the PTA had been paying.  
5 Q. At the end of last school year?  
6 A. Correct, 2001.  
7 Q. Do you know about what month that was?  
8 A. June, I believe.  
9 Q. Do you know if the district has a trained  
10 librarian?  
11 MS. WELCH: Objection. Vague.  
12 THE WITNESS: No, I don't know.  
13 BY MR. LA COMBE:  
14 Q. Have you ever heard of Lorraine Brohowski?  
15 A. Brohowski?  
16 Q. Yes.  
17 A. No.  
18 Q. Do you believe that the lack of a paid  
19 librarian at Parents School interfered with  
20 Sharifa's ability to get a quality education?  
21 MS. WELCH: Objection. Vague, calls for  
22 speculation, calls for expert testimony.  
23 THE WITNESS: Yes.  
24 BY MR. LA COMBE:  
25 Q. How?

1 A. Because in school children should be able  
2 to, in addition to their class work, go and learn  
3 how to use a library, have someone knowledgeable to  
4 show them how to use a library and have the books  
5 in the library in a fashion where libraries are  
6 normally set up. Without a librarian, you don't  
7 have that.  
8 Q. Did the library aide that the PTA paid  
9 arrange the library in the manner that you  
10 described?  
11 A. No, I don't know if they had a card  
12 catalog in there. At one point the PTA did hire a  
13 retired librarian who was working on organizing the  
14 library. That person didn't stay there very long.  
15 I don't know how the library became organized.  
16 Q. Does it have a card catalog now?  
17 A. I don't know. I don't remember seeing a  
18 card catalog. They are using Dewey decimal  
19 numbering system, but I don't remember seeing a  
20 card catalog.  
21 Q. And the library aide that the PTA hired,  
22 was that person able to give assistance to students  
23 in the manner that you described?  
24 A. I actually never saw the librarian working  
25 with students during school hours so I don't know

1 what her abilities were.  
2 Q. Okay. Do you believe that not having a  
3 paid library interfered with Sharifa's ability to  
4 do her homework?  
5 MS. WELCH: Objection. Vague, calls for  
6 speculation.  
7 THE WITNESS: Homework from Xerox copies?  
8 BY MR. LA COMBE:  
9 Q. Any homework.  
10 A. No, didn't interfere with her doing her  
11 homework from Xerox copies. I think -- I'm not  
12 sure that she was given library assignments there,  
13 so something else seemed to me to be missing.  
14 Q. Go on in paragraph 12 of the declaration.  
15 It says:  
16 "The school library is in terrible shape.  
17 The number of books in the library is  
18 sparse. And until the PTA cleaned and  
19 reshelfed and reorganized the library  
20 this year, the library was in a  
21 shambles."  
22 Do you believe that the school library is  
23 currently in terrible shape?  
24 A. I don't know what condition it's in now.  
25 Q. When is the last time you had been to the

1 school library?

2 A. Last spring sometime, spring of 2001.

3 Well, I guess it would have been January or so  
4 because she left the school in February.

5 Q. Do you believe that the school library was  
6 in terrible shape at that time?

7 A. It was much better.

8 Q. It wasn't in terrible shape?

9 MS. WELCH: Objection. Mischaracterizes  
10 the testimony.

11 THE WITNESS: The library there at  
12 Frank D. Parent Elementary School was without books  
13 on bookcases and was not my idea of a good library  
14 or a library that reflects the neighborhood and the  
15 environment around it.

16 MS. WELCH: Can we take a break?

17 (Recess.)

18 BY MR. LA COMBE:

19 Q. In paragraph 12 of the declaration you  
20 stated, "The books in the library are sparse."

21 A. Yes.

22 Q. What do you mean by that?

23 A. There's a number of shelves in there and  
24 most of them are not covered with books.

25 Q. Do you know how many book there were?

1 library in preparation for all this, to bring the  
2 books in.

3 Q. Do you continue to believe that the number  
4 of books in the library is sparse?

5 A. I don't know.

6 Q. Okay. In paragraph 9 of your declaration  
7 it states:

8 "Last November I found five boxes of  
9 brand new computers that had been sitting  
10 unused in the library all the summer of  
11 1999 through that November."

12 A. Yes.

13 Q. Do you know what those computers were for?

14 A. One was to be used in the library for an  
15 inventory system for the books. Another one was  
16 for the inventory of the school books, textbooks.

17 Q. Where it says that the principal told you  
18 that the school was waiting for the district to  
19 send software for the computers --

20 A. Yes.

21 Q. -- do you know what software that was?

22 A. I believe she was talking about the  
23 inventory software. You know, I say here that you  
24 didn't need the software to use the computers.

25 Okay. They could have been getting some use out of

1 A. No.

2 Q. Do you know how many books --

3 A. Probably 60 to 80 -- the room is about 20  
4 to 30 feet. It's a good size room.

5 Q. How many books? Do you know?

6 A. I don't know how many books.

7 Q. Has the number of books in the library  
8 changed since Sharifa has been there, while she was  
9 there?

10 A. Yes. The PTA purchased some books. The  
11 Friends of Parent had -- they had a reception, a  
12 fundraiser of some sort to buy books for the  
13 library. So they spent a few thousand dollars on  
14 books for the library.

15 Q. When was that?

16 A. Probably 1999, April, May of '98. Let's  
17 see. Between '98 and '99. I don't have the exact  
18 date.

19 MS. WELCH: Before your declaration?

20 THE WITNESS: Yes.

21 BY MR. LA COMBE:

22 Q. Okay. Would that have been before the PTA  
23 cleaned the shelves and reorganized the library?

24 A. The books were purchased -- were ordered  
25 before. That was why they were cleaning up the

1 those machines.

2 Q. Okay. After you set up the two computers,  
3 were students able to use those for homework?

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

6 THE WITNESS: I don't know what happened  
7 in the library after that. After reading this, the  
8 computers that we set up were computers that the  
9 PTA bought, the PTA purchased. They were not a  
10 part of the five that were in the room.

11 BY MR. LA COMBE:

12 Q. When it says, "The PTA set up two of the  
13 computers in the library" --

14 A. Right.

15 Q. -- that's not correct?

16 A. No. The PTA set up two computers in the  
17 library.

18 Q. Period, okay.

19 A. The PTA purchased those, the computers  
20 that they set up.

21 Q. I see. To your knowledge, have any of  
22 those five computers been set up?

23 A. I don't know. I hope so.

24 Q. I take it when you were in the library  
25 last time, which you estimated was January of 2001,

1 those computers were not set up?

2 A. They weren't in the library. I believe  
3 one of the computers that was up on top of the  
4 shelf ultimately did get set up for the library  
5 inventory software, but the others, I don't  
6 remember what happened with them.

7 Q. You just said the five computers weren't  
8 in the library?

9 A. No. They were in the library. There were  
10 two up on top of the shelf and three inside of the  
11 closet in the library.

12 Q. I see. The two computers that the PTA  
13 purchased and set up, were those installed in the  
14 library?

15 A. Yes. And those were for students to use.

16 Q. Paragraph 10 states:

17 "The school was supposed to have been  
18 wired for Internet use last summer, but  
19 no one has been able to use the Internet  
20 still."

21 Do you know if Internet connectivity has  
22 been established at the school?

23 A. No, I don't know that. And I had a  
24 conversation with a parent a couple weeks ago and  
25 was asked to help investigate the network

1 Q. Let's how many restrooms are there at  
2 Parent, if you know?

3 A. How many --

4 Q. How many sets of student restrooms?

5 A. Two. Do you want to know how many  
6 toilets?

7 Q. We'll get there.

8 Do you know where they are at, bathrooms?

9 A. I think there's one at the end of number 4  
10 here and at the end of number 15, three stalls each  
11 for the girls. I've never been in the boys.

12 Q. Are those for particular grade level  
13 students?

14 A. Yes.

15 Q. Which is which?

16 A. 4 is for the elementary. The one at 15 is  
17 for the upper grades, middle school.

18 Q. Are you aware of any other bathrooms for  
19 student use at the school?

20 A. I believe kindergarteners have one in  
21 their classroom.

22 Q. Where is that?

23 A. You know, this map is not correct.

24 Q. Okay. How is it not correct?

25 A. The library is on the front of the school.

1 infrastructure at the school so they could have  
2 Internet access. I believe they may have it in the  
3 lab.

4 The whole school was supposed to have been  
5 wired. Time was spent putting in a patch panel in  
6 the office. We went and spoke with the district  
7 about this in December, it looks like, of '99,  
8 December 8, I believe.

9 We spoke with Dr. Montle and were promised  
10 then that the E-Learning or E-RATE, I believe, is  
11 what he called it, would be completed within a  
12 couple of months. And I don't think that ever  
13 happened.

14 Q. You're not aware whether or not there's  
15 Internet access in the computer lab?

16 MS. WELCH: Asked and answered.

17 THE WITNESS: By virtue of the fact that  
18 this parent asked me to, you know, as recently as  
19 two weeks ago about completing this, I'm assuming  
20 that it's not completed.

21 BY MR. LA COMBE:

22 Q. Where it says "the school is supposed to  
23 have been hired for Internet use last summer," does  
24 that refer to summer of '99?

25 A. Correct.

1 I don't know. Kindergarten classroom must be  
2 number 5 and maybe number 8.

3 Q. It would also be in the front of the  
4 school?

5 A. Yeah. Because you walk in the yard and  
6 you walk right into the library. So I don't know  
7 why it's on the second row of buildings.

8 Q. Do you believe that there's only two rows  
9 of buildings?

10 A. No. There's three.

11 Q. But you think that the library should be  
12 where 9 is?

13 A. Yes.

14 Q. Okay.

15 A. And 9 is where the library is. I don't  
16 know. It's their map.

17 Q. I can't vouch for it myself.

18 And have you been in the girls' bathrooms  
19 in 4 and 15, the bathrooms that are next to 4 and  
20 15?

21 A. Yes.

22 Q. Have you been into any other -- any of the  
23 other bathrooms of the school?

24 A. For students?

25 Q. Yeah.

- 1 A. There's also one in the library, but I  
2 don't think the students really use that.  
3 Q. Why do you say that?  
4 A. Because it's small. I think it's probably  
5 for the kindergarten when they are in there. And  
6 it doesn't look like anybody really uses it.  
7 Q. Okay.  
8 A. You asked me about cleaning. I did clean  
9 the bathroom in the cafeteria.  
10 Q. The bathroom and the cafeteria?  
11 A. No, the bathroom inside of the --  
12 Q. Sorry.  
13 A. Yes, inside of the cafeteria.  
14 Q. Is that the building that's labeled  
15 multipurpose room?  
16 A. Correct.  
17 Q. Okay. Is that another set of bathrooms  
18 besides the ones you've already named?  
19 A. It's only one toilet and it would be for  
20 staff.  
21 Q. It says W and M right there. Do you  
22 believe that's incorrect?  
23 A. That's for staff.  
24 Q. Okay. So there's an additional -- okay.  
25 A. And there's one inside for the cafeteria,

- 1 A. Would have been early fall of 2000.  
2 Q. Do you know how many times total you have  
3 been in the bathrooms?  
4 A. Oh, over the years?  
5 Q. Yes.  
6 A. No. I could guess. Maybe 20 or so times.  
7 Q. You mentioned there was no toilet paper in  
8 the bathrooms?  
9 A. Yes.  
10 Q. Is that true every time you have been in  
11 the bathrooms?  
12 A. No.  
13 Q. How many times has there been no toilet  
14 paper?  
15 A. Over the years, I'd say her 2nd grade  
16 year, maybe twice. But then that's all that it  
17 needs to be missing. They kind of get the picture  
18 after the while. They need to make sure that, you  
19 know, the janitor refills the toilet paper. And it  
20 happened a couple times when she was in 3rd grade,  
21 I believe, 2nd and 3rd grade.  
22 Q. When you say twice, you mean there's two  
23 times when you noticed there was no toilet paper?  
24 A. Yes. Yes, two or three times.  
25 Q. What about her, has there been any times

- 1 whoever is working in the kitchen, I suppose.  
2 Q. Have you cleaned any bathrooms other than  
3 the cafeteria bathroom?  
4 A. No.  
5 Q. Why did you clean the cafeteria bathroom?  
6 A. We were having a PTA event in there and  
7 wanted to make sure the students had someplace to  
8 go to the bathroom.  
9 Q. When you've been in the bathrooms next to  
10 4 and next to 15, have they been clean?  
11 A. That's relative. They are dingy. When I  
12 was in there, there was no toilet paper. I don't  
13 think there were paper towels in there either.  
14 Q. Do you know if there's a hand blower?  
15 A. There's no hand blower.  
16 Q. You said you believe there was no paper  
17 towels. What makes you say that?  
18 A. Well, no, when I was in there, you know,  
19 there were no paper towels.  
20 Q. Okay.  
21 A. Which is why I started periodically going  
22 in there and seeing if there was toilet paper in,  
23 see if they had what they needed.  
24 Q. When were you in either of those bathrooms  
25 last?

- 1 when she's told you that there was no toilet paper?  
2 A. Yes.  
3 Q. How many times?  
4 A. One incident in particular.  
5 Q. Okay. Is that the one that you mentioned  
6 in your declaration?  
7 A. Yes.  
8 Q. Any others?  
9 A. No.  
10 Q. Okay.  
11 A. Kids don't tell you everything.  
12 Q. That's for sure.  
13 You mentioned there's no paper towels.  
14 How many times out of the 20 times that you were in  
15 the bathrooms were there no paper towels?  
16 A. I guess maybe two, three times that I  
17 personally saw that, you know, it was empty.  
18 Q. And has Sharifa ever told you that there  
19 were no paper towels on any occasion?  
20 A. I can't say.  
21 Q. Have you ever seen paper on the floor in  
22 the bathrooms?  
23 A. I don't know. I look at the toilets and  
24 see how clean the seats are, that kind of stuff.  
25 Q. When you say there's no toilet paper, do

1 you mean there's no toilet paper in any of the  
2 stalls?  
3 A. Yes.  
4 Q. Has there ever been a time when you've  
5 gone -- you're thinking about it?  
6 A. Uh-huh. I don't even know if they had  
7 seat covers.  
8 Q. You mean the paper seat covers?  
9 A. Uh-huh, yeah.  
10 Q. Ever?  
11 A. I don't remember them, which seems odd. I  
12 don't know.  
13 Q. Is any one of the bathrooms worse than the  
14 others as far as cleanliness goes?  
15 A. My primary visits were down in the lower  
16 grade bathroom and I didn't spend a lot of time  
17 looking at the upper grade bathrooms, so I can't  
18 really compare the two. Mostly I was down there.  
19 Q. Do you know how many custodians Parent  
20 has?  
21 A. Two. Two or three. I don't know what  
22 their hours are, though, if they are full time or  
23 part time, or anything like that.  
24 Q. Do you know how often the bathrooms are  
25 cleaned, if at all?

1 A. I don't think they got painted by the PTA.  
2 Q. Are the bathrooms dark?  
3 A. They are dingy. Low lighting.  
4 Q. Have you ever seen a broken toilet?  
5 A. No. Wait a minute. Have I ever seen a  
6 broken toilet where?  
7 Q. Well, either of the two Parent bathrooms.  
8 A. No.  
9 Q. Is there any --  
10 A. I know, don't ask.  
11 Q. Have you ever noticed any student  
12 vandalism in the bathrooms?  
13 A. No.  
14 Q. Have you ever reported to any school  
15 employee a lack of bathroom supplies?  
16 A. Mrs. Stricklin.  
17 Q. Anybody else?  
18 A. No. She's the principal.  
19 Q. To your knowledge, did she take any steps  
20 to improve the situation?  
21 A. Yes, I assume she did because, you know,  
22 on other visits things were taken care of. We used  
23 to have kind of a parent patrol in the bathrooms.  
24 Q. What do you mean by that?  
25 A. There were a few parents that we all make

1 A. No, I don't know.  
2 Q. Have you ever seen them being cleaned?  
3 A. Actually, no.  
4 Q. Other than when you've cleaned them?  
5 A. You know something?  
6 Q. What.  
7 A. Sharifa did make a comment and say that  
8 she liked the school, 74th Street, better because  
9 the bathrooms were clean.  
10 Q. Fair enough.  
11 In the declaration, paragraph 13, you  
12 state: "The school bathrooms are in terrible  
13 shape."  
14 A. Uh-huh.  
15 Q. What do you mean by that?  
16 A. Dingy, just looked kind of dirty. And  
17 that could be because of the paint on the walls.  
18 You know, it's an old school. It's old. It  
19 doesn't look very good, not very nice looking.  
20 At one time the PTA were trying to have  
21 the bathrooms painted. And so, you know, a little  
22 paint could contribute to the overall picture and  
23 general opinion about the shape of the bathroom.  
24 You know, the toilets were toilets.  
25 Q. Do you know if they ever were painted?

1 sure somebody checked the bathrooms.  
2 Q. The volunteers who were at the school?  
3 A. Parents. Because our children were so  
4 young, and many of us were dropping them off in the  
5 mornings, and we'd kind of go and, "Hey, did you  
6 check the bathrooms today?" Those kind of things.  
7 It was informal.  
8 MS. WELCH: It wasn't like a president of  
9 the bathroom committee?  
10 THE WITNESS: No.  
11 BY MR. LA COMBE:  
12 Q. Have you ever seen a bathroom, of the  
13 student bathrooms we're talking about comparing,  
14 without soap?  
15 A. I don't know. I don't know.  
16 Q. In your declaration, paragraph 13, right  
17 after "The school bathrooms were in terrible  
18 shape," it says "Often, they have no toilet paper."  
19 What do you mean by "often"?  
20 MS. WELCH: Objection. Asked and  
21 answered.  
22 THE WITNESS: Well, one time without  
23 toilet paper is too many times for me. Two times  
24 without toilet paper is too many times. And I have  
25 been in there on more than two occasions when there

1 was not enough toilet paper. And I've also gotten  
2 observations from other parents that paper supplies  
3 were missing from the girls' restroom. So one  
4 time, in my opinion, when it comes to toilet paper,  
5 is often.

6 BY MR. LA COMBE:

7 Q. Do you know why toilet paper was missing?

8 A. No, I don't.

9 Q. Okay.

10 MS. WELCH: Just to clarify, when you said  
11 "often," you didn't mean one time, did you?

12 THE WITNESS: No. No.

13 BY MR. LA COMBE:

14 Q. Let's go to the complaint, Paragraph 261.  
15 It says: "school toilets often lack toilet paper  
16 and students have urinated or defecated on  
17 themselves because they could not access bathrooms  
18 with toilet paper."

19 I assume that, at least in part, that  
20 refers to your daughter's experience?

21 A. Yes, I would guess so.

22 Q. Are you aware of any other students that  
23 have had that experience?

24 A. I'm aware of a student who did not like  
25 the bathrooms at school to the point where he

1 A. Can I guess?

2 MS. WELCH: I don't think he wants you to  
3 guess, but if you have a --

4 BY MR. LA COMBE:

5 Q. Go ahead and tell me.

6 A. A suspicion.

7 MS. WELCH: Just clarify what it is that  
8 you are giving.

9 THE WITNESS: Well, I know that one of our  
10 parents often spends her own money and will do  
11 things in the name of the PTA, and that's Beverly  
12 Kukyendall. Many times.

13 BY MR. LA COMBE:

14 Q. Please describe to me all the way, if any,  
15 Sharifa's education has been affected by the  
16 conditions in the bathrooms.

17 MS. WELCH: Objection. Vague, calls for  
18 speculation, calls for expert testimony.

19 THE WITNESS: Her education and the  
20 bathrooms, how it's been affected? I guess I could  
21 say as she goes to school, for whatever reason has  
22 an unsuccessful trip to the bathroom, has to go  
23 back to the class in whatever condition, she may be  
24 a little bit distracted by that. Otherwise,  
25 learning does not normally take place in the

1 refused to use the bathroom at school and  
2 ultimately had some kind of -- well, I'm not a  
3 doctor or his parent -- bile blockage or something  
4 because he was holding his stool, you know. He  
5 wouldn't have a bowel movement at school. It made  
6 him sick. He didn't like the bathrooms there.

7 Q. Are you aware of any other such situation?

8 A. I've heard other parents say their kids  
9 didn't like to use them, but none as severe as that  
10 one. This child's parent is a teacher at the  
11 school.

12 Q. It goes on to say:

13 "Parents have spent hundreds of dollars  
14 of their own money to purchase toilet  
15 paper for the bathrooms" --

16 A. Yes.

17 Q. -- in efforts to rectify the lack."

18 Is that referring to the PTA monies?

19 A. Actually, no. That's why it says "parents  
20 have spent their own money. But the parent would  
21 also happen to be a member of the PTA.

22 Q. Okay. Who was that?

23 A. Doesn't say here. Do you want me to  
24 guess?

25 Q. Sure.

1 restroom, but it is a part of the process. Just  
2 like we are here. You know, if I couldn't go to  
3 the restroom or if it were in a bad condition, we'd  
4 have a very short meeting here.

5 BY MR. LA COMBE:

6 Q. What do you think the school should do to  
7 improve the bathrooms?

8 A. Just clean them up. Make sure that they  
9 are maintained, cleaned regularly, stocked with  
10 paper towels and toilet paper.

11 Q. When you complained to Mrs. Stricklin  
12 before about the conditions of the bathroom, was  
13 that specific to toilet paper or anything else?

14 A. Oh, yes, the toilet paper because of  
15 Sharifa's situation with her having an accident  
16 surrounding that, and because I'd gone in there and  
17 seen that there's toilet paper missing. I asked  
18 her explicitly to make sure that the janitors, the  
19 custodians, go and check and make sure that the  
20 supplies are in there on a daily basis.

21 How hard is that? Sorry.

22 Q. What do you think the district should do  
23 to improve the quality of the bathroom conditions,  
24 if anything?

25 A. Well, they could set a policy that their

1 administrators make sure that they take care of  
 2 their campuses and include the restrooms in  
 3 whatever patrols are done on campus.  
 4 Q. What about the state.  
 5 A. The state can make sure that the district  
 6 has the tools, the funding that they need, and the  
 7 guidance to implement things like this. The state  
 8 sets policy, they set curriculum, they set  
 9 standards. Maybe they ought, because of these  
 10 problems, maybe they should have a standard that  
 11 includes bathrooms.  
 12 Q. Anything else?  
 13 MS. WELCH: Objection. Calls for expert  
 14 testimony, calls for speculation.  
 15 THE WITNESS: Anything in regards to what?  
 16 BY MR. LA COMBE:  
 17 Q. That the state should do to improve  
 18 conditions in the bathrooms?  
 19 A. Besides that this should be so and make it  
 20 so?  
 21 Q. Yeah.  
 22 A. Maybe they could appoint state bathroom  
 23 monitors, you know. You know, we have had parents  
 24 call the health department on them to the school  
 25 about the bathrooms.

1 Q. You've heard of parents calling the health  
 2 department?  
 3 A. Yes, I have.  
 4 Q. On how many occasions?  
 5 A. I believe twice.  
 6 Q. What happened?  
 7 A. I believe that -- that they received a  
 8 visit or call from the health department.  
 9 Q. Okay. When you say believe, what makes  
 10 you believe that they received a visit from the  
 11 health department?  
 12 A. The statements from the parent that said  
 13 she made the call.  
 14 Q. Who was that?  
 15 A. Gerald Riberio.  
 16 Q. Any other parents that you know of that  
 17 called the health department?  
 18 A. No.  
 19 Q. How many occasions? You said twice?  
 20 A. Yes.  
 21 Q. Do you know specifically what he  
 22 complained to the health department about?  
 23 A. No. And Gerald Riberio is a woman.  
 24 Q. A what?  
 25 A. A woman.

1 Q. I'm sorry.  
 2 A. That's okay.  
 3 Q. Let's talk about textbooks. In  
 4 paragraph 4 of your declaration you state:  
 5 "My daughter has no books to bring home  
 6 from school for homework. She has to use  
 7 Xerox copies her teacher gives her for  
 8 her homework."  
 9 I believe you already established that the  
 10 school now allows books to come home, is that  
 11 correct?  
 12 MS. WELCH: Objection. Mischaracterizes  
 13 her testimony.  
 14 THE WITNESS: That's true. When she got  
 15 to forth grade, she then had books that she could  
 16 take home.  
 17 BY MR. LA COMBE:  
 18 Q. Besides Sharifa's first, 2nd and 3rd grade  
 19 classes, are you aware of any other classes where  
 20 students were not able to take books home?  
 21 A. Yes. Other parents complained about -- in  
 22 fact, in addition to the parents saying that their  
 23 kids didn't bring books home, parents complained  
 24 that their children brought home books that were  
 25 old, moldy, you know, pretty torn up, books that

1 had been kind of hand-me-down from other schools  
 2 were complaints I heard.  
 3 The reason that was given to me as to why  
 4 they didn't bring books home were there weren't  
 5 enough books.  
 6 Q. Who told you there weren't enough  
 7 textbooks?  
 8 A. I can't say now. I don't know.  
 9 Q. Could it have been Mrs. Stricklin?  
 10 A. No. It could have been a teacher, though.  
 11 Q. Did Miss Stricklin ever explain to you why  
 12 they could not take books home in certain classes?  
 13 A. No, I can't say that she did.  
 14 Q. Prior to the 200-2001 school year, are you  
 15 aware of any classes where the students could take  
 16 the books home for homework?  
 17 A. At Parent? Actually, no.  
 18 Q. Are you aware of any reasons other than  
 19 there not being enough textbooks for why the  
 20 students were not allowed to take books home in  
 21 certain classes?  
 22 A. No.  
 23 Q. Do you know why school policy changed to  
 24 allow students to take home books?  
 25 MS. WELCH: Objection. Mischaracterizes

1 her testimony.  
 2 THE WITNESS: Right, because --  
 3 MS. WELCH: Calls for speculation.  
 4 THE WITNESS: I can't say that it was  
 5 school policy --  
 6 BY MR. LA COMBE:  
 7 Q. Okay.  
 8 A. -- as to why they didn't bring home books.  
 9 Q. Do you know why there was a change in the  
 10 ability for your daughter to take home books?  
 11 A. Probably the fact that they had more  
 12 books, there were enough books for all of the  
 13 students in the classroom.  
 14 Q. You say that Sharifa took home Xerox  
 15 copies?  
 16 A. Correct.  
 17 Q. Could you describe those homework packets  
 18 for me?  
 19 MS. WELCH: Objection. Vague as to time.  
 20 THE WITNESS: Any time during the school?  
 21 BY MR. LA COMBE:  
 22 Q. 3rd grade, I guess.  
 23 A. Math assignments. I don't know what else,  
 24 but I do remember particularly math.  
 25 Q. Do you recall that any of the packets were

1 kind of a hindrance.  
 2 Q. Okay. The complaint, paragraph 259, line  
 3 7 states:  
 4 "7th and 8th grade students do not have  
 5 science textbooks to use in class or to  
 6 take home."  
 7 Do you know if that's still the case?  
 8 A. I don't know. I hope not.  
 9 Q. Do you believe it was true at the time of  
 10 the complaint that the 7th and 8th grade students  
 11 didn't have science books?  
 12 A. Yes.  
 13 Q. Do you know why they didn't have science  
 14 books?  
 15 A. No.  
 16 Q. Do you know if they used materials other  
 17 than textbooks to learn science in 7th and 8th  
 18 grades?  
 19 A. I think they were using a teacher's guide  
 20 or book. They were making Xerox copies of that  
 21 material. I think the teacher might have had like  
 22 one copy of this book.  
 23 Q. What makes you think that?  
 24 A. Because this came out of the book study  
 25 that the strategic planning committee conducted,

1 incomplete?  
 2 A. What do you mean incomplete?  
 3 Q. Was she able to understand or finish her  
 4 homework based upon the materials that she had?  
 5 A. Well, if she had questions about her  
 6 homework, most of the time we could help her just  
 7 based upon general knowledge. There were times I'd  
 8 have to ask the teacher what took place or how we  
 9 got to some things. I guess that did happen a  
 10 couple times where we didn't know kind of what was  
 11 going on, and I had no way to look back to see what  
 12 led up to the point where, you know, the Xerox  
 13 page.  
 14 Q. Do you remember what you did when you were  
 15 under those circumstances?  
 16 A. Asked the teacher.  
 17 Q. Did the teacher explain it to you?  
 18 A. Yes.  
 19 Q. Do you believe the inability to take books  
 20 home interfered with Sharifa's inability to learn?  
 21 A. Yes.  
 22 Q. How so?  
 23 A. Well, if you have got homework, and you  
 24 have a question on it, a question that can't be  
 25 answered by the material that you have, then that's

1 and this was the report that I heard from that  
 2 study.  
 3 Q. Beside that textbook study, do you have  
 4 any other basis for knowing the materials that are  
 5 being used to teach 7th and 8th grade science?  
 6 A. No.  
 7 Q. What are your minimum expectations  
 8 regarding textbooks at school?  
 9 MS. WELCH: Objection. Vague.  
 10 THE WITNESS: What do you mean what are my  
 11 minimum expectations?  
 12 BY MR. LA COMBE:  
 13 Q. Okay. As to the quality, condition, age  
 14 of textbooks.  
 15 A. I think that textbooks should be in --  
 16 first of all, every student should have a textbook.  
 17 Q. Okay.  
 18 A. Okay. They should be in good order, you  
 19 know, not torn, missing pages. And they should be  
 20 current according to, I guess, what would be maybe  
 21 considered standard teaching standards. If the  
 22 district has a seven year or the state has a  
 23 seven-year book adoption cycle, then the books  
 24 should fall within that range.  
 25 And if it's a science book, I think seven



1 years is a bit of a stretch. Things change very  
 2 rapidly and students should be learning current  
 3 material when it comes to science and technology.  
 4 Okay?  
 5 Q. Okay. To your knowledge, are there any  
 6 textbooks issued at Parent that are not in good  
 7 order?  
 8 MS. WELCH: Objection. Vague.  
 9 THE WITNESS: You mean today?  
 10 BY MR. LA COMBE:  
 11 Q. Yes.  
 12 A. Today I don't know.  
 13 Q. Okay .  
 14 A. When we made our initial complaints, there  
 15 were parents complaining about textbooks being  
 16 moldy, old, torn. That's what led me to go look at  
 17 the books in my daughter's class.  
 18 Q. Let's talk about last year when you said  
 19 that new textbooks were purchased.  
 20 A. Uh-huh.  
 21 Q. Are you aware of new textbooks that have  
 22 been issued that are not in good order?  
 23 A. No.  
 24 Q. Are you aware of any that are torn?  
 25 MS. WELCH: Objection. Vague.

1 during the 1999-2000 school year."  
 2 A. Yes.  
 3 Q. Is that the class you were referring to?  
 4 A. Yes.  
 5 Q. Do you know if that library has bathrooms  
 6 attached to it?  
 7 A. There is a single toilet on the side of  
 8 the library.  
 9 Q. A unisex toilet?  
 10 A. It's a single toilet. Okay. Yes, both  
 11 sexes can use it.  
 12 Q. There's not one for each gender?  
 13 A. No. Yes -- no.  
 14 Q. Is the library about the same size as the  
 15 kindergarten classroom?  
 16 A. I believe the library is larger than the  
 17 kindergarten classroom.  
 18 Q. Where on the map is the library relative  
 19 to the kindergarten?  
 20 A. Well, according to my recollection, the  
 21 library would be number 9 and the kindergarten  
 22 class would be number 8 and also number 5.  
 23 Q. What do you mean "and also number 5"?  
 24 A. There were two kindergarten classes at one  
 25 time.

1 THE WITNESS: From the fall 2000?  
 2 BY MR. LA COMBE:  
 3 Q. Yeah.  
 4 A. No, not in Sharifa's classroom.  
 5 Q. Any with missing pages?  
 6 A. Not in Sharifa's classroom. They are new  
 7 books.  
 8 Q. And all the textbooks in her classroom  
 9 were current?  
 10 A. Yes, they were -- they were all new books.  
 11 Q. And every student had one?  
 12 A. I believe so.  
 13 Q. Are you aware of any classes that are  
 14 current being held in nonclassroom facilities?  
 15 A. No, not today. I don't know.  
 16 Q. Okay. Are you aware of any in the past?  
 17 A. Yes.  
 18 Q. Which were those?  
 19 A. Kindergarten class.  
 20 Q. Any others?  
 21 A. No.  
 22 Q. Okay. In the complaint, paragraph 262, it  
 23 discusses:  
 24  
 25 "A kindergarten class met in the library

1 Q. At one time?  
 2 A. Yes.  
 3 Q. Did you ever go into the library when a  
 4 kindergarten class was in session?  
 5 A. No.  
 6 Q. Have you ever talked to anybody who has?  
 7 A. Yes.  
 8 Q. Who was that?  
 9 A. Angela Monte.  
 10 Q. Did she tell you anything about the  
 11 conditions in that classroom, in the classroom in  
 12 the library, in the library where the class was  
 13 being held.  
 14 A. No, other than the fact that the class was  
 15 being held in the library.  
 16 Q. Do you know if the students had seats in  
 17 the library?  
 18 A. I don't know.  
 19 Q. Do you know if there were any kids who  
 20 weren't in that class who were using the library at  
 21 the same time as the class was in session?  
 22 A. Do I know if there were any children in  
 23 class that were using the library at the same time  
 24 that the class was in session?  
 25 MS. WELCH: It's a vague question.

1 THE WITNESS: Sure, I can say I heard  
 2 reports of that.  
 3 BY MR. LA COMBE:  
 4 Q. From?  
 5 A. From other parents.  
 6 I have a correction.  
 7 Q. What's that?  
 8 A. Earlier, I said the parent's name was  
 9 Barbara Rowe. The last name is Vaughn,  
 10 V-a-u-g-h-n. She was a parent that, I think,  
 11 volunteered in Debbie Burke's class.  
 12 Q. Were these half-day kindergarten classes?  
 13 A. Yes. I believe three hours, three and a  
 14 half hours.  
 15 Q. You believe the class occupied the library  
 16 for about three hours?  
 17 A. I don't know how long they were in there.  
 18 Q. Do you know if the school uses the  
 19 libraries for Stanford 9 testing?  
 20 A. I don't know.  
 21 Q. Are you aware of any classes taking place  
 22 in the library since the 99-2000 school year?  
 23 A. Well, no, school hadn't started. Well, it  
 24 would be 2000-2001. Yeah, I don't know.  
 25 Q. What do you think are the good qualities

1 student. She is a good citizen.  
 2 Q. What made you decide to get involved in  
 3 this lawsuit?  
 4 A. Having been working with this school for a  
 5 couple of years before this came up. It's funny, I  
 6 was actually talking with somebody at work, you  
 7 know, about the schools and the things that we were  
 8 doing.  
 9 And this lady said, "Well, gee, you know,  
 10 you really need to get, you know, more people  
 11 involved and take this to a bigger level."  
 12 And, you know, I don't know when that  
 13 conversation was relative to when I heard about the  
 14 lawsuit, but I was driving home one day and I heard  
 15 it on the radio, and they -- the lawsuit was  
 16 complaining about all the things that -- that we  
 17 had concerns about at our school: The textbooks,  
 18 the teaching staff, some of our facilities. It was  
 19 just amazing. So it was just something meant to  
 20 be.  
 21 Q. Okay.  
 22 A. I thought -- the reason I joined this  
 23 lawsuit, too, is I really think that it's something  
 24 that's going to help all the children in the state  
 25 of California. This is going to help our society,

1 about Parents School, if any?  
 2 MS. WELCH: Vague.  
 3 THE WITNESS: It's a neighborhood school.  
 4 My children could walk to it. It's got a good  
 5 parent support base. There are some good teachers  
 6 there.  
 7 BY MR. LA COMBE:  
 8 Q. Anything else?  
 9 A. Location, location, location. No.  
 10 Q. Now what we've talked about today, are  
 11 these all the facts, to your knowledge, that have  
 12 hurt Sharifa's educational experience at parent?  
 13 MS. WELCH: Objection. Vague, calls for  
 14 speculation, lacks foundation, calls for expert  
 15 testimony.  
 16 THE WITNESS: The things that we talked  
 17 about in here, things that have hurt her education?  
 18 BY MR. LA COMBE:  
 19 Q. Uh-huh.  
 20 A. Yes, these things have hindered her.  
 21 Q. Anything else besides what we have  
 22 discussed?  
 23 A. No.  
 24 Q. Okay.  
 25 A. She gets help from home. She's a good

1 okay.  
 2 You don't want people taking care of you  
 3 that are ill prepared when you're in your elderly  
 4 years or even later in life, even now. If you have  
 5 people that are not educated, they are not going  
 6 to -- they are going to have limited ability to  
 7 help you. And that's whether you're going to get  
 8 your lunch, whether it's -- you're going to the  
 9 restroom and you need somebody to clean it, or  
 10 somebody to work on your staff. People need to be  
 11 prepared for whatever they do. And if the schools  
 12 don't do it, we're in trouble.  
 13 Q. The person that you talked to at work, was  
 14 that someone who has -- does that person have a  
 15 child at Parent?  
 16 A. No, she doesn't. She was a teacher.  
 17 Q. She was a teacher?  
 18 A. Yes.  
 19 Q. At Parent?  
 20 A. No.  
 21 Q. And what radio program were you listening  
 22 to when you heard about the suit?  
 23 A. I don't know. The program, the station  
 24 was KPFK.  
 25 Q. Do you remember what the radio said about

1 the suit?  
 2 A. That a lawsuit had been filed against the  
 3 state of California alleging that the state is not  
 4 taking care of its responsibility in the school.  
 5 Q. How did you go about getting yourself  
 6 involved in the suit?  
 7 A. I called an 800 number.  
 8 Q. Where did you get the 800 number?  
 9 A. From the radio.  
 10 Q. Do you remember who you talked to on the  
 11 800 number?  
 12 A. It was a recording. I just left a  
 13 message.  
 14 Q. Okay. Did someone contact you after that?  
 15 A. Yes.  
 16 Q. Who was that?  
 17 A. You know, I'm not quite sure who it was  
 18 initially.  
 19 Q. Do you know if it's someone from the ACLU?  
 20 A. Oh, yes, it was.  
 21 Q. Was that an ACLU number that you called,  
 22 if you know?  
 23 A. It was 800, something like CAL ED. And I  
 24 don't know if that's enough numbers, but --  
 25 Q. Did you discuss joining the suit with

1 anybody else before you called the phone number?  
 2 A. No.  
 3 Q. And did you have any contact with  
 4 attorneys in this case between the initial phone  
 5 call and return from the 800 number and the press  
 6 conference?  
 7 A. Between the initial phone call and the  
 8 press conference?  
 9 Q. Uh-huh.  
 10 A. Well, yes. Yes, I met with someone from  
 11 the ACLU. They talked to us, you know, talked to  
 12 me about this, to see what we had to say.  
 13 Q. Okay. This was in person?  
 14 A. Yes.  
 15 Q. Okay. And who else was at the meeting?  
 16 A. Two law students, a couple other parents.  
 17 Q. Which parents?  
 18 A. Beverly Kukyendall and Marie Gray.  
 19 Q. What did you discuss at that meeting?  
 20 MS. WELCH: I'm going to object at this  
 21 point to the extent it calls for attorney-client  
 22 communication and instruct the witness not to  
 23 answer.  
 24 BY MR. LA COMBE:  
 25 Q. Okay. Had you already taken on the

1 attorneys as representing you in the lawsuit at the  
 2 time of the meeting?  
 3 A. At the first meeting?  
 4 Q. Uh-huh. No. We were just discussing what  
 5 was going on at our school.  
 6 MR. LA COMBE: I think she can answer the  
 7 question.  
 8 MS. WELCH: I wasn't sure which meeting  
 9 you were talking about. You know the point at  
 10 which an attorney-client relationship was formed,  
 11 you can talk about conversations that occurred  
 12 before that point but not after.  
 13 BY MR. LA COMBE:  
 14 Q. Go ahead.  
 15 I won't go any further than this one  
 16 meeting.  
 17 A. You said what was discussed?  
 18 Q. Yeah.  
 19 A. They just asked what was our experience.  
 20 And I gave them this documentation and, you know,  
 21 told them things that I basically said in my  
 22 declaration.  
 23 Q. Did you discuss drafting a declaration at  
 24 that point?  
 25 A. I'm not sure. I'm not sure.

1 Q. When did you decide to finally join the  
 2 lawsuit?  
 3 A. I guess I'll probably say really that day  
 4 at that meeting.  
 5 Q. Did they tell you anything about the  
 6 lawsuit, the attorneys?  
 7 A. Well, yeah, I'm sure they told us, you  
 8 know, what it was about.  
 9 Q. Do you remember what they said?  
 10 A. Well, the lawsuit was against the state of  
 11 California because of their lack of taking care of  
 12 the school and fulfilling their responsibility to  
 13 take care of the school, to provide textbooks for  
 14 the students, the fact that some schools had  
 15 delapidated facilities. And they were hoping to  
 16 get those things corrected.  
 17 Q. Anything else?  
 18 A. Not that I can recall right now.  
 19 Q. Do you recall the names of the attorneys?  
 20 A. That I met with?  
 21 Q. Uh-huh.  
 22 A. Catherine Lehman, who was the attorney,  
 23 and then there were two --  
 24 Q. Two students?  
 25 A. Interns, I think.

1 MR. LA COMBE: Why don't we take a brief  
2 break. I'll look over my outline and make sure I'm  
3 good.

4 MS. WELCH: Okay.  
5 (Recess.)

6 BY MR. LA COMBE:

7 Q. You mentioned earlier that some of the  
8 parents told you that some of the books are moldy?

9 A. Yes.

10 Q. Have you ever seen a moldy textbook?

11 MS. WELCH: Objection. Vague.

12 THE WITNESS: I have not seen a moldy  
13 textbook there at Parent.

14 BY MR. LA COMBE:

15 Q. All right. That's my question. It was  
16 great, wasn't it?

17 Let's do the stipulations.

18 MS. WELCH: I just have one follow-up  
19 question.

20  
21 EXAMINATION

22  
23 BY MS. WELCH:

24 Q. Miss McCauley, is there anything you'd  
25 like to add to your testimony today?

1 A. Yes. That I would like for the state to  
2 help the schools, the public schools in California  
3 to improve, to give them the materials, the  
4 funding, the facilities that they need in order to  
5 instruct the students.

6 I would like for the tax dollars that I  
7 pay to help fund the schools. I live in an area  
8 that does not qualify for Title 1 funding or other  
9 special categories of funding, but our school is  
10 lacking in a lot of things.

11 You can see in my letters I keep asking  
12 about funding. I've asked for audits of the  
13 school, which have not been granted. Because the  
14 principal has said there's lack of funding, that  
15 the reason they don't have things is because of  
16 funding.

17 Well, I can tell you that's not because my  
18 family and my neighbors are not paying their taxes.  
19 Okay. They are getting the tax money in and I  
20 don't know where it's going. But something needs  
21 to be done to make sure that the schools have the  
22 things that they need so that they can educate the  
23 students. Okay?

24 MR. LA COMBE: Okay.

25 THE WITNESS: Sore point.

1 MR. LA COMBE: Let's do the stipulation so  
2 we can go home.

3 MS. WELCH: Okay.

4 MR. LA COMBE: May we stipulate that  
5 copies of the document attached to the deposition  
6 may be used as originals?

7 MS. WELCH: Yes.

8 MR. LA COMBE: May we stipulate that the  
9 original of this deposition be signed under penalty  
10 of perjury; that the original be delivered to the  
11 office of Leecia Welch at Morrison & Foerster?

12 MS. WELCH: Yes.

13 MR. LA COMBE: That the reporter is  
14 relieved of liability for the original of the  
15 deposition; that the witness will have 15 days from  
16 the date of the court reporter's transmittal letter  
17 to review and correct the deposition -- to sign and  
18 correct the deposition; that Leecia Welch should  
19 notify all parties in writing of any changes in the  
20 deposition and what they are, if there are any. If  
21 there are no such changes communicated or signature  
22 within that time, any unsigned or uncorrected copy  
23 may be used for all purposes as if signed and  
24 corrected.

25 MS. WELCH: Yes.

1 MR. LA COMBE: Great. Let's go off.  
2 (Off the record discussion.)

3 MS. WELCH: You are not doing expedited?

4 MR. LA COMBE: No.

5 THE REPORTER: Did you need a copy?

6 MS. WELCH: Yes.

7 THE REPORTER: Do you take ASCII and  
8 Min-U-Script?

9 MS. WELCH: Yes, please.

10 THE REPORTER: Did you need a rough draft?

11 MS. WELCH: No, don't need it.

12 (The deposition concluded at 3:15 P.M.)  
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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.  
\_\_\_\_\_, California.

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WITNESS

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I, ASHALA TYLOR, a Certified Shorthand Reporter for the State of California, do hereby certify:

That prior to being examined, the witness named in the foregoing deposition, was by me duly sworn to testify as to the truth, the whole truth, and nothing but the truth pursuant to Section No. 2093 of the Code of Civil Procedure;

That said deposition was taken before me at the time and place therein set forth, and was taken down by me in shorthand and thereafter reduced to typewriting via computer-aided transcription under my direction;

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

IN WITNESS WHEREOF, I have hereunto subscribed my name this 19th day of SEPTEMBER, 2001.

\_\_\_\_\_  
ASHALA TYLOR  
CSR No. 2436, RPR, CRR