

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

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ELEIZER WILLIAMS, a minor, by)
Sweetie Williams, his guardian)
ad litem, et al.,)
Plaintiffs,)
vs.) No. 312236
STATE OF CALIFORNIA, DELAINE) VOLUME I
EASTIN, State Superintendent of)
Public Instruction, et al.,)
Defendants.)

Deposition of MARGARET ROLAND, at
400 South Hope Street, 15th Floor,
Los Angeles, California, commencing
at 9:50 A.M., Wednesday, June 20, 2001,
before Ricki Q. Melton, CSR No. 9400,
RPR No. 45429.

1 APPEARANCES OF COUNSEL:
 2
 3 FOR THE PLAINTIFFS:
 4
 5 ACLU FOUNDATION OF SOUTHERN CALIFORNIA
 6 BY: CATHERINE E. LHAMON, ESQ.
 7 1616 Beverly Boulevard
 8 Los Angeles, California 90026
 9 (213) 977-9500
 10
 11 FOR DEFENDANT STATE OF CALIFORNIA:
 12
 13 O'MELVENY & MYERS LLP
 14 BY: S. BENJAMIN ROZWOOD, ESQ.
 15 400 South Hope Street
 16 15th Floor
 17 Los Angeles, California 90071
 18 (213) 430-6000
 19
 20
 21
 22
 23
 24
 25

1 LOS ANGELES, CALIFORNIA, JUNE 20, 2001
 2 9:50 A.M.
 3 -o0o-
 4
 5 MARGARET ROLAND,
 6 the witness, having been administered an oath
 7 in accordance with CCP Section 2094, testified
 8 as follows:
 9
 10 EXAMINATION
 11 BY MR. ROZWOOD:
 12 Q. Good morning, Ms. Roland. My name is Ben 09:50:29
 13 Rozwood. I'm an attorney representing the State of 09:50:31
 14 California in this litigation. 09:50:34
 15 Have you ever had your deposition taken 09:50:35
 16 before? 09:50:36
 17 A. Yes. 09:50:36
 18 Q. How many times? 09:50:37
 19 A. Once. 09:50:39
 20 Q. What was that in connection with? 09:50:40
 21 A. The allegations that are charged against the 09:50:45
 22 district and the State with you. 09:50:48
 23 Didn't I do that with you? 09:50:51
 24 Q. In this case? I see what you are talking 09:50:52
 25 about. 09:50:56

1 APPEARANCES OF COUNSEL (CONTINUED):
 2
 3 FOR DEFENDANT LOS ANGELES UNIFIED SCHOOL DISTRICT:
 4
 5 LOZANO SMITH
 6 BY: HOWARD A. FRIEDMAN, ESQ.
 7 2800 28th Street
 8 Suite 240
 9 Santa Monica, California 90405
 10 (310) 382-5300
 11
 12 ALSO PRESENT:
 13
 14 GLADYS LIMON
 15
 16
 17
 18
 19
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 22
 23
 24
 25

1 MR. FRIEDMAN: That may be in reference to 09:50:56
 2 discussion -- 09:51:00
 3 BY MR. ROZWOOD: 09:51:02
 4 Q. You are referring to a meeting that we had 09:51:02
 5 pursuant to correspondence with Lozano and Smith 09:51:05
 6 related to settlement of the cross-complaint; 09:51:08
 7 correct? 09:51:11
 8 A. Correct. 09:51:11
 9 Q. Can you state and spell your full name for 09:51:13
 10 the record. 09:51:16
 11 A. Margaret, M-a-r-g-a-r-e-t, Roland, 09:51:17
 12 R-o-l-a-n-d. 09:51:21
 13 Q. I'm going to go over some of the ground 09:51:26
 14 rules in a deposition because it's different than in 09:51:28
 15 an informal meeting. 09:51:31
 16 A. Okay. 09:51:33
 17 Q. For one thing, you've already noticed you 09:51:34
 18 have been asked to take an oath, and that oath has 09:51:36
 19 the same sanctity and solemnity as an oath taken in a 09:51:38
 20 court of law. 09:51:42
 21 Do you understand that? 09:51:43
 22 A. Yes. 09:51:43
 23 Q. The reporter is going to transcribe 09:51:45
 24 everything that I say and everything that you say, 09:51:48
 25 and she is going to prepare a booklet for your 09:51:50

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1 review, which will be provided to counsel, and you 09:51:53
 2 are going to be entitled to review and comment on the 09:51:57
 3 transcript of this deposition, and all the attorneys 09:52:00
 4 in this case will have the opportunity to comment on 09:52:04
 5 any changes you make to the booklet. 09:52:07
 6 Do you understand that? 09:52:09
 7 A. Yes. 09:52:09
 8 Q. Is there any reason you can't give us your 09:52:16
 9 best testimony today? 09:52:19
 10 A. No. 09:52:19
 11 Q. Have you taken any medication or other 09:52:22
 12 substance -- 09:52:28
 13 A. No. 09:52:28
 14 Q. -- that would impair your ability to provide 09:52:29
 15 your best testimony today? 09:52:31
 16 A. No. 09:52:31
 17 Q. One of the things that you have to keep in 09:52:39
 18 mind in a deposition, which is a little bit 09:52:41
 19 different, is that, in order to keep the transcript 09:52:43
 20 clean and clear, it's best if you wait until I finish 09:52:46
 21 asking my question and that I wait until you finish 09:52:50
 22 answering before we speak. You may know where I'm 09:52:52
 23 going with my question, but that way the record is 09:52:57
 24 clear, and we are not talking over each other. 09:52:59
 25 Is that okay? 09:53:02

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1 A. It's okay. 09:53:03
 2 Q. If you could also verbalize your responses 09:53:03
 3 in the form of a "yes" or "no" or some other words, 09:53:06
 4 that will be better than an "uh-huh" or "huh-uh." 09:53:11
 5 Does that make sense? 09:53:14
 6 A. Yes. 09:53:14
 7 Q. Okay. If you have any questions, feel free 09:53:17
 8 to ask, and if you want to take a break, just tell 09:53:20
 9 me. 09:53:23
 10 Okay? 09:53:24
 11 A. Okay. 09:53:24
 12 Q. If you answer a question, I'm going to 09:53:25
 13 assume you understood the question. 09:53:27
 14 Is that fair? 09:53:28
 15 A. That's fair. 09:53:29
 16 Q. If you don't understand something that I ask 09:53:30
 17 you, will you let me know? 09:53:31
 18 A. Yes. 09:53:31
 19 Q. Okay. Very good. 09:53:34
 20 Can you describe your professional history 09:53:37
 21 in the Los Angeles Unified School District for us, 09:53:44
 22 please. 09:53:48
 23 A. Yes. I started as a new teacher in 1968. I 09:53:50
 24 stayed at that particular school for five years. 09:54:00
 25 Q. What school was that? 09:54:06

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1 A. Mount Vernon Junior High. 09:54:09
 2 Q. That is in the Los Angeles Unified School 09:54:11
 3 District? 09:54:14
 4 A. Yes. 09:54:14
 5 Q. And what subject did you teach? 09:54:17
 6 A. Physical education and health. 09:54:19
 7 Q. For all five years? 09:54:23
 8 A. Correct. 09:54:25
 9 Q. And after you left Mount Vernon? 09:54:27
 10 A. I transferred to Dorsey High School. I 09:54:30
 11 stayed there for ten years. 09:54:39
 12 Q. Until approximately 1983? 09:54:44
 13 A. Yes. 09:54:44
 14 Q. And what was your position at Dorsey High 09:54:48
 15 School? 09:54:51
 16 A. I was a teacher for one year, classroom 09:54:51
 17 teacher for one year; dean of students probably for 09:54:57
 18 three years; counselor for three years; magnet school 09:55:05
 19 coordinator for the remaining years. I'm assuming 09:55:19
 20 maybe three. 09:55:24
 21 Q. Where did you go after Dorsey? 09:55:30
 22 A. I was promoted and became an administrator 09:55:32
 23 in 1983, and I was assigned to Porter Middle School. 09:55:35
 24 It's in the Valley area. I stayed there for a 09:55:50
 25 semester. Due to cutbacks, I was reassigned to 09:55:53

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1 Sepulveda Middle School. 09:56:01
 2 Q. What were your responsibilities at Sepulveda 09:56:08
 3 Middle School? 09:56:11
 4 A. Assistant principal. 09:56:13
 5 Q. Were you an assistant at Porter Middle 09:56:15
 6 School? 09:56:18
 7 A. That's correct. 09:56:18
 8 Q. What were your responsibilities there for 09:56:19
 9 that one semester? 09:56:20
 10 A. Gosh, probably had to do with the master 09:56:23
 11 schedule more than any of the other areas. 09:56:27
 12 Q. And -- 09:56:36
 13 A. It changed. When I went to Sepulveda, I was 09:56:37
 14 assistant principal. They had names attached to 09:56:41
 15 them. At Sepulveda, I was assistant principal in 09:56:45
 16 charge of probably discipline and attendance. 09:56:49
 17 I stayed there for four years. 09:57:00
 18 Q. Until approximately 1987? 09:57:03
 19 A. Correct. I was assigned to Los Angeles High 09:57:05
 20 School, continuing with the same responsibilities 09:57:15
 21 from Sepulveda Middle School. 09:57:18
 22 Q. Discipline and attendance -- 09:57:22
 23 A. Basically -- 09:57:32
 24 Q. -- as an assistant principal; is that 09:57:32
 25 correct? 09:57:32

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1 A. That's correct. 09:57:32
 2 Q. How long were you at L.A. High School? 09:57:32
 3 A. I think probably five years. 09:57:32
 4 Q. Did your responsibilities change -- 09:57:36
 5 A. At L.A. High School -- 09:57:38
 6 Q. -- during your tenure at L.A. High School? 09:57:40
 7 A. No. Normally that position, assistant 09:57:43
 8 principal or administrative dean -- there was a name 09:57:47
 9 change -- those are the two major areas, discipline 09:57:50
 10 and attendance. 09:57:54
 11 Q. And where did you go after Los Angeles High 09:57:55
 12 School? 09:57:58
 13 A. I transferred to Bravo Medical Magnet as 09:57:59
 14 assistant principal without the endings, like 09:58:11
 15 attendance -- there are two levels, three levels, and 09:58:15
 16 that was, quote, generic assistant principal. That's 09:58:19
 17 what it's referred to at this point. 09:58:23
 18 Q. What were your responsibilities as assistant 09:58:27
 19 principal at Bravo Medical Magnet? 09:58:29
 20 A. Gosh, various. Let's see. 09:58:33
 21 Duties as assigned. 09:58:41
 22 Q. By the principal? 09:58:43
 23 A. By the principal. 09:58:44
 24 Q. And how long were you at Bravo Medical 09:58:55
 25 Magnet? 09:58:57

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1 A. Five years. 09:59:00
 2 Q. Is that, if I have this right, until 09:59:04
 3 approximately 1997? 09:59:06
 4 A. '98. 09:59:12
 5 Q. Okay. And where did you go after Bravo 09:59:14
 6 Medical Magnet? 09:59:16
 7 A. I transferred to Jefferson New Middle 09:59:18
 8 School. The name has changed recently. 09:59:21
 9 Q. Was that what it was called then? 09:59:27
 10 A. Yes. 09:59:27
 11 Q. What is the name now? 09:59:30
 12 A. Los Angeles Academy Middle School. 09:59:31
 13 Q. How long were you at Jefferson New Middle 09:59:40
 14 School? 09:59:44
 15 A. Two years. Approximately two years, I would 09:59:47
 16 say. I went there in, I think, May, and I left 09:59:56
 17 July 31st. So maybe a year and a half. And on 10:00:02
 18 July 31st, I accepted the principalship at Fremont 10:00:11
 19 High School. 10:00:18
 20 Q. Is that July 31st, 2000? 10:00:18
 21 A. That's correct. 10:00:21
 22 Q. I'm not sure I got this. 10:00:35
 23 Were you an assistant principal at Jefferson 10:00:38
 24 New Middle School? 10:00:41
 25 A. Yes. 10:00:41

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1 Q. Is that a generic assistant principal -- 10:00:43
 2 A. Yes. 10:00:43
 3 Q. -- similar to the role you had at -- 10:00:47
 4 A. Bravo. 10:00:49
 5 Q. -- Bravo? 10:00:54
 6 A. Yes. 10:00:54
 7 Q. Can you think of any specific duties or 10:00:55
 8 tasks that were assigned to you as assistant 10:00:57
 9 principal either at Bravo or Jefferson. 10:01:02
 10 I just want -- a couple of examples would be 10:01:04
 11 fine. 10:01:07
 12 A. Staffing. 10:01:08
 13 Q. Hiring and firing teachers? 10:01:09
 14 A. Hiring, supervision of instruction where I 10:01:12
 15 would coordinate staff evaluations. 10:01:17
 16 Q. Anything else that you can think of at the 10:01:29
 17 moment? 10:01:31
 18 A. Supervision of our deans and counselors, as 10:01:31
 19 well as coordinators. 10:01:45
 20 Q. Let's see if I have this right. 10:01:51
 21 You've been an employee of L.A. Unified 10:01:56
 22 School District for approximately 33 years; correct? 10:02:00
 23 A. Correct. 10:02:02
 24 Q. Have you taken any kind of continuing 10:02:16
 25 education classes or training classes in connection 10:02:21

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1 with your work as a teacher and administrator in the 10:02:25
 2 L.A. Unified School District over those years? 10:02:28
 3 MR. FRIEDMAN: Can I -- rather than object, 10:02:32
 4 for purposes of clarity, are you talking about, for 10:02:35
 5 example, starting after her teaching credential? 10:02:37
 6 My point of reference is: Are we talking 10:02:44
 7 about in-service training, or for example, after 10:02:46
 8 attaining a teaching credential, there may have been 10:02:50
 9 Master's programs or a number of other things. 10:02:53
 10 BY MR. ROZWOD: 10:02:57
 11 Q. Let me just withdraw the question and come 10:02:57
 12 back to it. 10:02:59
 13 What is your educational history prior to 10:03:03
 14 joining Los Angeles Unified School District? 10:03:06
 15 A. High school, college. 10:03:12
 16 Q. Where did you go to high school? 10:03:16
 17 A. L.C. Anderson High School in Austin, Texas. 10:03:17
 18 Q. And where did you go to college? 10:03:23
 19 A. Texas Southern University, Houston, Texas. 10:03:25
 20 Q. What was your major or degree in college? 10:03:37
 21 A. Major, physical education and social 10:03:39
 22 studies. 10:03:42
 23 Q. When did you graduate from Texas Southern 10:03:53
 24 University? 10:03:56
 25 A. January '68. 10:03:57

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1 Q. Was the teaching position at Mount Vernon 10:04:03
 2 your first job after graduating college? 10:04:09
 3 A. Yes. 10:04:15
 4 Q. Were you required to take any additional 10:04:16
 5 classes or training to become a teacher after you 10:04:18
 6 graduated college in '68? 10:04:22
 7 A. No. 10:04:22
 8 Q. Okay. After joining the L.A. Unified School 10:04:37
 9 District, did you take any other types of training 10:04:41
 10 classes relating to the continuing education of 10:04:45
 11 teachers or training of teachers? 10:04:52
 12 A. Yes. I continued -- I worked on a Master's 10:04:55
 13 degree during the summers and obtained that degree 10:05:01
 14 from Texas Southern. 10:05:05
 15 Q. And the Master's degree is in what field? 10:05:13
 16 A. Education. After having gone to Dorsey High 10:05:19
 17 School, I decided I wanted to become an 10:05:29
 18 administrator, and I took the classes I needed to get 10:05:32
 19 the administrative credential, and that was from 10:05:41
 20 Pepperdine University. 10:05:43
 21 I later -- I'm sorry. 10:05:52
 22 Q. No, please go ahead. I'm just clearing my 10:05:54
 23 throat. 10:05:57
 24 A. I later took classes to receive a counseling 10:05:58
 25 credential, and that was from Chapman University. 10:06:02

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1 Q. Can you spell that. 10:06:11
 2 A. C-h-a-p-m-a-n. 10:06:12
 3 Q. Thank you. 10:06:19
 4 A. Besides those classes, those that were 10:06:20
 5 required from the district, just in-services and 10:06:23
 6 workshops. 10:06:27
 7 Q. Can you describe generally what the district 10:06:41
 8 requires of its teachers and administrators in terms 10:06:45
 9 of workshops, as you've described them. 10:06:48
 10 A. There was only one major requirement, and it 10:06:52
 11 was called a multiculture 3.3 class that teachers and 10:06:56
 12 administrators had to take, and that came about in my 10:07:03
 13 Dorsey years. So whenever that was. 10:07:09
 14 Just about every year an administrator will 10:07:15
 15 have to take classes. It depends on what is going on 10:07:19
 16 that's major at this point. 10:07:25
 17 We had to take -- I think the newest thing 10:07:29
 18 was on standards. So we had to be in-serviced on 10:07:32
 19 standards. 10:07:35
 20 Q. What types of standards? 10:07:36
 21 A. District and State requirements. 10:07:39
 22 Q. Relating to what areas? 10:07:43
 23 A. All subject areas. 10:07:46
 24 Q. Curriculum? 10:07:48
 25 A. Curriculum, yes. 10:07:50

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1 Q. Can you think of any other classes or 10:07:58
 2 training courses or workshops that you took over your 10:08:00
 3 career with L.A. Unified? 10:08:06
 4 A. Well, the Learning Institute. 10:08:10
 5 Q. What was that? 10:08:13
 6 A. Supervision of instruction. 10:08:13
 7 Q. Is that for purposes of evaluating classroom 10:08:17
 8 teachers? 10:08:20
 9 A. A part of it is. 10:08:25
 10 Q. Can you tell me what else it relates to. 10:08:28
 11 A. It involves the entire atmosphere of a 10:08:32
 12 school campus. It's called basically the Learning 10:08:36
 13 Walk. It's the Learning Institute, but we 10:08:41
 14 participate in what is called a Learning Walk from 10:08:43
 15 that. 10:08:46
 16 Q. Can you describe that further for us. 10:08:48
 17 A. The Learning Walk consists of a team of 10:08:50
 18 teachers as well as administrators. You will go into 10:08:54
 19 a building, school site; you will look at the 10:09:01
 20 grounds; and you will make notes on what you see, the 10:09:06
 21 facilities. You walk in -- 10:09:12
 22 You are looking for basically things 10:09:14
 23 pertaining to learning and a learning atmosphere. 10:09:17
 24 You will walk down the halls, see what is in the 10:09:22
 25 halls, the students' work, posters, or display cases 10:09:25

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1 with students' work. You walk into a teacher's 10:09:32
 2 classroom. 10:09:38
 3 Generally it's a team of maybe five people. 10:09:39
 4 You will observe the atmosphere. You look at what 10:09:43
 5 the teacher is doing, what the students are doing. 10:09:46
 6 At some point you may want to walk around 10:09:51
 7 the room, look at projects. You even have an 10:09:53
 8 opportunity to confer with maybe a student who is 10:09:58
 9 near you, ask him questions. "Do you know what you 10:10:04
 10 are doing today and why you are doing it?" You may 10:10:09
 11 want to look at a bulletin board and say, "What does 10:10:13
 12 it take to get your work up there?" You talk a 10:10:15
 13 little bit about the assessment. 10:10:18
 14 Q. How long is the program at the Learning 10:10:23
 15 Institute? 10:10:25
 16 A. The district had this program maybe about 10:10:27
 17 ten years ago. It was a different name. It was 10:10:30
 18 called Focus on Learning. 10:10:33
 19 Q. And how long did the program that you 10:10:40
 20 participated in last? 10:10:42
 21 A. Well, it's ongoing. The superintendent 10:10:45
 22 brought that program in this school year, 10:10:48
 23 Superintendent Romer. My local district 10:10:54
 24 superintendent purchased the program for, I think, 10:10:57
 25 three years. 10:11:06

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1 Q. Is that Mr. McKenna? 10:11:06
 2 A. Yes, though, we had it this year, District I 10:11:09
 3 once a month, and it just culminated, I think, last 10:11:13
 4 week for this school year. 10:11:18
 5 Q. Okay. Just for this school year, can you 10:11:26
 6 describe how the focus worked at Fremont. 10:11:29
 7 A. I haven't presented it to the faculty 10:11:33
 8 because we just finished the first year. I want to 10:11:35
 9 present it and get input and get recommendations in 10:11:38
 10 terms of who will go through the walk and exactly -- 10:11:43
 11 I want to do a staff development first. 10:11:48
 12 I've gone through the training. The next 10:11:50
 13 step is to present it to the faculty. 10:11:53
 14 Q. Okay. And where was the training held? Was 10:11:56
 15 that at an administrative building in the local 10:12:00
 16 District I administrative offices? 10:12:03
 17 A. No, it was at a location that the 10:12:06
 18 superintendent got. 10:12:09
 19 Q. Okay. 10:12:09
 20 A. It was -- if you need the name of it, I 10:12:12
 21 don't know. 10:12:15
 22 Q. You are referring to Superintendent McKenna; 10:12:15
 23 correct? 10:12:15
 24 A. That's correct. 10:12:18
 25 Q. Were all the principals from District I 10:12:18

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1 invited to attend? 10:12:22
 2 A. That's correct. 10:12:24
 3 Q. Did they all attend, to your knowledge? 10:12:24
 4 A. Yes. It was mandatory. 10:12:27
 5 Q. It was mandatory? 10:12:28
 6 A. Yes. 10:12:28
 7 Q. Okay. And you met with the other principals 10:12:33
 8 in your local District I once a month for the entire 10:12:38
 9 school year? 10:12:41
 10 A. We met twice a month. One day of that month 10:12:43
 11 was strictly for the Learning Walk; the other was 10:12:48
 12 with principals for businesses and just get together 10:12:51
 13 in our various groups. 10:12:55
 14 Q. Okay. So once a month you met for purposes 10:12:58
 15 of -- 10:13:00
 16 A. The Learning Walk. 10:13:02
 17 Q. -- receiving the training on the Learning 10:13:03
 18 Walk; correct? 10:13:05
 19 A. Right. I'm sorry. 10:13:06
 20 Q. It's natural. You know what I'm going to 10:13:07
 21 ask; so it's natural to provide the answer. 10:13:09
 22 A. I'm sorry. That's correct. 10:13:13
 23 Q. And you said you met -- in addition to that 10:13:15
 24 meeting, you had another monthly meeting with the 10:13:17
 25 other principals in your local district; correct? 10:13:20

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1 A. That's correct. 10:13:24
 2 Q. What was the purpose of the second meeting. 10:13:24
 3 A. It was the superintendent's meeting, and a 10:13:26
 4 portion of that we discussed whatever was on his 10:13:32
 5 agenda. In the afternoon, we broke up into our 10:13:34
 6 individual complexes. 10:13:37
 7 Q. What is a complex? 10:13:39
 8 A. You have your elementary principals 10:13:41
 9 together, your middle school, and then your senior 10:13:43
 10 high and adult schools. 10:13:46
 11 Q. Are teachers -- let me ask it this way. 10:14:01
 12 Other than working your way toward a full 10:14:06
 13 credential, are the teachers required to take any 10:14:10
 14 other ongoing training or education classes in the 10:14:13
 15 district, to your knowledge, in the big district? 10:14:18
 16 A. Not to my knowledge. 10:14:22
 17 Q. Does the big district -- when I say "big 10:14:29
 18 district," I'm referring to Los Angeles Unified -- 10:14:31
 19 A. I know. 10:14:35
 20 Q. -- School District. 10:14:36
 21 Do you understand? 10:14:37
 22 A. Yes. 10:14:37
 23 Q. Does the big district offer continuing 10:14:38
 24 education or training courses to teachers other than 10:14:41
 25 those related to their credentials, to your 10:14:45

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1 knowledge? 10:14:49
 2 A. As of today, I don't know. In my day, they 10:14:51
 3 did. 10:14:57
 4 Q. What types of courses did they offer in your 10:14:58
 5 day? 10:15:01
 6 A. I'm sorry. I -- I misunderstood. 10:15:05
 7 In terms of the district offering classes, 10:15:08
 8 I'm going back to in-services and workshops. So I 10:15:12
 9 want to withdraw that statement. 10:15:16
 10 I'm not certain of classes that they offer. 10:15:18
 11 Well, you didn't ask that question. So I'm not 10:15:25
 12 certain of the classes they offer, if they offer 10:15:28
 13 them. 10:15:30
 14 Q. Okay. In your opinion, are the -- well, 10:15:36
 15 strike that. 10:15:38
 16 What is the relationship, in your view, 10:15:44
 17 between the credentialing process and the ability or 10:15:46
 18 effectiveness of a classroom teacher? 10:15:49
 19 A. Repeat that. 10:15:52
 20 MR. ROZWOOD: Go ahead. 10:16:07
 21 (Question read by the reporter.) 10:16:07
 22 THE WITNESS: I really don't know the 10:16:09
 23 credentialing process that the district has. 10:16:11
 24 BY MR. ROZWOOD: 10:16:16
 25 Q. Okay. Let me ask it this way. 10:16:16

1 Do you think that -- well, strike that. 10:16:19
 2 Who at Fremont is responsible for 10:16:31
 3 supervising the -- well, strike that. 10:16:38
 4 You've testified that you've had an 10:17:07
 5 opportunity over the years in the big district to 10:17:08
 6 conduct staff evaluations and supervise classroom 10:17:12
 7 teachers; correct? 10:17:16
 8 A. That's correct. 10:17:18
 9 Q. In your experience, does the quality or 10:17:21
 10 effectiveness of a classroom teacher depend on how 10:17:26
 11 far along they are in obtaining their full 10:17:29
 12 credentials? 10:17:33
 13 A. To some extent. 10:17:38
 14 Q. Have you ever seen -- do you know -- strike 10:17:41
 15 that. 10:17:48
 16 Are you aware of something called an 10:17:49
 17 emergency credential or emergency waiver from -- 10:17:50
 18 A. Yes. 10:17:50
 19 Q. And do you have any teachers at Fremont 10:17:55
 20 currently that are on emergency credentials? 10:17:58
 21 A. Yes. 10:17:58
 22 Q. And are those teachers -- any of those 10:18:02
 23 teachers excellent teachers, in your view? 10:18:05
 24 A. Yes. 10:18:05
 25 Q. Can you give us the names of the excellent 10:18:10

1 teachers at Fremont that are on emergency waivers. 10:18:12
 2 MR. FRIEDMAN: I'm going to object. My 10:18:16
 3 concern being the confidentiality of personnel 10:18:20
 4 records. 10:18:26
 5 My concern is commendations of some 10:18:26
 6 teachers, by inference it perhaps means some other 10:18:30
 7 type of evaluation of those people that aren't 10:18:35
 8 mentioned. 10:18:38
 9 MR. ROZWOOD: All it means is that the ones 10:18:40
 10 that are on the list are on the list of excellent 10:18:41
 11 teachers at Fremont that are on emergency waivers, 10:18:46
 12 credentials. There's no personnel records being 10:18:51
 13 sought by this question or information contained 10:18:55
 14 therein. 10:18:57
 15 MR. FRIEDMAN: I'll -- you can go ahead and 10:18:58
 16 respond to it. 10:19:02
 17 I'm just expressing, I guess, concern at 10:19:03
 18 this point to be cognizant of that in asking further 10:19:06
 19 follow-up questions. 10:19:12
 20 THE WITNESS: I think I would be limited 10:19:13
 21 because, on this first year, we had departments. 10:19:15
 22 Normally a principal would more or less evaluate the 10:19:19
 23 entire staff, maybe make a visit. This year, because 10:19:22
 24 of a shortage of administrators, I was only able to 10:19:26
 25 evaluate the social studies department. I could only 10:19:31

1 give you names from that department. 10:19:37
 2 When I answered yes, it's in terms of shared 10:19:40
 3 information from my other administrators, and that 10:19:46
 4 would be, I guess, hearsay because I didn't 10:19:49
 5 personally observe them. 10:19:59
 6 So I would only be able to give you names of 10:19:59
 7 teachers that I observed personally where I spent a 10:19:59
 8 lot of time in their classes to be able to discern 10:20:02
 9 that they were excellent. 10:20:06
 10 If this is what you want, just from social 10:20:08
 11 studies, I could give you that information, but -- 10:20:10
 12 BY MR. ROZWOOD: 10:20:10
 13 Q. Please do. 10:20:15
 14 A. -- the others I would not be able to. 10:20:15
 15 Q. What are the names of teachers in social 10:20:19
 16 studies? 10:20:21
 17 A. [REDACTED] 10:20:23
 18 Q. Any others? 10:20:25
 19 A. [REDACTED] 10:20:28
 20 Q. How do you spell that? 10:20:31
 21 A. [REDACTED] 10:20:33
 22 I'm thinking. I can only think of [REDACTED] 10:20:42
 23 [REDACTED] think that's the last name. 10:20:46
 24 You only want the new teachers? 10:20:55
 25 Q. Just the ones on emergency credentials. 10:20:57

1 A. Okay. 10:21:01
 2 MR. ROZWOOD: Howard, what is the proper 10:21:01
 3 reference to this -- is it emergency credentials? 10:21:02
 4 MR. FRIEDMAN: I think that -- I guess for 10:21:08
 5 purposes of framework, you as a teacher has either 10:21:10
 6 some form of credential from the State for a teaching 10:21:15
 7 credential or is able to start working with what they 10:21:22
 8 refer to as an emergency credential. 10:21:25
 9 BY MR. ROZWOOD: 10:21:28
 10 Q. [REDACTED] and [REDACTED] all 10:21:28
 11 have emergency credentials? 10:21:33
 12 A. That's correct. 10:21:35
 13 Q. And you would characterize these teachers as 10:21:35
 14 excellent? 10:21:37
 15 A. Yes. 10:21:37
 16 Q. Based upon your personal evaluations of 10:21:38
 17 their performance in the classroom; correct? 10:21:41
 18 A. Correct. 10:21:44
 19 Q. You mentioned there were other excellent 10:21:44
 20 teachers but your knowledge of their excellence comes 10:21:47
 21 solely through your conversations with other 10:21:51
 22 administrators. 10:21:53
 23 A. Yes. 10:21:53
 24 Q. Do you remember any -- 10:21:55
 25 A. I really -- 10:21:56

1 Q. -- names of those teachers? 10:21:57
 2 A. I really wouldn't want to try to think at 10:21:59
 3 this moment who they are. I just know I'm constantly 10:22:01
 4 told of outstanding -- there are so many new 10:22:05
 5 teachers, and again, in terms of the names, there are 10:22:08
 6 so many I wouldn't be able to do that without giving 10:22:14
 7 more thought to them in terms of the names. 10:22:26
 8 I can see the faces but not the names and 10:22:30
 9 faces at that point. 10:22:32
 10 Q. That's -- 10:22:34
 11 A. If it's okay, we can come back to that, and 10:22:49
 12 I can think of it later if you want to, and I can 10:22:53
 13 probably come up with a few names. 10:22:56
 14 Q. Okay. As always, in your deposition, if you 10:22:58
 15 can think of anything you would like to add to a 10:23:00
 16 response you provided earlier, you can always let me 10:23:05
 17 know, and we can go on the record and supplement your 10:23:08
 18 response. 10:23:12
 19 If you think of any and would like to share 10:23:12
 20 them with us, we would be happy to put them on the 10:23:15
 21 record. 10:23:18
 22 A. Okay. 10:23:18
 23 Q. What is it, in your view, that makes an 10:23:27
 24 excellent teacher? 10:23:29
 25 You described, you know -- you testified 10:23:30

1 A. The type of activities that are taking 10:25:00
 2 place. 10:25:03
 3 Q. Can you be more specific? 10:25:06
 4 A. If the teacher is showing films and 10:25:09
 5 lecturing versus students who are working in groups, 10:25:15
 6 collaborative learning situations. Different 10:25:21
 7 teaching strategies and techniques, motivation. 10:25:28
 8 Q. The ability to motivate -- 10:25:44
 9 A. The students. 10:25:46
 10 Q. -- the students in the class? 10:25:47
 11 A. Yes. 10:25:47
 12 Q. What is relevant, in your view, to a 10:25:50
 13 classroom teacher's ability to motivate his or her 10:25:54
 14 students? 10:25:58
 15 A. The rapport he or she has with the kids, 10:25:58
 16 showing care and concern for students. 10:26:06
 17 Q. Showing care and concern for the students or 10:26:11
 18 showing care and concern for their ability to learn 10:26:14
 19 or both? 10:26:16
 20 A. Both. 10:26:17
 21 Q. How about being prepared with a lesson plan? 10:26:28
 22 Is that important? 10:26:32
 23 A. Very. 10:26:33
 24 Q. How about attending class regularly, 10:26:35
 25 minimizing absences? 10:26:39

1 that there are many excellent teachers at Fremont 10:23:33
 2 that have emergency credentials, and you've listed a 10:23:38
 3 few names. 10:23:41
 4 What is it, in your view, that makes a 10:23:43
 5 classroom teacher excellent? 10:23:46
 6 A. Content knowledge. 10:23:52
 7 Q. Knowledge of the subject matter? 10:23:57
 8 A. Yes. 10:24:01
 9 Q. Anything else? 10:24:02
 10 A. The climate of the classroom. 10:24:05
 11 Q. What about the climate of the classroom? 10:24:12
 12 A. The behavior of the students, the responses 10:24:21
 13 of students. 10:24:25
 14 Q. What do you mean "responses of students"? 10:24:31
 15 A. If they are contributing to the discussion. 10:24:35
 16 Q. So the participation of the students -- 10:24:40
 17 A. Participation, right. 10:24:43
 18 Q. -- in the class? 10:24:46
 19 The higher participation, the better the 10:24:47
 20 teacher? 10:24:52
 21 A. I feel that it is. 10:24:53
 22 Q. What else, in your view -- 10:24:54
 23 A. The -- sorry. 10:24:55
 24 Q. -- is an indicator of excellence in 10:24:56
 25 classroom teaching? 10:24:59

1 A. Very important. 10:26:42
 2 Q. When you said [REDACTED] and [REDACTED] and 10:26:46
 3 [REDACTED] were excellent teachers, did you have 10:26:50
 4 these factors in mind that we have just listed? 10:26:54
 5 A. Yes. 10:26:54
 6 Q. Can you think of any other factors that bear 10:27:08
 7 on the quality or effectiveness of a classroom 10:27:08
 8 teacher? 10:27:08
 9 A. Sometimes you are able to discern if a 10:27:08
 10 person has a passion for teaching versus those who 10:27:09
 11 are there because of the downsizing in a particular 10:27:17
 12 company. 10:27:23
 13 Q. Or the paycheck? 10:27:24
 14 A. Yes. 10:27:24
 15 Q. How important, in your view, is the passion 10:27:29
 16 for teaching on the list of factors that we have 10:27:32
 17 discussed so far? 10:27:36
 18 A. Probably, I would say, 90 percent. I just 10:27:38
 19 feel that you need to love teaching and enjoy 10:27:44
 20 teaching and working with kids. It's very important. 10:27:47
 21 It's high on the scale, whichever scale assessment 10:27:56
 22 tool you want to use, but it's very high. 10:28:00
 23 Q. And do [REDACTED] and [REDACTED] and 10:28:03
 24 [REDACTED] have a passion for teaching and working 10:28:08
 25 with the kids in their classrooms? 10:28:11

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1 A. Yes. 10:28:11
 2 Q. In your experience, over your 33-year career 10:28:18
 3 with the big district, have you ever seen senior 10:28:23
 4 teachers lose their passion for teaching over time? 10:28:45
 5 A. Yes. 10:28:45
 6 Q. How common is that, in your view? 10:28:58
 7 A. I don't know that it's that common, but I 10:29:05
 8 could say that I've observed maybe on an average of 10:29:08
 9 two at most of the schools that I have worked at. 10:29:15
 10 Q. We've put together a list or you've 10:29:26
 11 testified to a list of factors that relate to the 10:29:30
 12 quality and effectiveness of classroom teachers, but 10:29:33
 13 you haven't mentioned the status of the credential of 10:29:44
 14 the teacher. 10:29:47
 15 Can you explain why that is not on the list? 10:29:48
 16 A. Well, I guess I can do that. 10:29:53
 17 I have -- in terms of credentialing, I have 10:29:56
 18 found -- I have visited new teachers -- and I want to 10:30:03
 19 say I base this on my last experience with the middle 10:30:06
 20 school because I was primarily involved with the 10:30:10
 21 staffing there more than I am now. The job differs 10:30:13
 22 as an AP. 10:30:17
 23 I had the opportunity to work with new 10:30:19
 24 teachers, and I met monthly with them. Not only do 10:30:21
 25 they have the knowledge of the subject matter, they 10:30:29

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1 have the energy, they have new strategies, 10:30:33
 2 methodologies for delivery. So there are times when 10:30:37
 3 I'm excited when I can walk in and see a new teacher 10:30:42
 4 with all of these new ideas -- recent college 10:30:47
 5 graduates, et cetera, versus one who is now 10:30:50
 6 comfortable on the job and more or less is laid back. 10:30:53
 7 One of those that I've said a few minutes 10:30:57
 8 ago on the average you see a couple of them, and you 10:31:00
 9 walk in, and it's still read the questions in the 10:31:05
 10 back of the book or the lectures, and you look at the 10:31:09
 11 kids, and you can see they are bored. 10:31:13
 12 And so that's my comparison and observation 10:31:15
 13 of the new or not-yet credentialed teachers versus 10:31:18
 14 those who are tenured in terms of classroom 10:31:21
 15 performance. 10:31:30
 16 Q. You testified earlier that you weren't aware 10:32:02
 17 of the exact credentialing procedures that the 10:32:04
 18 district has for its teachers right now; is that 10:32:07
 19 correct? 10:32:07
 20 A. That's correct, in terms of the process. 10:32:10
 21 Q. Do you know generally what the purpose of 10:32:15
 22 the credentialing process is? 10:32:20
 23 A. I guess I would say no, I don't. 10:32:27
 24 Q. In your view, does it add anything to the 10:32:30
 25 effectiveness or quality of a classroom teacher, to 10:32:34

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1 go through the credentialing process? 10:32:38
 2 A. I think so. 10:32:43
 3 Q. What does it add? 10:32:45
 4 A. It adds, I think, credibility to the 10:32:48
 5 teaching profession. Not only that, you are mandated 10:32:54
 6 to take other classes, education classes, that you 10:33:00
 7 may not have, and you are continuing with the 10:33:03
 8 requirements to be -- to meet the needs of becoming a 10:33:10
 9 tenured person if that is what you are interested in. 10:33:14
 10 Q. What types of classes do you have to take as 10:33:17
 11 part of the process? 10:33:21
 12 A. I really don't know that. 10:33:22
 13 Q. But you think they are valuable for the 10:33:24
 14 quality and effectiveness of the classroom teaching, 10:33:27
 15 whatever they are? 10:33:30
 16 A. Yes. 10:33:30
 17 Q. Where on the list of items that we discussed 10:33:31
 18 that are relevant to the quality and effectiveness of 10:33:34
 19 a classroom teacher does the teaching credentialing 10:33:37
 20 process come? Where on the list, in your view, does 10:33:42
 21 it appear? Is it high on the list? Is it low on the 10:33:47
 22 list? 10:33:50
 23 A. I think that it's high. I say that because 10:33:53
 24 I feel that, as in any profession, there's a criteria 10:34:02
 25 that you must meet. And I don't know, again, the 10:34:07

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1 exact process, but I would think that, if you are 10:34:14
 2 going to teach and there's a credential that's 10:34:18
 3 needed, you should get it just like you would get a 10:34:23
 4 driver's license if you wanted to drive a car or an 10:34:26
 5 automobile. 10:34:30
 6 Q. Do you think it's sufficient to be working 10:34:34
 7 towards a credential, or do you think it's a 10:34:38
 8 prerequisite -- it should be a prerequisite to 10:34:42
 9 teaching in general that you already have the 10:34:46
 10 credential in place? 10:34:56
 11 A. I think if you have the college degree, 10:34:56
 12 maybe it was not an education, but if you are a 10:34:56
 13 degreed person, then that should be sufficient if you 10:34:56
 14 want to go in and you continue the process to receive 10:34:59
 15 the teaching credential. I think that should be a 10:35:03
 16 necessity. 10:35:07
 17 I've forgotten exactly the question that you 10:35:08
 18 asked, but I think the minimum requirement of having 10:35:10
 19 a college degree -- maybe not in education but if you 10:35:14
 20 choose to go there, I think you need to take the 10:35:19
 21 classes that you would need to meet that. 10:35:21
 22 Q. Are all the teachers who -- let me ask it 10:35:25
 23 this way. 10:35:32
 24 Are there -- you testified already there are 10:35:33
 25 teachers at Fremont that are not yet fully 10:35:36

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1 credentialed; is that correct? 10:35:38

2 A. That's correct. 10:35:40

3 Q. Do you know approximately how many teachers 10:35:40

4 you have in total at Fremont? 10:35:42

5 A. That are not credentialed? 10:35:45

6 Q. Just in total. 10:35:47

7 A. Total number of teachers? 10:35:48

8 Q. Yes. 10:35:50

9 A. Probably about 209 or -10, and that is a 10:35:51

10 guesstimate. 10:35:55

11 Q. Is that your best estimate? 10:35:56

12 A. Yes. 10:35:56

13 Q. Okay. One of the rules I forgot to mention 10:35:59

14 is we don't want you to guess, but we do want your 10:36:01

15 best estimate. 10:36:05

16 A. Okay. 10:36:05

17 Q. If you can give us an estimate -- 10:36:06

18 A. Okay. 10:36:07

19 Q. -- then that's fine. 10:36:08

20 210 is your best estimate? 10:36:09

21 A. Yes. 10:36:09

22 Q. How many of those teachers, in your best 10:36:12

23 estimate, are not yet fully credentialed? 10:36:14

24 A. Maybe 25 to 30. 10:36:26

25 Q. And the rest are fully credentialed? 10:36:28

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1 A. I'm not positive. I really don't know. 10:36:32

2 Q. Who is responsible for this area of 10:36:36

3 administration at Fremont? 10:36:37

4 A. Mrs. Hines. 10:36:40

5 Q. Okay. We actually will be talking to 10:36:41

6 Ms. Hines again. So we can ask her. 10:36:46

7 Are you basing your response of 10:36:49

8 approximately 25 to 30 on anything in particular? 10:36:50

9 A. From the number of teachers that I've seen 10:36:54

10 come by since I've been there. There could be others 10:36:58

11 who are still uncredentialed who were already on 10:37:01

12 staff and I don't know who they are. 10:37:08

13 Based on what I've noticed during the 10:37:10

14 year -- 10:37:12

15 Q. Okay. 10:37:12

16 A. -- that I've been there, I would think we 10:37:14

17 maybe picked up our -- in the process I have names 10:37:17

18 who are new hires, I would say 25 to 30. 10:37:22

19 Q. And that's not counting any 10:37:27

20 uncredentialed -- sorry. Strike that. 10:37:30

21 Not counting any teachers that lack full 10:37:34

22 credentials that may have been at Fremont before you 10:37:39

23 arrived; correct? 10:37:42

24 A. Correct. 10:37:51

25 Q. You say that reluctantly. 10:37:51

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1 A. I'm saying that -- but I probably should say 10:37:53

2 I'm not certain. 10:37:56

3 Q. That's a better answer if that's the answer. 10:37:57

4 Let's just talk to Ms. Hines about this point. 10:37:59

5 A. Okay. Do that. 10:38:02

6 MS. LHAMON: Don't let us lead you. You 10:38:04

7 need to tell us what you know all day. 10:38:06

8 THE WITNESS: Okay. 10:38:09

9 MR. ROZWOOD: Well, object to any 10:38:11

10 characterization to my questions as leading. 10:38:13

11 MS. LHAMON: I wasn't impugning you with bad 10:38:15

12 faith. 10:38:18

13 You should stick with answers that you know, 10:38:18

14 and if you don't, I think it's fair that -- 10:38:20

15 BY MR. ROZWOOD: 10:38:20

16 Q. I think you testified you know on personal 10:38:24

17 experience that at least 25 to 30 teachers are not 10:38:26

18 fully qualified. 10:38:29

19 A. Maybe I'll change that later. 10:38:31

20 Q. But at least that number, to your knowledge; 10:38:33

21 correct? 10:38:33

22 A. In terms of thinking that what has come 10:38:41

23 across my desk, I would probably say that, since 10:38:45

24 July -- again, it's a guesstimate, and maybe the 10:38:50

25 numbers are a little higher, and I wish I could give 10:38:55

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1 you a better answer, but I can't. 10:39:00

2 Q. That's okay. You can only, like Ms. Lhamon 10:39:02

3 says, say what you know. 10:39:07

4 To your knowledge, are all the teachers 10:39:15

5 lacking full credentials working their way towards 10:39:17

6 obtaining them at Fremont High School? 10:39:21

7 A. Say that again. 10:39:23

8 Q. Are the teachers at Fremont that currently 10:39:24

9 lack full credentials working their way towards 10:39:26

10 obtaining those full credentials? 10:39:29

11 A. I would hope so, and I say this simply 10:39:32

12 because the district will send us a -- send me a 10:39:36

13 reminder, a copy of the letter that they sent to 10:39:39

14 those particular teachers, saying that your 10:39:43

15 credential expires on this date, and they let me know 10:39:48

16 because I will have to release them if they have not 10:39:52

17 performed or completed whatever it is they have to 10:39:55

18 do. So I am notified and so are the teachers. 10:39:58

19 Q. Have you had to release any teachers for 10:40:01

20 failure to keep their -- 10:40:03

21 A. No. 10:40:03

22 Q. -- credentials current -- 10:40:06

23 A. No. 10:40:06

24 Q. -- or comply with any credential-related 10:40:08

25 requirements? 10:40:11

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1 A. No. 10:40:12
 2 Q. Ms. Roland, when was your first exposure to 10:40:20
 3 this lawsuit? 10:40:23
 4 A. Probably -- let's see. September maybe. 10:40:27
 5 Q. September of 2000? 10:40:35
 6 A. Yes. 10:40:35
 7 Q. And how did you come to learn of this 10:40:39
 8 lawsuit in September of 2000? 10:40:42
 9 A. I received a call from the director, high 10:40:46
 10 school director, out of Dr. McKenna's office who 10:40:52
 11 mentioned it to me, asking me to submit to her, as 10:40:58
 12 best as I possibly could, paperwork regarding some of 10:41:07
 13 the allegations that were made, and that was the 10:41:12
 14 first time I was -- I'm assuming that it was 10:41:18
 15 September. 10:41:29
 16 It was early after I had arrived. 10:41:29
 17 Q. Welcome aboard. 10:41:29
 18 What is the name of the director you are 10:41:31
 19 referring to at local District I? 10:41:33
 20 A. Adreda Pruitt. 10:41:36
 21 Q. P-r-u-i-t-t? 10:41:44
 22 A. Yes. 10:41:44
 23 MR. ROZWOOD: I'm going to mark as an 10:41:48
 24 exhibit -- Exhibit 1 to your deposition a document 10:41:55
 25 that contains some allegations relating to Fremont 10:41:59

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1 Senior High School. 10:42:03
 2 (Document referred to above was 10:42:03
 3 marked as Defendants' Exhibit 1 10:42:03
 4 for identification by the reporter 10:42:17
 5 and is attached hereto.) 10:42:17
 6 BY MR. ROZWOOD: 10:42:17
 7 Q. I'll ask you to review it and see if you 10:42:18
 8 recognize any of these allegations. 10:42:23
 9 MS. LHAMON: While you are reviewing it, 10:42:35
 10 this document is an excerpt from the First Amended 10:42:36
 11 Complaint that the plaintiffs filed, but it's the 10:42:41
 12 red-lined version or excerpt from the red-lined 10:42:43
 13 version. So it has some marks on the page 49 that do 10:42:46
 14 not appear on the First Amended Complaint filed in 10:42:51
 15 court. 10:42:54
 16 MR. ROZWOOD: This document is two pages, 10:42:55
 17 and it contains paragraphs 218 through 226 of the 10:42:58
 18 plaintiffs' First Amended Complaint as filed with the 10:43:06
 19 court in this matter. 10:43:09
 20 MR. FRIEDMAN: Everybody made their 10:43:11
 21 representations. After that, I don't think it 10:43:12
 22 matters because you'll ask questions about the 10:43:14
 23 contents of the document, and whatever it is, it is. 10:43:17
 24 BY MR. ROZWOOD: 10:43:21
 25 Q. Do you recognize the allegations -- 10:43:21

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1 A. Yes. 10:43:21
 2 Q. -- in Exhibit 1? 10:43:23
 3 A. Yes. 10:43:25
 4 Q. Are these the allegations that you were 10:43:26
 5 responding to back in or about September of 2000? 10:43:30
 6 A. Yes. 10:43:30
 7 Q. What did you -- let me ask this first 10:43:40
 8 question. 10:43:49
 9 What was your reaction upon first receiving 10:43:49
 10 the allegations about Fremont Senior High School? 10:43:51
 11 A. At that time being a new principal, I didn't 10:44:02
 12 have a reaction. I was too new. And the only thing 10:44:05
 13 as a new principal I was trying to do was respond, 10:44:09
 14 and at that time, I did the best that I could to be 10:44:14
 15 able to present what little information I could. 10:44:20
 16 Q. What did you do to respond? 10:44:22
 17 A. I talked to the administrators who were on 10:44:25
 18 campus at that time before they all promoted. 10:44:30
 19 Q. Which administrators did you talk to? 10:44:36
 20 A. I talked with Penny Sommers. 10:44:39
 21 Q. Can you spell her last name for us? 10:44:44
 22 A. S-o-m-m-e-r-s. 10:44:46
 23 Q. Where has she been promoted to? 10:44:50
 24 A. The big district. I don't know her title, 10:44:53
 25 but I think her major responsibilities are working 10:44:59

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1 with colleges and universities. 10:45:03
 2 Q. What other administrators did you talk to 10:45:06
 3 about the allegations? 10:45:08
 4 A. I talked with -- how soon do we forget -- 10:45:10
 5 Flores -- I'm trying to think of his first name. It 10:45:21
 6 will come to mind. He was the assistant principal in 10:45:26
 7 charge of the plant. 10:45:30
 8 Q. Is he currently with Fremont High School? 10:45:33
 9 A. No. 10:45:33
 10 Q. Where he is now? Do you know? 10:45:36
 11 A. I think he is with District J. 10:45:38
 12 Q. That's the local District J? 10:45:46
 13 A. Yes. 10:45:46
 14 Q. And did you speak to any other 10:45:48
 15 administrators about the allegations? 10:45:50
 16 A. No. I spoke to the two of them because they 10:45:57
 17 were primarily responsible for the things that are 10:46:02
 18 listed here. Mrs. Sommers more than any of the 10:46:06
 19 others. 10:46:10
 20 Q. What was her responsibility at Fremont when 10:46:11
 21 she was there? 10:46:15
 22 A. She was assistant principal counseling 10:46:16
 23 services in charge of scheduling classes and 10:46:18
 24 students. 10:46:27
 25 Q. Did you speak with any administrators at 10:46:36

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1 Fremont about the allegations in or about September 10:46:39
 2 of 2000? 10:46:43
 3 A. They were at Fremont, those two. 10:46:46
 4 Q. At that time they were still with Fremont? 10:46:51
 5 A. Yes. 10:46:51
 6 Q. Any other administrator or employees at 10:46:55
 7 Fremont High School? Did you speak with any others? 10:46:58
 8 A. Only the other one that remained, and that's 10:47:00
 9 Marcie Hines. 10:47:04
 10 Q. Okay. Can you think of anyone else other 10:47:08
 11 than Ms. Sommers, Ms. Hines, and Mr. Flores? 10:47:10
 12 A. As administrators, those would be the only 10:47:14
 13 ones. I did speak with other people. 10:47:18
 14 Q. Who else did you speak with? 10:47:19
 15 A. I met with the textbook clerk. 10:47:21
 16 Q. What is her name? 10:47:25
 17 A. Linda Jones. 10:47:26
 18 Q. Who else did you speak with? 10:47:31
 19 A. Claudia Gil, spelled G-i-l. 10:47:36
 20 Q. What was her position at the time you spoke 10:47:41
 21 with her? 10:47:43
 22 A. College advisor. 10:47:44
 23 Q. Does she remain with the school now? 10:47:46
 24 A. Yes. 10:47:46
 25 Q. Is she still the college advisor at Fremont? 10:47:50

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1 A. Yes, this was her first year. 10:47:52
 2 Q. Was she with Fremont during the prior school 10:47:58
 3 year? 10:48:00
 4 A. Yes. 10:48:00
 5 Q. What was her position then? 10:48:01
 6 A. I'm not certain. I never asked. 10:48:05
 7 Q. Was she involved in the counseling area 10:48:09
 8 generally? Do you know? 10:48:11
 9 A. I don't know. 10:48:14
 10 Q. Other than Ms. Gil and Ms. Jones and the 10:48:15
 11 three administrators, do you remember speaking to 10:48:22
 12 anyone else about the allegations? 10:48:24
 13 A. Yes. 10:48:24
 14 Q. Who else? 10:48:26
 15 A. The plant manager. 10:48:26
 16 Q. Who was that? 10:48:28
 17 A. CJ. Don't ask me how to spell his last 10:48:29
 18 name. Let's see if I write it down. Wenceslao, 10:48:32
 19 that's spelled W-e-n-c-e-s-l-a-o. 10:48:39
 20 Q. Was Mr. Wenceslao the plant manager during 10:48:53
 21 the 1999/2000 school year at Fremont? 10:48:53
 22 A. Yes. 10:48:53
 23 Q. And he continued as plant manager during the 10:49:01
 24 2000/2001 school year? 10:49:03
 25 A. Yes. 10:49:03

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1 Q. Who else did you speak with about the 10:49:13
 2 allegations in or about September 2000? 10:49:14
 3 A. Those are the only people I can recall right 10:49:19
 4 now. 10:49:21
 5 Q. And after speaking with these individuals, 10:49:23
 6 what was your feeling about the merit or relative 10:49:28
 7 merit of the allegations generally? 10:49:34
 8 A. It's really -- well, I guess I was amazed in 10:49:43
 9 terms of the textbooks, the allegation about 10:49:47
 10 textbooks, having talked with the textbook clerk and 10:49:54
 11 having her to give me an inventory printout of the 10:50:02
 12 books in terms of numbers. I felt that we were okay. 10:50:07
 13 There were some departments with more an abundance in 10:50:17
 14 terms of numbers than others. 10:50:23
 15 In terms of the damage, I was not appalled. 10:50:27
 16 I see that and have seen that at most of the schools 10:50:32
 17 I have worked in terms of graffiti in books and the 10:50:35
 18 wear and tear of books. 10:50:41
 19 Q. As you sit here today, do you remember 10:50:47
 20 having any other reactions to the relative merit of 10:50:49
 21 the allegations after speaking with these 10:50:52
 22 administrators and other employees at Fremont High 10:50:56
 23 School? 10:51:01
 24 A. Yes. In speaking with the plant manager, I 10:51:05
 25 was able to ask him to show me logs. So I felt 10:51:07

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1 better. 10:51:12
 2 At least I knew that trouble calls were made 10:51:15
 3 in terms of the rodents and the pests and in terms of 10:51:19
 4 the rest rooms. 10:51:26
 5 Q. Is there anything else that you can think of 10:51:37
 6 that -- 10:51:39
 7 A. Yes. In terms of the number of classes, 10:51:41
 8 service classes, I did have the assistant principal 10:51:45
 9 to run me a program to show me, and I thought that it 10:51:52
 10 was an enormous number of students in classes -- 10:51:59
 11 enrolled in service. 10:52:05
 12 Q. It was enormous? 10:52:07
 13 A. Yes, more than I have seen at other schools. 10:52:09
 14 Q. Did you ever determine why that was? 10:52:23
 15 A. Not really. 10:52:29
 16 Q. Do you know whether the number of students 10:52:38
 17 taking service classes has remained the same since 10:52:41
 18 that time? 10:52:45
 19 A. Oh, all of this has changed. Everything 10:52:46
 20 that is here has changed since I have been on board 10:52:48
 21 and after that report. 10:52:52
 22 Q. Okay. 10:52:52
 23 A. So at that point in terms of service, only 10:52:55
 24 seniors will be taking service classes. 10:52:58
 25 Q. Okay. We will get to what the school is 10:53:12

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1 doing now -- 10:53:14
 2 A. Okay. 10:53:16
 3 Q. -- but I want to go back to that time in 10:53:16
 4 September of 2000 after you talked to these people 10:53:19
 5 and if you can remember anything else about your 10:53:22
 6 reaction at that time after reviewing the allegations 10:53:24
 7 and speaking to these three administrators and three 10:53:27
 8 other individuals. 10:53:30
 9 A. Okay. I talked about textbooks and the 10:53:37
 10 service. The only thing I can say is I didn't see it 10:53:39
 11 and I just don't believe that students are standing 10:53:49
 12 in classes more than a day, and that would probably 10:53:57
 13 be because of programming into a particular class. I 10:54:01
 14 think I read somewhere where they have to stand 10:54:07
 15 because it's overcrowded in the classroom. 10:54:09
 16 I didn't really look at that because, in 10:54:13
 17 talking with the head counselor and having been one, 10:54:18
 18 I know that this is something that you don't do. 10:54:21
 19 Maybe the very first day of enrollment. 10:54:24
 20 Q. I just want to remind you what I'm 10:54:30
 21 interested in is not what the response was but what 10:54:32
 22 your reaction was after you had spoken to them. I 10:54:36
 23 want you to put yourself in that frame of mind -- 10:54:39
 24 A. Okay. 10:54:42
 25 Q. -- and tell me what was your feeling about 10:54:43

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1 the allegations that were made without reference to 10:54:45
 2 the specific exhibit before you. 10:54:48
 3 A. Okay. Well, the first thing I felt is this 10:54:56
 4 is unbelievable that this is being said about the 10:55:01
 5 school, and I immediately wanted to find out exactly 10:55:03
 6 what was going on and if these things did happen, and 10:55:10
 7 it was just hard to believe that this is what was 10:55:15
 8 alleged. 10:55:19
 9 Q. After you spoke to the six people we have 10:55:19
 10 listed, what was your feeling about the relative 10:55:21
 11 merit of the allegations in general? 10:55:25
 12 A. Well, I felt that maybe some of the things 10:55:32
 13 that had been alleged were accurate, but I felt -- 10:55:35
 14 again, at that situation how I felt about it, I felt 10:55:41
 15 that something needed to be done, that if this is 10:55:45
 16 true, we need to rectify it. 10:55:48
 17 Q. Do you know which of the allegations were 10:55:51
 18 accurate? 10:55:53
 19 A. Well, I mentioned the service classes. 10:55:56
 20 Q. Other than the service classes, were there 10:55:58
 21 any other allegations that you reviewed, investigated 10:56:00
 22 that were accurate? 10:56:04
 23 A. Not enough textbooks. 10:56:08
 24 Q. Can you think of any other allegations that 10:56:17
 25 were accurate? 10:56:19

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1 A. No. 10:56:19
 2 Q. Let's look at Exhibit 1. 10:56:23
 3 Let me remind you that you are free to take 10:56:26
 4 a break at any time if you want. 10:56:29
 5 MR. FRIEDMAN: I was going to ask if we can 10:56:33
 6 take a break for a few minutes at 11:00 o'clock so I 10:56:35
 7 can make a phone call. 10:56:40
 8 MR. ROZWOOD: It's 5 to 11:00. Why don't 10:56:41
 9 you make the phone call now, and we will start with 10:56:53
 10 Exhibit 1 when we get back. 10:56:53
 11 Q. You can review it in the meantime. 10:56:53
 12 Off the record. 10:56:53
 13 (Off the record.) 11:16:40
 14 MR. ROZWOOD: Back on the record. 11:16:40
 15 Q. Can you look at Exhibit 1, Ms. Roland. Do 11:16:47
 16 you have Exhibit 1 in front of you? 11:16:53
 17 A. Yes. 11:16:53
 18 Q. Do you know Cindy Diego and Glauz Diego? 11:17:00
 19 A. No, I don't know them. 11:17:07
 20 Q. Have you ever met either one? 11:17:08
 21 A. Not to my knowledge. 11:17:10
 22 Q. Okay. Do you see where it says on line 3 of 11:17:13
 23 the first page of Exhibit 1, in paragraph 218, that: 11:17:15
 24 "...as many as three students must 11:17:24
 25 share a single book during class 11:17:26

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1 time in some classes because the 11:17:28
 2 school does not have enough books 11:17:30
 3 for all the students"? 11:17:33
 4 Do you see that? 11:17:35
 5 A. Yes. 11:17:35
 6 Q. Is that an accurate statement currently 11:17:37
 7 about Fremont? 11:17:39
 8 A. No. 11:17:39
 9 Q. Is that an accurate statement at the time 11:17:40
 10 these allegations were made? 11:17:42
 11 A. Based on the inventory I had of textbooks, 11:17:46
 12 it doesn't appear to be an accurate statement. 11:17:50
 13 Q. It appears to be inaccurate? 11:17:53
 14 A. Yes. 11:17:53
 15 Q. What about the textbook inventory led you to 11:18:03
 16 believe that this was an inaccurate statement? 11:18:06
 17 A. Based on the number of students that was in 11:18:13
 18 that particular class and the numbers that were given 11:18:17
 19 to me by the textbook clerk. 11:18:24
 20 Q. So you compared the number of textbooks 11:18:30
 21 available to the number of students? 11:18:32
 22 A. Yes. 11:18:32
 23 Q. Did you do that for each class? 11:18:36
 24 A. No, I didn't. I was doing it because this 11:18:40
 25 is what was said in this particular -- it was a 11:18:43

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1 government or something. 11:18:46
 2 Q. So you did it for the particular class -- I 11:18:47
 3 don't see -- 11:18:50
 4 A. Okay. I'm sorry. 11:18:51
 5 Q. I don't see a specific allegation in this 11:18:52
 6 paragraph 218 about which class. 11:18:55
 7 Are you referring to some other document? 11:18:57
 8 A. Probably. And let me -- 11:19:00
 9 Q. Let me see. Maybe it's here. Maybe it's 11:19:02
 10 one of the declarations. 11:19:04
 11 Let's just stick to this for now actually. 11:19:07
 12 I guess what I will do is mark as Exhibit 2 a 11:19:16
 13 declaration of Cindy Diego submitted by plaintiffs' 11:19:19
 14 counsel in support of their motion to certify a class 11:19:24
 15 in this action. 11:19:31
 16 (Document referred to above was 11:19:31
 17 marked as Defendants' Exhibit 2 11:19:31
 18 for identification by the reporter 11:19:44
 19 and is attached hereto.) 11:19:44
 20 MR. ROZWOOD: Let's mark as Exhibit 3 a 11:19:44
 21 declaration of Glauz Diego dated and signed 11:19:48
 22 September 9th, 2000. 11:19:52
 23 (Document referred to above was 11:19:52
 24 marked as Defendants' Exhibit 3 11:19:52
 25 for identification by the reporter 11:20:14

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1 and is attached hereto.) 11:20:14
 2 MS. LHAMON: I'm going to correct that. 11:20:15
 3 It's dated August 9th. Exhibit 3 is dated 11:20:16
 4 August 9th. 11:20:21
 5 MR. FRIEDMAN: Correct. 11:20:22
 6 BY MR. ROZWOOD: 11:20:26
 7 Q. Exhibit 3 bears Bates No. PLTF 00115 11:20:26
 8 through 00137, and Exhibit 2 bears Bates stamp 11:20:31
 9 PLTF 00129 through 00131. 11:20:42
 10 Can you please review the declarations of 11:20:52
 11 Glauz and Cindy Diego, Ms. Roland? 11:20:56
 12 A. On Glauz and Cindy? 11:21:02
 13 Q. Correct. 11:21:04
 14 MR. FRIEDMAN: Why don't we go off the 11:21:05
 15 record while you are doing that. 11:21:07
 16 MR. ROZWOOD: No, let's stay on the record. 11:21:08
 17 I have to introduce more exhibits. 11:21:10
 18 I'm going to mark as Exhibit 4 a 11:21:25
 19 declaration -- another declaration from Glauz Diego, 11:21:33
 20 Bates No. PLFT 00132 through 00134. 11:21:37
 21 This declaration is dated and signed as 11:21:43
 22 of -- on January 30th, 2001. 11:21:46
 23 (Document referred to above was
 24 marked as Defendants' Exhibit 4
 25 for identification by the reporter

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1 and is attached hereto.)
 2 THE REPORTER: Please don't write on the
 3 exhibit.
 4 THE WITNESS: I didn't write, but I did 11:22:13
 5 underline a couple of things. 11:22:15
 6 BY MR. ROZWOOD: 11:22:06
 7 Q. Did you write on one of the exhibits? 11:22:06
 8 A. I circled the name. 11:22:08
 9 MS. LHAMON: I can give you back one of the 11:22:11
 10 copies. 11:22:13
 11 MR. ROZWOOD: That's okay. We will just 11:22:17
 12 mark another copy of that document, and that will be 11:22:18
 13 Exhibit 3. 11:22:26
 14 Q. Just remember that the ones that you have 11:22:31
 15 are the ones that are attached to your deposition 11:22:33
 16 transcript. 11:22:36
 17 So we will let you replace this one, but any 11:22:38
 18 subsequent marks will be reflected in the permanent 11:22:41
 19 record of the deposition. 11:22:46
 20 If you could please just review, while I'm 11:23:04
 21 introducing this next exhibit, the declarations you 11:23:09
 22 have been given, I would appreciate it. 11:23:11
 23 As Exhibit 5, I have introduced a 11:23:22
 24 declaration of Sindy Ramirez, Bates Nos. PLTF 00138 11:23:28
 25 through 00140. 11:23:35

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1 (Document referred to above was 11:23:35
 2 marked as Defendants' Exhibit 5 11:23:50
 3 for identification by the reporter 11:23:50
 4 and is attached hereto.) 11:23:50
 5 MR. FRIEDMAN: Can I just observe that at 11:23:50
 6 least my copy, which I assume is the same as 11:23:51
 7 everybody else's, I don't have a date of execution. 11:23:56
 8 There's a space that refers to July 2000, but there's 11:23:58
 9 not a date. 11:24:02
 10 MR. ROZWOOD: You are talking about 11:24:03
 11 Exhibit 5? 11:24:04
 12 MR. FRIEDMAN: That's correct. 11:24:05
 13 MR. ROZWOOD: Okay. It looks like the blank 11:24:06
 14 on the date was not filled in. It does indicate the 11:24:10
 15 month July 2000. That's correct. 11:24:16
 16 Q. Will you let us know after you have had a 11:24:44
 17 chance to review the declarations marked as Exhibits 11:24:46
 18 2 through 5. 11:24:50
 19 A. Sure. 11:24:54
 20 Q. Thank you. 11:24:55
 21 MR. FRIEDMAN: While Ms. Roland is reading 11:25:04
 22 those exhibits, I just want to indicate a point of 11:25:06
 23 clarification because there's been reference made to 11:25:09
 24 the plant manager. 11:25:21
 25 I think we have his spelling of what I 11:25:21

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1 believe is his first name. I know in Ms. Hines's 11:25:21
2 deposition there's a reference to Mr. Ceja, C-e-j-a, 11:25:21
3 first name W, and I think we made an effort during 11:25:27
4 her deposition to get a spelling. Perhaps we have a 11:25:30
5 more accurate spelling of his first name. 11:25:34
6 THE WITNESS: I have finished. 11:25:49
7 BY MR. ROZWOOD: 11:25:50
8 Q. Okay. Can we turn back to Exhibit 1 -- no, 11:25:51
9 let me ask you: Have you ever seen any of these 11:26:01
10 declarations before, any of the declarations marked 11:26:04
11 as Exhibits 2 through 5? 11:26:06
12 A. Yes, at an informal meeting for the first 11:26:12
13 time that I had with you and someone else at the 11:26:17
14 Board of Ed. 11:26:20
15 Q. Okay. Is that the first time you saw any 11:26:21
16 declaration from any student in this action? 11:26:24
17 A. That's correct. 11:26:26
18 Q. And since that meeting, have you had an 11:26:27
19 opportunity to review any student declarations? 11:26:34
20 A. No. 11:26:34
21 Q. So as you sit here today, this is the second 11:26:42
22 time you've seen any declarations from students at 11:26:48
23 Fremont in connection with this matter; correct? 11:26:52
24 A. Correct. 11:26:54
25 Q. Okay. I would like to turn back to 11:27:12

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1 Exhibit 1 and ask you again about three students 11:27:14
2 sharing a single book during class time. 11:27:23
3 Are you aware of any instances in which 11:27:28
4 three students had to share a single book at class 11:27:32
5 time at Fremont High School? 11:27:35
6 A. No. 11:27:35
7 Q. Do you have any idea what this allegation is 11:27:39
8 referring to in paragraph 218 on lines 3 and 4 of 11:27:40
9 Exhibit 1? 11:27:45
10 A. No. 11:27:45
11 Q. Do you see the next sentence where it says: 11:27:49
12 "The students who share books in 11:27:51
13 class cannot take books home for 11:27:53
14 homework"? 11:27:55
15 A. Yes, I see it. 11:27:56
16 Q. Is that an accurate statement about Fremont? 11:27:57
17 A. At the time of the writing? 11:28:04
18 Q. Let me withdraw that question. 11:28:09
19 Are you aware of any instances in which 11:28:13
20 students are forced to share books in class at 11:28:16
21 Fremont? 11:28:19
22 A. No. 11:28:20
23 Q. Not even two students at a time? 11:28:20
24 A. I'm not aware. 11:28:23
25 Q. Are you aware of any instances in which 11:28:33

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1 students who wanted to take books home for homework 11:28:36
2 were not allowed to do so? 11:28:39
3 A. No. 11:28:39
4 Q. If you were to become aware of such a 11:28:42
5 circumstance where several students were sharing 11:28:44
6 books or a student couldn't take a book home for 11:28:47
7 homework, how would you become aware of that? 11:28:50
8 MS. LHAMON: Objection. Calls for 11:28:54
9 speculation. 11:28:55
10 BY MR. ROZWOOD: 11:28:56
11 Q. You can answer. 11:28:57
12 A. I would become aware if the teacher 11:28:59
13 mentioned to me a shortage of books or if a student 11:29:02
14 came to me and said, "I don't have a book." 11:29:06
15 Q. Since you've been at Fremont, has any 11:29:12
16 teacher or student approached you about insufficient 11:29:14
17 numbers of books for use in class? 11:29:20
18 A. Yes. 11:29:20
19 Q. Do you remember which teachers or which 11:29:26
20 classes? 11:29:28
21 A. An AP government class. 11:29:29
22 Q. What was the teacher? 11:29:32
23 A. I'm sorry? 11:29:35
24 Q. Do you know the name of the teacher of that 11:29:35
25 class? 11:29:37

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1 A. Last name is Olynyk, O-l-y-n-y-k. 11:29:37
2 Q. Mister? 11:29:44
3 A. Yes. 11:29:45
4 Q. And you learned of the inadequate number of 11:29:48
5 books from Mr. Olynyk? 11:29:51
6 A. Yes. 11:29:51
7 Q. Did any students approach you about the 11:29:56
8 problem? 11:29:58
9 A. I don't recall. 11:30:04
10 Q. What did you do -- let me ask you this. 11:30:04
11 What did Mr. Olynyk tell you exactly? 11:30:08
12 A. That he had picked up an AP class, 11:30:11
13 government class, that he didn't know that he was 11:30:15
14 going to have and there were no books for the AP 11:30:18
15 government. 11:30:23
16 Q. And what did you tell him? 11:30:24
17 A. "Let me investigate." 11:30:27
18 Q. And what did you do? 11:30:28
19 A. I checked with the department chair, and I 11:30:30
20 checked with the textbook clerk who confirmed that 11:30:34
21 there were no books, and I had her call two schools, 11:30:40
22 and we were able to get them within a couple of days, 11:30:46
23 and I personally apologized to the students, and I 11:30:52
24 did get the books to the classroom. 11:30:56
25 Q. You borrowed them from another school? 11:30:59

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1 A. Yes. 11:30:59
2 Q. What school? Do you remember? 11:31:01
3 A. Locke High School. 11:31:04
4 Q. Could you identify any other instances where
5 a teacher or student approached you about 11:31:07
6 insufficient textbooks? 11:31:12
7 A. No. 11:31:12
8 Q. Does Fremont High School have a policy about 11:31:31
9 textbook availability for use in class? 11:31:37
10 A. I don't know if Fremont has a policy in 11:31:46
11 place. I can say that, under the last 11:31:51
12 superintendent, maybe the one prior, it was during my 11:31:58
13 stay at Jefferson Middle School there was a directive 11:32:05
14 from the superintendent that all students will have 11:32:09
15 books in the classroom and all students will have a 11:32:13
16 book to carry home and -- 11:32:19
17 Q. Is that -- I'm sorry to interrupt. Go 11:32:22
18 ahead. 11:32:25
19 A. That was Ruben Zacharias. 11:32:26
20 Q. Of the big district? 11:32:29
21 A. Yes. 11:32:29
22 Q. Superintendent of the big district; correct? 11:32:32
23 A. Correct. 11:32:34
24 Q. To your knowledge, does Fremont provide a 11:32:40
25 textbook for every student to use in class where 11:32:43

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1 necessary and appropriate to do so? 11:32:47
2 A. I don't think they have -- they meet the 11:32:53
3 requirement that I just mentioned in terms of having 11:32:57
4 a complete classroom set as well as a book to take 11:33:00
5 home. 11:33:06
6 Q. Is the directive you are referring to that 11:33:12
7 was issued under the tenure of Superintendent 11:33:12
8 Zacharias? 11:33:17
9 A. That's correct. 11:33:19
10 Q. Is that directive applicable to schools in 11:33:20
11 the Los Angeles Unified School District today? 11:33:26
12 A. That I'm not certain of. 11:33:31
13 Q. If it is applicable, Fremont is not in 11:33:46
14 compliance with it; correct? 11:33:49
15 A. That's correct. Can I add onto that? 11:33:51
16 Q. Sure. 11:34:05
17 A. I would like to say that, come July 2nd, we 11:34:06
18 will be in compliance because -- 11:34:09
19 Q. Is it your understanding -- sorry. Go 11:34:12
20 ahead. 11:34:16
21 A. -- because we have ordered books, and that 11:34:16
22 was a directive of our small district superintendent 11:34:19
23 that we order the books. 11:34:24
24 As a matter of fact, they placed the orders 11:34:28
25 themselves to assure that we had them. 11:34:30

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1 Q. To your knowledge, local District I has a 11:34:37
2 policy where each classroom has to have a classroom 11:34:40
3 set of books and a book for each student to take home 11:34:44
4 for homework? 11:34:47
5 A. I don't want to say that. 11:34:50
6 Q. What do you want to say? 11:34:54
7 A. Because I don't know if that is a policy. 11:34:56
8 The only thing that I can say is that all of the 11:34:59
9 schools were told that we would have books in each of 11:35:03
10 the academic subject areas and we had to supply the 11:35:06
11 number of books we needed, and the district placed 11:35:10
12 the orders, and some -- or most, if not all -- I have 11:35:14
13 not checked -- have arrived, especially -- well, they 11:35:20
14 have arrived. 11:35:25
15 Q. What academic subjects are you referring to? 11:35:27
16 A. Math, science, English, social studies. 11:35:30
17 Q. And so in those classes, after July 2nd of 11:35:40
18 this year, Fremont will have sufficient number of 11:35:43
19 textbooks for use in class as well as a textbook for 11:35:46
20 each student to take home? 11:35:52
21 A. That's correct. 11:35:53
22 Q. Do you know if other local districts are 11:36:08
23 doing anything similar? 11:36:11
24 A. I'm not certain, but I think there is 11:36:14
25 something with the new math requirement that I think 11:36:17

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1 all of the district will have to order the math 11:36:21
2 books. 11:36:26
3 Q. Do you see in paragraph 218 of Exhibit 1 on 11:36:37
4 line 7 where it refers to students taking home 11:36:40
5 incomplete work sheets and photocopied lessons? 11:36:45
6 A. Yes, I see that. 11:36:51
7 Q. Do you have any idea what this allegation is 11:36:52
8 referring to? 11:36:55
9 A. No idea. 11:36:57
10 Q. Are you aware of any, quote, "incomplete 11:36:58
11 work sheets," unquote, that are used in classrooms at 11:37:01
12 Fremont High School? 11:37:04
13 A. No, I'm not. 11:37:07
14 Q. Are you aware of any incomplete work sheets 11:37:07
15 that are used in connection with any course -- in 11:37:10
16 class or for homework purposes -- at Fremont? 11:37:15
17 A. No, I'm not. 11:37:19
18 Q. Are you aware of any instances in which 11:37:25
19 assignments are given to students for homework that 11:37:28
20 require the students to refer to the background 11:37:31
21 information contained in textbooks? 11:37:38
22 A. No, I'm not. 11:37:42
23 Q. When you conducted your investigation in or 11:37:56
24 about September of 2000, did you learn anything -- 11:37:59
25 strike that. 11:38:08

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1 When you conducted your investigation in or 11:38:08
2 about September of 2000, did you discover any classes 11:38:10
3 that did not have any textbooks at all? 11:38:17
4 A. No. 11:38:17
5 Q. Do you see the statement on line 9 that 11:38:25
6 says: 11:38:27
7 "Students in some classes do not 11:38:29
8 have any books at all"? 11:38:30
9 A. Yes, I see that. 11:38:33
10 Q. To your knowledge, has that ever been an 11:38:36
11 accurate statement about any class at Fremont? 11:38:40
12 A. It has not been brought to my attention that 11:38:43
13 we had classes, especially the academics, the four 11:38:45
14 academics, that did not have books. 11:38:50
15 Q. Do you see where it says: 11:38:57
16 "The books the students do have to 11:38:59
17 use in school are often old and 11:39:01
18 tattered with pages missing and 11:39:04
19 covers falling apart"? 11:39:06
20 A. Yes, I see that line. 11:39:08
21 Q. Do you think that's an accurate statement 11:39:12
22 about the condition of the books at Fremont as they 11:39:14
23 existed in or about September of 2000? 11:39:17
24 A. I don't think that is accurate, not just 11:39:22
25 because of Fremont, but because of my knowledge of 11:39:25

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1 the textbook system; whereas, the textbook clerk has 11:39:29
2 to pull all of the textbooks. They are gauged like 11:39:33
3 A, B, or C condition, and anything below a C 11:39:38
4 condition, they do not put it out to be checked out 11:39:42
5 by the teachers. 11:39:45
6 Q. Is that the way Ms. Jones operates the 11:39:48
7 textbook inventory at Fremont as well? 11:39:54
8 A. Definitely. 11:39:57
9 Q. You have personal knowledge of -- 11:40:00
10 A. Yes. 11:40:00
11 Q. -- that fact? 11:40:02
12 A. Yes. 11:40:03
13 Q. That she doesn't issue any books marked in D 11:40:04
14 or lower condition? 11:40:08
15 A. Yes. 11:40:08
16 Q. Paragraph 219 says: 11:40:18
17 "Students in many classes have to 11:40:19
18 stand in class because the school 11:40:21
19 does not have enough seats for all 11:40:22
20 the students in all the classes." 11:40:24
21 You testified generally before that, you 11:40:26
22 know, you are aware of -- well, actually let me ask 11:40:29
23 you. 11:40:33
24 Is that an accurate statement, to your 11:40:33
25 knowledge, about any class at Fremont High School? 11:40:36

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1 A. What line was that again? 11:40:40
2 Q. It's paragraph 219. Paragraph 219, lines 11 11:40:42
3 and 12. 11:40:51
4 A. I would say that's inaccurate. 11:41:02
5 Q. On what do you base your statement that 11:41:03
6 paragraph 219 is inaccurate? 11:41:06
7 A. I think to say "many" would throw that off. 11:41:13
8 I don't think there are many classes. You may have a 11:41:17
9 few because of programming, and programming you 11:41:26
10 always allow for at least five over the allotted 11:41:33
11 amount because of the no-shows, students not coming 11:41:39
12 on the first day or whatever, and I base that 11:41:46
13 assumption on that from prior knowledge in 11:41:48
14 programming. 11:41:51
15 Q. And how long does that -- well, let me ask a 11:41:51
16 different question. 11:41:57
17 To your knowledge, for how many days does a 11:42:11
18 student have to stand in class before the classes are 11:42:16
19 balanced? 11:42:20
20 A. I would have to base it on prior experience 11:42:23
21 because, during that time, that programming was over, 11:42:25
22 and I didn't witness that. But based on my 11:42:29
23 experience as a counselor, I would say one day or 11:42:32
24 maybe even before that period is over they have 11:42:37
25 gotten chairs from other rooms or the plant manager 11:42:41

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1 will get them. 11:42:44
2 Q. Are you aware of any instances at Fremont 11:42:47
3 where it took longer than one day to provide 11:42:51
4 sufficient seats for all the students in a class? 11:42:55
5 A. No, I'm not aware of that. 11:42:59
6 Q. If that were to occur, is that something you 11:43:01
7 would normally become aware of in your position at 11:43:04
8 Fremont? 11:43:07
9 A. Yes. 11:43:07
10 Q. And how would you become aware of that? 11:43:08
11 A. From the assistant principal who does the 11:43:10
12 scheduling. 11:43:12
13 Q. Who is that? 11:43:15
14 A. Then it was Penny Sommers. 11:43:16
15 Q. Who is it now? 11:43:21
16 A. Pat Nichols. 11:43:22
17 Q. Do you see in paragraph 220 on line 13 -- 11:43:32
18 A. Yes. 11:43:32
19 Q. -- where it says: 11:43:36
20 "The school does not offer enough 11:43:38
21 courses for all the students"? 11:43:40
22 A. Yes, I see that. 11:43:42
23 Q. Is that an allegation you investigated in or 11:43:43
24 about September of 2000? 11:43:45
25 A. Yes. 11:43:45

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1 Q. And did you find that allegation to be true 11:43:49
2 at the time you investigated it? 11:43:51
3 A. I could say yes and no. If you give me an 11:43:56
4 opportunity to explain, I'll do that. 11:44:00
5 All of the required courses are offered. 11:44:02
6 You have no choice but to offer them. If there are 11:44:06
7 not enough courses, there are probably -- I'm 11:44:09
8 assuming they are talking about the electives. 11:44:13
9 You can only have so many based on the 11:44:18
10 number of students you have and the number of staff, 11:44:20
11 and that's how they are allocated. But in terms of 11:44:23
12 just having a variety of electives, I wouldn't say 11:44:27
13 you had that, but in terms of requirements and 11:44:32
14 meeting district and graduation requirements and 11:44:34
15 college, we do have them. We offer them, and we 11:44:37
16 offer enough. 11:44:42
17 Q. Okay. So let me just make sure I understand 11:44:44
18 your testimony. 11:44:47
19 Fremont does offer enough of the required 11:44:48
20 course -- strike that. 11:44:50
21 The school does offer enough courses 11:44:52
22 required to graduate from high school; correct? 11:44:54
23 A. Correct. 11:44:57
24 Q. And what is your -- how would you describe 11:44:58
25 the availability of classes that are not required to 11:45:00

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1 graduate such as electives? 11:45:08
2 A. We have them. We just don't have them as 11:45:11
3 plentiful. The fact that we have three tracks and 11:45:14
4 trying to accommodate each track with more than what 11:45:18
5 is offered, it is difficult to do. 11:45:23
6 Q. What is the school doing to -- well, let me 11:45:33
7 ask you this. 11:45:37
8 Is the school doing anything to increase the 11:45:38
9 number of electives available to students? 11:45:41
10 A. Well, this year we are. 11:45:45
11 Q. What are you doing? 11:45:47
12 A. We are increasing our computer classes, 11:45:49
13 which is an elective, of three. The AP counseling 11:45:53
14 person that we have now, Ms. Nichols, is -- and this 11:46:04
15 is something new for me, but she is very experienced 11:46:09
16 in that position -- that she is doing cross-tracking, 11:46:12
17 which is new, but it allows students to take those 11:46:17
18 classes that are not offered on the track that they 11:46:23
19 are on. 11:46:27
20 Q. What was your first exposure to 11:46:32
21 multitasking? 11:46:34
22 A. I was at the middle school for a year -- two 11:46:36
23 years, but the first year we had no students or 11:46:39
24 teachers that last year. 11:46:42
25 Q. Is that at Jefferson? 11:46:45

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1 A. Yes. 11:46:45
2 Q. And that school was multitasked for the 11:46:48
3 year '99/2000? 11:46:52
4 A. Yes. The first year -- yeah, '99/2000, yes, 11:46:56
5 it was multitasking. 11:47:01
6 Q. It was traditional calendar the first year? 11:47:02
7 A. No, it was a brand-new school. So I was 11:47:05
8 there a full year before it opened with the students 11:47:08
9 and staff. 11:47:10
10 Q. So it was a multitask school? 11:47:12
11 A. Yes. 11:47:12
12 Q. Was that your first experience with 11:47:14
13 multitasking? 11:47:16
14 A. Yes. 11:47:16
15 Q. When you say cross-tracking is new, is that 11:47:39
16 new to Fremont High School? 11:47:47
17 A. And to me. 11:47:59
18 Q. So before this year, there has not been an 11:47:59
19 opportunity to cross-track for students? 11:47:59
20 A. Not to my knowledge. 11:47:59
21 Q. If a student on one track wanted to take an 11:48:03
22 elective or class available on another track, what 11:48:06
23 recourse would that student have? 11:48:11
24 A. They could do it. I think even this 11:48:15
25 semester -- or this mester we have a couple of 11:48:19

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1 students. That was brought to my attention. That's 11:48:22
2 how I know we were doing it because I had to inquire. 11:48:24
3 "We have cross-tracking? Tell me about it." And she 11:48:29
4 shared it with me, "she" meaning Mrs. Nichols, the AP 11:48:32
5 counseling services. 11:48:37
6 Q. So that's something currently available to 11:48:38
7 students at Fremont? 11:48:40
8 A. Yes. 11:48:40
9 Q. When did Fremont start making cross-tracking 11:48:42
10 an option for its students? Do you know? 11:48:46
11 A. Probably in January. 11:48:49
12 Q. Of 2001? 11:48:50
13 A. Yes. 11:48:50
14 Q. Do you see where it says in paragraph 220: 11:49:08
15 "In service classes, students sit 11:49:11
16 in the back of other classes that 11:49:13
17 they are neither auditing nor 11:49:14
18 taking for credit and run errands 11:49:16
19 for teachers." 11:49:18
20 Do you think that is an accurate description 11:49:20
21 of the service classes at Fremont High School? 11:49:22
22 A. It depends on the teacher as to what the 11:49:27
23 students are actually doing in that class. 11:49:30
24 Normally your service classes -- you take 11:49:35
25 your services in the various offices. The only time 11:49:38

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1 they are in the classroom is that a teacher requests 11:49:42
 2 a certain student to maybe help with the grading of 11:49:46
 3 papers or filing and that, but in the classrooms, I 11:49:49
 4 really couldn't say what the teachers are doing with 11:49:55
 5 those students and the offices. They are busy. 11:49:57
 6 Q. Do you see in paragraph 221 on line 19? 11:50:09
 7 A. Yes. 11:50:09
 8 Q. Do you see the statement that says: 11:50:21
 9 "Students often do not have 11:50:23
 10 permanent teachers for their 11:50:25
 11 courses when the school year 11:50:27
 12 begins"? 11:50:28
 13 A. Yes, I see that. 11:50:30
 14 Q. How often does that occur at Fremont? 11:50:31
 15 A. I'm not sure of the word "permanent." A 11:50:33
 16 teacher there from the beginning or end or in terms 11:50:39
 17 of credentialing and as a sub? I'm not certain. 11:50:45
 18 Q. Well, let's -- I think the definition of the 11:50:54
 19 term is a teacher there from the beginning to the end 11:51:08
 20 and isn't meaning fully credentialed teacher. So if 11:51:12
 21 we can use that working meaning. 11:51:16
 22 I think the statement is saying that, at the 11:51:17
 23 outset of a school year, there are unfilled positions 11:51:20
 24 in certain classes. 11:51:25
 25 And my question is: How often or out of -- 11:51:27

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1 you know, expressed as a percentage of classes, what 11:51:31
 2 percentage of classes start out with unfilled 11:51:35
 3 teaching positions at the start of a school year? 11:51:37
 4 A. I'm not certain. I could probably estimate 11:51:53
 5 that we probably -- when I went there, we probably 11:51:59
 6 had -- and I may have that document with me. I can 11:52:04
 7 check to see the number of unfilled positions when I 11:52:09
 8 went in, meaning that they would have had subs. I'm 11:52:13
 9 saying substitutes which would be long-term subs. 11:52:18
 10 It's not like a day-to-day sub. There's a 11:52:21
 11 difference. 11:52:24
 12 Q. Who handles that at Fremont? 11:52:27
 13 A. Mrs. Hines. 11:52:29
 14 Q. Is she a better person to talk to about this 11:52:31
 15 subject matter? 11:52:33
 16 A. Yes. 11:52:33
 17 Q. Okay. Do you see on page 2 of Exhibit 1 in 11:52:44
 18 paragraph 222 where it says: 11:52:47
 19 "Fremont students receive 11:52:52
 20 approximately 20 fewer school days 11:52:54
 21 of instruction each year than 11:52:57
 22 students who do not attend 11:52:59
 23 multitrack schools"? 11:53:01
 24 A. Yes, I see that. 11:53:04
 25 Q. Is that statement accurate? 11:53:05

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1 A. I don't think that is accurate in terms of 11:53:07
 2 the number of days 20. It could be 16 or 17 if I can 11:53:10
 3 recall. 11:53:17
 4 Q. And are the days that you do offer on your 11:53:17
 5 multitrack schedule longer than the days offered on 11:53:20
 6 the traditional calendars? 11:53:24
 7 A. That's correct. 11:53:26
 8 Q. Is it your view that Fremont offers the same 11:53:27
 9 number of instructional minutes as a school on a 11:53:33
 10 traditional calendar? 11:53:37
 11 A. Yes. 11:53:37
 12 Q. Do you see where it says: 11:53:42
 13 "Students cover less material in 11:53:44
 14 their classes than they would cover 11:53:45
 15 if they attended school for more 11:53:47
 16 days because teachers cannot make 11:53:49
 17 up the missed days with extra 11:53:51
 18 homework"? 11:53:53
 19 Do you think that statement is accurate? 11:53:55
 20 A. I don't think that is accurate because, in 11:53:57
 21 the teachers' planning, they plan for those days, 11:54:00
 22 they plan for those units of the material that has to 11:54:03
 23 be covered. 11:54:07
 24 So it really doesn't matter if it's in the 11:54:08
 25 number of days or the number of minutes. They cover 11:54:11

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1 that material -- that material would be covered the 11:54:14
 2 same as traditional calendar. 11:54:19
 3 Q. Let's see if I understand. 11:54:20
 4 So a science teacher on a traditional 11:54:22
 5 calendar and a science teacher on a multitrack 11:54:31
 6 calendar cover the same curriculum in a class like 11:54:31
 7 biology? 11:54:32
 8 A. Yes. 11:54:32
 9 Q. That's because the district requires it or 11:54:33
 10 the State requires it, or do you know? 11:54:35
 11 A. The State requires it. They have what is 11:54:38
 12 called a curriculum guide that tells the units you 11:54:40
 13 cover, the number of weeks, et cetera. That's 11:54:44
 14 provided by the district curriculum guide for each 11:54:46
 15 academic discipline -- for each discipline basically. 11:54:50
 16 Q. So Los Angeles Unified School District 11:54:54
 17 provides Fremont High School with a curriculum guide 11:54:56
 18 for each of the subject matters taught at Fremont; 11:54:59
 19 correct? 11:55:03
 20 A. That's correct. 11:55:04
 21 Q. And is it your testimony that the fact that 11:55:05
 22 Fremont is on a multitrack schedule does not affect 11:55:17
 23 the substance of the curriculum covered under that 11:55:22
 24 curriculum guide? 11:55:27
 25 A. Yes, it is. 11:55:29

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1 Q. What do you make of this allegation that 11:55:34
 2 teachers cannot make up the missed days with extra 11:55:38
 3 homework? 11:55:41
 4 A. I don't understand when they say "make up 11:55:46
 5 the missed days" because there are no days that are 11:55:49
 6 missed. I don't understand that. 11:55:54
 7 Q. Because the curriculum is scheduled over the 11:55:57
 8 number of days available in the multitrack 11:56:00
 9 schedule -- correct? -- that is, each teacher plans 11:56:02
 10 for covering the curriculum set forth in the 11:56:08
 11 curriculum guide based on the number of days they 11:56:11
 12 know they are going to have on the multitrack 11:56:14
 13 calendar -- 11:56:15
 14 A. Right. 11:56:17
 15 Q. -- is that right? 11:56:18
 16 A. Correct. 11:56:18
 17 Q. Is there any time at Fremont where there are 11:56:21
 18 no students attending school? 11:56:24
 19 A. Yes, maybe three days during the school 11:56:33
 20 year, as with other days, they are called in to Buy 11:56:39
 21 Back days, and that's where teachers will decide 11:56:46
 22 where they want to schedule. 11:56:50
 23 Q. How do you spell that? 11:56:52
 24 A. Don't ask me how that came into being 11:57:00
 25 because I really don't recall. Each school in the 11:57:02

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1 district -- 11:57:05
 2 Q. Each school in the district -- go ahead and 11:57:05
 3 finish your answer. I apologize. 11:57:07
 4 A. -- has to identify those days and submit 11:57:09
 5 them. Those are the only three days that I'm aware 11:57:11
 6 of when there are no students. 11:57:14
 7 Q. What about the weekends? 11:57:16
 8 A. They are there on the weekend. 11:57:20
 9 Q. The students are there on the weekends? 11:57:22
 10 A. On Saturdays, we have adult school, and many 11:57:24
 11 of them attend adult school for classes. So, yes. 11:57:26
 12 Q. And is the school -- 11:57:31
 13 A. Not on Sundays. 11:57:33
 14 Q. Okay. So other than on the weekends and 11:57:36
 15 these three Buy Back days, are there any other 11:57:44
 16 periods where students do not attend Fremont? 11:57:47
 17 A. Scheduled vacation days, Christmas break, 11:57:50
 18 Easter, those types of days or holidays. 11:57:53
 19 Q. How long is the Christmas break? 11:57:57
 20 A. Maybe seven or eight days, and I'm just 11:58:01
 21 guessing because I really don't know. 11:58:04
 22 Q. Well, give me your best estimate of the 11:58:07
 23 total number of vacation days built into your 11:58:08
 24 multitrack schedule, including Christmas, Easter, and 11:58:11
 25 whatever other holidays you have. Just your best 11:58:14

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1
 2 estimate of the number of days? 11:58:16
 3 MS. LHAMON: Because I work at the ACLU, I 11:58:17
 4 don't think we can call them Christmas and Easter 11:58:20
 5 vacation. I'd appreciate it if we can say holidays, 11:58:23
 6 winter solstice. 11:58:26
 7 MR. FRIEDMAN: Very sensitive of you, and I 11:58:29
 8 would clarify -- as a technical matter, I would 11:58:30
 9 represent I think you are referring to days that are 11:58:33
 10 referred to as holidays in contrast to vacation days, 11:58:38
 11 which are usually associated with, you know, 11:58:42
 12 employees taking credited vacation time. 11:58:44
 13 BY MR. ROZWOOD: 11:58:44
 14 Q. With those qualifications, what is your best 11:58:49
 15 estimate of the number of holidays built into the 11:58:52
 16 Fremont schedule each year? 11:58:55
 17 A. Maybe -- again, I'm guessing -- 11:59:00
 18 Q. Please don't guess. 11:59:03
 19 A. I don't know. 11:59:04
 20 Q. Okay. Is it at least ten? 11:59:05
 21 A. At least ten. 11:59:07
 22 Q. Okay. Is it possible for the school to 11:59:13
 23 perform maintenance and repair without impeding the 11:59:16
 24 students' education at Fremont? 11:59:20
 25 A. Yes. 11:59:20

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1 Q. Are you aware of any instances in which the 11:59:24
 2 school's maintenance and repair work impeded any 11:59:27
 3 students' education at Fremont? 11:59:32
 4 A. No, I'm not. 11:59:34
 5 Q. Is that something you would become aware of 11:59:35
 6 in the ordinary course of performing your duties as 11:59:37
 7 principal at Fremont? 11:59:40
 8 A. Yes. 11:59:40
 9 Q. How would you become aware of that? 11:59:41
 10 A. From our plant manager and my assistant 11:59:43
 11 principal who is in charge of plant. 11:59:47
 12 Q. Has the plant manager or assistant principal 11:59:48
 13 in charge of plant ever informed you that the 11:59:51
 14 school's routine maintenance and repair functions 11:59:53
 15 interfered with any students' learning activities? 11:59:57
 16 A. I haven't been informed of this since I have 12:00:02
 17 been there. 12:00:05
 18 Q. Or before you got there? 12:00:07
 19 A. Before I got there, there -- there was a lot 12:00:10
 20 of BB -- 12:00:14
 21 What is it? 12:00:16
 22 MR. FRIEDMAN: Proposition BB. 12:00:18
 23 THE WITNESS: -- Proposition BB work going 12:00:20
 24 on most of the campuses for repairs. At the time 12:00:22
 25 they may have had some interference. Depends on the 12:00:25

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1 type of work they were doing at that school. 12:00:30
 2 So firsthand, I'm not knowledgeable. 12:00:34
 3 BY MR. ROZWOOD: 12:00:45
 4 Q. Do you have any -- did you ever come to 12:00:45
 5 learn that the maintenance or repair work being done 12:00:45
 6 at Fremont before you got there interfered with any 12:00:45
 7 child's education? 12:00:48
 8 A. No. 12:00:48
 9 Q. Is that something that you would have 12:00:50
 10 discovered in the course of your investigation of the 12:00:53
 11 allegations in this case in or about September of 12:00:57
 12 2000? 12:00:59
 13 A. Yes. 12:00:59
 14 Q. So you spoke to the plant manager about the 12:01:05
 15 previous school year; correct? 12:01:09
 16 A. Yes. 12:01:09
 17 Q. Was there any information shared with you 12:01:10
 18 that would indicate that any of the maintenance or 12:01:13
 19 repair work done by the school interfered or impeded 12:01:15
 20 with the students' education? 12:01:19
 21 A. No. 12:01:19
 22 Q. Can you look at paragraph 223. 12:01:27
 23 A. Okay. 12:01:31
 24 Q. It says: 12:01:31
 25 "Many academic electives such as 12:01:32

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1 geography, psychology, and science 12:01:34
 2 are not offered on all three tracks 12:01:37
 3 of the school." 12:01:39
 4 That's a correct statement? 12:01:40
 5 A. That's correct. 12:01:41
 6 Q. Does that continue to be a correct 12:01:42
 7 statement? 12:01:42
 8 A. For the upcoming school year, there will 12:01:44
 9 be -- these classes will be on each track, not in 12:01:51
 10 large numbers, but we will -- they will be accessible 12:01:56
 11 for each track. 12:02:00
 12 Q. Okay. So for the upcoming school year, 12:02:02
 13 these academic electives will be offered on all three 12:02:07
 14 tracks? 12:02:12
 15 A. Yes. 12:02:12
 16 Q. Do you see where it says: 12:02:13
 17 "Students who wish to take those 12:02:14
 18 courses do not have access to the 12:02:16
 19 courses if they are not offered on 12:02:20
 20 the tracks to which the school 12:02:21
 21 assigns the students"? 12:02:24
 22 A. Yes. 12:02:24
 23 Q. We discussed the topic of cross-tracking 12:02:26
 24 earlier. 12:02:28
 25 Other than through cross-tracking, was there 12:02:29

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1 any other way that the students could access the 12:02:31
 2 courses not offered on their tracks? 12:02:34
 3 A. Well, we have Saturday classes, and we also 12:02:40
 4 have the adult school. Many of our students will 12:02:42
 5 stay at the end of the school day and take them in 12:02:46
 6 adult school. 12:02:50
 7 Q. How about switching tracks entirely? 12:02:55
 8 A. That has not happened, to my knowledge. 12:03:00
 9 Q. That's not an option for students who want 12:03:03
 10 to take -- 12:03:06
 11 A. It hasn't been. 12:03:07
 12 Q. Okay. What is a -- 12:03:19
 13 A. Let me back up. I don't know that I said -- 12:03:20
 14 that I understood you clearly. 12:03:24
 15 Students can change tracks. I don't know -- 12:03:26
 16 I don't know if I said "no" to that or not. 12:03:29
 17 Q. You said it hasn't happened. 12:03:31
 18 A. Okay. I was thinking in terms of 12:03:33
 19 cross-tracking, but if a student wanted to move to 12:03:35
 20 track A and they were on track C in order to take 12:03:39
 21 that, it's possible that they can do that, and that 12:03:44
 22 does happen. 12:03:47
 23 Q. Okay. 12:03:47
 24 A. It depends on availability of space and 12:03:49
 25 classes. 12:03:52

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1 Q. Thank you for that clarification. 12:03:57
 2 Do you see in paragraph 224: 12:04:04
 3 "Only one or two of the school's 12:04:06
 4 bathrooms are opened and unlocked 12:04:08
 5 for girls to use"? 12:04:11
 6 A. Yes. 12:04:11
 7 Q. Is that an accurate statement? 12:04:21
 8 A. I can say it isn't now. It may have been 12:04:24
 9 when they wrote this. I don't know. 12:04:27
 10 Q. Who is most knowledgeable about the 12:04:30
 11 availability of bathrooms for the 1999/2000 school 12:04:32
 12 year? 12:04:38
 13 A. That's there, now it would be the plant 12:04:39
 14 manager. 12:04:41
 15 Q. Mr. -- 12:04:44
 16 A. CJ, we call him CJ. 12:04:47
 17 Q. That's okay. We have it in the record. 12:04:52
 18 Thanks. 12:04:55
 19 What is Fremont's current practice with 12:05:00
 20 respect to the availability of bathrooms? 12:05:05
 21 A. I know that there are four that's available 12:05:10
 22 during nutrition and lunch. 12:05:13
 23 Q. Where are those located? 12:05:17
 24 A. We have one -- we call it Room 118 because 12:05:21
 25 there's a classroom in there, but it's basically the 12:05:25

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1 auditorium entrance. 12:05:29

2 Q. One at the auditorium? 12:05:33

3 A. Those are open. It's not just one. Boys 12:05:35

4 and girls and several stalls in there. We have two 12:05:40

5 in the main building, one on each end of the entrance 12:05:46

6 to the building. 12:05:53

7 MR. FRIEDMAN: Can we -- I'm sorry. Just to 12:05:55

8 clarify, when you say one at each end of the 12:05:58

9 building, are you referring to bathrooms for both 12:06:01

10 boys and girls each in the building? 12:06:05

11 THE WITNESS: Yes. 12:06:08

12 BY MR. ROZWOOD: 12:06:08

13 Q. So there are two girls' bathrooms and two 12:06:08

14 boys' bathrooms on the first floor of the building -- 12:06:12

15 A. Yes. 12:06:12

16 Q. -- open and accessible during nutrition and 12:06:15

17 lunch? 12:06:17

18 A. Yes. 12:06:17

19 Q. And you said there was a fourth set of 12:06:20

20 bathrooms. 12:06:22

21 A. The gym, gymnasium. 12:06:23

22 Q. Are those open and accessible -- 12:06:28

23 A. Yes. 12:06:28

24 Q. -- to all students during nutrition and 12:06:30

25 lunch? 12:06:34

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1 A. Yes. 12:06:34

2 Q. How about outside of nutrition and lunch? 12:06:35

3 What is the availability of bathrooms at passing 12:06:37

4 periods and before and after school? 12:06:41

5 A. Well, you try to have at least one on each 12:06:44

6 floor available. I'm saying "try." I haven't 12:06:47

7 checked during the class time. Only when I'm out 12:06:49

8 during nutrition and lunch will I check rest rooms, 12:07:01

9 but during the school time, I don't hear a complaint. 12:07:01

10 I haven't heard a complaint in terms of availability. 12:07:01

11 I do know that they clean them right after 12:07:04

12 nutrition. So they will probably lock one and clean 12:07:07

13 it. Once it's done, then they open that one and 12:07:11

14 clean the other. I know that happens after nutrition 12:07:15

15 and lunch. 12:07:18

16 Q. How often are the bathrooms cleaned? 12:07:20

17 A. In terms of how many times a day, I don't 12:07:23

18 know that. 12:07:26

19 Q. Is that the plant manager -- 12:07:27

20 A. The plant manager, right. 12:07:29

21 I know, when they come in the morning, they 12:07:37

22 are cleaned and after nutrition and after lunch and 12:07:39

23 probably at the end of the day I would think, too, 12:07:42

24 because you have your adult school people coming on. 12:07:45

25 Q. I don't want you to guess or speculate. 12:07:52

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1 A. Okay. 12:07:55

2 Q. I just want to know what you actually know 12:07:55

3 occurs. 12:07:57

4 A. Okay. Then I'll say before school, after 12:08:00

5 nutrition, and after lunch. 12:08:02

6 Q. You know that -- 12:08:03

7 A. I know that -- 12:08:04

8 Q. -- the bathrooms at Fremont are cleaned 12:08:05

9 before school starts, after nutrition, and after 12:08:08

10 lunch each day? 12:08:10

11 A. Yes. When I say "clean," I'm not talking 12:08:12

12 about really general cleaning. I'm saying making 12:08:16

13 sure that the paper is off the floor and you have 12:08:19

14 toilet tissue and paper towels. 12:08:24

15 Q. So you mean cleaned and stocked? 12:08:26

16 A. Yes. 12:08:26

17 Q. You are not talking about -- 12:08:30

18 A. I'm not talking soap and water, real 12:08:31

19 cleaning, but where it's usable. 12:08:33

20 Q. Do you know what the practice was in the 12:08:36

21 school year before you arrived at Fremont? 12:08:39

22 A. No, I don't think -- I think it's 12:08:44

23 probably -- I think it's probably the same. I don't 12:08:46

24 see them making a change because I'm there. I think 12:08:49

25 it's pretty standard. 12:08:51

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1 Q. And I'm sorry if I asked this before, but 12:08:53

2 was the same plant manager there last year? 12:08:57

3 A. Yes. 12:09:06

4 Q. So we have to talk to CJ about this to get 12:09:06

5 more details. 12:09:09

6 A. I need to say also on the radio, the 12:09:11

7 walkie-talkie, I hear communication where they are 12:09:14

8 saying to him, "We need paper towels. Would you 12:09:18

9 attend to a rest room near whatever," just by 12:09:21

10 listening to the conversation on the walkie-talkie. 12:09:24

11 Q. How often do you hear conversations like 12:09:28

12 that? 12:09:30

13 A. I don't know. Maybe once a week. It's not 12:09:32

14 like a daily thing. 12:09:34

15 Q. Do you see the allegation in paragraph 224 12:09:48

16 of Exhibit 1 -- 12:09:52

17 A. Yes. 12:09:52

18 Q. -- where it says: 12:09:57

19 "One of the stalls is missing a 12:09:57

20 toilet and a door"? 12:09:59

21 Did you have an opportunity to investigate 12:10:02

22 this allegation in or about September of 2000? 12:10:04

23 A. Yes. 12:10:04

24 Q. And what did you find? 12:10:09

25 A. That there was never a stall missing -- I 12:10:10

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1 mean a toilet but a stall door and it was replaced. 12:10:16
2 Q. What did you do to investigate the 12:10:23
3 allegation of the missing toilet? 12:10:25
4 A. I only asked the plant manager, and that was 12:10:27
5 my only resource basically who would know that, and 12:10:31
6 he did show me a repair of the door -- a form where 12:10:34
7 he had that door replaced or repaired. 12:10:41
8 Q. You produced that document in this 12:10:46
9 litigation? 12:10:48
10 A. I didn't, but I probably could do that. I 12:10:49
11 mean I don't know that I did. I don't know what I 12:10:52
12 submitted. I may have. I'm not certain at this 12:10:56
13 point. 12:11:01
14 Q. Do you remember how long it took to fix the 12:11:05
15 door? 12:11:07
16 A. No, I don't. A lot of times -- well, forget 12:11:08
17 it. 12:11:17
18 Q. Do you see where it says: 12:11:17
19 "Students have to wait in long 12:11:19
20 lines to be able to use the 12:11:20
21 toilets"? 12:11:22
22 On line 19. 12:11:23
23 A. Yes. 12:11:23
24 Q. Have you had occasion to observe the usage 12:11:24
25 of the rest room facilities by the students at 12:11:31

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1 Fremont since you've arrived? 12:11:33
2 A. Since I received this allegation, I have. I 12:11:36
3 do daily because I need to check. 12:11:40
4 Q. And what have you observed? 12:11:43
5 A. I don't see the long lines in terms of 12:11:45
6 waiting to actually use it. The long lines are 12:11:48
7 basically due to because you are making up and doing 12:11:50
8 the hair, but -- and they are not really long lines. 12:11:53
9 You may have five or six standing out. If they would 12:11:57
10 go in, they would see that the toilets are available 12:12:01
11 for use. But no, I don't see long lines, and when 12:12:03
12 you see that ten could be standing there at the end, 12:12:08
13 it's because that's when they waited to go. The 12:12:11
14 ringing of the bell. 12:12:14
15 It's not like they are going during lunch or 12:12:16
16 nutrition. It's at the end, and they rush over 12:12:19
17 there, but you can go into some of them, and no one 12:12:21
18 is in there. Maybe one person. 12:12:24
19 Q. So on those occasions where you've seen 12:12:26
20 lines waiting to use the toilets, it's only at the 12:12:28
21 end of nutrition or lunch when the bell is ringing? 12:12:33
22 A. Yes. 12:12:33
23 Q. Have you ever seen any lines waiting to use 12:12:39
24 the toilets at any other time at Fremont? 12:12:42
25 A. No, and as I said, on my supervision, I do 12:12:45

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1 that daily. Because of the allegation, I need to 12:12:57
2 check. 12:12:57
3 Q. Did you have an opportunity to investigate 12:13:02
4 that allegation about long lines to use rest rooms in 12:13:04
5 or about September 2000? 12:13:08
6 A. That was when it was brought to my 12:13:13
7 attention, and that's when I started that. 12:13:15
8 Q. Did you ask anybody whether that allegation 12:13:19
9 was true for the prior school year? 12:13:22
10 A. No, I didn't. I didn't ask anyone. 12:13:27
11 Q. Do you know whether it was true about the 12:13:32
12 prior school year? 12:13:34
13 A. I don't know that it was. I feel that the 12:13:36
14 pattern is the same, and it's just a systematic 12:13:40
15 thing. 12:13:43
16 You know, everything to me is basically the 12:13:44
17 same. Again, I don't see any enormous change in how 12:13:46
18 it's operating in terms of the cleaning of the rest 12:13:52
19 rooms and the availability and the opening and 12:13:55
20 closing and all of that. It seems to be pretty 12:13:58
21 standard. 12:14:02
22 Q. To your knowledge, there wasn't a change in 12:14:02
23 the maintenance and -- well, strike that. 12:14:04
24 To your knowledge, has there been any change 12:14:17
25 from the last school year to the current school year 12:14:20

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1 with respect to how the rest rooms are maintained and 12:14:26
2 made available to the students at Fremont? 12:14:30
3 A. To my knowledge, it's the same as before I 12:14:32
4 got there. 12:14:38
5 Q. Do you see in paragraph 225 where it says: 12:14:41
6 "Many of the classrooms at Fremont 12:14:46
7 do not have air conditioning"? 12:14:47
8 Is that an accurate statement? 12:14:51
9 A. No, it isn't. 12:14:53
10 Q. Do all the classrooms at Fremont have 12:14:55
11 air-conditioning? 12:14:58
12 A. All of them except some of the new -- the 12:14:59
13 bungalows that they put there, and I'm not certain 12:15:02
14 which of those are now without air-conditioning. I 12:15:05
15 did not check that, but all of the classroom 12:15:10
16 buildings, classrooms in the buildings, and I would 12:15:13
17 say most of the bungalows with the exception of a few 12:15:16
18 that they have recently put on our campus, and they 12:15:20
19 may even have them there now. 12:15:27
20 I just don't know. I leave that to my AP in 12:15:29
21 charge of plant, and I haven't heard we have any 12:15:33
22 without. 12:15:36
23 Q. Who is the AP in charge of plant? 12:15:36
24 A. Maxie Hemmans. 12:15:39
25 Q. Is that the person that's most knowledgeable 12:15:41

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1 about the climate control facilities in classrooms at 12:15:43
 2 Fremont? 12:15:51
 3 A. Yes. He is also directly responsible for 12:15:56
 4 the plant manager and custodial staff. 12:15:57
 5 Q. Did you have an opportunity to investigate 12:16:18
 6 the allegation that students are unable to 12:16:19
 7 concentrate on their lessons because the heat in 12:16:22
 8 their classrooms is intense when you -- in or about 12:16:24
 9 September of 2000? 12:16:29
 10 A. I was not aware of it. It wasn't brought to 12:16:32
 11 my attention. 12:16:35
 12 The only thing concerning air-conditioning 12:16:36
 13 that I heard is that it was too cold and it needed to 12:16:38
 14 be regulated. In terms of air-conditioning, that was 12:16:44
 15 the only thing I heard. 12:16:48
 16 Q. Was this an allegation that you investigated 12:16:49
 17 in or about September of 2000 that students were 12:16:51
 18 unable to concentrate on their lessons because the 12:16:54
 19 heat in their classrooms was so intense? 12:16:58
 20 A. I hadn't heard that it was too hot. 12:17:04
 21 Q. Okay. 12:17:04
 22 A. No one brought it to my attention, but based 12:17:08
 23 on this report, I checked with the plant manager in 12:17:11
 24 terms of air-conditioning, and that is where I got 12:17:14
 25 the information in terms of how many rooms had air 12:17:17

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1 and how many didn't, et cetera. But in terms of this 12:17:21
 2 allegation, I didn't get anything that indicated that 12:17:25
 3 it was too hot in the rooms to concentrate. 12:17:32
 4 Q. Okay. Let me just clarify. 12:17:36
 5 A. Okay. 12:17:38
 6 Q. This is not a report. 12:17:38
 7 A. Okay. 12:17:40
 8 Q. This is a series of allegations made by 12:17:41
 9 plaintiffs in a lawsuit. 12:17:44
 10 A. Uh-huh. 12:17:46
 11 Q. And when you first learned of these in 12:17:46
 12 September of 2000 and you investigated, I'm asking: 12:17:49
 13 Was this one of the allegations you learned or that 12:17:53
 14 you investigated back in that time period? 12:17:57
 15 Do you remember the allegation being made 12:18:01
 16 and do you remember investigating it at that time -- 12:18:02
 17 A. Yes. 12:18:02
 18 Q. -- and -- 12:18:05
 19 A. I'm sorry. 12:18:06
 20 Q. So I understand your testimony, did you find 12:18:07
 21 anything that indicated that this allegation was 12:18:09
 22 true? 12:18:12
 23 A. No. 12:18:14
 24 Q. Okay. Do you see paragraph 226 -- 12:18:15
 25 A. Yes. 12:18:15

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1 Q. -- "Students frequently see 12:18:19
 2 rats and cockroaches at school"? 12:18:20
 3 Do you frequently see rats and cockroaches 12:18:23
 4 at Fremont? 12:18:26
 5 A. I don't personally. 12:18:27
 6 Q. Have you ever seen a rat at Fremont? 12:18:28
 7 A. No. 12:18:30
 8 Q. Have you ever seen a cockroach at Fremont? 12:18:30
 9 A. No. 12:18:30
 10 Q. Have you ever seen any other insect, pest, 12:18:33
 11 or other vermin at Fremont? 12:18:36
 12 A. No. 12:18:36
 13 Q. Have you ever seen any ants at Fremont? 12:18:41
 14 A. Yes. 12:18:41
 15 Q. Other than ants, have you seen any other 12:18:44
 16 insects, pests, rodents, vermin, or other unwanted 12:18:47
 17 creatures on the campus at Fremont High School? 12:18:52
 18 A. I have not personally seen them, but I know 12:18:56
 19 that we have had someone from the district to come 12:19:02
 20 out and remove a rodent. At one point, I was 12:19:05
 21 knowledgeable about that. 12:19:11
 22 Q. Do you think these creatures appear with any 12:19:13
 23 real frequency at Fremont? 12:19:16
 24 A. I don't know. No more than anywhere else. 12:19:26
 25 Q. Who is the best person to talk to about the 12:19:26

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1 frequency with which these creatures at Fremont -- 12:19:27
 2 A. Plant manager, CJ. 12:19:38
 3 Q. That's the plant manager; correct? 12:19:45
 4 A. Yes. 12:19:45
 5 MR. ROZWOOD: Okay. Can we go off the 12:19:48
 6 record. 12:19:51
 7 (The luncheon recess was taken
 8 at 12:19 P.M.)
 9
 10
 11
 12
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 15
 16
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 24
 25 APPEARANCES OF COUNSEL:

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1 (P.M. SESSION)
 2
 3 CATHERINE E. LHAMON, ESQ.
 4
 5 S. BENJAMIN ROZWOOD, ESQ.
 6
 7 HOWARD A. FRIEDMAN, ESQ.
 8
 9 ALSO PRESENT:
 10
 11 GLADYS LIMON
 12
 13
 14
 15
 16
 17
 18 REPORTED BY:
 19
 20 RICKI Q. MELTON, CSR No. 9400, RPR No. 45429
 21
 22
 23
 24
 25 (The deposition of MARGARET ROLAND was

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1 reconvened at 1:47 P.M.)
 2
 3 MARGARET ROLAND,
 4 the witness, having been previously administered an
 5 oath in accordance with CCP Section 2094, testified
 6 further as follows:
 7
 8 EXAMINATION (CONTINUING)
 9 BY MR. ROZWOOD: 13:47:17
 10 Q. You understand that the oath you took before 13:47:22
 11 we broke applies to your testimony now as well? 13:47:24
 12 A. Yes. 13:47:24
 13 Q. Can you look at a document I'm going to mark 13:47:31
 14 as Exhibit 6. 13:47:33
 15 (Document referred to above was 13:47:33
 16 marked as Defendants' Exhibit 6 13:47:33
 17 for identification by the reporter 13:47:42
 18 and is attached hereto.) 13:47:42
 19 BY MR. ROZWOOD: 13:47:42
 20 Q. Tell me if you recognize this document. 13:47:42
 21 A. I recognize it. I'm not sure that I 13:47:47
 22 understand -- I remember the contents. 13:47:51
 23 Q. What is it? What is Exhibit 6? 13:47:53
 24 A. It's more or less telling you the number of 13:47:57
 25 minutes in the instructional school day required for 13:47:59

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1 senior high school. 13:48:03
 2 Q. Is Fremont, to your knowledge, in compliance 13:48:05
 3 with this policy? 13:48:07
 4 A. Yes. 13:48:43
 5 (Off the record.) 13:48:48
 6 MR. ROZWOOD: I would like to mark as 13:48:48
 7 Exhibit 7 a document bearing Bates Nos. DT-LA 01758 13:48:59
 8 through 01761. 13:49:08
 9 (Document referred to above was 13:49:08
 10 marked as Defendants' Exhibit 7 13:49:08
 11 for identification by the reporter 13:49:19
 12 and is attached hereto.) 13:49:19
 13 BY MR. ROZWOOD: 13:49:19
 14 Q. Do you have a copy of Exhibit 7 before you? 13:49:19
 15 A. Yes. 13:49:19
 16 Q. Do you recognize this document? 13:49:22
 17 A. Yes. 13:49:22
 18 Q. What is it? 13:49:26
 19 A. Policies and procedures on the use of 13:49:27
 20 textbooks. 13:49:29
 21 Q. Are these policies and procedures of the 13:49:30
 22 Los Angeles Unified School District? 13:49:34
 23 A. Yes. 13:49:34
 24 Q. Is Fremont in compliance with these policies 13:49:37
 25 and procedures? 13:49:40

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1 A. As far as I know, we are. 13:49:45
 2 Q. Do you have any reason to believe that 13:49:49
 3 Fremont is not in compliance with the policies and 13:49:51
 4 procedures set forth in Exhibit 7 for you? 13:49:54
 5 A. No. 13:49:56
 6 MR. ROZWOOD: I would like to mark as 13:49:59
 7 Exhibit 8 a document bearing Bates stamp No. DT-LA 13:50:00
 8 01984 through 01987. 13:50:07
 9 (Document referred to above was 13:50:07
 10 marked as Defendants' Exhibit 8 13:50:07
 11 for identification by the reporter 13:50:20
 12 and is attached hereto.) 13:50:20
 13 BY MR. ROZWOOD: 13:50:20
 14 Q. Do you have a copy of Exhibit 8 before you? 13:50:21
 15 A. Yes. 13:50:21
 16 Q. Do you recognize the document? 13:50:23
 17 A. Yes. 13:50:23
 18 Q. What is it? 13:50:26
 19 A. Textbook inventory control. 13:50:28
 20 Q. Is this an explanation of the Los Angeles 13:50:30
 21 Unified School District's policy on textbook 13:50:34
 22 inventory control? 13:50:37
 23 A. Yes, it is. 13:50:39
 24 Q. Can you take a minute to look at it. 13:50:40
 25 A. (Complies.) 13:50:40

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1 Q. Who is the person responsible at Fremont for 13:50:53
 2 complying with this policy? 13:50:55
 3 A. Our textbook clerk handles this, and the 13:50:57
 4 administrator in charge of the textbook room is 13:51:00
 5 Mrs. Hines. 13:51:03
 6 Q. Do you have any reason to think that Fremont 13:51:05
 7 is not in compliance with this policy? 13:51:08
 8 A. No, I have no reason. As a matter of fact, 13:51:14
 9 I'm almost 99 percent sure that they are because I 13:51:18
 10 have checked. 13:51:22
 11 Q. Thank you. 13:51:24
 12 Just for the record I want to state the 13:51:26
 13 Bates stamp numbers on Exhibit 6, which I failed to 13:51:30
 14 do. DT-LA 01921 through DT-LA 01930. 13:51:34
 15 Do you have Exhibit 2, the Declaration of 13:51:50
 16 Cindy Diego, before you? 13:51:52
 17 A. Yes. 13:51:52
 18 Q. Have you had an opportunity to review that 13:51:58
 19 declaration? 13:51:59
 20 A. Yes. 13:51:59
 21 Q. Do you see where she says in paragraph 3 13:52:10
 22 that: 13:52:16
 23 "The multitrack schedule makes it 13:52:16
 24 hard to learn because once the 13:52:19
 25 teacher starts getting into a 13:52:21

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1 subject, it's time to go on 13:52:23
 2 vacation and when I come back, I've 13:52:25
 3 forgotten what I learned"? 13:52:28
 4 Do you see that? 13:52:29
 5 A. Yes, I do. 13:52:29
 6 Q. Are you aware of any instances or incidents 13:52:31
 7 where students complained about the interference of 13:52:34
 8 the students' ability to learn caused by the 13:52:47
 9 multitracking system itself? 13:52:51
 10 A. I'm not knowledgeable of such. 13:52:53
 11 Q. You have not heard of any complaints along 13:52:55
 12 those lines? 13:52:58
 13 A. No. 13:52:58
 14 Q. Do you believe that the multitrack schedule 13:52:59
 15 makes it hard for students to learn because of the 13:53:00
 16 number and/or arrangement of the vacation days on a 13:53:05
 17 given track? 13:53:16
 18 A. No, I don't think it makes it difficult. 13:53:19
 19 Q. When I say "vacations days," I mean holiday 13:53:21
 20 or intersession days as your counsel distinguished 13:53:26
 21 earlier. 13:53:30
 22 Does your answer change in any way? 13:53:31
 23 A. No. 13:53:31
 24 Q. Do you see in paragraph 4 of Ms. Diego's 13:53:40
 25 declaration where she says: 13:53:43

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1 "We are not supplied with the 13:53:47
 2 things we need and we don't learn 13:53:48
 3 as much as we are supposed to 13:53:50
 4 because we don't have the 13:53:52
 5 supplies"? 13:53:53
 6 A. Yes, I see that. 13:53:54
 7 Q. Are you aware of what Ms. Diego is referring 13:53:55
 8 to in that sentence? 13:53:58
 9 A. No, I'm not. 13:54:01
 10 Q. Are you aware of any instance in which 13:54:02
 11 students are not learning as much as they are 13:54:05
 12 supposed to due to inadequate supplies at Fremont? 13:54:07
 13 A. No. 13:54:07
 14 Q. Here is the allegation relating to books in 13:54:21
 15 an economics class in paragraph 4 of Ms. Diego's 13:54:25
 16 declaration. 13:54:28
 17 Is that what you were referring to earlier? 13:54:29
 18 It's the second and third line of paragraph 4. 13:54:32
 19 MS. LHAMON: Objection. Mischaracterizes 13:54:37
 20 her testimony. 13:54:38
 21 She spoke about a government class earlier. 13:54:39
 22 MR. ROZWOOD: Thank you. 13:54:43
 23 Q. Are you aware of the situation to which 13:54:44
 24 Ms. Diego is referring where allegedly in her 13:54:47
 25 economics class she did not have enough books? 13:54:52

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1 A. No, I'm not aware of it. 13:54:56
 2 Q. Have you had an occasion to investigate this 13:55:00
 3 allegation? 13:55:03
 4 A. To a point I have. 13:55:08
 5 Would you like me to elaborate or just -- 13:55:15
 6 Q. Yes, please. What did you do? 13:55:27
 7 A. I do know the social studies department as a 13:55:27
 8 whole was short on textbooks, more so than the other 13:55:27
 9 departments. 13:55:29
 10 Q. What did you do to remedy that situation? 13:55:34
 11 A. We did -- they were priority, that 13:55:36
 12 department, in the ordering of textbooks. 13:55:39
 13 Q. And what is the situation in the social 13:55:43
 14 studies department in the upcoming school year? 13:55:46
 15 A. They all have books. 13:55:50
 16 Q. All the classes have -- 13:55:51
 17 A. All the classes. 13:55:53
 18 Q. -- sufficient textbooks in class and to take 13:55:55
 19 home for homework -- 13:55:59
 20 A. Yes. 13:55:59
 21 Q. -- for every student? 13:56:00
 22 A. Yes. 13:56:00
 23 Q. Is that true for the government classes as 13:56:16
 24 well? Does that fall under the social studies? 13:56:18
 25 A. Yes. 13:56:18

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1 Q. Do you have any knowledge of teachers having 13:56:25
 2 to take money out of their own pocket to make copies 13:56:27
 3
 4 at Kinko's or another copy place due to the lack of 13:56:30
 5 resources at Fremont? 13:56:36
 6 A. I have not. I have heard -- maybe a teacher 13:56:39
 7 said, "I had to go to Kinko's." Nevertheless, they 13:56:46
 8 really didn't have to. They chose to do because we 13:56:49
 9 do have more than enough copiers. 13:56:52
 10 Q. How many copiers are available for teachers' 13:56:57
 11 use at Fremont? 13:57:01
 12 A. Massive production, I would -- I think we 13:57:03
 13 have three that would mass produce, and we probably 13:57:05
 14 have from ten to twelve of the smaller copiers, and 13:57:10
 15 teachers have access to them. 13:57:14
 16 Q. To all twelve of those? 13:57:16
 17 A. Yes. 13:57:16
 18 Q. What is the procedure by which a teacher who 13:57:20
 19 wants to copy an assignment for class? What 13:57:22
 20 procedure do they have to follow to get the copies 13:57:26
 21 done? 13:57:28
 22 A. They would need 24 hours turnaround. You 13:57:28
 23 submit it one day, guarantee it the next day; 13:57:32
 24 however, there are -- it depends on the quantity. 13:57:35
 25 You could get it the same day. 13:57:38

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1 Q. Was that the policy in place when you 13:57:41
 2 arrived at Fremont? 13:57:43
 3 A. Yes. 13:57:43
 4 Q. Do you have any reason to believe that -- 13:57:45
 5 well, strike that. 13:57:59
 6 Do you have any knowledge of any failure to 13:58:00
 7 accept copy jobs from teachers at Fremont? 13:58:05
 8 A. No, they have access to one in the library 13:58:10
 9 just for teachers. If you want a few copies, you can 13:58:12
 10 go in and do that one rather than the ones that serve 13:58:17
 11 the entire school for large quantity. 13:58:20
 12 Q. Are teachers told that they only have -- can 13:58:23
 13 get a limited number of copies? 13:58:27
 14 A. Not to my knowledge. There is a form, and 13:58:30
 15 they complete it as to how many copies that they 13:58:33
 16 need. Most schools will identify the number of 13:58:37
 17 copies but not at Fremont. 13:58:40
 18 Q. Is there any limit to the number of pages 13:58:48
 19 that a teacher can copy during a given year at 13:58:50
 20 Fremont? 13:58:54
 21 A. No, not at Fremont. 13:58:55
 22 Q. Has there -- do you know that's the case for 13:58:57
 23 the prior school year as well as Fremont? 13:59:02
 24 A. No, I only know about this year, and talking 13:59:06
 25 with those two ladies who are in charge of those two 13:59:09

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1 major copiers, there's been no limit. 13:59:12
 2 Q. For this year? 13:59:16
 3 A. For forever. 13:59:17
 4 Q. Forever, to your knowledge? 13:59:20
 5 A. Since they have been there. 13:59:21
 6 Q. Which two ladies are those? 13:59:22
 7 A. They are coordinators of our specially 13:59:24
 8 funded program bilingual coordinator and our Title I 13:59:27
 9 coordinator. 13:59:32
 10 Q. What are their names? 13:59:33
 11 A. Mary Guinn and Blanca Ramirez. 13:59:34
 12 Q. Ms. Ramirez is the Title I coordinator? 13:59:38
 13 A. Ms. Guinn is the Title I. Ms. Ramirez is 13:59:43
 14 the bilingual coordinator. 13:59:45
 15 Q. Okay. When she says -- Ms. Diego -- in 13:59:47
 16 paragraph 5: "We even share our work sheets which 13:59:55
 17 the teachers have to make at Kinko's because the 13:59:58
 18 teachers only get a limited number of copies," in 14:00:01
 19 your view, that's not because Fremont limits the 14:00:04
 20 number of copies that a teacher can ask for; correct? 14:00:07
 21 A. Correct. 14:00:10
 22 Q. If that allegation is true -- 14:00:10
 23 Let's go off the record. 14:00:13
 24 (Off the record.) 14:01:01
 25 BY MR. ROZWOOD: 14:01:01

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1 Q. Do you see in the paragraph where Ms. Diego 14:01:25
 2 states: 14:01:29
 3 "They have to pay for it 14:01:30
 4 themselves"? 14:01:30
 5 Does Fremont require its teachers to pay for 14:01:33
 6 any copies? 14:01:36
 7 A. No. 14:01:36
 8 Q. Has Fremont ever charged teachers to make 14:01:42
 9 copies for materials used in the classroom? 14:01:44
 10 A. Basically it's illegal. 14:01:52
 11 Q. So the answer is no? 14:01:54
 12 A. Right. They may do it on their own, but not 14:01:56
 13 because -- I mean they go and have copies made, but 14:01:59
 14 it's not because Fremont charges to have them -- 14:02:03
 15 charged them in order to make them. 14:02:06
 16 Q. Are you aware of any instance where a 14:02:08
 17 teacher has gone to have copies made on their own? 14:02:09
 18 A. No. I heard one teacher who just said it 14:02:13
 19 casually that he had gone to Kinko's. 14:02:16
 20 Q. Which teacher is that? 14:02:21
 21 A. A Mr. Bell; however, that was his last 14:02:23
 22 employment, at Kinko's. So I don't know, but he did 14:02:26
 23 say he had gone to Kinko's. 14:02:32
 24 Q. He was working at Kinko's before he started 14:02:35
 25 as a teacher -- 14:02:38

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1 A. Yes. 14:02:38
 2 Q. -- at Fremont? 14:02:40
 3 A. Yes. 14:02:40
 4 Q. Did Mr. Bell tell you why he went to Kinko's 14:02:42
 5 -- 14:02:52
 6 A. No. 14:02:52
 7 Q. -- as opposed -- 14:02:52
 8 A. No. 14:02:52
 9 Q. -- to using copiers at Fremont? 14:02:52
 10 A. No. 14:02:52
 11 Q. Can you turn to page 2 of Cindy Diego's 14:02:59
 12 declaration, the page Bates stamped PLTF 00130 at the 14:03:02
 13 bottom right. Do you see where Ms. Diego says: 14:03:09
 14 "There are forty-five people in my 14:03:14
 15 American Literature class and four 14:03:15
 16 people have to stand every day"? 14:03:17
 17 A. Yes, I see that. 14:03:20
 18 Q. Do you have any knowledge of an American 14:03:24
 19 literature class at Fremont in which four people had 14:03:26
 20 to stand every day? 14:03:29
 21 A. No, I'm not knowledgeable, but it's hard to 14:03:32
 22 believe because you cannot put that many students in 14:03:35
 23 those English classes. 14:03:37
 24 Q. Have you ever heard of this allegation prior 14:03:43
 25 to today? 14:03:45

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1 A. No. 14:03:45
 2 Q. What would you do to determine whether or 14:03:51
 3 not it was true about Ms. Diego's American literature 14:03:54
 4 class? 14:03:58
 5 A. Well, I think that was a grievance that was 14:04:00
 6 warned by the teachers, and I don't think they would 14:04:03
 7 take them because it's a 20-to-1 ratio, and it's 14:04:05
 8 called a class size reduction, and I think, if that 14:04:09
 9 had been the case, the teachers would have yelled and 14:04:13
 10 screamed no. 14:04:17
 11 I don't think that was possible. 14:04:19
 12 Q. Would you be able to determine the teacher 14:04:23
 13 who taught Ms. Diego's American literature class 14:04:25
 14 through the inspection of school records? 14:04:29
 15 A. Yes. 14:04:29
 16 Q. And would you be able to approach the 14:04:32
 17 teacher in Ms. Diego's American literature class to 14:04:35
 18 determine whether or not that allegation relating to 14:04:39
 19 four people standing every day in class was true? 14:04:42
 20 A. If the teacher is still there, yes. I'm 14:04:46
 21 assuming that would have been this particular school 14:05:01
 22 year, the current school year. 14:05:04
 23 Q. Do you see in paragraph 9 where she says: 14:05:11
 24 "There are three counselors for 14:05:15
 25 around 1,000 students on the 'B' 14:05:16

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1 track" -- 14:05:19
 2 A. Yes. 14:05:19
 3 Q. -- "That's not enough counselors 14:05:20
 4 for all the students"? 14:05:21
 5 A. I see that. 14:05:22
 6 Q. Do you agree with that statement? 14:05:23
 7 A. Having been a counselor, I would say yes, 14:05:26
 8 but that is standard 5- to 600 students per 14:05:28
 9 counselor. 14:05:37
 10 Q. When you say that's standard, that's 14:05:39
 11 standard for -- 14:05:40
 12 A. Yes. 14:05:40
 13 Q. -- the Los Angeles -- 14:05:42
 14 A. Yes. 14:05:42
 15 Q. -- Unified School District -- 14:05:43
 16 A. Yes. 14:05:43
 17 Q. -- based upon your experience? 14:05:44
 18 A. Yes. 14:05:44
 19 Q. In your experience as a counselor, what 14:05:50
 20 would you recommend as the appropriate ratio? What 14:05:52
 21 do you think the appropriate ratio should be? 14:05:55
 22 A. Probably 350. 14:06:01
 23 Q. Why do you say 350? 14:06:12
 24 A. I would think you would then have more time 14:06:17
 25 to actually do counseling with the students rather 14:06:20

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1 than just the programming, calling them in to see 14:06:24
 2 what classes you need, whatever. You could spend 14:06:26
 3 more quality time with the smaller counseling load. 14:06:29
 4 Q. So if there were three counselors for every 14:06:42
 5 1,000 students, that would be an adequate number of 14:06:46
 6 counselors, in your view; correct? 14:06:50
 7 A. Yes. 14:06:50
 8 Q. On paragraph 12 of Ms. Diego's declaration, 14:07:10
 9 which has been introduced as Exhibit 2 to your 14:07:16
 10 deposition here, she mentions some noisy construction 14:07:20
 11 on water pipes, bungalows, and bleachers. 14:07:25
 12 Are you aware of what this allegation is 14:07:28
 13 referring to? 14:07:30
 14 A. I can only speculate. I'm not really aware. 14:07:33
 15 Q. Is this referring to something that occurred 14:07:37
 16 prior to your arrival at Fremont? 14:07:39
 17 A. After my arrival, I know that there were 14:07:43
 18 workers who were working on the bleachers on the 14:07:47
 19 athletic field and you do have bungalows in that 14:07:51
 20 area. 14:07:55
 21 Q. That was after you had arrived, you said? 14:07:56
 22 A. Yes. 14:07:56
 23 Q. Who supervised that work on the bleachers? 14:08:00
 24 A. It would be the assistant principal in 14:08:04
 25 charge of plant as well as the plant manager. 14:08:07

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1	Q. Did the assistant principal in charge of	14:08:16
2	plant and the plant manager make an effort to	14:08:19
3	minimize any interference with classroom activities	14:08:24
4	arising from the noise of the construction?	14:08:30
5	A. I personally don't know if there was noise	14:08:35
6	or the type of noise. I know not of that incident,	14:08:38
7	but if workers will be on campus, they notify the	14:08:44
8	staff in advance, including the area where they would	14:08:49
9	be working.	14:08:54
10	Q. And does the school make an effort to	14:08:55
11	minimize the interference that might occur as a	14:08:57
12	result of the presence of the workers on campus?	14:09:01
13	A. Yes. Rarely -- seldom will they come during	14:09:04
14	the actual school day. We generally have them to	14:09:07
15	start after 3:30.	14:09:10
16	Q. Are you aware of what construction Ms. Diego	14:09:18
17	refers to with respect to the water pipes and	14:09:21
18	bungalows?	14:09:24
19	A. No, I'm not knowledgeable.	14:09:25
20	Q. Who would be the person most knowledgeable	14:09:27
21	about that construction?	14:09:30
22	A. Mr. Hemmans and the plant manager and	14:09:31
23	assistant principal.	14:09:35
24	Q. Do you see in paragraph 13 of Ms. Diego's	14:09:48
25	declaration where she makes reference to smelly	14:09:52

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1	air-conditioning?	14:09:54
2	A. Yes, I see that.	14:09:57
3	Q. Are you aware of any problems with the odor	14:09:57
4	emitted from the air-conditioner in classrooms at	14:10:01
5	Fremont?	14:10:04
6	A. No, this is my first time.	14:10:06
7	Q. I would like to ask you about the -- let me	14:10:18
8	ask you this.	14:10:31
9	How many times do you meet -- how many times	14:10:32
10	a month do you meet with your assistant principals,	14:10:35
11	if that's a fair question?	14:10:39
12	I guess I could ask you: Do you have	14:10:41
13	regular meetings with your assistant principals?	14:10:43
14	A. We have them scheduled every week.	14:10:46
15	Q. Does anybody else from the school attend	14:10:52
16	those meetings?	14:10:55
17	A. I have what is called extended staff.	14:10:56
18	Q. Those meetings occur weekly?	14:11:01
19	A. Yes.	14:11:01
20	Q. And who -- this is your Title I coordinator?	14:11:05
21	A. Title I coordinator, bilingual coordinator,	14:11:09
22	magnet school coordinator, plant manager, cafeteria	14:11:16
23	manager, and the school administrative assistant,	14:11:31
24	which the old term is school secretary.	14:11:38
25	Q. Plus all the assistant principals?	14:11:43

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1	A. Yes.	14:11:43
2	Q. How many assistant principals do you have?	14:11:48
3	A. I have four. I should have five.	14:11:50
4	Q. You are authorized in your budget to have	14:11:54
5	five?	14:11:56
6	A. Yes, year-round schools have one extra	14:11:58
7	assistant principal.	14:12:00
8	Q. You are saying multitrack schools have one	14:12:04
9	extra assistant principal?	14:12:07
10	A. Yes, depending on the size.	14:12:10
11	Q. Now, you say you schedule these meetings	14:12:18
12	weekly. Do they occur weekly?	14:12:20
13	A. When I first started to get to know them and	14:12:24
14	their responsibilities. Now on an average of two to	14:12:27
15	three per month.	14:12:34
16	Q. Other than your periodic extended staff	14:12:48
17	meetings, do you have any other meetings with the	14:12:51
18	personnel of Fremont High School such as the	14:12:56
19	department chairs?	14:13:01
20	A. Department chairs, meeting with the various	14:13:03
21	councils.	14:13:06
22	Q. Do you have a meet -- what councils are you	14:13:09
23	referring to?	14:13:11
24	A. Well, we have the local school leadership	14:13:14
25	council.	14:13:18

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1	Q. What other councils?	14:13:21
2	A. School site council.	14:13:23
3	Q. Any others?	14:13:28
4	A. Well, I wanted to say the parents groups.	14:13:39
5	Q. The PTA or something different?	14:13:47
6	A. No, the councils to the Title I program and	14:13:49
7	the councils to the bilingual program, parents	14:13:52
8	groups. They have officers, et cetera --	14:13:56
9	Q. Okay.	14:14:02
10	A. -- and they meet monthly.	14:14:02
11	Q. All four of these do?	14:14:05
12	A. Yes.	14:14:05
13	Q. And do you personally attend all four	14:14:10
14	councils' monthly meetings?	14:14:13
15	A. Until two months ago. I started rotating	14:14:16
16	with the other administrators. So we exchanged --	14:14:19
17	especially the night meetings, the two parents	14:14:23
18	meetings. So we now rotate.	14:14:26
19	Q. And you asked your Title I coordinator to --	14:14:30
20	A. No.	14:14:30
21	Q. -- attend on their behalf?	14:14:36
22	A. No, they are there already. I wanted an	14:14:37
23	administrator at all of the meetings. So I rotate --	14:14:41
24	Q. You are referring to --	14:14:46
25	A. -- their --	14:14:48

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1	Q. I'm sorry to interrupt. I didn't know you	14:14:48
2	were still answering.	14:14:50
3	A. I rotate the administrators in terms of who	14:14:51
4	will attend the meetings for this month or week.	14:14:55
5	Q. When you are referring to administrators,	14:15:00
6	you were referring to assistant principals?	14:15:02
7	A. Correct.	14:15:06
8	Q. Who else sits on the local school leadership	14:15:06
9	council?	14:15:09
10	A. All of the stakeholders.	14:15:10
11	Q. Who are they?	14:15:12
12	A. Administrators, teachers, parents, students,	14:15:15
13	and noncertificated staff which would be the	14:15:28
14	classified staff.	14:15:31
15	Q. What responsibility or authority does the	14:15:37
16	local school leadership council have?	14:15:41
17	A. Let's see. I think there are about four	14:15:45
18	areas that they are in charge of: One being staff	14:15:48
19	development; the school calendar in terms of	14:15:53
20	scheduling; discipline; and equipment.	14:15:59
21	Q. What is equipment? What does that refer to?	14:16:08
22	A. Your copiers, your computers.	14:16:12
23	Q. They have control over the funds used to	14:16:16
24	acquire new equipment?	14:16:19
25	A. Budget.	14:16:22

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1	Q. The local school leadership council approves	14:16:30
2	the budget for the acquisition of new school	14:16:33
3	equipment?	14:16:38
4	A. They approved two budgets, and that is for	14:16:38
5	textbooks and IMA, which is instructional materials	14:16:41
6	account. So whatever is instructional material.	14:16:46
7	Q. Does that include the equipment, or is that	14:16:54
8	something in addition to the equipment?	14:16:56
9	A. Including.	14:16:58
10	Q. Okay. So the textbook fund is a separate	14:17:00
11	category, and the IMA is a separate category that	14:17:03
12	covers equipment; correct?	14:17:06
13	A. Yes.	14:17:06
14	Q. And the local school leadership council has	14:17:08
15	the final approval over those two budgets?	14:17:10
16	A. Yes.	14:17:10
17	Q. How many people sit on the local school	14:17:18
18	leadership council?	14:17:22
19	A. Oh, gee. I don't know. I have it in here	14:17:25
20	if you want me to check later and give it to you.	14:17:28
21	Q. Okay. We can come back to it.	14:17:31
22	A. Okay.	14:17:36
23	Q. Were any of the allegations that were made	14:17:40
24	in this lawsuit brought before the local school	14:17:43
25	leadership council for its consideration?	14:17:48

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1	A. No.	14:17:48
2	Q. Why not?	14:17:54
3	A. Oh, I'm sorry. Excuse me. The one on	14:17:55
4	textbooks, it was brought to their attention, and	14:17:58
5	they are the ones who decided which department would	14:18:06
6	get the books based on an assessment that they	14:18:09
7	conducted in terms of the textbooks.	14:18:12
8	Q. Is that because textbooks is part of the --	14:18:24
9	A. That's part of theirs, right.	14:18:36
10	Q. Part of --	14:18:36
11	A. Their domain.	14:18:36
12	Q. What about the -- never mind.	14:18:36
13	Do you know how many parents sit on the	14:18:54
14	school leadership council?	14:18:57
15	A. Five.	14:18:58
16	Q. Are you looking at something to help you?	14:18:59
17	A. I'm looking at the roster now. I did pick	14:19:01
18	it up. Five and two alternates.	14:19:04
19	Q. Do you know how many students sit on that	14:19:15
20	council?	14:19:17
21	A. Two.	14:19:18
22	Q. One from each track currently in session?	14:19:18
23	A. Yes.	14:19:18
24	Q. How many administrators sit on the local	14:19:23
25	school leadership council?	14:19:27

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1	A. Two.	14:19:28
2	Q. How many teachers?	14:19:29
3	A. Eight.	14:19:36
4	Q. And how many representatives of the	14:19:39
5	classified staff sit on the local school leadership	14:19:41
6	council?	14:19:44
7	A. Two.	14:19:46
8	Q. So if I've counted this up right, it looks	14:19:48
9	like there's about 19?	14:19:51
10	A. Something like that.	14:19:53
11	Q. Who sets the agenda for the local school	14:19:58
12	leadership council?	14:20:01
13	A. The two chairs of the council.	14:20:02
14	Q. Who are the two chairs currently?	14:20:04
15	A. The principal and the UTLA, the union rep.	14:20:07
16	Q. Is the union rep counted among the eight	14:20:11
17	teachers to sit on the council, or is that an	14:20:15
18	additional member of the council?	14:20:20
19	A. Yes, he's included in the number.	14:20:24
20	Q. Okay. If a parent wants to get an item put	14:20:31
21	on the agenda, is that parent able to do so?	14:20:34
22	A. Yes.	14:20:34
23	Q. Has that ever occurred, in your experience?	14:20:40
24	A. Yes.	14:20:40
25	Q. What types of issues have been put on the	14:20:42

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1	agenda by parents sitting on the local school leadership council?	14:20:46
2		14:20:49
3	A. Scheduling events.	14:20:50
4	Q. Any others that you can recall?	14:20:57
5	A. Discipline issues.	14:20:59
6	Q. Has a parent ever sought to raise a textbook-related issue in connection with the agenda considered by the local school leadership council?	14:21:07
7		14:21:11
8		14:21:15
9	A. I don't know that they initiate it, but they participate in the discussion of textbooks and textbook needs, and they express concerns.	14:21:18
10		14:21:22
11		14:21:24
12	Q. Has a parent ever initiated, to your knowledge, a discussion regarding the facilities at Fremont High School?	14:21:29
13		14:21:36
14		14:21:41
15	A. I really don't understand the question that you are asking.	14:21:45
16		14:21:47
17	Q. Okay. It's a bad question. I can't blame you because I asked a bad question.	14:21:48
18		14:21:50
19	To your knowledge, has any parent sitting on the local leadership council ever requested that items related to the maintenance or repair or condition of the school's facilities be put on the agenda for consideration by the council?	14:21:54
20		14:21:57
21		14:22:02
22		14:22:06
23		14:22:09
24	A. The only thing that I can recall is more or less having a room for parents, but in terms of the	14:22:16
25		14:22:23

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1	facility, I don't recall.	14:22:27
2	Q. Okay. You are one of the people involved in setting the agenda; correct?	14:22:36
3		14:22:38
4	A. Correct.	14:22:40
5	Q. Has any parent approached you with a desire to put any issue on the agenda?	14:22:40
6		14:22:43
7	A. Let me back up a little.	14:22:47
8	They all have input. What we do is at the closure of the meeting, then we together will get an idea, a sketch as to agenda items that they would like to have on the next agenda, and they have an opportunity at that time to say this will be an agenda item. So they do have an opportunity to do that.	14:22:49
9		14:22:52
10		14:22:56
11		14:23:00
12		14:23:04
13		14:23:12
14		14:23:14
15	Q. Can you think of any time where a parent asked that an issue be put on the agenda for the next meeting and that request was denied or rejected by the council or by the chair?	14:23:14
16		14:23:16
17		14:23:20
18		14:23:23
19	A. Yes.	14:23:23
20	Q. What issues are those?	14:23:26
21	A. Issues about the library.	14:23:27
22	Q. Any other issues?	14:23:33
23	A. No.	14:23:33
24	Q. Can you describe what the request relating to the library issue was?	14:23:35
25		14:23:39

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1	A. That's not an issue. The library is not a part of decision making of that particular group.	14:23:42
2		14:23:45
3	That was not one of their areas.	14:23:48
4	Q. The library is not an area of responsibility --	14:23:52
5		14:23:55
6	A. Of discussion.	14:23:56
7	Q. -- for the local school leadership council; right?	14:23:57
8		14:23:57
9	A. Right.	14:24:00
10	Q. That's something for the administration to handle on its own; correct?	14:24:00
11		14:24:03
12	A. Yes.	14:24:03
13	Q. And is the local school leadership council an entity established under the collective bargaining agreement with the Los Angeles Unified School District?	14:24:05
14		14:24:09
15		14:24:12
16		14:24:19
17	A. Yes.	14:24:19
18	Q. We have discussed how parents have the opportunity to influence the agenda of the local school leadership council.	14:24:23
19		14:24:27
20		14:24:31
21	Do students have similar opportunities to get involved in setting the agenda for the local school leadership council --	14:24:34
22		14:24:37
23		14:24:40
24	A. Yes.	14:24:40
25	Q. -- at Fremont?	14:24:42

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1	I'm sorry. I want to make sure the reporter got your answer.	14:24:44
2		14:24:47
3	A. Yes.	14:24:47
4	Q. In your experience, do the students participate actively in the local school leadership council?	14:24:49
5		14:24:54
6		14:24:57
7	A. Yes.	14:24:57
8	Q. What are the names of the students that sit on the local school leadership council for the current school year at Fremont?	14:25:02
9		14:25:04
10		14:25:07
11	A. Okay. Carlos Leon -- and my mind just drew a blank for Kathy, and I should know her. She is also president of one of the tracks. Maybe I'll think of Kathy's last name.	14:25:13
12		14:25:22
13		14:25:27
14		14:25:30
15	Q. If you do, just let us know.	14:25:33
16	A. Okay.	14:25:45
17	Q. Do you know the third student, the off-track student that would sit on -- that sat on the local school leadership council during the school year?	14:25:45
18		14:25:45
19		14:25:45
20	A. No.	14:25:45
21	Q. What types of issues do the students' representatives raise at the local school leadership council?	14:25:51
22		14:25:56
23		14:26:01
24	A. More or less scheduling and student activities.	14:26:05
25		14:26:08

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1 Q. Any issues relating to the availability of 14:26:09
 2 textbooks? 14:26:12
 3 A. No. 14:26:14
 4 Q. Any issues relating to the maintenance, 14:26:15
 5 repair, or condition of the school's facilities and 14:26:18
 6 rest rooms? 14:26:21
 7 A. No. 14:26:21
 8 Q. Any issues relating to the presence of rats, 14:26:24
 9 mice, rodents, insects, or other unwanted creatures 14:26:29
 10 at Fremont? 14:26:36
 11 A. No. 14:26:36
 12 Q. Any issues relating to ceiling tiles, 14:26:37
 13 missing ceiling tiles at Fremont? 14:26:41
 14 A. No. 14:26:41
 15 Q. Any issues relating to classroom temperature 14:26:44
 16 such as problems with air-conditioning or heating at 14:26:50
 17 Fremont? 14:26:54
 18 A. No. 14:26:54
 19 Q. Can you think of other than events -- strike 14:26:56
 20 that. 14:27:04
 21 Other than what you have already testified 14:27:04
 22 to, can you think of any issues raised by the student 14:27:05
 23 representatives sitting on the local school 14:27:09
 24 leadership council in order to have them placed on 14:27:11
 25 the agenda? 14:27:18

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1 A. No. Whatever the agenda items are, they 14:27:21
 2 would contribute to the conversations maybe, but to 14:27:25
 3 actually raise issues other than they are 14:27:30
 4 representing students there and they are more or less 14:27:35
 5 focused on activities for students. 14:27:38
 6 Q. Such as the prom or -- 14:27:41
 7 A. Well -- 14:27:44
 8 Q. What types of activities? 14:27:44
 9 A. Lunch activities or dances or different 14:27:48
 10 types of drives or extending the lunch so they can 14:27:50
 11 have more time, bell schedules, or things like that. 14:27:55
 12 Q. Okay. What is the purpose of a school site 14:28:01
 13 council? 14:28:03
 14 A. Generally a school site council is formed to 14:28:06
 15 more or less play a major role in State programs. 14:28:11
 16 For instance, your Title I program, you have a lot of 14:28:16
 17 fundings in that area and the bilingual, a lot of 14:28:21
 18 things that you do in terms of your purchases or 14:28:27
 19 buying other personnel. They have to be approved by 14:28:34
 20 that school site council. 14:28:37
 21 Q. Is the school site council in charge of 14:28:44
 22 spending in particular budgetary categories? 14:28:46
 23 A. For those areas and categories. 14:28:52
 24 Q. Which categories? 14:28:54
 25 A. Title I and bilingual. 14:28:55

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1 Q. Any others? 14:28:57
 2 A. No. 14:28:57
 3 Q. Who sits on the school site council? 14:28:58
 4 A. The -- all of the stakeholders again, but 14:29:01
 5 they are different ones. They are elected to these 14:29:05
 6 positions. 14:29:07
 7 Q. Parents and teachers included? 14:29:08
 8 A. Yes. 14:29:08
 9 Q. Do you know -- do you sit on the school site 14:29:12
 10 council? 14:29:15
 11 A. Yes. 14:29:15
 12 Q. Do you know how many people sit on the 14:29:16
 13 council, the school site council? 14:29:18
 14 A. I need to say that I would say maybe ten, 14:29:21
 15 and it was recently activated. When I say 14:29:26
 16 "recently," I'm thinking maybe about two months. 14:29:31
 17 It was inactive since the last principal, 14:29:35
 18 and we just reactivated it maybe two months ago. I'm 14:29:43
 19 saying that to say I really don't know how many 14:29:55
 20 people. 14:29:57
 21 They had an election, and I'm thinking it 14:29:59
 22 probably is about ten. Smaller than the local school 14:30:01
 23 leadership council. 14:30:05
 24 Q. What is the relationship between the parents 14:30:10
 25 council that meets at night for like the bilingual or 14:30:12

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1 the Title I programs and the school site council that 14:30:17
 2 administers the funds? What is the relationship 14:30:21
 3 between those councils? 14:30:22
 4 A. The ones who attend the meetings is a 14:30:29
 5 mandate that you have these councils, parents 14:30:34
 6 councils, for the Title I not only for monetary 14:30:37
 7 purposes to decide about the budget but also to give 14:30:43
 8 them updates on what is going on at the school, also 14:30:48
 9 to provide parents training and select community 14:30:51
 10 represents who will go out in the community and bring 14:30:55
 11 back information. 14:30:59
 12 So it's just to keep them informed about 14:31:00
 13 what is going on in the district. 14:31:02
 14 So it's not that they are really doing 14:31:04
 15 anything to, say, vote on what the school would do at 14:31:08
 16 those meetings. They will have an opportunity to 14:31:14
 17 share with their representatives things they may want 14:31:19
 18 to have brought up in leadership council. 14:31:22
 19 Q. Just so I understand your testimony, is it 14:31:25
 20 fair to characterize the parent councils as community 14:31:27
 21 outreach -- 14:31:31
 22 A. Yes, basically. 14:31:32
 23 Q. And information is provided to the parent 14:31:34
 24 community through the council -- 14:31:39
 25 A. Yes. 14:31:39

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1 Q. -- and the other community stakeholders as 14:31:43
 2 well? 14:31:47
 3 A. Yes. 14:31:47
 4 Q. And is information provided to the council 14:31:48
 5 by the community at these council meetings as well? 14:31:50
 6 A. Yes. 14:31:50
 7 Q. When you say "mandated," is that mandated by 14:31:58
 8 law? 14:32:05
 9 A. Yes, mostly State funds. 14:32:05
 10 Q. What percent of Fremont's overall budget is 14:32:07
 11 overseen by the school site council? 14:32:12
 12 A. Gosh -- 14:32:17
 13 Q. Give me your best estimate, if you can. 14:32:18
 14 A. I just went through this with the council. 14:32:28
 15 My first experience. And I would think on an average 14:32:28
 16 they are probably dealing with a half million dollars 14:32:30
 17 together between the two. 14:32:37
 18 Q. Between Title I and bilingual programs? 14:32:39
 19 A. Yes. 14:32:39
 20 Q. What is the overall budget at Fremont? 14:32:43
 21 A. I wish I could tell you, but I can't. 14:32:46
 22 Q. What is your understanding of what this 14:32:56
 23 money is generally spent on? 14:32:58
 24 A. The Title I money is to provide remediation 14:33:00
 25 for our students because they have to qualify, first 14:33:04

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1 of all, to be a Title I school, and they mostly -- 14:33:07
 2 "they," meaning the State -- determine by the number 14:33:11
 3 of students who participate in the federal meal 14:33:14
 4
 5 program. 14:33:17
 6 When you talked earlier about the meal 14:33:18
 7 applications, and in order to obtain funds, then you 14:33:20
 8 try to get this, and monies are -- it depends on how 14:33:23
 9 they want to use the money. They know what they 14:33:30
 10 have, and it's more or less guidelines as to what you 14:33:33
 11 can use it for. 14:33:37
 12 So it's just a matter of saying how many 14:33:38
 13 dollars are you going to put in programs, in 14:33:41
 14 conferences, how much will you use to purchase 14:33:45
 15 additional books, maybe reading for pleasure or 14:33:49
 16 something like that, or how much will you spend on 14:33:51
 17 personnel, your teacher assistants, and I would say a 14:33:55
 18 large amount of that money is -- a large portion of 14:33:58
 19 it is on purchasing personnel. 14:34:01
 20 Quite a few teacher assistants are purchased 14:34:08
 21 and educational aides as well as your coordinator, 14:34:10
 22 and I would think the -- say, the other half if I'm 14:34:14
 23 going -- half is spent directly for students and 14:34:19
 24 teachers' instructional materials, and things they 14:34:21
 25 would need, teachers would need. 14:34:25

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1 Q. And how is the final decision about how the 14:34:28
 2 money is actually spent made? By vote of the members 14:34:31
 3 of the school site council or in some other fashion? 14:34:34
 4 A. You have what is called a budget committee 14:34:38
 5 and -- 14:34:41
 6 Q. Is that a subset of the members of the 14:34:44
 7 school site council? 14:34:46
 8 A. Well, basically it's the school site 14:34:48
 9 council -- I'm sorry. That's a committee that would 14:34:49
 10 approve. 14:34:54
 11 Q. And so is it by a vote of the school site 14:34:55
 12 council to approve a budget? 14:34:59
 13 A. Well, it's a consensus. Because we are 14:35:01
 14 discussing it as we go, it's generally by consensus. 14:35:03
 15 Q. And are the parent and student 14:35:09
 16 representatives on the school site council given an 14:35:12
 17 opportunity to participate in those discussions? 14:35:14
 18 A. Yes. 14:35:14
 19 Q. Are you aware of any instances where a 14:35:18
 20 parent or student's concerns were not considered by 14:35:20
 21 the school site council in connection with its 14:35:25
 22 determination of how to spend the Title I or 14:35:29
 23 bilingual funds? 14:35:31
 24 A. No. 14:35:33
 25 Q. Are you aware of the fence that was recently 14:35:37

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1 put up around Fremont? 14:35:39
 2 A. Yes. 14:35:39
 3 Q. I believe that the fence cost about \$475,000 14:35:47
 4 to put up; is that correct? 14:35:51
 5 A. I don't know. I read about it in the 14:35:53
 6 "Times," the figure. I guess they -- "L.A. Times," 14:35:54
 7 whoever the reporter was, called the previous 14:36:00
 8 assistant principal or principal to get that dollar 14:36:02
 9 amount. That was what I was told, but I had no idea 14:36:04
 10 of the cost. I don't think any of us on-site really 14:36:07
 11 did. 14:36:10
 12 Q. Do you think that was a wise use of school 14:36:12
 13 funds? 14:36:14
 14 A. I need to -- 14:36:15
 15 MS. LHAMON: Objection. Assumes facts not 14:36:16
 16 in evidence. I'm sorry. 14:36:17
 17 BY MR. ROZWOOD: 14:36:18
 18 Q. Let me ask you: Do you know where the money 14:36:19
 19 came from to purchase and install the fence? 14:36:21
 20 A. My understanding, it was from the district 14:36:23
 21 part of the Prop BB funding. 14:36:26
 22 Q. Do you think it makes the campus safer for 14:36:32
 23 students and teachers? 14:36:35
 24 A. I think they feel safe with the fence there. 14:36:38
 25 Q. Who -- 14:36:42

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1 A. Teachers and students. 14:36:42

2 Q. Have you spoken to any students that have 14:36:44
3 told you they feel safer with the fence there? 14:36:46

4 A. Yes. 14:36:46

5 Q. Do you have the names of any of those 14:36:50
6 students? 14:36:52

7 A. No, I don't have names. It's just in 14:36:52
8 talking and getting out and mingling with them, and I 14:36:54
9 hear pros and cons. 14:36:57

10 Q. What are the pros and cons that you've heard 14:36:59
11 about the fence? 14:37:02

12 A. Well, some of them say, "We feel like we are 14:37:04
13 in prison." You know, you have your fence up, and 14:37:06
14 from the outside it looks like you are in prison. 14:37:10
15 Others say, "I'm comfortable. I feel safe." Some 14:37:14
16 say, "You should have it painted." 14:37:21

17 MR. FRIEDMAN: All right. 14:37:26

18 THE WITNESS: Some say, "Put some plants or 14:37:27
19 something there, ivy or some other plant to decorate 14:37:29
20 it." 14:37:34

21 And on the whole, I think they are pleased 14:37:35
22 with it. I think they really feel safe there. 14:37:37

23 BY MR. ROZWOOD: 14:37:40

24 Q. Have you spoken to teachers about the way 14:37:40
25 the fence has changed the environment at the school? 14:37:44

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1 A. No, I haven't. 14:37:47

2 Q. Have any teachers made any comments to you 14:37:48
3 at all about the fence, whether good or bad? 14:37:51

4 A. Well, I haven't really engaged in 14:37:57
5 conversation with them regarding the fence. That was 14:37:59
6 not a priority with me. 14:38:04

7 Q. How do you know that teachers feel safer? 14:38:06

8 A. I hear them in their own conversations just 14:38:17
9 talking. 14:38:17

10 Q. And how about the administrators? Do the 14:38:17
11 administrators feel safer with the fence than before 14:38:18
12 it was put up? 14:38:20

13 MS. LHAMON: Objection as to "safer." 14:38:22
14 Before what? 14:38:25

15 MR. ROZWOOD: Before it was put up. It was 14:38:27
16 explained in the question. 14:38:28

17 THE WITNESS: Well, I don't have anyone 14:38:30
18 there to compare with the exception of Marcie Hines, 14:38:30
19 and she feels comfortable there. I think she felt 14:38:33
20 comfortable even before the fence or she probably 14:38:37
21 would have declined going to that school. So... 14:38:41

22 BY MR. ROZWOOD: 14:38:46

23 Q. Do you think the community in which Fremont 14:38:48
24 is located is a dangerous community? 14:38:52

25 MS. LHAMON: Objection. Calls for 14:38:57

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1 speculation. 14:38:58

2 BY MR. ROZWOOD: 14:38:59

3 Q. You can answer. 14:39:00

4 A. No. 14:39:00

5 Q. Are you aware of any instances of crime or 14:39:04
6 other violations of law? 14:39:07

7 MS. LHAMON: Calls for a legal conclusion. 14:39:10

8 MR. FRIEDMAN: You can answer. 14:39:13

9 THE WITNESS: I do answer or what? 14:39:15

10 MR. FRIEDMAN: You can answer. 14:39:16

11 THE WITNESS: Okay. 14:39:17

12 I don't know. I just heard the school 14:39:18
13 police talk about the crimes. We are like No. 1 in 14:39:21
14 the district now in terms of decline in crime. 14:39:26

15 BY MR. ROZWOOD: 14:39:33

16 Q. Measured from when to when? 14:39:34

17 A. I don't know how they determined that with 14:39:36
18 the school police. The person in charge of the 14:39:38
19 school police, I met with him. He gave me that 14:39:41
20 information. I'm thinking in terms of break-ins or 14:39:44
21 vandalism, things like that. 14:39:48

22 Q. What is the name of the person in charge of 14:39:53
23 the school police? 14:39:56

24 A. Wesley Mitchell. 14:39:57

25 Q. Is he a member of the Los Angeles Police 14:40:01

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1 Department, or is he just a -- he is a privately -- 14:40:03

2 MR. FRIEDMAN: I can make an offer of proof 14:40:07
3 or a representation. 14:40:10

4 L.A. Unified School District has its own 14:40:12
5 police department, and Wesley Mitchell is the -- I'm 14:40:15
6 not sure if that's the proper title but effectively 14:40:18
7 chief of the Los Angeles Unified School District 14:40:22
8 Police Department. 14:40:29

9 BY MR. ROZWOOD: 14:40:31

10 Q. When did Mr. Mitchell tell you that Fremont 14:40:32
11 was No. 1 in declines in incidents of break-ins and 14:40:38
12 vandalism in the big district? 14:40:43

13 A. Maybe a month or two after I arrived to 14:40:46
14 Fremont campus, he came over, and we just talked, and 14:40:48
15 he wanted to let me know he was available, et cetera, 14:40:53
16 just to more or less welcome me to Fremont. And he 14:40:56
17 sat and talked, and he gave me a little history in 14:41:01
18 terms of vandalism and break-ins, and that was when 14:41:05
19 he shared that we are no longer No. 1, there's been a 14:41:10
20 decrease, and also talked about bringing in the 14:41:17
21 preventive measures like cameras on campus. 14:41:21

22 Q. Have you brought in any cameras? 14:41:27

23 A. We have had bidders, and that's where we 14:41:29
24 are. 14:41:34

25 Q. Is that something that the administration 14:41:35

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1 would decide to do on its own, or is that something 14:41:38
 2 that would be considered by the local school 14:41:41
 3 leadership council? 14:41:44
 4 A. That's something the administration or the 14:41:45
 5 district itself would do. 14:41:48
 6 Q. It's not part of the equipment that's 14:41:50
 7 covered -- 14:41:52
 8 A. No. 14:41:52
 9 Q. -- by the instructional -- 14:41:53
 10 A. No. 14:41:53
 11 Q. -- materials funds? 14:41:55
 12 A. No. The funds are coming from the big 14:41:56
 13 district and some from the small district. 14:42:00
 14 Q. Do you think cameras are necessary to 14:42:03
 15 improve the security at Fremont High School? 14:42:05
 16 MS. LHAMON: Objection. Calls for 14:42:09
 17 speculation. 14:42:09
 18 THE WITNESS: In terms of vandalism and 14:42:11
 19 break-ins, yes. 14:42:14
 20 BY MR. ROZWOOD: 14:42:18
 21 Q. Are you aware of any incidents of stolen 14:42:25
 22 property at Fremont since you arrived? 14:42:28
 23 A. Yes. 14:42:28
 24 Q. How many different incidents? Your best 14:42:31
 25 estimate in terms of a number. 14:42:34

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1 A. Four to five. 14:42:37
 2 Q. And what types of property were stolen? 14:42:39
 3 A. Computers. 14:42:44
 4 Q. On all four or five occasions? 14:42:45
 5 A. Yes. 14:42:45
 6 Q. And that's four to five separate occasions; 14:42:52
 7 correct? 14:42:52
 8 A. Yes. 14:42:57
 9 Q. Do you know approximately how many computers 14:42:57
 10 were stolen? 14:42:59
 11 A. No, I don't. 14:43:02
 12 Q. And is this the principal purpose for the -- 14:43:04
 13 well, strike that. 14:43:08
 14 Other than the stolen computers, are there 14:43:13
 15 any other incidents of stolen property from Fremont 14:43:15
 16 that you are aware of? 14:43:18
 17 A. No, no other incidents in terms of taking -- 14:43:23
 18 I have not been told of any incidents of break-ins 14:43:26
 19 that included other than computers. There may have 14:43:31
 20 been others. It's just that I'm not involved in 14:43:36
 21 everything. 14:43:40
 22 Again, I leave that up to the assistant 14:43:41
 23 principal who is in charge of the school police. 14:43:44
 24 Q. Ones you are aware of are computer thefts -- 14:43:48
 25 A. Computers, yes. 14:43:53

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1 Q. -- correct? 14:43:56
 2 A. That's correct. 14:43:56
 3 Q. Who is the person most knowledgeable about 14:44:04
 4 the availability and issuance of lockers to students 14:44:06
 5 at Fremont High School? 14:44:09
 6 A. One of the other assistant principals. His 14:44:13
 7 name is James Hooker. 14:44:15
 8 Q. To your knowledge, are there sufficient 14:44:31
 9 lockers available for the students at Fremont? 14:44:33
 10 A. Yes. 14:44:33
 11 Q. To your knowledge, has any student ever been 14:44:37
 12 refused a locker if they request one? 14:44:39
 13 A. No. The policy changed the year that I 14:44:47
 14 arrived, and the assistant principal who was in 14:44:52
 15 charge at that time after we had discussed the 14:44:56
 16 issuing of lockers, she moved on, but her plan was to 14:45:06
 17 do as they had in the past. 14:45:06
 18 I think the seniors had priority. This is 14:45:08
 19 something that the students decided in terms of who 14:45:11
 20 would get them, and this is what they shared with me, 14:45:13
 21 but she was not there long enough to distribute the 14:45:17
 22 lockers. 14:45:21
 23 So the person who replaced her who is there 14:45:21
 24 now, what he did was put out a list to the homeroom 14:45:24
 25 teachers and made it optional, those who want 14:45:29

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1 lockers, you know, you complete the form and turn it 14:45:32
 2 in. 14:45:36
 3 You didn't get a lot of people that they 14:45:37
 4 were asked, instead of going the other way, you will 14:45:41
 5 get lockers for the seniors, he changed it. 14:45:45
 6 Students in the homeroom interested in a 14:45:50
 7 locker, list the names on this form and submit it, 14:45:52
 8 and that's how they received lockers this school 14:45:56
 9 year. 14:45:59
 10 Q. For this school year at Fremont, did every 14:45:59
 11 student get offered a locker -- 14:46:02
 12 A. Yes. 14:46:02
 13 Q. -- through their homeroom teacher? 14:46:05
 14 A. Yes. 14:46:05
 15 Q. Did every student who requested a locker 14:46:09
 16 receive one? 14:46:11
 17 A. Yes. We did that twice, the beginning of 14:46:18
 18 the school year and then the second half of the 14:46:21
 19 school year. We asked again those who wanted in case 14:46:24
 20 we had new students or whatever, and we still have 14:46:28
 21 lockers that are not issued. 14:46:32
 22 Q. So at least for this year, there are more 14:46:36
 23 than enough lockers available for the students who 14:46:38
 24 wanted them; correct? 14:46:41
 25 A. Correct. 14:46:42

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1 Q. Do you know what the situation was for last 14:46:43
 2 year? 14:46:45
 3 A. No, not personally. I just know about it 14:46:48
 4 with the little conversation I had with the previous 14:46:53
 5 assistant principal before she left. 14:46:56
 6 Q. Can you look at Exhibit 3, which is the 14:47:06
 7 declaration of Glauz Diego. There are two different 14:47:09
 8 ones, but this one, Exhibit 3, appears to be signed 14:47:15
 9 and dated on August 9th, 2000. 14:47:19
 10 A. Where do I find the date? 14:47:35
 11 Q. On the third page where he signed it. I'm 14:47:36
 12 saying that for the record more than anything else. 14:47:39
 13 A. Okay. 14:47:42
 14 Q. Do you know when C track begins? 14:48:03
 15 A. It probably -- they all start the first of 14:48:08
 16 July. So whatever this date was, the first day of 14:48:13
 17 July. If it was July 1st, that was the Monday of the 14:48:17
 18 first week of July. As for the date, I can tell you 14:48:20
 19 the coming year is July 2nd, but no, I don't recall. 14:48:26
 20 Q. But C track started on the first Monday in 14:48:32
 21 July -- 14:48:36
 22 A. Correct. 14:48:36
 23 Q. -- for the '99/2000 school year? 14:48:37
 24 A. Yes. 14:48:37
 25 Q. You see where he says in paragraph 2: 14:48:47

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1 "When I was in the tenth grade, 14:48:49
 2 nobody had a sixth period class 14:48:51
 3 because there were too many 14:48:53
 4 students and not enough classes"? 14:48:54
 5 Have you ever seen this allegation before 14:48:56
 6 today? 14:48:58
 7 A. Yes. 14:48:58
 8 Q. Did you have an opportunity to investigate 14:49:00
 9 that allegation? 14:49:01
 10 A. Yes. 14:49:01
 11 Q. And what did you find? 14:49:03
 12 A. All students must have six periods unless 14:49:07
 13 they have work experience or an off-campus class, and 14:49:10
 14 all students did. 14:49:17
 15 Q. Do you know what Glauz Diego is referring 14:49:18
 16 to? 14:49:21
 17 A. I have no idea. 14:49:22
 18 Q. Is there any possible way, in your 14:49:26
 19 experience, that this allegation could be true? 14:49:28
 20 A. No, we are mandated six periods a day 14:49:32
 21 unless, again, you have work experience or a work 14:49:36
 22 permit. 14:49:41
 23 Q. Do you see where he says: 14:49:43
 24 "Last year it took me three days to 14:49:45
 25 get a sixth period class. I was 14:49:47

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1 lucky to get a class at all"? 14:49:49
 2 A. Yes, I see it. 14:49:51
 3 Q. Is it customary for students to fill out 14:49:52
 4 their sixth period over the first few days of the 14:49:55
 5 semester, or are those classes already provided in 14:50:03
 6 the schedule made up by the counselor? 14:50:08
 7 A. The classes are made up prior to the opening 14:50:11
 8 of school. When they walk in, they have their 14:50:14
 9 program. 14:50:17
 10 I'll go back to saying there's a possibility 14:50:19
 11 that the class that he had selected that was given to 14:50:21
 12 him was overcrowded and it took a period of three 14:50:26
 13 days to find another. 14:50:28
 14 Q. But at the start of the semester, he would 14:50:31
 15 have had six assigned classes, including work 14:50:34
 16 experience or whatever else? 14:50:38
 17 A. Yes. 14:50:38
 18 Q. And he would have had one class for every 14:50:40
 19 period -- 14:50:42
 20 A. Yes. 14:50:42
 21 Q. -- for all six periods; correct? 14:50:44
 22 A. Yes. 14:50:44
 23 Q. Do you see where he says in this paragraph: 14:50:54
 24 "My school is so crowded I could 14:50:58
 25 not get the AP history or AP 14:51:00

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1 chemistry courses I wanted to take. 14:51:03
 2 It seems whoever gets to the 14:51:05
 3 counselor first gets the class"? 14:51:06
 4 Do you know what he is referring to there? 14:51:09
 5 A. No, I'm not. That should have been 14:51:13
 6 scheduled prior to the school year, and the 14:51:15
 7 counselors meet with the counselors and go over the 14:51:19
 8 program with them. So it should have been on his 14:51:24
 9 program from the start if he was an AP classes or 14:51:26
 10 assigned AP classes. 14:51:31
 11 Q. How does a student -- let me ask it this 14:51:33
 12 way. 14:51:40
 13 Do the students have any ability to affect 14:51:41
 14 what classes his or her class counselor assigns them 14:51:43
 15 in advance of getting the actual schedule? 14:51:47
 16 A. Yes. 14:51:47
 17 Q. What do they have to do to affect the 14:51:50
 18 classes they are assigned? 14:51:52
 19 A. Well, the electives. The others are 14:52:06
 20 automatic, you know, what they need. You know, those 14:52:06
 21 and the number of units. 14:52:06
 22 The only time they would be able to give 14:52:06
 23 input as to what they want to take would be the 14:52:06
 24 electives, and -- 14:52:08
 25 Q. What about -- I'm sorry. Go ahead. 14:52:09

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1 A. -- and they probably wouldn't have but one 14:52:11
2 because PE is a given. 14:52:13
3 If they go to summer school or go to a 14:52:16
4 college or university and take classes, then they 14:52:19
5 would have the option of more than one elective. It 14:52:21
6 depends on what you do on your own beyond the school. 14:52:25
7 Q. Can the students meet with their counselors 14:52:29
8 any time they want to at Fremont? 14:52:33
9 A. Not any time they want to. 14:52:35
10 Q. How do they set up a meeting with their 14:52:38
11 counselor? 14:52:40
12 A. Most of them will have a Request to See 14:52:41
13 Counselor form and go in and complete it, and the 14:52:43
14 counselor will summon that student. 14:52:46
15 Q. Are you aware of any instances where a 14:52:49
16 student wanted to meet with their counselor but was 14:52:52
17 refused access to meet with their counselor? 14:52:54
18 A. I'm not aware. 14:52:57
19 Q. Do you think that has happened at Fremont? 14:52:59
20 A. I think so. I think it happens at every 14:53:01
21 school in L.A.U.S.D. 14:53:04
22 Q. How often does that happen? 14:53:07
23 A. It depends on the time of year. There are 14:53:09
24 some times when counselors are busier than others, 14:53:14
25 especially at the beginning of the year. You have a 14:53:17

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1 lot of new students, and if you already have your 14:53:21
2 program, you won't have a priority of those who are 14:53:24
3 just coming in. So it will take a little time. 14:53:27
4 Q. Does the counselor -- strike that. 14:53:33
5 What is the -- what are the counselors 14:53:39
6 supposed to do when they are too busy to meet with 14:53:42
7 one of their students? 14:53:46
8 A. It depends on who the counselor is. Some 14:53:48
9 will talk to them when they are out on supervision 14:53:51
10 and lunch, and that's why they are out there. 14:53:54
11 Students have an opportunity to go and converse with 14:53:58
12 them. 14:54:01
13 Some will even stay after school and meet 14:54:02
14 with students because Fremont is -- I want to say an 14:54:06
15 EIS school, which you get credit or extra stipend for 14:54:12
16 tutoring and staying after school. 14:54:18
17 So sometimes counselors will use that as 14:54:20
18 their means of putting in the time for the extra pay. 14:54:23
19 They will do tutoring or meet with counselees. 14:54:27
20 Q. When you said there were instances where 14:54:31
21 students wanted to meet with their counselors but 14:54:34
22 couldn't, were you referring to meet with them that 14:54:37
23 day and not that day or that period and couldn't? 14:54:40
24 A. Just that day or could be that week. 14:54:45
25 Q. But if the counselors are too busy, don't 14:54:47

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1 they meet with them when they have time? 14:54:50
2 A. When they have time with 5- or 600, you 14:54:52
3 know, how much time do you have? I think they try to 14:54:57
4 make themselves available as much as possible. 14:54:59
5 Can I continue? 14:55:07
6 Q. You can say whatever you want, Ms. Roland. 14:55:08
7 A. I want to be able to say that, if it's in 14:55:11
8 terms of program change and you know that it's an 14:55:14
9 immediate need, maybe a mistake you gave a class that 14:55:17
10 he or she has had, that's done immediately. 14:55:21
11 If you decide you don't want this teacher, 14:55:25
12 you are going to probably stay in a little longer 14:55:28
13 while I'm doing something with another kid. 14:55:32
14 Q. How many counselors are there at Fremont? 14:55:36
15 A. Oh, probably about 12. 14:55:41
16 Q. How many counselors are available to 14:55:45
17 students on each track? 14:55:48
18 A. Three or -- three -- probably three. 14:55:51
19 Q. You mentioned that Fremont is an EIS school. 14:55:59
20 A. It probably isn't the term now. From the 14:56:04
21 old school it was -- I wanted to say -- I think it's 14:56:06
22 now UTCP or something like that, urban impact schools 14:56:20
23 or something like that. 14:56:26
24 They call it combat pay where you can do 14:56:27
25 things like call attendance problems or things like 14:56:31

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1 that, and you do make phone calls home, do the little 14:56:35
2 extra things that are beyond what you are supposed to 14:56:39
3 do, and you are paid an extra stipend to do tutoring 14:56:43
4 or calling. 14:56:47
5 I would say more than half of the schools in 14:56:47
6 the district are -- I don't know the term. I haven't 14:56:50
7 been in one recently. So I'm not sure. 14:56:55
8 Q. Who provides the funds that Fremont uses to 14:57:02
9 pay -- 14:57:05
10 A. The district does. 14:57:07
11 Q. The L.A. Unified School District? 14:57:09
12 A. Yes. 14:57:09
13 Q. This is to encourage work beyond and outside 14:57:13
14 of the classroom? 14:57:18
15 A. Yes. 14:57:19
16 MR. FRIEDMAN: I'm not sure either, but 14:57:20
17 would UCTP refer to urban classroom teacher policy? 14:57:24
18 THE WITNESS: I'm not sure. 14:57:30
19 MS. LHAMON: That sounds like program, not 14:57:31
20 policy. 14:57:40
21 MR. FRIEDMAN: I'm not making a 14:57:43
22 representation about that, but that's the term I 14:57:44
23 recall and seems to maybe fit in the puzzle. 14:57:47
24 MS. LHAMON: Your depo is next, Howard. 14:57:54
25 THE WITNESS: As a teacher, I would remember 14:57:57

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1 that, but now I'm an administrator. My hours don't 14:57:58
 2 count. I don't worry about it. 14:58:09
 3 BY MR. ROZWOOD: 14:58:09
 4 Q. You mentioned that some computers were 14:58:12
 5 stolen. Were you able to buy replacement computers 14:58:14
 6 for those? 14:58:18
 7 A. They were replaced, I know, in the career 14:58:22
 8 center. We didn't purchase them. The adult 14:58:28
 9 school -- the ROP program -- I think it was the -- 14:58:34
 10 I'm not sure. They were replaced, but the school 14:58:46
 11 didn't have to pay for them. 14:58:49
 12 Q. They were replaced? 14:58:52
 13 A. Yes. 14:58:52
 14 Q. Do you know how long it took to replace 14:58:54
 15 them? 14:58:55
 16 A. Maybe a couple of weeks. 14:58:59
 17 Q. Do you see in paragraph 10 of Exhibit 3 14:59:21
 18 where Mr. Glauz Diego says: 14:59:26
 19 "The magnet program has block 14:59:29
 20 scheduling"? 14:59:31
 21 A. Yes. 14:59:31
 22 Q. Can you describe block scheduling for us. 14:59:34
 23 A. Yes. That means that students spend two 14:59:38
 24 hours in the classes so they would have three classes 14:59:44
 25 per day and they would meet every other day. 14:59:48

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1 Q. Do you feel that this schedule has any 14:59:54
 2 impact on a student's ability to attend a community 15:00:01
 3 college versus a university? 15:00:05
 4 A. No, it doesn't. 15:00:09
 5 Q. Do you see where he says: 15:00:14
 6 "Each class is two hours long, and 15:00:16
 7 we get too much work in the two 15:00:19
 8 hours because we are rushing"? 15:00:21
 9 Are you aware of any teachers or students 15:00:23
 10 that are rushed because of the blocked scheduling in 15:00:26
 11 the magnet program? 15:00:30
 12 A. No. I see block scheduling personally as 15:00:32
 13 being a good program. I worked in it at the middle 15:00:35
 14 school. We started out with the block scheduling. 15:00:39
 15 It's good for the sciences, et cetera. 15:00:43
 16 The only problem I see at Fremont -- and we 15:00:47
 17 are not -- I'm not continuing with it this school 15:00:50
 18 year -- is that you have two schedules on one campus, 15:00:53
 19 and it makes it difficult. 15:00:58
 20 It was hard trying to convince the magnet 15:01:00
 21 teachers and the coordinator of this, but it's very 15:01:03
 22 difficult for you to get other electives, which I 15:01:06
 23 think the students needed, and I discovered that the 15:01:13
 24 electives, if they wanted them, like physiology or 15:01:19
 25 the others, they would have to go to the adult school 15:01:22

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1 after school and take those classes because they 15:01:26
 2 didn't have the room on their schedules to take those 15:01:29
 3 electives. 15:01:37
 4 Go on. 15:01:40
 5 Q. So I just want to make sure I understand 15:01:41
 6 your testimony. 15:01:43
 7 A. Okay. 15:01:44
 8 Q. You're leaving block scheduling behind in 15:01:48
 9 the upcoming school year; correct? 15:01:51
 10 A. That's correct. 15:01:52
 11 Q. And the purpose of that change is to 15:01:53
 12 increase the number of available academic electives 15:01:56
 13 to the magnet students? 15:02:00
 14 A. Correct. 15:02:02
 15 Q. So after the change, the magnet students 15:02:13
 16 will have the ability to take academic electives 15:02:18
 17 offered to the general student body? 15:02:21
 18 A. That's correct. 15:02:23
 19 Q. So will there be some academic electives 15:02:25
 20 that have some students from the magnet program and 15:02:30
 21 some students outside the magnet program? 15:02:33
 22 A. The magnet students must take a minimum of 15:02:36
 23 three magnet classes. Block scheduling is for two 15:02:39
 24 hours in the magnet program and the regular program 15:02:43
 25 is one hour. So where would they go for the other 15:02:46

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1 hour? So they had to take it at another location or 15:02:49
 2 junior college or something like that because there 15:02:53
 3 are two-hour classes. So it was just a problem with 15:02:56
 4 the scheduling. 15:02:59
 5 If the entire school was block scheduling, 15:03:00
 6 it would be good as far as I'm concerned. 15:03:03
 7 Q. Would you prefer to have the entire school 15:03:06
 8 block scheduled if you could have it your way? 15:03:09
 9 A. To be honest, I would say no. Based on the 15:03:12
 10 number of new teachers -- 15:03:15
 11 Q. What is a new teacher? 15:03:17
 12 A. -- I would say no. I think it's a 15:03:20
 13 disadvantage. For my personal feelings and 15:03:21
 14 experience, I had in my last school block scheduling. 15:03:24
 15 I felt it was difficult for a new teacher to teach a 15:03:28
 16 lesson for 122 minutes, and in interviewing, I would 15:03:33
 17 say, "Walk me through an hour and a half lesson." 15:03:40
 18 It's difficult to stay focused and have them 15:03:44
 19 be creative enough to have students working and keep 15:03:47
 20 them that long. Some teachers will play out ten or 15:03:52
 21 fifteen minutes before their one hour. 15:03:56
 22 If you had -- you know, if you didn't have 15:03:58
 23 as many credentialed or new teachers, I would say -- 15:04:02
 24 that's my opinion. It's just pros and cons on it, 15:04:06
 25 and having worked it in the middle school, that's 15:04:09

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1	what I saw as being a problem, a negative. 15:04:12
2	Q. Do you think the block scheduling is better 15:04:16
3	for some -- better -- strike that. 15:04:20
4	Do you think that block scheduling prepares 15:04:28
5	someone to attend a university as well as or better 15:04:32
6	than a traditional schedule? 15:04:36
7	A. I don't know that it's better. I can tell 15:04:39
8	you that I think it's great for the sciences. You 15:04:41
9	are in the middle of a project and the bell is going 15:04:45
10	to ring and we are done. I really see it for the 15:04:49
11	labs. 15:04:52
12	I don't think that you are better prepared 15:04:54
13	with block scheduling than you are with traditional 15:04:56
14	because you are still getting the same amount of 15:04:58
15	instruction. 15:05:02
16	Q. And the same curriculum? 15:05:03
17	A. And the same curriculum. 15:05:05
18	Q. Is there a particular focus in the magnet 15:05:18
19	program at Fremont in a particular area, subject 15:05:18
20	matter? 15:05:18
21	A. Math science magnet. 15:05:18
22	Q. So for math science for your -- strike that. 15:05:20
23	For your math science magnet program at 15:05:23
24	Fremont, you think block scheduling makes good 15:05:26
25	sense -- I'll with -- 15:05:29

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1	A. No -- 15:05:29
2	Q. -- draw it. 15:05:37
3	A. -- I can't say it makes good sense because 15:05:39
4	it's on another school campus, and that I don't think 15:05:41
5	you can -- I don't think it's wise to have two 15:05:44
6	separate -- I would say bell schedules on one campus. 15:05:49
7	I think it should be the same. It's more effective. 15:05:53
8	Q. Okay. Do you see where he says in paragraph 15:05:56
9	11: 15:06:00
10	"The ceiling tiles have rusted from 15:06:00
11	the rain and fall down"? 15:06:03
12	A. I see that, yes. 15:06:05
13	Q. "I heard that someone got hit 15:06:06
14	in the head with a fallen tile." 15:06:09
15	Have you heard of someone getting hit in the 15:06:13
16	head with a falling tile at Fremont? 15:06:15
17	A. No, I haven't. 15:06:18
18	Q. Are the ceiling tiles rusted from the rain 15:06:18
19	and falling down at Fremont? 15:06:21
20	A. I really haven't noticed that, but generally 15:06:23
21	anything that's of a safety nature, they do 15:06:27
22	troubleshooting same day. 15:06:33
23	Q. Do you think it interferes with the 15:06:37
24	students' ability to learn the subject matter in 15:06:39
25	class if there's a missing ceiling tile? 15:06:42

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1	A. I don't think so. 15:06:45
2	Q. Do you see where Glauz Diego says in 15:07:00
3	paragraph 12: 15:07:03
4	"I would guess that they only clean 15:07:04
5	
6	the bathrooms once a week"? 15:07:05
7	A. Yes. 15:07:05
8	Q. Would you say that Mr. Diego has just 15:07:13
9	guessed wrong in this case? 15:07:17
10	A. Yes. 15:07:17
11	Q. Do you see where he says: 15:07:27
12	"During lunch and nutrition, the 15:07:31
13	bathrooms are so crowded that you 15:07:33
14	can't use them"? 15:07:35
15	A. Yes. 15:07:35
16	Q. Is that an accurate statement, to your 15:07:40
17	knowledge? 15:07:42
18	A. It may have been then, but since it was 15:07:46
19	brought to my attention, I can say that I know that 15:07:49
20	it isn't true. 15:07:51
21	Q. Is there a graffiti problem at Fremont? 15:08:07
22	MS. LHAMON: Vague as to "problem." 15:08:14
23	THE WITNESS: I'm sorry? 15:08:17
24	BY MR. ROZWOOD: 15:08:18
25	Q. Is there a graffiti problem at Fremont? 15:08:18

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1	A. There is graffiti on the campus, yes. I 15:08:22
2	don't see it as being a problem. 15:08:25
3	Q. Do you think the graffiti on the Fremont 15:08:29
4	campus interferes with the students' ability to learn 15:08:32
5	the subject matter in their courses? 15:08:35
6	A. No. 15:08:35
7	Q. Do you want to take a short break or keep 15:08:52
8	going? 15:08:54
9	Off the record. 15:08:54
10	(Off the record.) 15:23:24
11	MR. ROZWOOD: Back on the record. 15:23:24
12	Q. Can you turn to Exhibit 5, Ms. Sindy 15:23:25
13	Ramirez's declaration -- 15:23:30
14	A. Yes. 15:23:30
15	Q. -- and I'm going to ask you to review this 15:23:33
16	declaration and tell me anything that you think is 15:23:36
17	inaccurate about it. 15:23:40
18	You can see it appears to be signed in or 15:23:48
19	around July of 2000. 15:23:53
20	When I say "inaccurate," I mean inaccurate 15:23:57
21	in or around the time it was written, and if you can 15:24:00
22	tell me anything that the school has done or is doing 15:24:03
23	differently now that addresses some of the 15:24:09
24	allegations, that would be good too. 15:24:18
25	A. Okay. I have finished looking at it. 15:25:46

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1 Q. Do you have any specific knowledge that any 15:25:49
 2 of the allegations in this declaration are true or 15:25:52
 3 false? 15:25:55
 4 A. No, I don't. 15:25:59
 5 Q. Do all of these allegations relate to the 15:26:00
 6 school year prior to your arrival at Fremont? 15:26:03
 7 A. Yes. 15:26:03
 8 Q. Do you have any knowledge -- let me just ask 15:26:10
 9 you: Do you have any comments about the allegations 15:26:21
 10 made in this declaration? 15:26:24
 11 A. I see only two that we haven't discussed, I 15:26:26
 12 don't think, and one was about the library and -- 15:26:29
 13 Q. Where is that? 15:26:33
 14 A. The library. Let's see. That was on 15:26:35
 15 page 2, paragraph 11. 15:26:39
 16 Q. Uh-huh. 15:26:43
 17 A. I know they remodeled the library. It's 15:26:49
 18 more modernized now in terms of checking books in and 15:26:58
 19 out, et cetera. It's up to date. 15:27:06
 20 In terms of reference books, I am not aware 15:27:10
 21 that there is a shortage, and it could be true that 15:27:17
 22 maybe some that they need are not there. That could 15:27:25
 23 be true. 15:27:34
 24 I know that this year, they have ordered 15:27:36
 25 lots and lots of library books. So it should be more 15:27:39

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1 plenteous. 15:27:48
 2 I know the way it's organized there is a 15:27:49
 3 section just for students doing research. It's 15:27:53
 4 arranged different -- a different setting altogether, 15:27:57
 5 but in terms of having those that they need, they 15:28:00
 6 probably have the standard books that they would use 15:28:03
 7 for research. I don't know if they have a variety of 15:28:06
 8 others than the usual. 15:28:11
 9 The other item that we didn't discuss was 15:28:15
 10 page 3 -- 15:28:18
 11 Q. Before you turn to the second item we 15:28:20
 12 haven't discussed so far -- 15:28:23
 13 A. Okay. 15:28:24
 14 Q. -- can I ask you a couple of follow-up 15:28:25
 15 questions about the library? 15:28:27
 16 A. Sure. 15:28:28
 17 Q. Do you know where the funds came from to 15:28:29
 18 remodel and modernize the library at Fremont? 15:28:32
 19 A. I don't know. I would have to guess that 15:28:44
 20 most of -- the monies will probably be coming from 15:28:44
 21 Proposition BB. Most of the construction and 15:28:45
 22 improvement are coming from those funds, and I know 15:28:50
 23 that Fremont was a part of that, and a lot of work is 15:28:53
 24 coming from the BB money. 15:28:58
 25 Q. Can you estimate or give me your best 15:29:00

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1 estimate of the amount of dollars that Fremont will 15:29:02
 2 get out of the Prop BB funds? 15:29:05
 3 A. No, I can't. 15:29:08
 4 Q. Is it over a million? 15:29:08
 5 A. It could be, just knowing the cost of the 15:29:13
 6 fence. So I would say it could be. That's about the 15:29:17
 7 best answer I can give you. 15:29:22
 8 Q. Okay. What was the second point you wanted 15:29:30
 9 to address about this declaration? 15:29:31
 10 A. Page 3. It talks about the bungalows and 15:29:34
 11 unsafe -- what is that? "Some classes are held in 15:29:41
 12 unsafe bungalows." 15:29:45
 13 MR. FRIEDMAN: Paragraph 15? 15:29:47
 14 THE WITNESS: Yes. 15:29:49
 15 I need to address the fact that we have a 15:29:50
 16 total of 16 campus aides and they are stationed in 15:29:53
 17 isolated areas, more so in the bungalows, and we have 15:30:04
 18 them all over. 15:30:08
 19 Starting at the beginning of the day through 15:30:10
 20 the end of the day, they work in shifts. So I think 15:30:11
 21 that they are safe. 15:30:15
 22 In terms of the doors, they do have two 15:30:19
 23 doors. 15:30:22
 24 BY MR. ROZWOOD: 15:30:27
 25 Q. Each bungalow at Fremont High School has two 15:30:28

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1 doors? 15:30:33
 2 A. I want to say yes, but if she pointed out 15:30:33
 3 that they had one, maybe there's a bungalow with one 15:30:38
 4 that I haven't noticed. 15:30:43
 5 Q. But her statement is: 15:30:44
 6 "Each bungalow only has one door 15:30:46
 7 with no emergency exit." 15:30:48
 8 Is it true that every bungalow only has one 15:30:50
 9 door at Fremont? 15:30:53
 10 A. I want to say I'm not sure. I'm going to 15:30:54
 11 say no, it isn't true because we have bungalows that 15:30:57
 12 I know with two doors. 15:31:03
 13 Q. You've seen bungalows at Fremont with two 15:31:06
 14 doors? 15:31:09
 15 A. Yes. 15:31:09
 16 Q. Approximately how many bungalow classrooms 15:31:10
 17 do you have at Fremont? 15:31:13
 18 A. Gosh, I wish I could say. Maybe 20. 15:31:15
 19 Q. Approximately how many of those bungalow 15:31:20
 20 classrooms have you personally visited? 15:31:23
 21 A. Seven or eight. 15:31:30
 22 Q. And approximately how many of those that you 15:31:32
 23 visited have two doors? 15:31:35
 24 A. I really don't know because I didn't pay any 15:31:39
 25 attention, whether it had one door or two doors. I 15:31:42

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1	can recall maybe two.	15:31:47
2	Q. Okay. At least two of the bungalow	15:31:51
3	classrooms you visited have two doors; correct?	15:31:54
4	A. Right.	15:31:59
5	Q. Do you think the bungalows present a safety	15:31:59
6	or fire hazard to the students at Fremont?	15:32:03
7	A. Could possibly.	15:32:12
8	Q. Do you think that the -- what types of	15:32:17
9	safety hazards do the bungalow classrooms present for	15:32:24
10	the students at Fremont?	15:32:29
11	A. I think if you had a fire drill -- and	15:32:31
12	unless they are conducted orderly and normally -- you	15:32:33
13	don't see it in a high school -- if they are	15:32:38
14	conducted orderly where you file out in single file	15:32:44
15	and whatever, but I think otherwise I could see	15:32:46
16	people, maybe students falling over each other and	15:32:53
17	tripping over each other.	15:32:56
18	I think that they probably meet district or	15:32:57
19	safety specification, but I could see them being	15:33:01
20	close.	15:33:05
21	Q. What are you talking about "close"? What	15:33:08
22	safety specifications are you referring to?	15:33:11
23	A. I'm saying maybe buildings they are supposed	15:33:14
24	to be X number of yards or feet measurement apart. I	15:33:17
25	don't know. I'm just thinking about the building and	15:33:21

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1	safety code that you would have to have some type of	15:33:22
2	code, I think, in place in buildings. I'm not sure.	15:33:27
3	Q. Is there anything else you want --	15:33:34
4	A. No --	15:33:37
5	Q. -- to comment about?	15:33:38
6	A. -- just those two I'm talking about.	15:33:41
7	Q. Do you have any knowledge about the AP	15:33:45
8	history class that she refers to in the third	15:33:46
9	paragraph?	15:33:52
10	A. In the third paragraph. No, because she	15:33:52
11	said it had just ended, and that meant that that was	15:33:57
12	the previous school year, not this school year.	15:34:01
13	Q. Have you ever seen this declaration before	15:34:04
14	today?	15:34:05
15	A. No, I haven't seen this one.	15:34:06
16	Q. Do you have any knowledge about the	15:34:08
17	journalism class she refers to in her paragraph 4?	15:34:10
18	A. No, I just assume it was the same teacher	15:34:19
19	from last year.	15:34:24
20	Q. Okay. I don't want you to assume or guess.	15:34:28
21	I want you to say if you know or have any knowledge	15:34:30
22	of it.	15:34:32
23	A. Okay. No knowledge.	15:34:33
24	Q. Do you have any knowledge about the AP	15:34:34
25	literature class in paragraph 5 of Sedy Ramirez's	15:34:36

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1	declaration?	15:34:42
2	A. No knowledge.	15:34:43
3	Q. Do you know who Sedy Ramirez is?	15:34:43
4	A. No.	15:34:43
5	Q. To your knowledge, has Sedy Ramirez ever	15:34:48
6	raised any of these issues with the school officials	15:34:52
7	at Fremont?	15:34:55
8	A. Not to my knowledge.	15:34:56
9	Q. Do you see her allegation in paragraph 7	15:35:06
10	related to the use of outdated English textbooks in	15:35:08
11	her classes?	15:35:15
12	She said:	15:35:15
13	"I don't see how students can learn	15:35:16
14	current information if they have to	15:35:19
15	use textbooks from back in the	15:35:22
16	1970s."	15:35:24
17	Does that statement make sense in the	15:35:25
18	context of an English class?	15:35:36
19	A. I really don't know. I don't know the	15:35:36
20	status of the books in terms of the dates and what is	15:35:40
21	recent that they are using. I don't know.	15:35:44
22	Q. Do you see where she says in paragraph 10 at	15:35:58
23	the bottom of the paragraph:	15:36:01
24	"We should not have to give up our	15:36:06
25	vacation time or personal	15:36:08

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1	responsibilities to participate in	15:36:10
2	extracurricular activities"?	15:36:12
3	MS. LHAMON: I'm going to object as	15:36:17
4	mischaracterizing the sentence. It's not exactly	15:36:19
5	what the sentence says.	15:36:23
6	BY MR. ROZWOD:	15:36:23
7	Q. Do you see where I'm referring to?	15:36:25
8	A. No.	15:36:25
9	Q. At the bottom of paragraph 10, on lines 25	15:36:27
10	and 26.	15:36:29
11	A. Okay. Yes.	15:36:37
12	Q. Do students at Fremont have to give up their	15:36:37
13	vacation time or personal responsibilities to	15:36:40
14	participate in extracurricular activities?	15:36:43
15	A. No, everybody is offered -- on each track	15:36:48
16	they have their own student body officers and also	15:36:51
17	their leadership class is all year.	15:36:54
18	Q. She says:	15:37:01
19	"In multitrack school, activities	15:37:02
20	such as clubs, sports, or band	15:37:03
21	often take place while certain	15:37:06
22	students are off track."	15:37:08
23	Is that an accurate statement?	15:37:09
24	A. No, it isn't accurate.	15:37:13
25	Q. It is not accurate.	15:37:16

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1 A. I would like to extend an answer, in terms 15:37:35
 2 of extracurricular activity like sports and band, 15:37:39
 3 that arrangements are made if they want to 15:37:48
 4 continue -- generally they will try to get in the 15:37:52
 5 sport that's really offered during the season that 15:37:56
 6 they are on, and also the PE teacher will take on an 15:37:59
 7 extra class to provide for those students to come 15:38:06
 8 back who are off track, and they do get credit for a 15:38:09
 9 class. 15:38:13
 10 Q. Do you see that as students having to give 15:38:15
 11 up their vacation time and personal responsibilities 15:38:18
 12 to participate in extracurricular activities? 15:38:20
 13 A. It depends on what it is they want to 15:38:25
 14 participate in. 15:38:28
 15 Q. But in some cases that can occur? 15:38:29
 16 A. Right. 15:38:32
 17 Q. So it's an accurate statement? 15:38:32
 18 A. In some cases, yes. 15:38:33
 19 Q. Okay. 15:38:35
 20 MS. LHAMON: Now Ben is doing my job for me. 15:38:38
 21 MR. ROZWOOD: We just want the truthful 15:38:41
 22 testimony. 15:38:43
 23 Q. Do you see where she says in paragraph 13: 15:38:59
 24 "The school has to have three 15:39:01
 25 different assemblies because there 15:39:03

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1 are too many students to meet all 15:39:05
 2 at once"? 15:39:07
 3 MS. LHAMON: I'm going to object again 15:39:10
 4 because I think it mischaracterizes the sentence. 15:39:12
 5 You read only the clause, and the sentence says 15:39:14
 6 "sometimes, the school has to have three different 15:39:19
 7 assemblies." 15:39:23
 8 BY MR. ROZWOOD: 15:39:23
 9 Q. Do you see where she says that? 15:39:27
 10 A. I haven't noticed that we have had three 15:39:28
 11 since we have been there this year. 15:39:30
 12 Most of the assemblies are optional. 15:39:33
 13 Some -- when I say "optional," not all teachers wish 15:39:39
 14 to attend a particular assembly. It depends on what 15:39:44
 15 type assembly. 15:39:48
 16 Q. How many assemblies have you had during this 15:39:51
 17 school year? 15:39:53
 18 A. I can't answer, but I would think at least 15:39:54
 19 once per month. 15:39:57
 20 Q. What types of subjects are covered in these 15:39:58
 21 assemblies? 15:40:02
 22 A. Well, you've had -- gosh. You've had drama 15:40:07
 23 productions, you've had concerts. 15:40:15
 24 Q. Are these assemblies primarily for 15:40:30
 25 entertainment purposes? 15:40:33

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1 A. Yes. 15:40:33
 2 Q. Can you think of new assemblies that were 15:40:35
 3 for the purpose of providing the student body with 15:40:40
 4 important information relating to their educational 15:40:46
 5 experience at Fremont? 15:40:49
 6 A. Normally you will do orientation assemblies 15:40:50
 7 with your incoming students. 15:40:55
 8 Q. Other than those, can you think of any? 15:40:58
 9 A. Other than those, you can maybe have -- 15:41:00
 10 maybe the English department will meet with their 15:41:02
 11 students. 15:41:05
 12 They are more or less activities that 15:41:10
 13 students want to have and perform. Special 15:41:12
 14 assemblies like Martin Luther King week activities, 15:41:15
 15 Cinco de Mayo. Those type of assemblies. 15:41:20
 16 Q. Does Fremont High School have a school 15:41:32
 17 action plan? 15:41:34
 18 A. Yes. 15:41:34
 19 Q. Did you have any involvement in the 15:41:41
 20 preparation of that plan? 15:41:42
 21 A. No. They had just completed it. 15:41:45
 22 Q. Who is "they"? 15:41:49
 23 A. The action plan -- the accreditation 15:41:51
 24 committee, the accreditation process. 15:41:54
 25 Q. Who at Fremont participated in that process? 15:42:00

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1 A. All stakeholders, their components, and 15:42:03
 2 accreditation of that would include all stakeholders. 15:42:08
 3 The -- we had two coordinators. The UTLA rep was one 15:42:14
 4 of them, Matt Taylor, Wells -- I'm trying to think of 15:42:23
 5 the first name. Flora Wells. 15:42:36
 6 There was a follow-up on that. So I was 15:42:41
 7 involved in the committees that were established 15:42:45
 8 after the process had been completed which they have 15:42:52
 9 to do follow-up work recommendations. 15:42:57
 10 Q. What committees were established in the 15:43:01
 11 follow-up effort? 15:43:15
 12 A. I would have to come back because I'm not 15:43:15
 13 thinking. That happened when I first got there. 15:43:15
 14 Q. This school action plan and the follow-up 15:43:16
 15 committees, was this effort undertaken in response to 15:43:20
 16 the accreditation process? 15:43:26
 17 A. Yes. 15:43:26
 18 Q. And what term of accreditation did Fremont 15:43:31
 19 school receive? 15:43:35
 20 A. I think it was a three, three-year. 15:43:36
 21 Q. And that was granted in the end of the 15:43:39
 22 school year in 2000? 15:43:42
 23 A. Yes. 15:43:44
 24 Q. In or about April or May of 2000? Do you 15:43:45
 25 know? 15:43:49

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1 A. Let's see. I went in July 2000. Yes, it 15:43:54
 2 was granted then. 15:43:58
 3 Q. In or about May of 2000? 15:43:59
 4 A. Probably May -- probably May. I'm not 15:44:01
 5 certain as to when. 15:44:06
 6 Generally they come like in April or May. 15:44:08
 7 The committees will come during that time of year. 15:44:10
 8 Q. What are the objectives of the school action 15:44:17
 9 plan adopted by Fremont High School? 15:44:19
 10 A. Would you repeat that? 15:44:25
 11 Q. What are the objectives of the school action 15:44:26
 12 plan at Fremont? 15:44:29
 13 A. Well, the objective is to more or less meet 15:44:30
 14 the requirements that the team is asking for, those 15:44:35
 15 areas that needed improvement. 15:44:38
 16 The committees are to work towards that end 15:44:41
 17 to improve in those areas that have been identified, 15:44:48
 18 and I'm not certain as to what they are since they 15:44:53
 19 had completed. I really didn't get involved in that 15:44:57
 20 as of yet, but I do know that they do meet. I don't 15:45:01
 21 have a lot of involvement in it because of the other 15:45:07
 22 AP, Mrs. Hines. She works with staff involvement and 15:45:10
 23 that group. So where they are I'm not certain. 15:45:17
 24 Q. In your view, what are the good qualities of 15:45:25
 25 Fremont High School? 15:45:32

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1 A. Everything about it is good. 15:45:37
 2 Q. All right. That will conclude the 15:45:44
 3 deposition. 15:45:45
 4 No. Can you give us more specific examples? 15:45:47
 5 A. I mentioned earlier -- well, I think it's a 15:45:51
 6 school that has been around for years, and it's the 15:45:54
 7 only one that I know in that area that has large 15:45:58
 8 participation of the alumni. 15:46:06
 9 They have a Hall of Fame there, and people 15:46:09
 10 take pride in having their picture in the corridor, 15:46:12
 11 and I think at one time I'm told that -- I'm not from 15:46:17
 12 California -- that that was a basically predominantly 15:46:23
 13 Anglo school, and even to this day, even though many 15:46:26
 14 of them are seniors, you find their adult children 15:46:30
 15 writing to say, "My father just did this, and we 15:46:34
 16 would like to apply to have that." 15:46:37
 17 So there's a lot of pride in that school, 15:46:39
 18 and I hear a lot of good things about it. 15:46:42
 19 I think that, in spite of the new teachers, 15:46:46
 20 I think there's a large percentage of outstanding 15:46:50
 21 teachers. Just watching them and their staff 15:46:53
 22 development facilitating and the participation that 15:46:58
 23 they give to it, I think that, if many of them were 15:47:03
 24 not being compensated for staying, I think out of 15:47:09
 25 dedication that they would stay and work and help 15:47:13

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1 students even without pay. 15:47:17
 2 I see them spending long hours there. In 15:47:21
 3 the evenings I'm there, I see them. 15:47:23
 4 Q. Other than the things you've already 15:47:33
 5 testified to, is there anything else that strikes you 15:47:35
 6 as particularly good about Fremont High School? 15:47:38
 7 A. It's a community school. You have people 15:47:53
 8 living in the community who also attend that school, 15:48:00
 9 and that's good. It's like it belongs to them. 15:48:05
 10 It's always in use, seven days a week -- the 15:48:09
 11 gyms, the fields -- and it's like they take 15:48:14
 12 ownership. This is our school. 15:48:18
 13 Q. Anything else that you can think of? 15:48:27
 14 A. I think they are very involved even though 15:48:30
 15 they are not always at the top. They take pride in 15:48:35
 16 what they do in being a participant. 15:48:39
 17 I think everything that the district has to 15:48:43
 18 offer at some point they are going to be a part of it 15:48:45
 19 regardless of their standing in terms of test scores 15:48:48
 20 or whatever. 15:48:53
 21 Q. How are the test scores at Fremont? 15:48:55
 22 A. This past year, they were not too great, and 15:48:59
 23 I did have students to come in and talk to me about 15:49:04
 24 that. 15:49:10
 25 Q. Which students? 15:49:10

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1 A. Students from leadership. 15:49:11
 2 Q. What did they say? 15:49:14
 3 A. They talked about the testing conditions. 15:49:16
 4 They felt that they could have performed better than 15:49:22
 5 they did had the climate been a little different. 15:49:25
 6 Q. The "climate," meaning the temperature or 15:49:32
 7 the class test-taking environment generally? 15:49:34
 8 A. The test-taking environment. 15:49:38
 9 Q. Where were the tests given? 15:49:40
 10 A. Where? 15:49:42
 11 Q. Yes. 15:49:43
 12 A. Well, it was given in the various 15:49:45
 13 classrooms, but during the testing time, again, they 15:49:47
 14 alluded to substitutes being there, unfilled 15:49:51
 15 positions having to administer the test; not being 15:49:56
 16 familiar with the teachers. Even though they were 15:50:03
 17 permanent teachers, they were not a regular teacher 15:50:08
 18 that they had classes from. 15:50:11
 19 Basically that was it. Again, I think the 15:50:19
 20 atmosphere for the testing. 15:50:22
 21 Q. But it wasn't too hot or cold during the 15:50:24
 22 test? 15:50:27
 23 A. No, it wasn't the climate, the heat or the 15:50:28
 24 air. It was just you kind of -- you have to create 15:50:38
 25 an atmosphere for testing and work yourself up to it, 15:50:38

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1 and this is what we are going to do, eat well, plenty 15:50:41
 2 of sleep, and just have what you need and not only 15:50:44
 3 that test preparation. 15:50:49
 4 Q. What is Fremont doing to improve its test 15:50:52
 5 scores? 15:50:57
 6 A. Well, this year -- and it's like a miracle 15:50:59
 7 because most schools don't have what are called 15:51:02
 8 homerooms. 15:51:06
 9 I presented that and was able to get it in 15:51:07
 10 terms of testing. 15:51:10
 11 Q. I'm sorry. I didn't understand your answer. 15:51:11
 12 A. I instituted homerooms where you meet with 15:51:13
 13 this teacher separate from your other classes. 15:51:16
 14 Generally it's tacked onto a class. The first ten 15:51:19
 15 minutes is considered homeroom. So your second 15:51:23
 16 period class, the first ten minutes would be 15:51:26
 17 homeroom. So we had separated it this year, and they 15:51:30
 18 were familiar with their teacher. 15:51:35
 19 Not only that, we purchased a program 15:51:36
 20 through Kaplans that they use during the 10 minutes. 15:51:39
 21 Monday through Thursday 20-minute homerooms, no 15:51:49
 22 announcements, no interruptions, no parents 15:51:57
 23 conferences. Everyone on campus was involved in that 15:52:01
 24 program. 15:52:05
 25 We purchased materials for teachers so they 15:52:09

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1 could have something in their hands. They had staff 15:52:12
 2 development for teachers so they could have something 15:52:15
 3 and knowledge in terms of how to use the material. 15:52:19
 4 We did that for each track so hopefully the 15:52:22
 5 test scores based on this year's, again, climate or 15:52:26
 6 atmosphere for testing will improve. 15:52:30
 7 Q. And those tests you are referring to are the 15:52:33
 8 Stanford 9 exams? 15:52:36
 9 A. Yes. 15:52:36
 10 Q. Any others? 15:52:40
 11 A. High school exit exam, which they are going 15:52:42
 12 to probably start next year, the ninth-graders and -- 15:52:44
 13 Q. The ones -- I'm sorry. 15:52:48
 14 A. -- and the Stanford 9. Sorry. 15:52:49
 15 Q. The Stanford 9 exams are administered in 15:52:52
 16 April; correct? 15:52:56
 17 A. Yes. 15:52:56
 18 Q. So during the current school year, your 15:52:57
 19 students at Fremont have already taken these exams; 15:53:03
 20 correct? 15:53:06
 21 A. Correct. 15:53:06
 22 Q. They have taken it with the benefit of the 15:53:07
 23 newly instituted homerooms, Kaplan test taking 15:53:10
 24 materials, staff development programs, and the other 15:53:14
 25 things you mentioned; correct? 15:53:16

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1 A. Correct. 15:53:18
 2 Q. And when do you expect the test scores to 15:53:19
 3 come back from the State? 15:53:22
 4 A. Maybe over the summer months. I'm not 15:53:30
 5 certain since I haven't dealt directly with the 15:53:32
 6 testing for some time. 15:53:38
 7 Q. Do you know what the API score for Fremont 15:53:39
 8 was last year? 15:53:42
 9 A. No, but I know that it was low. 15:53:45
 10 Q. Do you know what your targeted API score is 15:53:50
 11 for this year? 15:53:53
 12 A. No, I don't have any of that information. 15:53:54
 13 Q. Do you know what your -- who has that 15:53:57
 14 information? 15:54:04
 15 A. Our AP counseling who is in charge of 15:54:05
 16 testing, and the same one that's in charge of the 15:54:08
 17 class course offerings and teacher assignments, AP 15:54:13
 18 counseling service, Pat Nichols. 15:54:19
 19 Q. Do you expect that, whatever your growth 15:54:36
 20 target is for the academic performance index, you'll 15:54:41
 21 be able to meet as a result of these changes you've 15:54:45
 22 implemented? 15:54:49
 23 A. I know that there will be improvement. In 15:54:51
 24 terms of how much, I don't know, but I feel that 15:54:53
 25 there will be improvement. 15:54:56

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1 We also had a staff development for parents, 15:55:06
 2 and those night meetings so that the parents will 15:55:08
 3 know how we did and where we need to go. 15:55:11
 4 Q. At the outset of this current school year, 15:55:57
 5 approximately how many unfilled teaching positions 15:56:03
 6 were there when you arrived at Fremont? 15:56:05
 7 A. Maybe 15. 15:56:17
 8 Q. How long did it take -- did you have any 15:56:22
 9 role in filling those unfilled positions? 15:56:24
 10 A. Say that again. 15:56:27
 11 Q. I'm sorry. 15:56:28
 12 Did you personally have any role in filling 15:56:28
 13 the unfilled positions? 15:56:31
 14 A. No, I didn't. 15:56:33
 15 Q. Who did? 15:56:34
 16 A. There's only one person handling that. The 15:56:35
 17 only thing I would do is make the referrals of the 15:56:37
 18 candidates that would come to me, and I would ask 15:56:40
 19 Marcie Hines to set up an interview, and she had a 15:56:44
 20 committee. 15:56:47
 21 Q. Do you believe that any of the allegations 15:56:55
 22 that have been made regarding Fremont High School 15:56:57
 23 interfere with the children's education? 15:57:01
 24 MS. LHAMON: Objection. Calls for expert 15:57:06
 25 testimony. 15:57:09

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1 MR. FRIEDMAN: This is an expert. 15:57:10
2 THE WITNESS: Any of them that we discussed? 15:57:16
3 Is that what you are asking? 15:57:17
4 BY MR. ROZWOOD: 15:57:19
5 Q. Yes. 15:57:19
6 The allegations that we have covered or that 15:57:20
7 you have seen made about Fremont in this litigation, 15:57:22
8 do you believe that any of them affect or impede the 15:57:26
9 children's education? 15:57:32
10 A. Yes. 15:57:32
11 Q. Which ones? 15:57:34
12 A. The number of unfilled positions with 15:57:36
13 substitutes. 15:57:38
14 Q. Is that a problem that Fremont has 15:57:41
15 addressed? 15:57:43
16 A. Yes. I think as of today, in terms of 15:57:46
17 unfilled positions, we probably have a total on all 15:57:50
18 three tracks of twelve, and starting the new year -- 15:57:57
19 the new school year in July, we have four unfilled 15:58:06
20 for just that track, and three are special ed. 15:58:18
21 Q. What is the fourth one? 15:58:19
22 A. I can't remember. I'll tell you before this 15:58:25
23 is over because I did bring a copy of the unfilled 15:58:27
24 with me. I know three are special ed. 15:58:30
25 Q. Is Marcie Hines -- 15:58:33

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1 A. Yes. 15:58:33
2 Q. -- the person that would know the answer to 15:58:35
3 this? 15:58:37
4 A. Yes, but she did give me a copy because she 15:58:38
5 figured I would need it. 15:58:41
6 Q. Okay. Do you feel like that's a pretty good 15:58:44
7 number, twelve unfilled positions? 15:58:48
8 A. Yes. 15:58:48
9 Q. I mean it's -- 15:58:51
10 A. But we are talking about three different 15:58:54
11 tracks. So we are coming in with only four, and we 15:58:56
12 have two tracks coming on. So I think that's good, 15:59:02
13 and we have hired considerably. 15:59:06
14 Q. Can you think of any of the other 15:59:13
15 allegations that would impede the Fremont students' 15:59:14
16 education? 15:59:21
17 A. No. I think the block scheduling from the 15:59:24
18 magnet school was a problem, but in terms of getting 15:59:28
19 classes that -- they should have had an opportunity 15:59:33
20 to get right there during the regular school day like 15:59:36
21 the other students had they not been block scheduled, 15:59:39
22 that was a problem, but I don't think that as a 15:59:45
23 parent I wouldn't want -- I would not have wanted my 15:59:49
24 student to go to another school or location to get 15:59:53
25 something that they should have had at their 15:59:56

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1 residential school. I saw that happening. 15:59:58
2 Q. And that problem has been addressed -- 16:00:02
3 A. That's been addressed. 16:00:05
4 Q. -- by the consolidation of the schedules at 16:00:07
5 Fremont; is that correct? 16:00:09
6 A. Right. 16:00:10
7 Q. There's no more block scheduling at Fremont; 16:00:10
8 is that correct? 16:00:10
9 A. That's correct. 16:00:15
10 Q. Are there any other problems that you think 16:00:16
11 would interfere with the child's education at 16:00:17
12 Fremont? 16:00:20
13 A. The other allegation about not having enough 16:00:24
14 electives on each track, I'm hoping that that will be 16:00:28
15 rectified for this school year; however, I know that 16:00:39
16 they -- based on the number of teachers allocated, 16:00:42
17 you won't have a lot of electives, but I want to be 16:00:48
18 able to accommodate students. 16:00:54
19 If it means cross-tracking, if we have to 16:00:57
20 continue with that, or even changing the tracks, you 16:00:59
21 want to make sure that we meet their needs. 16:01:03
22 Basically those things I see need improvement. 16:01:08
23 Q. Does Fremont keep any records regarding 16:01:14
24 the -- what happens to graduates in terms of whether 16:01:16
25 they go to college or go to work? 16:01:23

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1 A. Yes, and that was -- sorry. 16:01:26
2 Q. That's my fault. It's really okay. 16:01:28
3 A. You asked that the last time, and I remember 16:01:30
4 talking to the college advisor. I think we had like 16:01:34
5 404 students last year to graduate, and of that 16:01:38
6
7 group, you had 192 who went to a four-year college or 16:01:43
8 university, which she said to me that we will even 16:01:48
9 have more this year. 16:01:51
10 This was her first year as a college 16:01:53
11 advisor. So she has been doing a lot of things, but 16:01:55
12 I did remember to look that up. 16:01:59
13 MR. FRIEDMAN: I'm sorry. Could I inquire 16:02:03
14 how many are going on to four-year college? 16:02:05
15 THE WITNESS: What did I say? 192 out of 16:02:08
16 404. 16:02:13
17 BY MR. ROZWOOD: 16:02:15
18 Q. Does the school keep any information about 16:02:16
19 its graduates' employment once they -- after they 16:02:19
20 leave the school? 16:02:24
21 A. I don't know if they have it. Knowing 16:02:28
22 Ms. Gil, who is a college advisor, that she is 16:02:33
23 probably the one who would know. 16:02:36
24 Q. Okay. Do you think that the education the 16:02:47
25 students receive at Fremont is adequate to prepare 16:02:49

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1 them for college and/or employment in society? 16:02:53

2 A. Of course. 16:03:03

3 Q. Do you believe that the students at Fremont 16:03:10

4 are treated equally when compared to the students at 16:03:13

5 other schools in the Los Angeles Unified School 16:03:16

6 District? 16:03:20

7 A. In terms of providing them the services and 16:03:20

8 the materials that they need, yes. 16:03:24

9 Q. Do you believe that anything the district 16:03:32

10 does impedes with the -- I'm talking about the big 16:03:38

11 district -- impedes with the ability of the students 16:03:43

12 at Fremont to obtain an education? 16:03:46

13 A. No, nothing that the district does or does 16:03:55

14 not do impedes with their progress. I don't think 16:04:02

15 so. 16:04:08

16 I don't think we ever have enough money, 16:04:10

17 funds. I mean we have funds, but there are so many 16:04:14

18 things, if we had monies, that we could do, and 16:04:17

19 that's the biggest problem. 16:04:21

20 Q. Other than the lack of enough money, is 16:04:24

21 there anything that the -- let me ask you the same 16:04:31

22 question that I asked you about the district. 16:04:47

23 Is there anything that the State educational 16:04:50

24 agencies do that impedes with the ability of students 16:04:53

25 at Fremont from obtaining an adequate education? 16:04:58

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1 When I say "state educational agencies," I'm 16:05:03

2 referring to the Department of Education, the State 16:05:06

3 Superintendent of Public Instruction, and the State 16:05:10

4 Board of Education. 16:05:12

5 Is there anything that those agencies do 16:05:12

6 that impedes the ability of Fremont students to 16:05:14

7 obtain an adequate education? 16:05:16

8 A. I'm not knowledgeable of anything. 16:05:18

9 Q. Is there anything that they fail to do that 16:05:21

10 impedes the ability of Fremont students to obtain an 16:05:23

11 adequate education? 16:05:26

12 A. The only thing I can do is go back to 16:05:27

13 funding is an issue. 16:05:30

14 We talked about counselors. If they 16:05:31

15 provided funds where we would hire more counselors 16:05:34

16 and have more counselors for the students rather than 16:05:47

17 having one for every 5- or 600. A lot of it has to 16:05:47

18 do with staffing personnel. 16:05:47

19 Looking at the big picture in terms of 16:05:47

20 safety on campus, getting more campus supervision, 16:05:50

21 staff, and just it's all about money. 16:05:55

22 Q. Do you think the problems that are described 16:06:01

23 by the students that have provided declarations in 16:06:04

24 this case who attend Fremont are the function of 16:06:08

25 insufficient funding from the State of California? 16:06:13

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1 A. Could be. I don't think Fremont is unique. 16:06:22

2 It's just common. 16:06:27

3 Q. Is there anything other than failing to 16:06:36

4 provide sufficient funding that the State or the 16:06:38

5 State agencies -- State educational agencies has 16:06:42

6 failed to do that has interfered with the ability of 16:06:47

7 Fremont students to obtain an adequate education? 16:06:51

8 A. Not to my knowledge. I keep going back to 16:06:57

9 money. Maybe if they built more schools, then we 16:07:00

10 wouldn't have to go year-round, you know, and then 16:07:04

11 kids can do the extracurricular activities and not 16:07:07

12 mess with the vacations and all of that. 16:07:14

13 I guess everything I can think of you are 16:07:17

14 going to look at dollar signs. 16:07:19

15 Q. So they could build more schools, but that 16:07:22

16 would require more money; correct? 16:07:24

17 A. There you go. 16:07:26

18 Q. Is there anything that you can think of that 16:07:27

19 doesn't require more money that the State or the 16:07:29

20 State educational agencies could do but aren't doing 16:07:32

21 that would improve the quality of the educational 16:07:36

22 experience for students at Fremont High School? 16:07:41

23 MS. LHAMON: Object that it calls for 16:07:54

24 speculation. 16:07:56

25 BY MR. ROZWOOD: 16:07:58

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1 Q. You can either think of something or you 16:07:58

2 can't. 16:08:00

3 A. Well, I can't. I mean I should be, and I'm 16:08:02

4 pretty sure when I leave here, I'll think of things 16:08:10

5 too. 16:08:14

6 MS. LHAMON: We will have another day for 16:08:14

7 that. 16:08:16

8 BY MR. ROZWOOD: 16:08:25

9 Q. Can you think of anything the State has 16:08:26

10 failed to do which has impeded the ability of 16:08:28

11 students at Fremont to obtain an adequate education 16:08:34

12 other than provide additional money? 16:08:38

13 A. No, and I would like to elaborate on that. 16:08:43

14 I think it's probably because I don't know 16:08:45

15 all of the things that they are doing or not doing as 16:08:47

16 a new principal. 16:08:49

17 If you had an experienced principal sitting 16:08:50

18 here before you, I know they could call roll on 16:08:53

19 things that they worked with and know and I don't. 16:08:56

20 In this assignment, my role is different. 16:09:01

21 So I'm getting involved in some things that I haven't 16:09:03

22 been involved in prior to having just been an 16:09:06

23 assistant principal and -- 16:09:10

24 So I'm sure there are things is what I'm 16:09:13

25 saying, but it's just that I can't at this time say 16:09:15

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1 what they are. 16:09:19
 2 Ask me next year. I'm pretty sure I can 16:09:22
 3 tell you lots of them. But to be honest, I know that 16:09:24
 4 there are, but I just haven't, you know, been 16:09:27
 5 confronted with them yet. 16:09:32
 6 I'm still trying to learn the names of the 16:09:34
 7 faculty and get some of the operational things out of 16:09:37
 8 the way. 16:09:43
 9 Q. Do you know if anyone else was offered the 16:09:44
 10 job as principal at Fremont High School before you 16:09:47
 11 were? 16:09:51
 12 A. I'm sure we went through -- no. We went 16:09:51
 13 through an interview process. So I'm assuming that I 16:09:54
 14 was offered the job. It wasn't an appointment. It 16:09:58
 15 was a selection from a committee. 16:10:01
 16 Q. Were you reluctant in any way to take the 16:10:05
 17 job? 16:10:12
 18 A. No, and I think I was sort of shielded from 16:10:14
 19 all of the controversy or whatever was going on at 16:10:19
 20 that school, and I was so busy opening the middle 16:10:23
 21 school. So I didn't really know all the ins and 16:10:26
 22 outs. 16:10:29
 23 So no, I was not reluctant; otherwise, I 16:10:31
 24 would not have submitted a resume to be interviewed. 16:10:33
 25 MR. ROZWOOD: Can we take a break now? 16:10:42

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1 MR. FRIEDMAN: Sure. 16:10:44
 2 (Off the record.) 16:21:23
 3 MR. ROZWOOD: At this time I'll yield the 16:21:24
 4 floor. 16:21:25
 5 MS. LHAMON: Off the record. 16:21:41
 6 (Off the record.) 16:21:41
 7
 8 EXAMINATION 16:29:54
 9 BY MS. LHAMON: 16:29:54
 10 Q. Good afternoon. I'm Catherine Lhamon. I 16:29:58
 11 know you know that. I'm counsel for the plaintiffs 16:30:03
 12 in the deposition. 16:30:04
 13 I know we have been through a long day of 16:30:05
 14 depositions. I want to tell you a few things about 16:30:07
 15 this case before I start my questions. 16:30:10
 16 The plaintiffs whom I represent have sued 16:30:12
 17 the State of California, the State Board of 16:30:15
 18 Education, the State Department of Education, and the 16:30:18
 19 State Superintendent of Public Instruction concerning 16:30:20
 20 State oversight of delivery of public school 16:30:23
 21 education. 16:30:26
 22 We haven't sued any school districts or 16:30:27
 23 principals, including you, which I'm sure you 16:30:29
 24 appreciate. 16:30:32
 25 A. Of course. 16:30:33

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1 Q. The lawsuit concerns only the question 16:30:33
 2 whether the State appropriately supports schools and 16:30:35
 3 school districts in the difficult task of providing 16:30:38
 4 education. 16:30:41
 5 So I'm going to ask you some questions now 16:30:42
 6 that will give me some information relevant to that 16:30:44
 7 issue. 16:30:47
 8 I want to start by asking you what you did 16:30:48
 9 to prepare for your deposition today. 16:30:51
 10 A. Other than talk with people who worked in 16:30:56
 11 the various capacities, inquiring as to what happened 16:31:04
 12 prior to my coming, and they shared with me the 16:31:10
 13 little knowledge that they had, I didn't have too 16:31:17
 14 many people to consult with because most of the 16:31:30
 15 administrative staff left; and therefore, I was 16:31:30
 16 limited in terms of inquiry. 16:31:31
 17 Q. Okay. Thanks. 16:31:34
 18 When you say that you talked to some people, 16:31:35
 19 inquiring about what happened before you came, did 16:31:38
 20 you talk to anybody other than the people you have 16:31:41
 21 already told us about today? 16:31:44
 22 A. No. 16:31:44
 23 Q. So just the two administrators who were 16:31:46
 24 there before you came and who overlapped for some 16:31:48
 25 period of time? 16:31:51

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1 A. Yes. 16:31:53
 2 MR. ROZWOOD: How many -- two you said? 16:31:54
 3 MS. LHAMON: I have two. 16:31:55
 4 Q. Is that not a correct number? Have you 16:31:56
 5 talked to more than two? 16:31:58
 6 A. Two. 16:31:59
 7 Q. And just so that we are clear, because it's 16:32:00
 8 been a while since you named them -- 16:32:03
 9 A. It may have been three. Marcie Hines, Penny 16:32:05
 10 Sommers, and I mentioned Flores. 16:32:09
 11 Q. Yes. 16:32:13
 12 A. So -- 16:32:14
 13 Q. Thank you. 16:32:15
 14 So it's three, including Marcie Hines. 16:32:15
 15 Thank you. 16:32:18
 16 Ben, I appreciate your piping up. 16:32:19
 17 You said that most of the administrative 16:32:23
 18 staff has left. Do you know why that is? 16:32:26
 19 A. Promotions. 16:32:28
 20 Q. Is that true for all of the administrative 16:32:33
 21 staff that left? 16:32:37
 22 A. Yes. 16:32:37
 23 Q. I think my question wasn't clear. 16:32:39
 24 I mean the administrative staff during the 16:32:40
 25 last school year, the 1999/2000 school year. They 16:32:44

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1	all left for promotions?	16:32:49
2	A. Yes.	16:32:49
3	Q. Thank you.	16:32:51
4	You mentioned a couple of times today you	16:32:51
5	have some documents with you, and a couple of times	16:32:53
6	you have referred to them.	16:32:55
7	Can you tell me what documents those are	16:32:57
8	that you referred to today?	16:32:59
9	MR. FRIEDMAN: Before she answers that	16:33:01
10	question, if we can go off the record, because I	16:33:02
11	frankly have not seen those documents, and I would	16:33:04
12	like to look at them to make sure we would not assert	16:33:06
13	the privilege to them.	16:33:12
14	MS. LHAMON: Okay.	16:33:13
15	(Off the record.)	16:39:15
16	BY MS. LHAMON:	16:39:15
17	Q. While we were off the record, you had a	16:39:15
18	chance to confer with your counsel, and am I correct	16:39:16
19	that we have given some documents that you had in	16:39:20
20	your possession to a copier to copy and bring in to	16:39:22
21	us later today?	16:39:24
22	A. Yes.	16:39:26
23	Q. Thank you.	16:39:26
24	Do you remember what those documents were,	16:39:29
25	while we are waiting for the documents, so I don't	16:39:31

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1	have to come back to this set of questions?	16:39:34
2	A. I know one was the distribution of lockers.	16:39:36
3	Q. Okay.	16:39:36
4	A. One was the openings that are now available,	16:39:43
5	class openings for hiring.	16:39:49
6	Q. Okay.	16:39:49
7	A. Another one was the number of AP and honors	16:39:54
8	classes that we are offering.	16:39:59
9	Q. Okay.	16:40:01
10	A. One may have been something about the site	16:40:04
11	council or leadership council.	16:40:06
12	That's all I can remember bringing.	16:40:10
13	Q. Okay. I think at one point, in response to	16:40:15
14	some of Mr. Rozwood's questions, you were looking at	16:40:17
15	a roster of leadership council.	16:40:20
16	Does that sound like one of the documents	16:40:22
17	that you have sent to have copied today?	16:40:24
18	A. I don't think so. There were some	16:40:27
19	signatures on it.	16:40:30
20	Q. Do you have this in your possession also and	16:40:31
21	we haven't given it to somebody to copy?	16:40:33
22	A. That's correct.	16:40:35
23	Q. Okay. Have you -- is that --	16:40:38
24	Can we go off the record for a second.	16:40:40
25	(Off the record.)	16:42:59

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1	MS. LHAMON: Back on the record.	16:42:59
2	Q. Thank you, Ms. Roland.	16:43:02
3	We identified one other document while we	16:43:03
4	were off the record, and that document is -- am I	16:43:05
5	correct that document is a leadership council sign-in	16:43:08
6	sheet?	16:43:11
7	A. Yes.	16:43:11
8	Q. And we have sent that document also to be	16:43:12
9	copied, and we will look at it later.	16:43:14
10	A. Yes, you will.	16:43:19
11	Q. Thank you.	16:43:20
12	To the best of your memory without looking	16:43:20
13	through your files, is that all the documents that	16:43:22
14	are about Fremont High School that you have with you	16:43:24
15	here today?	16:43:27
16	A. Yes.	16:43:27
17	Q. Okay. Thank you.	16:43:28
18	How many total students attend Fremont High	16:43:31
19	School?	16:43:35
20	A. Roughly 4,800.	16:43:35
21	Q. Okay. And how do you know it's roughly	16:43:38
22	4,800?	16:43:41
23	A. Based on the norm day count.	16:43:46
24	Q. And what is the norm day count?	16:43:51
25	A. Number of students you have enrolled at a	16:43:55

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1	certain point in time during the year.	16:43:57
2	Q. And what is the norm day count for Fremont	16:44:00
3	High -- I'm sorry.	16:44:03
4	What is the norm day for Fremont High?	16:44:04
5	A. It's after the A track comes on. I don't	16:44:10
6	deal with it, you know, so I'm not in charge of that	16:44:14
7	office. AP office will get that.	16:44:21
8	It's probably the end of October -- I'm	16:44:24
9	sorry -- September or maybe the first week or two in	16:44:26
10	October.	16:44:30
11	Q. Okay. Thank you.	16:44:31
12	Do you know if the norm day count or the	16:44:33
13	norm day, does that count include students on all	16:44:37
14	three tracks even though one of the tracks is off	16:44:43
15	track on that day?	16:44:45
16	A. Correct.	16:44:47
17	Q. Okay. And how are the off-track students	16:44:48
18	counted on that norm day?	16:44:51
19	A. The off-track students return in September,	16:44:53
20	and that's why I said we use it after they return and	16:44:55
21	maybe the second week in October.	16:44:59
22	Q. Okay. So the count that you have of 4,800	16:45:02
23	students, does count all three tracks?	16:45:04
24	A. Yes.	16:45:04
25	Q. Okay. Thank you.	16:45:07

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1 How many students are on each track -- each 16:45:08
 2 of the three tracks? 16:45:10
 3 And if you like, I can break it down. For 16:45:12
 4 example, how many students are on A track? 16:45:15
 5 A. I don't have the exact total. The only 16:45:18
 6 thing I can tell you I know is that A track is the 16:45:19
 7 largest track because that's the more traditional 16:45:22
 8 track. 16:45:33
 9 Q. Okay. 16:45:33
 10 A. To give you a number, I don't know. I can 16:45:33
 11 say that -- I want to say B track is probably the 16:45:33
 12 smallest track. 16:45:37
 13 Q. Okay. Why do you think it's probably the 16:45:40
 14 smallest? I mean that wasn't a very well-worded 16:45:42
 15 question. 16:45:46
 16 A. It's not the most popular track. 16:45:47
 17 Q. Why is it not the most popular track? 16:45:49
 18 A. I think because of the way the schedule is 16:45:51
 19 set up. And I would have to look at the year-round 16:45:56
 20 calendar to tell you and be more specific, but -- 16:45:59
 21 Q. Okay. So when you say because of the way 16:46:04
 22 the schedule is set up, do you mean the time of year 16:46:05
 23 that the B track starts, or do you mean something 16:46:09
 24 different from that? 16:46:12
 25 A. It's in the middle. They start at the 16:46:13

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1 beginning of the school year in July. January they 16:46:15
 2 are in session maybe two months, they are off, and 16:46:18
 3 then they are coming back maybe two months later. 16:46:24
 4 It's just strange the way that is set up. 16:46:27
 5 I'll go back to the original wording. It's not a 16:46:32
 6 popular track, and you would have to look at the 16:46:35
 7 schedule in order to really get a visual as to what 16:46:38
 8 I'm talking about. 16:46:43
 9 Q. Do you -- well, do you or does Fremont High 16:46:45
 10 maintain a schedule of days for the tracks when 16:46:49
 11 students are on campus? 16:46:55
 12 A. Yes, the district provides the calendar. 16:46:56
 13 Q. Okay. And so I could get a copy of that 16:46:59
 14 calendar from the district. In fact, I have a copy 16:47:00
 15 of that calendar from the district. So maybe I'll 16:47:03
 16 bring a copy for you next time and we can talk about 16:47:06
 17 it next time. 16:47:09
 18 A. Do that. Then I won't have to provide 16:47:11
 19 another document for you to copy. 16:47:14
 20 Q. Why don't I do that. I think the copy I 16:47:15
 21 have from the district is a '99/2000 copy. So if you 16:47:17
 22 have -- 16:47:22
 23 A. I do have the 2001/2002. If you would like 16:47:23
 24 for me to bring it, I'll send it with Marcie when she 16:47:29
 25 comes. I'll make copies for you and send them. 16:47:32

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1 Q. I'll use that. I'll use the Fremont 16:47:36
 2 copiers. Thank you very much. 16:47:39
 3 Okay. To go back to my question about the 16:47:43
 4 numbers of students on the track, you were saying 16:47:49
 5 that the B track is probably the smallest track 16:47:51
 6 because it's an unpopular track. 16:47:54
 7 Is it unpopular -- is it fair to say it's 16:47:58
 8 not a popular track? Am I using the right word? 16:48:00
 9 A. Yes. 16:48:00
 10 Q. Is it unpopular among the students? 16:48:05
 11 A. I don't know about the students. I don't 16:48:08
 12 hear them talking. I'm thinking in terms of 16:48:10
 13 staffing. 16:48:13
 14 Q. Okay. So it's unpopular among the teachers 16:48:14
 15 at the school? 16:48:19
 16 A. At the school. 16:48:20
 17 Q. Is it also -- let me strike that. 16:48:21
 18 Are there other staff of Fremont High School 16:48:23
 19 among whom B track is unpopular? 16:48:27
 20 A. Not really, because they are not affected by 16:48:32
 21 the track. 16:48:34
 22 Q. Okay. Thanks. 16:48:35
 23 So it's the teachers. 16:48:36
 24 Do you have -- we started by saying the A 16:48:38
 25 track is the largest track, you think, and -- 16:48:41

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1 A. Yes. 16:48:41
 2 Q. -- B track is probably the smallest track. 16:48:44
 3 Do you have an estimate of the number of 16:48:46
 4 students, even if it's not an exact number, who are 16:48:47
 5 on each track? 16:48:50
 6 A. Let's see. Maybe about 1,700. 16:48:53
 7 And I'm not doing my math. So I'm not sure 16:49:00
 8 if -- 16:49:05
 9 Q. I'm not good at math. So I wouldn't know 16:49:08
 10 either. 16:49:10
 11 A. Maybe about 1,700 on the B track and maybe 16:49:11
 12 2,000 on C track -- 16:49:15
 13 Q. Okay. 16:49:19
 14 A. -- and find the difference of that and 16:49:20
 15 that's your A track. 16:49:22
 16 Q. Okay. That sounds good. 16:49:24
 17 Do you have any documents at the school that 16:49:25
 18 would tell us how many students are on each track at 16:49:28
 19 the school? 16:49:31
 20 A. Yes. 16:49:31
 21 Q. What documents are those? 16:49:33
 22 A. Well, we have the norm day reports. 16:49:35
 23 Q. Oh, excellent. 16:49:37
 24 A. That tells you the number of students on 16:49:38
 25 each track. 16:49:40

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1 Q. Is that something you could send with Marcie 16:49:41
2 or bring next time? 16:49:43
3 A. Yes. 16:49:43
4 Q. That would be terrific. Thanks. 16:49:45
5 Do you know the racial breakdown of the 16:49:54
6 student population at Fremont? 16:49:57
7 A. I think it's 90 percent Hispanic and 16:49:59
8 10 percent African-American. 16:50:03
9 Q. Okay. And that reached 100 percent. 16:50:07
10 Are there any other racial groups even if 16:50:10
11 they are not highly represented on campus? 16:50:15
12 A. Could be. I'm not sure. 16:50:18
13 Q. Okay. Thanks. 16:50:21
14 Do you know the demographics of each track 16:50:22
15 at the school? 16:50:26
16 A. No. 16:50:26
17 Q. Okay. Would you estimate that the racial 16:50:29
18 breakdown of the track -- of each track approximates 16:50:32
19 the racial breakdown of the total school? 16:50:35
20 A. Probably. 16:50:39
21 Q. Okay. But you don't have any reason to 16:50:40
22 think that it doesn't? 16:50:43
23 A. No. 16:50:44
24 Q. Okay. Thank you. 16:50:45
25 How many students at Fremont are eligible 16:50:46

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1 for the free and reduced-priced meals? 16:50:49
2 A. If we are not 100 percent, we are probably 16:50:57
3 95 percent. 16:51:00
4 Q. Okay. And what makes you say that? The 16:51:01
5 norm day report? 16:51:08
6 A. Not the norm day report. It has to do with 16:51:09
7 the type -- the specially funded programs and monies 16:51:21
8 for that that you do. You have to hand deliver those 16:51:21
9 forms. 16:51:21
10 Q. I'm not going to ask. I just want to 16:51:21
11 know -- 16:51:23
12 A. That's why I'm saying that it's a lot of 16:51:23
13 emphasis getting them to the students and getting 16:51:25
14 them returned. 16:51:28
15 Q. Okay. So you know, because there are all 16:51:29
16 these forms you have to fill out, that there is such 16:51:34
17 a high percentage of the students? 16:51:36
18 A. It's not a lot of forms. It's just a meal 16:51:38
19 application form. 16:51:40
20 Q. And that's a form that you have to give to 16:51:41
21 students and then get back? 16:51:43
22 A. Yes. 16:51:43
23 Q. When I said "you" in that sentence, I didn't 16:51:46
24 mean you -- 16:51:48
25 A. Yes. 16:51:48

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1 Q. -- personally. I mean -- 16:51:49
2 A. Yes. 16:51:49
3 Q. -- someone at the school. 16:51:51
4 Thank you. You are very understanding with 16:51:54
5 my questions. 16:51:55
6 You mentioned earlier today that you 16:51:57
7 submitted to your -- subdistrict, I think to Adreda 16:51:59
8 Pruitt -- but to someone at your district some 16:52:04
9 paperwork about the allegations in our complaint; is 16:52:08
10 that correct? 16:52:08
11 A. That's correct. 16:52:11
12 Q. Is that paperwork that you prepared? 16:52:11
13 A. I had prepared for me. 16:52:15
14 Q. Okay. And -- 16:52:18
15 A. I had just arrived, and so I just -- what I 16:52:19
16 could produce, I did, and I don't even know what that 16:52:27
17 was at this point other than an inventory of the 16:52:29
18 textbooks. 16:52:32
19 I know that I -- I remember the textbook 16:52:33
20 clerk running that report. So I know I gave her that 16:52:37
21 and probably others. 16:52:40
22 At this point, I just don't remember what 16:52:41
23 she asked for. 16:52:43
24 Q. Okay. Do you have a copy of what -- do you 16:52:47
25 have -- not on you today, but do you have at Fremont 16:52:50

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1 a copy of that document or that set of documents that 16:52:52
2 you produced? 16:52:56
3 A. I don't know that I have a copy, but I can 16:52:57
4 check. 16:53:01
5 Q. That would be great if you would check and 16:53:01
6 if you do have a copy -- 16:53:03
7 A. I'll send it. 16:53:05
8 Q. That will be great. 16:53:07
9 MR. FRIEDMAN: Just as a point of 16:53:08
10 information, I'm not going to make an objection at 16:53:10
11 this point, but it may well be that the information 16:53:11
12 that was provided to the local district is based on 16:53:21
13 interaction with legal counsel, and to that extent we 16:53:27
14 may assert attorney/client privilege or work product 16:53:30
15 privilege. 16:53:41
16 MS. LHAMON: Well, I'd appreciate if you 16:53:41
17 could take a look and check into that because, 16:53:42
18 otherwise, I think it's responsive to my business 16:53:45
19 records subpoena, and I would love to have a copy of 16:53:47
20 it, and I would love to hear if you think that it's 16:53:49
21 protected under some privilege. 16:53:53
22 Thanks. 16:53:55
23 Q. We just had delivered to us copies of your 16:53:57
24 documents. So I'm going to give you -- I'm going to 16:53:59
25 give you a copy to look at so you have a copy of what 16:54:05

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1 we have. 16:54:08
 2 I'm going to give the court reporter a copy. 16:54:08
 3 I'm going to mark it as the next exhibit. 16:54:11
 4 THE REPORTER: 9. 16:54:15
 5 MS. LHAMON: So it will be Exhibit 9. 16:54:16
 6 MR. ROZWOOD: Are you marking the entire 16:54:26
 7 stack as one exhibit? 16:54:27
 8 MS. LHAMON: Yes, I am marking the entire 16:54:28
 9 stack. 16:54:30
 10 MR. ROZWOOD: It's composed as several 16:54:31
 11 separate documents. I wanted to make a note on the 16:54:34
 12 record. 16:54:34
 13 It's your call. It's your deposition or 16:54:36
 14 questions. So you would have your right -- I wanted 16:54:38
 15 to make note it's a series of separate and distinct 16:54:41
 16 documents that you are making as a single exhibit. 16:54:44
 17 MS. LHAMON: We are so polite. 16:54:49
 18 I think Ben is making a good suggestion, and 16:54:51
 19 why don't we mark it as separate exhibits. 16:54:54
 20 Okay. Exhibit 9 will be a document with the 16:54:57
 21 title "Interoffice Correspondence, Los Angeles Unified 16:54:59
 22 School District, John C. Fremont High School," 16:55:05
 23 dated 2/13/91. 16:55:09
 24 (Document referred to above was 16:55:09
 25 marked as Defendants' Exhibit 9 16:55:09

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1 for identification by the reporter 16:55:12
 2 and is attached hereto.) 16:55:12
 3 MS. LHAMON: And then Exhibit 10 is a 16:55:12
 4 two-page document that is a memo from James N. Hooker 16:55:30
 5 with the subject "Hall Locker Distribution" dated 16:55:36
 6 10/30/00. The second page says at the top "Hall 16:55:40
 7 Locker Distribution Period Two List." 16:55:48
 8 (Document referred to above was 16:55:48
 9 marked as Defendants' Exhibit 10 16:55:48
 10 for identification by the reporter 16:55:54
 11 and is attached hereto.) 16:55:54
 12 MR. FRIEDMAN: I'm sorry. Could I offer 16:55:54
 13 that the document which we earlier made reference 16:55:56
 14 which we removed from these materials was a second 16:56:00
 15 page to Exhibit 9 which is, I think, virtually 16:56:03
 16 identical to the second page of the exhibit except it 16:56:09
 17 did have student lists, data in some of those 16:56:13
 18 columns. 16:56:17
 19 MS. LHAMON: Thank you. 16:56:20
 20 To my memory I don't think we made reference 16:56:20
 21 to the second page on the record. So I appreciate 16:56:22
 22 your saying that. The second page had information 16:56:25
 23 that had protected student privacy information on it. 16:56:28
 24 So that's why we took it out, and it's not produced. 16:56:32
 25 Exhibit 11 is an agenda for the May 14, 16:56:37

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1 2000, leadership council, and it's a one-page 16:56:41
 2 document. 16:56:46
 3 (Document referred to above was 16:56:46
 4 marked as Defendants' Exhibit 11 16:56:46
 5 for identification by the reporter 16:56:55
 6 and is attached hereto.) 16:56:55
 7 MS. LHAMON: Exhibit 12 is a memo dated 16:56:56
 8 6/20/01 to Ms. Roland from Pat Nichols, and it's a 16:56:59
 9 one-page -- well, it looks like it's a two-page 16:57:07
 10 document, although it's not stapled together. 16:57:11
 11 (Document referred to above was
 12 marked as Defendants' Exhibit 12
 13 for identification by the reporter
 14 and is attached hereto.)
 15 BY MS. LHAMON:
 16 Q. Is that correct, Ms. Roland? 16:57:14
 17 A. That's correct. 16:57:17
 18 Q. The second page it says page 2, and at the 16:57:18
 19 top it says "Honors Classes" and "# of Sect." 16:57:22
 20 MR. ROZWOOD: Do you want to staple the two 16:57:56
 21 pages of Exhibit 12 together? 16:57:58
 22 MS. LHAMON: That would be great. 16:58:00
 23 Exhibit 13 is a document that says 16:58:13
 24 "Positions Currently Interviewing" at the top, 16:58:15
 25 "June 20, 2001," and it's a two-page document. 16:58:17

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1 The second page says "New Hires for 2001-2, 16:58:22
 2 June 15," which is dashed out in handwriting, 2001. 16:58:27
 3 (Document referred to above was 16:58:27
 4 marked as Defendants' Exhibit 13 16:58:27
 5 for identification by the reporter 16:58:45
 6 and is attached hereto.) 16:58:45
 7 MS. LHAMON: The final document is 16:58:45
 8 Exhibit 14. It's a one-page document. It says at 16:58:47
 9 the top "Leadership Council, June 11, 2001, Sign-In." 16:58:50
 10 (Document referred to above was 16:58:50
 11 marked as Defendants' Exhibit 14 16:58:50
 12 for identification by the reporter 16:59:06
 13 and is attached hereto.) 16:59:06
 14 BY MS. LHAMON: 16:59:06
 15 Q. Thank you, Ms. Roland, for providing them to 16:59:07
 16 us today. 16:59:10
 17 So start talking a little bit about Fremont 16:59:15
 18 itself. What do you think are the primary needs of 16:59:18
 19 the school today? 16:59:20
 20 A. Full-time staff; again, we can always use 16:59:28
 21 money. And basically that's all I can think of just 16:59:46
 22 right now would be the staffing and then the money 16:59:56
 23 would be able to do anything else we wanted in terms 16:59:59
 24 of personnel or instructional materials and 17:00:03
 25 equipment. 17:00:06

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1	Q. Okay. Let me start with the full-time	17:00:09
2	staff.	17:00:11
3	What kind of staff are you referring to?	17:00:12
4	A. Teaching staff.	17:00:15
5	Q. Okay. And when you identify teaching staff	17:00:18
6	as a primary need for Fremont High, in what context?	17:00:21
7	Would you like to add more classes?	17:00:28
8		
9	A. Well, I was thinking in terms of the	17:00:31
10	unfilled positions where we are currently using	17:00:32
11	substitute teachers and/or teachers who are off	17:00:36
12	track.	17:00:39
13	Q. Okay. And why does that issue rate so	17:00:40
14	highly on your list of needs for the school?	17:00:44
15	A. Because we need permanent teachers.	17:00:48
16	Q. And why is that?	17:00:53
17	I know what I think. I need to know what	17:00:56
18	you think.	17:00:58
19	A. I think that you'll get quality in terms of	17:01:02
20	instructions, students will -- there will be	17:01:10
21	consistencies in terms of instruction as well as the	17:01:17
22	staff and all others when you have something that's	17:01:20
23	temporary versus permanent.	17:01:28
24	Q. When you say that all others when you have	17:01:32
25	something that's temporary --	17:01:36

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1	A. I was saying in reference to anything, you	17:01:37
2	would prefer something that's a permanent fixture. I	17:01:40
3	use that as an example --	17:01:45
4	Q. Sure, sure.	17:01:46
5	A. -- of that.	17:01:47
6	Basically what I'm saying is that I think	17:01:48
7	the needs of students would be better met if they had	17:01:51
8	a permanent teacher as opposed to a day-to-day	17:01:56
9	substitute teacher.	17:02:01
10	Q. Okay. And just so I have it clear in my	17:02:07
11	head, are there any special reasons or any particular	17:02:11
12	reasons why students' needs would be better met if	17:02:15
13	they had a permanent teacher rather than a day-to-day	17:02:18
14	or nonpermanent teacher?	17:02:22
15	A. Well, especially when it involves the	17:02:25
16	content areas, those who have been trained and gone	17:02:27
17	through student teaching -- and the substitute	17:02:31
18	teachers don't have to go through student teaching --	17:02:36
19	so they are better prepared in terms of instructional	17:02:40
20	delivery.	17:02:44
21	Q. Okay. And how about the question of a	17:02:45
22	permanent teacher for a classroom as distinct from a	17:02:50
23	teacher who is also a trained teacher but teaches on	17:02:53
24	another track? Does that make a difference for	17:02:58
25	students?	17:03:00

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1	A. A little difference but not in terms of	17:03:01
2	content area.	17:03:03
3	Q. Okay.	17:03:04
4	A. Only that -- the only difference I can see	17:03:05
5	is still not that permanent person that you are going	17:03:09
6	to have all year. You'll have that permanent for	17:03:11
7	eight weeks, and then it's time for that person to go	17:03:16
8	back to his or her regular classes because that track	17:03:19
9	would be on.	17:03:23
10	Q. Okay.	17:03:24
11	A. So make -- the change would make a	17:03:24
12	difference, not so much as a lapse in instruction.	17:03:28
13	Q. Sure.	17:03:33
14	And why does it matter to students to have a	17:03:34
15	permanent teacher who is going to be there for the	17:03:37
16	entire term of a course rather than a teacher who	17:03:39
17	will leave when that teacher needs to go back on	17:03:43
18	track?	17:03:45
19	A. I think they get to know each other, the	17:03:46
20	familiarity, and that plays a big part with students	17:03:49
21	and knowing the teacher and person that is there,	17:03:54
22	their mannerisms, respect, opinions of who it is,	17:03:58
23	their own -- forming their opinions about the	17:04:03
24	teachers in terms of what expectations are.	17:04:06
25	They are clearer if they had a permanent	17:04:11

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1	person; otherwise, it's a constant change. So I	17:04:15
2	think clear expectations are important.	17:04:19
3	Q. Okay. And how do you know that it matters	17:04:22
4	to students to have that permanent person? Is that	17:04:26
5	based on your teaching experience, your assistant	17:04:30
6	principal experience?	17:04:37
7	A. Teaching experience and not only that as	17:04:37
8	teaching experience. Just through the years and	17:04:40
9	listening to students, you know. They will say to	17:04:42
10	me, "Ms. Roland, are we going to get a permanent	17:04:46
11	teacher?" And it's only natural that you would ask	17:04:50
12	that.	17:04:53
13	Q. Sure.	17:04:53
14	And students have said that to you at	17:04:54
15	Fremont High School?	17:04:56
16	A. No, I said over the years --	17:04:58
17	Q. Right.	17:04:59
18	A. -- not so much at Fremont.	17:05:00
19	Q. Okay. So --	17:05:02
20	A. I don't recall anyone asking me that at	17:05:04
21	Fremont.	17:05:06
22	Q. Okay. But in the various schools at which	17:05:08
23	you've taught --	17:05:11
24	A. Yes.	17:05:11
25	Q. -- and there's a good number, you've heard	17:05:13

1 from students consistently that they want a permanent 17:05:15
 2 teacher? 17:05:25
 3 A. When I have been at schools where you didn't 17:05:25
 4 have a full staff. 17:05:25
 5 Q. Okay. Thanks. 17:05:25
 6 Then for the money that you would do 17:05:30
 7 anything else that you would like, what kinds of 17:05:32
 8 things -- where would you spend the money if you had 17:05:34
 9 an influx of additional cash? 17:05:37
 10 A. Probably on more books, novels, reading for 17:05:40
 11 pleasure, not so much textbook. I think we get that. 17:05:47
 12 I think we need more. 17:05:51
 13 I would probably spend it on classroom 17:05:53
 14 libraries, maybe even change the process that I 17:05:55
 15 mentioned earlier from test-taking strategies. Maybe 17:06:01
 16 leave it for the incoming ninth-graders and maybe 17:06:06
 17 using sustained solid reading or reading for pleasure 17:06:09
 18 for grades ten through twelve, those who have gone 17:06:14
 19 through that. 17:06:17
 20 I think I would spend the majority of it on 17:06:18
 21 books and novels for reading. I would probably put 17:06:21
 22 more emphasis on reading. 17:06:24
 23 Q. Okay. 17:06:27
 24 A. Probably more people -- more counselors in 17:06:31
 25 terms of spending the money. Maybe trying to obtain 17:06:36

1 more mentor teachers to work with new teachers. 17:06:46
 2 Q. Okay. 17:06:46
 3 A. And meet the request of teachers in terms of 17:07:00
 4 instructional materials. They know what their needs 17:07:03
 5 are and what they would like to have and what the 17:07:06
 6 students would need. I would be able to provide them 17:07:09
 7 with the monies to purchase those things. 17:07:12
 8 They are more knowledgeable of their needs 17:07:17
 9 than I am, and I would probably try to honor those 17:07:19
 10 requests. 17:07:23
 11 Q. Okay. I don't want to interrupt you. 17:07:31
 12 Is that the end of your list? 17:07:32
 13 A. Probably it's the end. I can spend money. 17:07:35
 14 Q. You and me both. 17:07:37
 15 A. I would like to spend or have money to spend 17:07:39
 16 a lot more on students' recognition. 17:07:44
 17 Q. So just I know what you mean by that -- 17:07:54
 18 A. Achievement either in attendance or 17:07:57
 19 academics, try to give little small scholarships from 17:07:59
 20 the schools, like maybe 200 here, 300 there, 17:08:04
 21 something like that. 17:08:07
 22 I don't have it there, and I've had that at 17:08:10
 23 another school. So I miss being able to recognize 17:08:13
 24 students, you know, catch them doing good and 17:08:16
 25 recognize it. I don't have that. I haven't -- 17:08:20

1 Q. Okay. 17:08:23
 2 A. And that's it. I can spend money. 17:08:29
 3 Q. These are the things that would be first on 17:08:32
 4 your list -- 17:08:34
 5 A. Yes. 17:08:34
 6 Q. -- if you were to get some additional -- 17:08:35
 7 A. Yes. 17:08:35
 8 Q. -- sources of money? 17:08:37
 9 What was the school where you had funds for 17:08:39
 10 some student recognition? 17:08:41
 11 A. It was when I was at Bravo Medical Magnet. 17:08:43
 12 They had a grant from the hospital there. They 17:08:49
 13 worked in conjunction with that, and I was given like 17:08:52
 14 \$5,000 a year just for recognition of students and 17:08:56
 15 staff, and I miss it. 17:09:02
 16 I think they gave out -- they also had 17:09:05
 17 scholarships for ten students in the amount of \$5,000 17:09:09
 18 that was a part of the grant. 17:09:13
 19 Q. Wow. 17:09:17
 20 Did you notice that it made a difference to 17:09:18
 21 the students on campus to know those recognition 17:09:20
 22 awards would be there? 17:09:23
 23 A. Yes, yes. Student-of-the-month trophies, 17:09:25
 24 pictures on display monthly. Just those things I 17:09:29
 25 miss doing and having. 17:09:32

1 Q. How did you notice it made a difference to 17:09:35
 2 them? Did the students behave differently? 17:09:38
 3 A. They were always crowded around the boards 17:09:41
 4 like, "I want my name there." If you omitted it for 17:09:43
 5 whatever reason, they were there to let you know, and 17:09:46
 6 they wanted people to know they had perfect 17:09:50
 7 attendance or 3.0 or any little thing catch them 17:09:53
 8 doing good and you recognize them, and I had -- I 17:09:57
 9 know I'm talking. So I'll stop. I'm sorry. 17:10:02
 10 Q. You were responding to my question. I was 17:10:06
 11 happy. We can stop shortly thereafter. 17:10:07
 12 A. I'll stop. 17:10:11
 13 Q. But you were in the middle of a sentence. I 17:10:12
 14 want you to finish. 17:10:14
 15 A. I had one great thing there because of the 17:10:15
 16 money. I had an academic pep rally unlike your 17:10:17
 17 athletics. I mean we had the whole -- your band, 17:10:22
 18 your music, and all of the recognition that would go 17:10:25
 19 with it, your cheerleaders, and everything. 17:10:28
 20 Q. Wow. 17:10:28
 21 A. So it was great. It was a good experience. 17:10:32
 22 Q. And you had cheerleaders for people who had 17:10:34
 23 scored high on tests or -- 17:10:37
 24 A. We tried to have it where every kid in the 17:10:39
 25 school was recognized, you know. There was one month 17:10:41

1 IN WITNESS WHEREOF, I have subscribed my name
2 this 5th day of July, 2001.
3

4
5
6
7 _____
8 RICKI Q. MELTON, CSR No. 9400, RPR No. 45429
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1 DEPOSITION EXHIBITS
2 MARGARET ROLAND
3

4	NUMBER	DESCRIPTION	IDENTIFIED
5	1	First Amended Complaint paragraphs 218 through 227.	39
6			
7			
8	2	Declaration of Cindy Diego.	50
9			
10	3	Declaration of Glauz Diego.	50
11			
12	4	Declaration of Glauz Diego;	51
13			
14	5	Declaration of Sedy Ramirez;	53
15			
16	6	Memorandum dated September 23, 1999.	95
17			
18			
19	7	Memorandum dated October 1, 1997.	96
20			
21			
22	8	Memorandum dated December 6, 1999.	97
23			
24			
25			

1 I N D E X
2 V O L U M E I
3

4 WEDNESDAY, JUNE 20, 2001

5
6 WITNESS EXAMINATION

7
8 MARGARET ROLAND

9
10 (By Mr. Rozwood) 4
11 (By Mr. Rozwood) 95
12 (By Ms. Lhamon) 183
13
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1 DEPOSITION EXHIBITS (CONTINUED)
2 MARGARET ROLAND
3

4	NUMBER	DESCRIPTION	IDENTIFIED
5	9	Memorandum dated February 13, 2001.	198
6			
7			
8	10	Memorandum dated October 30, 2000.	199
9			
10			
11	11	Leadership Council Agenda dated May 14, 2000.	200
12			
13			
14	12	Memorandum dated June 20, 2001.	200
15			
16	13	Positions Currently Interviewing June 20, 2001.	201
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18			
19	14	Leadership Council Sign-In dated June 11, 2001.	201
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25			