

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN FRANCISCO  
UNLIMITED JURISDICTION

ELIEZER WILLIAMS, a minor, by )  
Sweetie Williams, his guardian )  
ad litem, et al., each )  
individually and on behalf of )  
all others similarly situated, )

Plaintiffs, )

vs. )

No. 312236

STATE OF CALIFORNIA, DELAINE )  
EASTON, State Superintendent )  
of Public Instruction, STATE )  
DEPARTMENT OF EDUCATION, STATE )  
BOARD OF EDUCATION, )

Defendants. )

\_\_\_\_\_ )

DEPOSITION OF FLOYD GONELLA, Ed.D.  
Palo Alto, California  
Wednesday, June 18, 2003  
Volume II

Reported by:

GINA GLANTZ

CSR No. 9795, RPR, RMR

JOB No. 42947

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Deposition of FLOYD GONELLA, Ed.D., Volume  
2, taken on behalf of Plaintiffs, at 755 Page  
Mill Road, Building B, Palo Alto, California,  
beginning at 9:39 a.m. and ending at 2:59  
p.m., on Wednesday, June 18, 2003, before GINA  
GLANTZ, Certified Shorthand Reporter No. 9795.

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13 One-page document entitled "Classroom 223  
Teacher Credential and Experience Report by  
District by School for the Year 2002-03  
4168999 - Ravenswood City Elementary"  
14 One-page document listing textbook 226  
expenditures for schools

15 Two-page July 25, 2001 San Francisco 248  
Chronicle printout, "Headline: New leader  
named for schools probe; Misspending  
alleged in East Palo Alto"

16 One-page document entitled "Section 60119 270  
Resolution Suggested Language"

17 One-page document entitled "Schools: Tax 285  
to fund schools considered"

18 Two-page December 18, 2002 San Jose Mercury 288  
News printout, "Headline: Ready for a  
challenge; Ravenswood Chief Happy to Delay  
Retirement"

19 Two-page March 5, 2002 San Jose Mercury 288  
News printout, "Headline: County: East  
P.A. district negligent; Investigation  
Calls Ravenswood Leaders' Work  
'Unacceptable'"

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INDEX (Continued):

EXHIBITS

DEPOSITION PAGE

20 Four-page document entitled "Ravenswood 292  
City Elementary School District"; at the  
bottom it is entitled "Ravenswood Chart of  
Facts" (STATE 0427411 - 7414)

21 One-page document entitled "Enrollment 333  
Count 1/27/03" - "Ravenswood City School  
District 12/27/03"

22 Multipage document entitled "The Charter 347  
School Management Agreement Between The  
Board of Education of the Ravenswood City  
School District and the Edison Project, L.P."  
(DT-RA 05650 -5709)

23 Ten-page BASRC grant agreement, dated 361  
January 28, 1997, to Charlie Mae Knight  
(DT-RA 08456 - 8465)

1 Palo Alto, California, Wednesday, June 18, 2003  
2 9:39 a.m. - 2:59 p.m.

3  
4 FLOYD GONELLA, Ed.D.,  
5 having been first duly sworn, was examined and testified  
6 as follows:

7  
8 EXAMINATION

9 BY MS. WELCH:

10 Q Good morning, Dr. Gonella.

11 A Good morning. How are you?

12 Q Fine, thank you. How are you doing?

13 A Good.

14 Q Thanks a lot for coming out here, again, today.  
15 We appreciate your time.

16 A Not at all.

17 Q At the last deposition we went over some ground  
18 rules, and I'm going to assume that you still remember  
19 those rules, and I won't spend our time, here today,  
20 going over them again, if that's okay with you.

21 A That's fine.

22 Q One thing I did notice, when I went through the  
23 first day's transcript, is that there were a few times  
24 where, despite our best efforts, we did end up talking  
25 over each other, so I would just appreciate it if

1 Q How does that ruling affect the district's  
2 fiscal situation that we discussed at your last  
3 deposition day?

4 A There's no doubt that it certainly assists the  
5 school district's fiscal situation. The school district  
6 basically could not have taken -- the -- a partial cost  
7 total -- I mean, a total cost or half the cost. I think  
8 that we are still in very dire straits. We still have  
9 attorney fees left over, we still have things left over.

10 We're in the process now of putting together  
11 our budget, will be -- which -- tomorrow -- Thursday  
12 evening, we'll present it -- this evening, Wednesday  
13 evening will be presented to the advisory committee,  
14 Thursday evening to the board as a preliminary budget,  
15 and then we must adopt our budget by the end of June.  
16 So it will be on the 26th or 27th, whatever next  
17 Thursday is. And we are still struggling to try to meet  
18 the state regulations of a reserve, so we are  
19 struggling. We just did not come out of this, you know,  
20 like flush. We're still struggling, and we've made a  
21 tremendous amount of cuts even to reach some minimal  
22 reserve that we have now, at the very minimal.

23 Q Is there still a requirement that there be a 3  
24 percent reserve, or has that been altered?

25 A That's an interesting question, because

1 everyone could, you know, take special care to let me  
2 finish my question, and I'll do the same to let you  
3 finish your answer; is that okay?

4 A Certainly.

5 Q Great. I would like to start off going back to  
6 points in the deposition and asking you some follow-up  
7 questions, because I understand that there's been a lot  
8 going on in the district, and you probably have some  
9 updated information.

10 The first area that I'd like to follow up on is  
11 with respect to the Emma C. case. Could you tell me  
12 where that case currently stands.

13 A Yes. Judge Henderson ruled on the case, and I  
14 forget the exact date, but he did rule on the case, and  
15 in his ruling, he indicated that the costs for the Emma  
16 C. case would be split between the State Department of  
17 Education and the Ravenswood School District, 75/25,  
18 with the state being responsible for 75 percent of the  
19 costs and the district 25 percent of the costs,  
20 effective March 1st, 203 (sic) through June 30th of 204  
21 (sic). Those are the right dates. It's all next year,  
22 because the program really started March 1st, so it's 12  
23 months plus the March, April, May, June, 4 months, 18  
24 months or so. So that's the thing. And the budget that  
25 was presented was the budget that we're all working on.

1 technically, right now, there is a requirement for 3  
2 percent, but we have had all kinds of communiques from  
3 lobbyists and advisors that we use in education, that  
4 the governor has proposed, or is proposing, the  
5 possibility of coming down to 1 1/2 percent for one  
6 year. Then the possibility of taking some of the money  
7 from state categoricals and being able to use some of  
8 that in reserves. But this is purely speculation, it's  
9 discussion, and so we don't know where it's going to be.  
10 So technically, right now, it's still 3 percent, but we  
11 hear a lot of other things.

12 Q On April 25th, at your last deposition, we also  
13 talked about the status of teacher applications in the  
14 district.

15 A Yes.

16 Q Could you give me a sense of what the status is  
17 of processing the applications that you've received?

18 A We were elated. I forget at that time how many  
19 applications we had. I would assume that this year we  
20 had close to 300 applications, the most we've ever had  
21 in the district. Fully credentialed teachers looking  
22 for jobs. This year it was truly -- and I don't mean to  
23 be facetious, but a buyer's market in relationship to  
24 teacher applications. We have hired many new teachers,  
25 we have returned -- I think we had sent letters to 89

1 teachers, and we then determined if there was the  
2 ability of that teacher to have a credential, or be  
3 fully credentialed by a date, like August 1st or  
4 something, then we put them on a list that they would be  
5 hired back.

6 We went through interviews. We had teams of  
7 people interviewing all the new teachers. So we're  
8 pretty well -- we still have openings. We're pretty  
9 well staffed, and we do have a list available, with the  
10 exception of one area, and that area is really  
11 frightening to us, is the inability to get special  
12 education teachers, credentialed special education  
13 teachers. That's a great concern to us.

14 Q So can you give an estimate for the percentage  
15 of fully credentialed teachers that you expect to have  
16 on the Ravenswood staff starting in the fall at this  
17 point?

18 A I think when we --

19 MS. CARTER: Objection. Calls for speculation.

20 THE WITNESS: I'd say that when we look at the  
21 credentials we're accepting, which includes a full  
22 credential or a -- not a temporary, an internship  
23 credential, that is, we've accepted the credentials,  
24 we'll probably, I would say, have close to 85, 90  
25 percent of the teachers that will be in that area. The

1 We have a new phenomenon on teacher -- on  
2 applications, which I think is going to change the whole  
3 way we do things. And so that's why I think we had so  
4 many applications. Why not put in for 50 districts?  
5 That's what's happening, and more power to them.

6 MS. WELCH: I believe we left off with Exhibit  
7 12; is that correct?

8 THE REPORTER: Yes.

9 MS. WELCH: I'd like to have this marked as  
10 Exhibit 13.

11 (Deposition Exhibit 13 was marked for  
12 identification by the court reporter.)

13 MS. WELCH: For the record, I'll represent that  
14 this is a document that I downloaded from the Internet  
15 last night.

16 Q When we were here for your first day of  
17 deposition, as far as I could tell, the 2002-2003  
18 teacher data was not yet on the educational demographics  
19 unit's Web site. It now is, and this is it. So I just  
20 wanted to ask you a couple of questions about the  
21 2002-2003 data.

22 A Um-hmm.

23 Q According to the Internet, the percentage of  
24 fully credentialed teachers in Ravenswood for 2002-2003  
25 was 46.7 percent. Do you see that figure?

1 other remainder are teachers we're trying to deal with  
2 in the special education area, because we have to meet  
3 certain obligations from Emma C., and we probably will  
4 have -- could have some emergency credentials in that  
5 area.

6 BY MS. WELCH:

7 Q Why do you think that it is a buyer's market,  
8 as you called it?

9 MS. CARTER: Objection. Calls for speculation.

10 THE WITNESS: I just -- in my opinion, the  
11 reason for that is that there are school districts all  
12 over California that have given termination letters and  
13 reducing teachers. In our own county, I know of some  
14 teachers who have been with districts four and five  
15 years who have received notices and are looking for  
16 jobs.

17 I also think we have a new phenomenon in  
18 teacher hiring that I've really observed this year that  
19 I think is going to explode, and that is the application  
20 by Internet. It is possible for a teacher to apply to  
21 50 different districts around California, fill out  
22 applications on the Internet, apply for an interview  
23 over the Internet, and then be very selective. Just  
24 because we had 300 doesn't mean that those 300 then  
25 apply to 300 other places also.

1 A "Ravenswood Elementary Total."

2 MS. GIORGI: Let me interrupt.

3 THE WITNESS: Yes.

4 MS. GIORGI: Objection. Lacks foundation. The  
5 witness hasn't verified that he is familiar with these  
6 numbers or that he confirms that they're accurate  
7 numbers.

8 MS. WELCH: Right now I'm just asking him if he  
9 sees that percentage.

10 Q Do you see that?

11 A I'm looking for the percent.

12 MS. GIORGI: Do you see the piece of paper in  
13 front of your head? That's the only question in front  
14 of you.

15 THE WITNESS: "Ravenswood Elementary Total,"  
16 and I'm looking at "Number of Teachers," "Full" -- oh,  
17 "Full," 46.7 percent, I do see that.

18 BY MS. WELCH:

19 Q So my question is: As you were sending out the  
20 notices this year, with respect to teachers that, you  
21 know, were not going to be having secure jobs, we  
22 discussed last time the fact that you sent out notices  
23 to all teachers that were not fully credentialed; is  
24 that correct?

25 A Yes.

1 Q Does that -- does the number here look  
2 accurate, based on the calculations that you made and  
3 the pink slips that you sent out?

4 MS. CARTER: Objection. Vague and ambiguous as  
5 to which number.

6 MS. WELCH: The 46.7 percent is the number I'm  
7 asking about.

8 THE WITNESS: Generally, yes, because we have  
9 150, 160 teachers. We sent letters to 88 or 89, that's  
10 roughly 45, 50 percent. So within some percentage  
11 points either way, this is approximately correct.

12 BY MS. WELCH:

13 Q Great.

14 A To my knowledge.

15 Q Thank you.

16 At the first day of your deposition, you talked  
17 about the fact that the board had approved -- I believe  
18 you said \$450,000 worth of textbooks, funding for  
19 textbooks. Do you recall that?

20 A I'm trying to think of the context of that.

21 Q If you want, I can direct you to your  
22 testimony, if that would help you. I'm not trying to --

23 A Oh, no, I'm just trying to remember. If I  
24 indicated that, then I would --

25 Q Would you like --

1 Q Are you familiar with this document?

2 A No.

3 Q Have you seen -- and just for the record, this  
4 is a document that was produced by the district,  
5 Bates-labeled DT-RA 00025. And it appears to be a  
6 budget of textbook expenditures, and I say it appears to  
7 be just based on my understanding of the document. But  
8 I can ask you a few questions about it and we can verify  
9 that.

10 A Sure.

11 Q So does this appear to you to be a document  
12 that sets forth textbook expenditures for the district  
13 for '95-'96 to '99-2000 school year?

14 MS. CARTER: Objection. It calls for  
15 speculation, and there's no foundation. The witness  
16 testified he's never seen this document before.

17 MS. GIORGI: Furthermore, he wasn't a  
18 superintendent of Ravenswood during this time period.  
19 He has no independent knowledge.

20 THE WITNESS: It appears to be some kind of  
21 report on textbook expenditures, on annual ADA, cost per  
22 ADA, but I have no knowledge of this sheet. I've never  
23 seen this sheet, and I have no knowledge of those years,  
24 what's being listed here.

25 BY MS. WELCH:

1 A Was that 450,000 for one year?

2 Q Why don't I show you where you talked about  
3 it --

4 A Okay, thank you.

5 Q -- and then you can see the context.

6 And I just want the record to reflect that I  
7 just showed the witness day one of his deposition, and  
8 we're looking at around page 87.

9 A Here it is right here. Thank you. Yes, I  
10 indicated that amount.

11 Q Do you have an understanding of -- if that  
12 amount is to be used in the current year or if that is  
13 over a number of years?

14 A No, that amount was in that current year,  
15 2002-2003 budget, for that one year.

16 MS. WELCH: Okay, I'd like to have this  
17 document marked as Exhibit 14.

18 (Deposition Exhibit 14 was marked for  
19 identification by the court reporter.)

20 THE WITNESS: I'm sorry, my apologies. I was  
21 waiting for you.

22 BY MS. WELCH:

23 Q I'm sorry, are you finished reviewing? Have  
24 you had a chance to look at the document?

25 A Yes, uh-huh.

1 Q I understand that, and I'm not going to quiz  
2 you on those years.

3 A Okay.

4 Q My question is, really, have you seen a  
5 document similar to this for the current school year?

6 A No, I have not.

7 Q In terms of the \$450,000 expenditure that we  
8 discussed or that you talked about at the last  
9 deposition, do you have an understanding of whether or  
10 not that number is higher than the usual expenditure,  
11 the same as the usual expenditure, or lower --

12 MS. CARTER: Objection. Vague.

13 BY MS. WELCH:

14 Q -- than the usual expenditure?

15 MS. CARTER: Objection. Vague and ambiguous,  
16 lacks foundation.

17 THE WITNESS: I can only compare that number to  
18 the one year, because I basically never -- I did not ask  
19 the question "How much did you spend last year on  
20 textbooks?" because I came in in the middle of the year,  
21 in January. My spec- -- in a number of discussions with  
22 people, it is my understanding that the Ravenswood  
23 School District spends ample money for textbooks, and  
24 the \$450,000 would not be an unusual figure, but I have  
25 no basis to make that judgment on.

1 BY MS. WELCH:

2 Q Was there any discussion of how that amount  
3 would be used in terms of particular textbook adoptions  
4 or anything of that nature?

5 A We have an assistant superintendent for  
6 instruction -- curriculum and instruction, and under her  
7 department there is a district librarian resource  
8 textbook person who does all the purchasing of the  
9 series of textbooks and things that was -- we did not  
10 have complaints from principals, or the principals did  
11 not call me up and say, "I do not have enough textbooks.  
12 Purchase textbooks." The only complaint I ever had in  
13 textbooks was that at times we could not collect them  
14 back or get them back and there was missing textbooks,  
15 how to stop the possibility of missing textbooks. Never  
16 the possibility of why aren't we purchasing enough  
17 textbooks. So my discussion was never in the area of  
18 the process of purchasing textbooks.

19 Q With respect to the issue of missing textbooks,  
20 have you been involved with discussions about whether or  
21 not the fact that textbooks went missing impacted  
22 teachers -- strike that.

23 With respect to the topic of missing textbooks,  
24 was there a discussion of whether or not the fact that  
25 there were missing textbooks resulted in a shortage in a

1 responsibility and are accountable. We have made  
2 some -- or will be making and have made some significant  
3 personnel changes. We have discussed with people who  
4 will be possibly new in these positions, or people who  
5 are interested in positions, about the system of making  
6 sure textbooks are not lost and turned in, which ranged  
7 from -- in fact, we have -- in one of the series, one of  
8 the new series that was purchased, I remember this  
9 specifically, we talked about bar coding. There was a  
10 bar code that was put into the textbooks, which would  
11 have some kind of a control system. So we have talked a  
12 lot about the keeping -- making sure the books are  
13 turned in, given to the right person, everything. That  
14 has been a major part of discussion.

15 Q Have you taken steps to ensure that will happen  
16 for the next school year, or is it just in the  
17 discussion stages?

18 A We are in the planning stages. We have not  
19 filled a specific position that will be highly  
20 responsible for this, that interviews take place in  
21 approximately the third week of January. We will then  
22 put the steps we're talking about now into action.

23 Q You said the third week of January. So do you  
24 mean --

25 A I'm sorry, July.

1 particular classroom?

2 A Not the shortage in classrooms. There was  
3 concern about the textbooks not being brought back.  
4 There seemed to be ample textbooks for classrooms. The  
5 shortage -- and we never talked about a shortage. We  
6 talked about just the -- just the reasonableness of the  
7 districts not losing textbooks and bringing them back.  
8 I never had principals complain to me, in the six months  
9 or -- the six months that I had been there, that we did  
10 not have enough textbooks for the class. But there is  
11 something that is wrong about not -- of letting public  
12 textbooks, public money -- not paying attention to it.  
13 I looked at it more on that side.

14 Q I think that the last time we discussed  
15 textbooks, you also mentioned that you were in the  
16 process of trying to set up an inventory system or a new  
17 inventory system.

18 A Um-hmm.

19 Q Is that correct?

20 A That's correct.

21 Q Have you made any progress on that inventory  
22 system?

23 A We have made progress. We have made progress  
24 in relation to a couple of ways. One, an inventory  
25 system relies on people and relies on people who take

1 Q July?

2 A Yes.

3 Q Okay, thank you.

4 On your first day of deposition, you had talked  
5 about the challenges of trying to develop your own  
6 budget without knowing where the state will be making  
7 cuts. Do you have a better sense of where those cuts  
8 are being made, and have you been able to make progress?  
9 I guess that's my first question. Do you have a better  
10 sense of where those cuts will be made?

11 A We have a better sense of where they're going  
12 to be made without the politics involved between the  
13 legislature and the governor's office. That one there,  
14 I have no sense of.

15 Q Can you give me some general categories of  
16 areas where you know cuts are going to be made or where  
17 you have a pretty strong idea that cuts are going to be  
18 made?

19 A We believe, from the resources that we have,  
20 from our lobbyists and our associations and from the  
21 State Department of Education, that there will be a  
22 deficit in our revenue limits. In fact, at one time it  
23 was thought to be perhaps close to a hundred to \$125 per  
24 student, and now we're calculating closer to 60 or \$65  
25 per student. We're also looking at some of the changes

1 in some of the areas of funding for specific -- for some  
 2 specific programs that the money was not fully spent  
 3 last year. Those will be cut back. So we have a  
 4 general feeling that we'll probably lose, throughout the  
 5 district, maybe close to 350- to \$450,000 from the  
 6 cutbacks, and that's a general speculation. We were  
 7 concerned about midyear cuts, that the midyear cuts did  
 8 not come about as severe as we thought. But then you  
 9 throw the political game into it and we don't know where  
 10 that is. So we have to -- everything we do is on  
 11 estimations and speculations and guestimations.

12 Q Do you have an understanding of when the budget  
 13 will be definitive?

14 A The legislature has -- is very -- California  
 15 legislature is very unique. It breaks its own rules.  
 16 And the word in the street is that probably it won't be  
 17 ready until September or so, the legislature. We're  
 18 going to put in a placeholder. Like all school  
 19 districts in California, we have a placeholder and the  
 20 placeholder is there until the legislature provides its  
 21 direction and the governor signs, and then we'll see  
 22 where we are.

23 And there are some very key elements to  
 24 education that's not necessarily the actual money. For  
 25 example, the idea that we may only have to have 1 1/2

1 percent reserve versus a 3 percent reserve is a very key  
 2 major -- is a major factor for us. We won't know that  
 3 until the whole ball game is over.

4 So to answer your specific question, we have a  
 5 placeholder. That's what I call the budget now, and  
 6 that's all we have.

7 Q On day one of your deposition, you also talked  
 8 about the class size ratio.

9 A Um-hmm.

10 Q And you talked about the fact that class sizes,  
 11 under an agreement -- under the collective bargaining  
 12 agreement, had been set at 29 students to one teacher.  
 13 Is that correct?

14 A Yes.

15 Q Is that still the ratio, or has that changed?

16 A That is still the ratio.

17 Q Was there any discussion of having that  
 18 changed?

19 A No, we did not discuss that. I'm trying to  
 20 think whether it was 28, 29 to 1. I think it's 29. And  
 21 then we have the K through 3 where it's 20, on a special  
 22 reduced class size. So that's where we are. 29. And  
 23 we have not -- we've had a lot of discussions with the  
 24 unions, which we felt that -- we felt that we would do  
 25 our best not to bring K-3 -- or to eliminate the funding

1 that we would get out of K-3 and bringing them up to 29.  
 2 We certainly did not want to go over 29 in the classes.  
 3 So that's a discussion that we discussed with the union,  
 4 with no serious intent of change.

5 Q Is that ratio reflected in a document, as far  
 6 as you know?

7 A In --

8 Q Without --

9 A Yes, it's reflected in the collective  
 10 bargaining agreement with the teachers.

11 Q Has there been a new collective bargaining  
 12 agreement?

13 A No. The current agreement of two years ago  
 14 still is there. The union has made some proposals. We  
 15 have been meeting with the union in informal  
 16 negotiations trying to resolve issues, but that document  
 17 itself that was developed two years ago is the major  
 18 controlling collective bargaining document for the  
 19 district.

20 I should say the calendar for next year, which  
 21 is in the document, has been changed and agreed to. So  
 22 there are little things like that. So every page is not  
 23 the same. There have been a couple of changes on it.

24 Q And when you say "calendar," you mean the time  
 25 that teachers will start classes?

1 A That's right, yeah. Holidays, time to start  
 2 classes, things of that sort.

3 Q On day one of your deposition, we also talked  
 4 about, and I believe I showed you, a document called a  
 5 "Declaration of Need for Fully Qualified Teachers."

6 A Um-hmm.

7 Q Do you recall that?

8 A Yes, I do.

9 Q At the time you said that the board, the  
 10 Ravenswood board, while you had been superintendent, had  
 11 not considered such a document for the following school  
 12 year.

13 A Um-hmm.

14 Q Has that changed?

15 A No.

16 Q We also talked about whether the district had  
 17 done any surveying of teachers, and you testified that  
 18 there was a survey in the works that the district was  
 19 going to be conducting that surveyed teachers. Do you  
 20 know if that has occurred?

21 MS. CARTER: Objection to the extent it  
 22 misstates testimony.

23 BY MS. WELCH:

24 Q Do you need more context in order to answer my  
 25 question? Because I can show you where you talked about

1 it before.

2 A I'm trying to think of -- I'm trying to think  
3 of -- we have -- of what we have surveyed. We've done  
4 some exit interviews, we've surveyed some teachers. I'm  
5 not sure what the survey was about, what I answered in  
6 relationship to that survey. Can you point that out to  
7 me?

8 Q I can -- why don't you look at page 172 and the  
9 next couple of pages.

10 A Sure.

11 Q There was an indication in one of the  
12 district's teacher recruitment plans, I think having to  
13 do with the RCAP, that there would be a survey  
14 performed, and we discussed whether or not that had  
15 occurred. And, anyway, I was just wondering if you  
16 could provide updated information.

17 A My answer seemed to jump from one area to  
18 teacher recruitment survey to a housing survey, and then  
19 a survey perhaps in special education by Dr. Hosten.  
20 And I -- a survey of barriers to recruitment. Would you  
21 ask your question again?

22 Q Are you familiar with whether the district has  
23 conducted any surveys of its teachers this school year  
24 or intends to?

25 A There is no intention to conduct any survey

1 taking me -- taking to me a survey that made those kind  
2 of comparisons. That would be very interesting, but I  
3 don't remember what -- the tenure that I've been there.  
4 It may have been conducted, but I have not seen it.

5 Q Okay. On your first day of deposition we also  
6 talked about a Hewlett grant --

7 A Yes.

8 Q -- that you had received, that you testified  
9 would be used in order for FCMAT to conduct an audit of  
10 the district. Could you tell me where you are in the  
11 process of that?

12 A We received the grant. We received \$200,000  
13 from the Hewlett Foundation. 100,000 of that, the  
14 report -- it was going to be in two areas. One area was  
15 going to be to do an audit of the district personnel and  
16 the second was to look at the fiscal -- the fiscal --  
17 the district's fiscal integrity over two or three years.  
18 We have started on the first part, FCMAT has sent in a  
19 team of people, they've been there already one, two,  
20 three, four days.

21 I've interviewed approximately 50 or 60 people.  
22 They've interviewed all management personnel and  
23 interviewed cafeteria people, right down the line.  
24 They're still in the middle of interviews. They will  
25 probably be producing a preliminary report by the second

1 now. I am not familiar with a survey that might have  
2 been conducted in the past several months.

3 Q Okay.

4 A I can't connect with a specific survey.

5 Q Okay.

6 A I know there were some exit interviews, and  
7 there were some surveys on teacher housing, and I do not  
8 remember a discussion on a survey as it pertained to the  
9 special education.

10 Q The district has also produced a large quantity  
11 of documents that are surveys of teachers and parents.  
12 I don't know if you're familiar with these documents,  
13 but they basically ask teachers a variety of questions  
14 about their school site, and they ask parents a variety  
15 of questions about their perceptions of their child's  
16 school site, and it sounds to me like that's not a  
17 practice that the district is going to continue with  
18 this year, but I wanted to ask you about that.

19 A Yeah, unless it's under -- unless it would be  
20 under the consent decree and the -- because we just  
21 changed from the RCAP to the RSIP, so we were like, you  
22 know, 150 requirements of the one that went out on March  
23 1st and the new one is 13. And I'm looking at the  
24 fiscal part of it and everything, and I just can't, in  
25 my mind, come up with that. I don't remember anybody

1 or third week of July, and then, in turn, will finalize  
2 it. So that is going full speed. It's been --  
3 everything's been done on that one.

4 The other one, we're sort of waiting until we  
5 get our preliminary budget before we start moving on  
6 that one, because they're almost sequential. One is  
7 going to be dealing with personnel and the other one  
8 will be dealing not necessarily with personnel of this  
9 year's budget, looking at the fiscal integrity of the  
10 district for the next three years, the viability of the  
11 district for the next three years. So to answer your  
12 specific question, yeah, the grant is on the move.

13 Q Will the preliminary report that you just said  
14 would come out in the end of July be a public document?

15 A Absolutely. It's all public.

16 Q Do you have a sense of when the final report  
17 will be prepared?

18 A I would say by the end of July. I'm talking  
19 about the preliminary report coming out by the second or  
20 third week of July. And we told them we need it by the  
21 end of July, because it's going to be a major part of  
22 helping us refine our placeholder budget.

23 Q You spoke before about the district's efforts  
24 to prepare a plan in accordance with the No Child Left  
25 Behind Act.



1 A Um-hmm.

2 Q I was wondering if, since we last spoke, the  
3 district has made any progress with that plan.

4 A Yes, we have made progress on that plan. And  
5 we are -- in two or three different ways. One way it's  
6 become part of our language now in relationship to  
7 teachers talking about it, people talking about it, the  
8 district talking about it. We've reviewed all of our  
9 federal projects, and we're beginning to prepare the  
10 three major components in relationship to teacher  
11 credentialing, in relationship to notifying parents of  
12 the requirements and also the issue of -- that parents  
13 may want to have their child go from a low-performing  
14 school to a higher-performing school. So those things  
15 are in the -- more than a planning stage. They're being  
16 put in process for the next year. Hopefully, by the  
17 beginning of the year during the notification packet  
18 that the parents will get, this whole thing will be  
19 outlined.

20 Q Do you currently have a document that reflects  
21 the district's plan in that regard?

22 A Do I have it here?

23 Q Has the district created a document that would  
24 reflect what you're talking about?

25 A The district has created all of the preliminary

1 work before putting it together in one plan. We will  
2 have it sometime in the middle of the summer, prepared  
3 to give to parents in September.

4 Q So the document will be geared towards the  
5 parents?

6 A That's right, yes. Notification of parents.  
7 And also notification of our own administrators and  
8 teachers on what that means.

9 Q Do you have a sense of what the -- given the  
10 new hires of teachers that we've discussed for the next  
11 school year, do you have a sense of what the overall  
12 turnover rate will be for the district?

13 A Let's see, I'm going to say about 35 percent  
14 maybe, 35, 40 percent. If we had 150 and we gave  
15 letters to 80, and then we're taking some of the 80  
16 back, 25, 30 back, perhaps, so I will say 35 percent  
17 would be a turnover rate with the new teachers. There  
18 could be some others of just teachers retiring or so  
19 forth. We're finding very few retirements, very few  
20 retirements.

21 Q On the first day of your deposition, we talked  
22 a couple of times about AB1200, came up in your  
23 responses. And you were a county superintendent before  
24 AB1200 passed; is that correct?

25 A Yes.

1 Q And you were a county superintendent after  
2 AB1200 passed; right?

3 A Yes.

4 Q Do you have a view on whether AB1200 was an  
5 improvement?

6 MS. CARTER: Objection. Vague and ambiguous,  
7 calls for expert testimony.

8 THE WITNESS: Yes, I do have a view on AB1200,  
9 because I've been involved with AB1200. AB1200 was  
10 passed for a specific reason, because of the problems we  
11 had in California in relationship to districts going  
12 insolvent. The AB1200 -- when I was county  
13 superintendent of schools, I was involved in the AB1200  
14 process, and I actually had stay and rescind powers. It  
15 went through the regular process, and I actually had  
16 stay and rescind powers over a local district board and  
17 superintendent. And during that time we were able to  
18 make adjustments by reducing teacher salaries and make  
19 adjustments so the district would become solvent. That  
20 district never did have to obtain a loan. We were able  
21 to do it internally.

22 The problem with AB1200, it's that -- it's like  
23 one size should fit all. That's not what it is, because  
24 there are so many different situations and conditions.  
25 AB1200 is good for some school districts and not good

1 for other school districts. And so, for example, for  
2 Ravenswood School District, it's not appropriate for the  
3 Ravenswood School District. We are insolvent. We're  
4 trying to work with what we have. But to use AB1200 as  
5 to getting -- for a vehicle of getting more money is  
6 absolutely wrong also.

7 A school district should try to maintain its  
8 own viability, its own structure, and its own services  
9 to students. If by some reason they could not do that,  
10 then in turn there is this process. And we have a very  
11 good example that's happening now in California. But a  
12 school district has to do everything it can to maintain  
13 its own viability. For the Ravenswood School District,  
14 we have done that. We have done that. We have had our  
15 local control, and even though things have been very  
16 difficult and they still are now, we are not candidates  
17 for AB1200.

18 And so AB1200 is like a two-edged sword. I  
19 found it very valuable when I was county superintendent  
20 in relationship to one district, and now as a  
21 superintendent of Ravenswood District, I find that it is  
22 not valuable for me.

23 MS. WELCH: Could we take a quick break,  
24 please.

25 (Recess 10:23 a.m. to 10:28 a.m.)

1 BY MS. WELCH:

2 Q When we last left off at your deposition on the  
3 first day, we were talking about Exhibit 12, which is  
4 the "Review of Ravenswood City School District's  
5 Management and Fiscal Policies, Procedures, and  
6 Practices" document. You had provided a little bit of  
7 background information about this document. But I'm  
8 just wondering, to get us started, could you tell me  
9 what the purpose of the report was?

10 A There was a concern that had been building  
11 regarding the overall problems at the Ravenswood School  
12 District, problems not only dealing with the Emma C.  
13 case but problems in general, problems that dealt with  
14 allegations of certain improprieties. A couple of years  
15 before, there was an indictment of the superintendent,  
16 which she was exonerated on all counts, but the  
17 indictment was there. And so there was a continuing  
18 concern about what was occurring at Ravenswood.

19 And I had discussions with the state  
20 superintendent of public instruction, Delaine Easton at  
21 that time, and there was a thought of looking at and  
22 coming in and doing a report on Ravenswood, not  
23 necessarily as an investigative report, but a report to  
24 be of assistance to the district and the State  
25 Department. And it was concluded, that after talking

1 with the State Department of Education, that it was in  
2 the realm or the authority of the county superintendent  
3 to do such a report.

4 And we then asked the FCMAT team, which had  
5 been doing reports all over the state, to come in and do  
6 a report for us. And we -- we paid for the report. The  
7 county office paid for the report, and I believe there's  
8 a certain amount of funding that we also were able to  
9 receive from some budget throughout the state to get the  
10 money, but I think that we paid the majority of this  
11 report. That's really the background on this thing, of  
12 how the report came to be.

13 Q And when you say "we," you're referring to the  
14 county superintendent's office; is that correct?

15 A Yes, the county superintendent's office, right.

16 Q In your preface to the report, you state, "The  
17 instances of mismanagement cited within this report are  
18 pervasive, numerous, and long-standing. Given the  
19 number and severity of these deficiencies, it is  
20 reasonable to conclude that the district senior  
21 leadership responsible for them is negligent. By any  
22 standard, their performance is unacceptable."

23 Could you summarize what problems you're  
24 referring to with these sentences in the preface?

25 MS. CARTER: Objection. The document speaks

1 for itself.

2 THE WITNESS: I think that when I -- I think  
3 when I went through the report, looked at the  
4 recommendations, looked at some of the specific events  
5 that are documented herein, and discussed this with the  
6 team, the FCMAT team, and then later, personally  
7 discussed this with the superintendent and the board of  
8 trustees, I came to these conclusions.

9 May I go back a step?

10 BY MS. WELCH:

11 Q Of course.

12 A I forgot to mention one thing, is that before  
13 we did this report, when there was a debate whether the  
14 State Department of Education would do the report or the  
15 county superintendent do the report, the senior  
16 leadership at the Ravenswood School District, including  
17 the president of the school board, strongly requested  
18 that the county do the study instead of the state. I  
19 want to bring that up, that the school -- that the  
20 Ravenswood School District leadership did ask that the  
21 county do the report. So we were welcomed in to do the  
22 report.

23 In regard to the statement you just asked me  
24 about, I think it was my conclusion, my conclusion of  
25 discussions and talking with the FCMAT team, what was in

1 here, what I read, and also my discussions with the  
2 leadership at the school district office.

3 Q Is it your understanding that one of the  
4 reasons the district did not want the state to do the  
5 audit is because the district would then be required to  
6 pay for it?

7 MS. CARTER: Objection. It's leading. Also  
8 calls for speculation.

9 BY MS. WELCH:

10 Q I'm just asking for your knowledge.

11 A No, to my knowledge, I do not know that that  
12 was the specific reason.

13 Q Had you heard that discussed anywhere, or in  
14 the newspapers?

15 MS. CARTER: Objection. Relevance.

16 THE WITNESS: I do not recall that specific  
17 point. I just do not recall that being part of the  
18 discussion.

19 MS. WELCH: Are we on Exhibit 15?

20 THE REPORTER: Yes.

21 MS. WELCH: I'd like to have this marked as  
22 Exhibit 15.

23 (Deposition Exhibit 15 was marked for  
24 identification by the court reporter.)

25 BY MS. WELCH:

1 Q Have you had a chance to review the document?

2 A (No audible response.)

3 Q Does this refresh your recollection about any  
4 discussions that might have occurred, to your knowledge,  
5 on the topic we were just discussing?

6 A It refreshes some of my recollection of the  
7 discussions that I held with the superintendent at that  
8 time. I did not remember that -- I did not remember  
9 that was the reason. I thought -- it was my assumption  
10 that the reason why she wanted us to do it is because we  
11 were the best ones to do it. I don't remember anything  
12 about the money part of it.

13 Q And just for the record, this exhibit is a July  
14 25th, 2001, printout of an article from the Chronicle  
15 and there's a quote in it from -- according to the  
16 article there's quote from Dr. Knight that says, "I'd  
17 like to clear up this cloud," Knight said yesterday. 'I  
18 welcomed the state to come in and do the investigation,  
19 but I didn't want to pay for it. The county has now  
20 come in and agreed to pay for it.' Knight added, 'I  
21 have enough bills.'" Just so that the record is  
22 clear --

23 A Sure.

24 Q -- as to what we were talking about.

25 A Sure, sure.

1 Q Looking back at the preface where you talk  
2 about the instances of mismanagement, I know I just  
3 asked you a general question about that statement. I'm  
4 wondering if you have any specific examples in mind that  
5 that statement was based on. And if you don't, that's  
6 fine, but I just want to see if you do.

7 A I would have to go through and read every one  
8 of the recommendations to give you a positive answer to  
9 that. I think that there probably is something here,  
10 but I have no specific one that I can think of right now  
11 without going through it.

12 Q Okay. That's fair. Could you take a look at  
13 DT-RA 8112. If you could just review this page.

14 A Page 19?

15 Q Yes.

16 A Okay.

17 Q The document talks about the practice of using  
18 district maintenance employees to work on capital  
19 projects. Do you have an understanding of whether this  
20 practice is still occurring in the district?

21 A To my knowledge, it is not occurring at this  
22 time. The way it's defined here -- we're not doing as  
23 it's defined here. That's no longer in practice.

24 Q How are you doing it?

25 A We have a couple of projects going on, capital

1 projects going on now. And I'm defining capital  
2 projects as projects that are out of our bond fund. We  
3 have a gymnasium that is going on in one of our --  
4 Costano school. And that gymnasium is being completely  
5 worked on by an outside contractor, architect, the whole  
6 thing. None of our employees are there working on that  
7 project. We have another project that -- the EPA  
8 Charter school, putting in a sort of cafeteria, and none  
9 of our employees are working there.

10 Now, if you want to define a -- the capital  
11 outlay of our own budget, not the bond fund, one of --  
12 the capital outlay, and there's a capital outlay of  
13 which we could be doing -- we just -- we had a house  
14 that the district was trying to renovate, that we had a  
15 bid to tear the house down and not renovate it, because  
16 it was just an old shack, and we had some of our people  
17 go in and pull out the original foundations that were  
18 put in, wood, so I could keep the wood for another  
19 project.

20 So if you're talking about our own capital  
21 fund, we could have some workers working on our own  
22 capital fund but we don't have much capital money. If  
23 we're talking about the bond fund over here, none of our  
24 employees are working on those projects.

25 Q In general, do you have an understanding of

1 whether the recommendations in this document have been  
2 incorporated into the practices of the district? And I  
3 know that's a broad question so you may not be able to  
4 answer for everything, but if you have an understanding,  
5 I'd appreciate it.

6 MS. CARTER: Objection. The question is  
7 compound.

8 THE WITNESS: I felt that very few of the  
9 recommendations were put into effect when they received  
10 this report. We met with the school board president on  
11 two or three different occasions, the former school  
12 board president on two or three other occasions, and he  
13 seemed very eager to do something. We even supplied  
14 facilitators from the county office during board  
15 meetings so they can begin putting priorities together.  
16 This was the old -- this was the former board and a  
17 former leadership. They put -- they put together --  
18 I'll give you a date on this thing. March 1st, 202  
19 (sic). They put together a plan, but I think that to my  
20 knowledge, the plan was never followed.

21 I have used the FCMAT report in specific areas  
22 when I came in, in January 6th, looking at specific  
23 areas. I also, when I contracted with the specialty  
24 FCMAT team to do an audit of our district, I asked them  
25 to take this into serious consideration as part of their

1 report, blending the district audit with the FCMAT  
2 report.

3 BY MS. WELCH:

4 Q And I believe that you stated publicly that  
5 there wasn't any requirement on the part of the district  
6 to follow the recommendations of this plan; is that  
7 correct?

8 A That's correct.

9 Q On the next page, page 20, before  
10 "Recommendations" at the bottom of the page it says,  
11 "Comprehensive documents or studies detailing  
12 district-wide facility needs are not available."

13 A That was -- evidently that -- yeah, that was a  
14 statement at that time.

15 Q And my question is: Do you know whether or not  
16 those -- there are now comprehensive documents and  
17 studies available on the district's facilities needs?

18 A In six months I'm not sure I can use the word  
19 "comprehensive." But there's been a significant step  
20 towards looking at all the facilities, what they need.  
21 Just recently, the whole fire alarm system, I directed  
22 someone to go through, and I want to make sure every  
23 fire alarm system works and so forth, which is recently.  
24 We're also looking at the safety factors of school  
25 districts. And so there is a -- I'm not sure I'd use

1 the word "comprehensive," but there is a very sincere  
2 and strong effort to pull this comprehensive plan  
3 together, and a lot of it is being done as we put the  
4 plan together.

5 Q With respect to the fire alarms, had anyone  
6 told you or have you been told that there were problems  
7 with the fire alarm at Chavez School?

8 A I know of -- I was specifically told of a fire  
9 alarm problem at Willow School, and we immediately had  
10 people there. I asked the -- our director of  
11 maintenance to go through every school.

12 To my recollection, the written communique came  
13 from me from the Willow principal, not the Chavez  
14 principal, about not being able to hear the alarm at all  
15 different places. There was no centralized alarm  
16 system. I just got another one about the centralized --  
17 oh, that's from one of our charter schools, I'm sorry --  
18 that the charter school told me the same thing, that  
19 there was no centralized -- that they were concerned  
20 about the alarm being two or three different zones, and  
21 no centralization. But the one I got, it was from  
22 Willow not Chavez.

23 Q Do you have knowledge of whether this report  
24 was submitted to anyone at the state level?

25 A Yes.

1 Q What is that knowledge?

2 A I sent it to Delaine Easton.

3 Q Did you ever discuss the findings with  
4 Ms. Easton?

5 A Yes, on a couple of occasions by telephone.

6 Q Can you give us the general nature of the  
7 conversation?

8 A Yes, I've known Delaine Easton for years and  
9 years and years, and she indicated she thought it was an  
10 excellent report. And she shared the same concern that  
11 I did, and that was what would be done with the report.  
12 And I shared with her what has happened thus far about  
13 the -- we're sending people in to help work with the  
14 board and so forth and so forth. And I guess I updated  
15 her all the way through, almost to the last day of  
16 her -- when she called me up to congratulate me in  
17 taking the job. And we talked about the FCMAT report  
18 and how it was going to be used and everything. So I  
19 think I probably updated her on two or three different  
20 occasions personally, by telephone.

21 Q Was there ever any discussion of steps that the  
22 state could take to help implement the findings in the  
23 report?

24 A The state, through Delaine Easton --

25 Q Yes.

1 A -- offered their assistance in any way I  
2 needed. I think Delaine Easton felt this was a  
3 responsibility that the county had, and that we were  
4 going to try to help in every way locally, but she also  
5 told me on two or three different occasions that if  
6 there was any help they needed, consultants, her  
7 department heads, she said call on any of them to come  
8 down. So she was very open about I could select help in  
9 any way I wanted from any of the department heads. And  
10 I knew a lot of the department heads because of my years  
11 of working there.

12 Q So this was consulting help that she was  
13 offering?

14 A Consulting, advising, direct. She just left --  
15 she left it wide open.

16 Q Do you know if the district currently prepares  
17 reports on the status of deferred maintenance projects?

18 A Yes.

19 Q They do prepare those reports?

20 A Yes, we prepared reports pursuant to the --  
21 what we -- as we have to report to the state on deferred  
22 maintenance there.

23 Q Do you know if the district has a master plan  
24 related to the facilities, a document called a master  
25 plan?

1 A Yes.  
 2 Q You do have such a document?  
 3 A Yes, we do.  
 4 Q I'd like to ask you some questions about bonds.  
 5 A Sure.  
 6 Q Do you know if the voters in the district have  
 7 passed any school bonds in the past several years?  
 8 A Yes.  
 9 Q Can you tell me what years?  
 10 A I'm going to say that it was probably three to  
 11 five years before I got there. It -- the -- maybe even  
 12 two to three years, the district's passed bonds. If I'm  
 13 not mistaken, they passed bonds in the amount of  
 14 \$15,000,000. I remember -- I don't know if it was two  
 15 separate ones or one separate one, but the total bond  
 16 was \$15,000,000, and it was passed pretty handily, and I  
 17 do not know the exact years.  
 18 Q So you think that there were two different  
 19 votes?  
 20 A Possibly two different votes, because the  
 21 amounts seemed sort of large for one vote. I would say  
 22 there were two different votes. I'm not sure on that.  
 23 Q Do you know who decided the amount of the bond  
 24 to place on the ballot for the voters?  
 25 A I'm sure it was -- the final decision was made

1 by the board of trustees.  
 2 Q Do you have an understanding of how that  
 3 decision was made, in your experience?  
 4 A Yeah, sure. The decision is usually made --  
 5 MS. CARTER: Objection. Vague. Is the  
 6 question usually about this bond?  
 7 THE WITNESS: Usually the process works out  
 8 with some type of -- first of all, the subject comes up  
 9 of the possibility of going out to an election for bonds  
 10 or for parcel tax, whatever that may be, and that  
 11 discussion then usually goes into some kind of -- many  
 12 districts will go to some type of committee, a committee  
 13 that -- composed of community and school people to  
 14 determine where they want to go and what they want to  
 15 do. And then there's some recommendation on amounts.  
 16 And after that, they usually call in, then,  
 17 some kind of a survey expert to perhaps do a survey of  
 18 the district to determine the most likely voters if such  
 19 a bond would pass because of the 66 2/3 requirement.  
 20 After the survey is finished, the results go  
 21 back to the committee or the local -- the committee  
 22 usually, or the local board. Then there's a  
 23 recommendation after discussion by the board of what  
 24 amounts they're talking about, because within the  
 25 survey, the surveyor would ask, you know, "Would you

1 look at" -- if it's a parcel tax, "Would you look at \$90  
 2 a parcel, \$60 a parcel or 120?" If there's a bond fund,  
 3 "Would you look at 10" -- "5 million over so many  
 4 years?"  
 5 So then a bond fund attorney comes in and puts  
 6 it all in a legal format, and this whole format is then  
 7 presented to the board with the recommendation of the  
 8 amounts and the time. And then the board then decides  
 9 whether they want to change that, alter that, do it or  
 10 not do it. And then if they decide to do it, then they  
 11 inform the elections office at the county, through the  
 12 county superintendent of schools, that they plan to  
 13 place a bond election on the election of November,  
 14 March, or whatever that may be.  
 15 The law has changed a little bit now. In the  
 16 last couple years, school districts can go directly to  
 17 the elections office instead of going to the county  
 18 superintendent of schools. Prior to this time, the  
 19 county superintendent of schools had to approve it going  
 20 through, but that was a formality. If a school district  
 21 asked the county superintendent of schools to go  
 22 through, it was just like sort of a gateway to go  
 23 through.  
 24 So that's the process in general of how it  
 25 works.

1 BY MS. WELCH:  
 2 Q And based on your testimony, you have not been  
 3 the superintendent of Ravenswood when this process has  
 4 been occurring for the district; is that correct?  
 5 A I know it, but I was not there when it was  
 6 done, yes.  
 7 Q Have there been discussions of any new bonds  
 8 for the district?  
 9 A Yes, there has.  
 10 Q Could you give me --  
 11 A Sure.  
 12 Q -- a summary of those?  
 13 A Sure. There has been a group of  
 14 superintendents -- when I first became county  
 15 superintendent, in my second year, a member of the board  
 16 of supervisors and I tried to put a sales tax on the  
 17 ballot in San Mateo County -- this was about '93 -- a  
 18 sales tax on the ballot for educational purposes. And  
 19 we did everything that had to be done. We went to the  
 20 ballot and we were soundly beaten. The people did not  
 21 want to raise their sales tax for schools. We looked at  
 22 it again and again and again, but did not go to ballot.  
 23 This past year, a group of superintendents,  
 24 including myself, looked at the possibility of putting a  
 25 parcel tax, countywide parcel tax on the ballot. And

1 this parcel tax would be placed on the ballot by the  
2 board of supervisors. If the board of supervisors  
3 placed the parcel tax on the ballot, for educational  
4 purposes, it would not be 66 2/3, it would be 50  
5 percent.

6 We had a surveyor come in and all the school  
7 districts shared in a surveyor -- not a surveyor.

8 Q Focus groups?

9 A No, a person who does the telephone surveys,  
10 whatever. They have a name. And he came in and he did  
11 an analysis of San Mateo County, called 15-, 1,800  
12 likely voters, and the results were rather  
13 disappointing. People did not want to pay. About 43  
14 percent only said that they would pay for an extra  
15 parcel tax.

16 Then there was a legal impediment. It was a  
17 strong possibility -- the county counsel ruled -- there  
18 was a strong possibility that there might be a conflict  
19 of the board of supervisors doing this for education.  
20 So that was put aside and not pursued. While this was  
21 going on -- getting now to the Ravenswood -- a couple of  
22 Ravenswood board members brought up the fact -- it  
23 was -- being this committee that I'm going to go to  
24 tonight, this finance committee -- "Maybe we should go  
25 for a parcel tax." It was discussed two or three times.

1 I sort of recommended against it because there was a  
2 possibility that the whole county was going to go for a  
3 parcel tax.

4 Q Right.

5 A Now that the county is not going for it,  
6 whether it will come up again, I don't know. But to  
7 answer your questions, it did, in a public meeting, come  
8 up a couple of times about Ravenswood going for a parcel  
9 tax, but it was not pursued because of the other  
10 potential tax.

11 Q Given your earlier comments about not being  
12 familiar with the teacher surveys that Ravenswood has  
13 done in the past, I assume that you wouldn't be familiar  
14 with any of the results of those surveys; is that  
15 correct?

16 A No.

17 Q Would you be interested in the results of those  
18 surveys?

19 A Absolutely. Your comments will entice me to  
20 dig further.

21 Q Well, why don't we talk about it off the  
22 record. I can provide you with the documents, if you'd  
23 like.

24 A I'm sure I have them.

25 Q Do you have an understanding of whether most

1 classes in the district, in Ravenswood District,  
2 utilized textbooks?

3 A To my knowledge, they do, yes.

4 Q And some classes use other required instruction  
5 materials, I'm assuming; is that correct?

6 MS. CARTER: Objection. Vague and also  
7 leading.

8 THE WITNESS: I think we have a spectrum of  
9 educational materials in our classrooms.

10 BY MS. WELCH:

11 Q As to the districts that -- I mean, I'm sorry.  
12 As to the classes that do utilize textbooks, does the  
13 district have a policy as to whether each of the  
14 students should be assigned his or her own textbook for  
15 use in class and to take home for homework?

16 A I know that students are assigned textbooks to  
17 take home. It's always been my speculation that this  
18 would be a policy. I cannot answer did I ever see a  
19 written policy. I know it's done. So it's my  
20 speculation that somewhere there's a policy to do it. I  
21 could not quote one at this time.

22 Q So would you say that it's an informal practice  
23 that that occurs?

24 A Well, it could be policy also, but it does  
25 occur, yeah.

1 Q Do you think it's a good policy?

2 MS. CARTER: Objection. Misstates the  
3 witness's testimony.

4 THE WITNESS: The policy that every child  
5 should have a textbook?

6 BY MS. WELCH:

7 Q To use both in class and to take home for  
8 homework.

9 A I think that if the policy is broad enough to  
10 allow some kind of teacher and administrative decision  
11 on whether a child should have an actual textbook to  
12 take home or supplementary material or take home a  
13 book -- losing my words -- an electronic instrument such  
14 as a computer, then I think I would agree with that kind  
15 of a policy. A policy that simply says every child has  
16 a textbook to take home, no matter what it is, perhaps  
17 is not broad enough.

18 Q So you would want the policy to be flexible  
19 enough to take into consideration professional judgment  
20 of the teacher?

21 A For the best application of education for that  
22 child, that's the way I would want the policy written.

23 Q Is it your opinion that students may learn more  
24 if they have books or other appropriate instruction  
25 materials to use at home for homework?

1 MS. CARTER: Objection. Calls for expert  
2 testimony.

3 THE WITNESS: That's a very broad question  
4 about the education of children, how they learn. For  
5 some, a textbook -- for some, a textbook would be  
6 absolutely perfect and a need; for others, the ability  
7 to talk to a tutor; for another, the ability to be  
8 involved in a group; for another, to have some  
9 electronic connection. I think children learn in  
10 different ways. And we as professionals have to  
11 diagnose those methods the way that the kids learn and  
12 then prescribe the best possible thing. So I like  
13 flexibility to allow -- to allow the best possible  
14 instrument, text or method to be applied to a child.  
15 BY MS. WELCH:

16 Q Do you know whether Ravenswood has had a  
17 practice of conducting textbook inventories?

18 A Yes. I can tell you this inventory that was  
19 just conducted just recently at the end of the school  
20 year, I watched the person who was conducting the  
21 inventories and her staff scurrying around to conduct  
22 the inventories.

23 Q When was that inventory conducted?

24 A It was at -- during the close of the year, in  
25 the last week or so.

1 Q Is the -- is that inventory reflected in a  
2 document, to the best of your knowledge?

3 A I'm not aware of a specific policy. I have not  
4 read the specific policy that deals with textbook  
5 inventory. I know that we have a lot of regulations  
6 regarding textbooks, but I'm not -- I can't quote you  
7 the exact regulation on the inventory collection or the  
8 end-of-the-year process on this.

9 Q My question is actually a little bit different.

10 A Okay.

11 Q If I wanted to see the results of the  
12 inventory, would I be able to see it -- see them in a  
13 document?

14 And I'm asking this for purposes of discovery,  
15 because if you tell me there's not a document, then I  
16 won't ask for the document, but if there is a document,  
17 then I will. So that's the purpose of my question.

18 A Yeah, I'm trying to -- I do not specifically  
19 know of a districtwide document that does what you're  
20 asking. Each individual school might have something,  
21 but I'm not aware of what that might be.

22 Q Okay. I think we've probably covered this, but  
23 I want to ask this specific question just to make sure.

24 Are you aware of any examples of classes in the  
25 district in which, because of a lack of funds or other

1 reason, there weren't sufficient textbooks or  
2 instruction materials to give every student his own --  
3 his or her own copy to use in class?

4 A I am personally not aware of that.

5 Q Are you familiar with the state's textbook  
6 approval cycle?

7 A Yes.

8 Q Do you know whether there have been times that  
9 Ravenswood has waited to purchase books because the  
10 state approval cycle wasn't completed?

11 A I'm not aware of that.

12 Q Do you know if the district has decided any  
13 sequence or set any priorities for which subject matters  
14 will be purchased -- subject matter instruction  
15 materials will be purchased in the future?

16 A Yes, that is a process that we do have, and I  
17 know that the assistant superintendent for instruction,  
18 in conjunction with her staff in the library, have set  
19 up that cycle.

20 Q When you say "the library," are you referring  
21 to individual school libraries?

22 A No. When I say "library," we have an  
23 individual, and I forget their exact title, but I think  
24 it's district librarian, slant, something or other, it's  
25 a district thing. We do not have individual libraries

1 at every -- librarians at every school. But there's a  
2 districtwide person who handles the whole area of  
3 libraries and textbooks and library books. All the  
4 instructional materials that would go into a library,  
5 that's a districtwide person.

6 Q Could you tell me the name of that person?

7 A Tell you what?

8 Q The name of that person.

9 A Yes. That person, her last name is -- Elaine  
10 Cohen, C-o-h-e-n. And Ms. Cohen has received an  
11 assignment, she'll be returning to the classroom --

12 Q Oh.

13 A -- in September.

14 Q Do you know who will be taking over the  
15 position?

16 A No.

17 Q Do you know if there will be such a position in  
18 the fall?

19 A Yes. It may be reconfigured to deal with some  
20 other items, but there will be a position of that type  
21 that will be funded.

22 Q Since you've been superintendent, do you know  
23 whether the board has held a hearing that is called --  
24 that is generally called the 60119 hearing?

25 A Tell me what 60199 (sic) means.

1 Q 60119 is the Ed Code provision that deals with  
2 textbooks and whether a district has a sufficient number  
3 of textbooks. Does that sound familiar to you?

4 I can't recollect, during my time there, if the  
5 board has done it. They may have done this at the  
6 beginning of the year. I've only been there half the  
7 year. I don't recollect that item being on the agenda.  
8 Now that you explained it, I'm familiar with that code  
9 section --

10 Q Sure.

11 A -- but I do not remember it being on the -- I  
12 cannot recollect it being on the agenda during my time.

13 Q Has there been any discussion of that -- of  
14 that -- whatever you want to call it, that hearing being  
15 on the agenda?

16 A Not during my time, because it may have been on  
17 the first six months of the semester. So I cannot  
18 remember it.

19 Q Okay. Do you have any knowledge of whether the  
20 district has been audited by the state or any other  
21 entity like FCMAT regarding the certification its made  
22 at a 60119 hearing?

23 A We've had -- we've had auditors. FCMAT has not  
24 audited this. That, I know. We've had auditors -- the  
25 normal auditors we would have for the budget. I do not

1 know of any auditor in this area. To my recollection,  
2 during my time, I have no recollection of an auditor in  
3 that area.

4 MS. WELCH: Can we mark this as Exhibit 16.  
5 (Deposition Exhibit 16 was marked for  
6 identification by the court reporter.)

7 MS. WELCH: Exhibit 16, just for the record, is  
8 a document that I downloaded from the CDE Web site. And  
9 the top of it states, "Section 60119 Resolution  
10 Suggested Language."

11 Q I take it you have not seen a document that  
12 looks like this before; is that correct?

13 A I've seen -- I have seen a document similar to  
14 this. I have not seen one, to my knowledge, for  
15 Raven- -- that would have Ravenswood listed in there as  
16 a district or whatever. I also see that there's -- I'm  
17 trying to find a date that this has to be done by, but I  
18 don't see that on here either.

19 Q Looking at the bottom of the document where it  
20 says, "For a finding of sufficient materials," do you  
21 see where it says that?

22 A No. The last paragraph?

23 Q Yeah, the last paragraph.

24 A The last paragraph. "Whereas ... provided" --  
25 oh, "for a finding of sufficient materials." Yes, thank

1 you.

2 Q Have you had a chance to review that paragraph?

3 A Yeah.

4 Q Okay. Do you have an understanding of what  
5 "sufficient materials" means?

6 A Yes, I believe I do.

7 Q What is that understanding?

8 A Sufficient materials, in my opinion, would be  
9 sufficient material for a child to conduct,  
10 successfully, an educational program with the district.

11 Q And do you have an understanding of how a  
12 district would go about making that determination?

13 A It would go about making that determination by  
14 having the components necessary for that child to  
15 succeed in a school, which would be a combination of  
16 teachers, facilities, materials, and support services.

17 Q Does Ravenswood have any formal ways in which  
18 it oversees and assesses the quality of the schools in  
19 the district?

20 A Yes.

21 Q What is that way, or what are those ways?

22 A We have the instructional department that's  
23 headed by an assistant superintendent that oversees the  
24 instructional program at the school. We also hold  
25 principals accountable for the instructional program. I

1 meet with the principals on a regular basis, principals  
2 meet to discuss a variety of issues, besides  
3 operational, also instructional. We also look at the  
4 overall scores of the district, test scores. We also  
5 look at the overall parent satisfaction of a school. We  
6 also look at the achievement level, special achievement  
7 level of the schools, whether they -- special awards and  
8 also the testing areas. Those are all ingredients of  
9 our supervision of the instructional program.

10 Q How do you gauge parent satisfaction?

11 A How do you gauge parent satisfaction? My -- is  
12 that my gauging a parent's satisfaction or the  
13 district's?

14 Q You talked about that being one of the things  
15 that the district looks at.

16 A Right.

17 Q So I'm wondering how the district does that.

18 A Right. We have -- the principals are engaged  
19 with parents: parents' meetings, teacher conferences  
20 with children and parents, and much of that is fed back  
21 through the principal, and also some of the more -- if  
22 there are parent dissatisfaction, they're brought to me  
23 and to the assistant superintendent of instruction  
24 during our meetings. So we gauge that in that way.

25 I think that the teachers' relationship with



1 parents and the parents' relationship with the school,  
2 and also we have parents' site committees that also are  
3 very vocal in what they believe, the site committees.  
4 And I've attended those site committees. They also give  
5 us input. So those are the kinds of input that we  
6 receive, and that's how we gauge, to some extent, parent  
7 satisfaction.

8 Q When you say "site committees," are you  
9 referring to the school site council meetings?

10 A I'm referring to two of them. There's some  
11 school site councils, but there's also -- we're involved  
12 with a language we have --

13 Q ELAC?

14 A Pardon me?

15 Q Are you referring to the ELAC, perhaps?

16 A Yeah, okay. And I know I've been to those  
17 parent meetings. And we have committees at every  
18 school. And, in fact, we use -- sometimes we use some  
19 of their presidents and some of their officers of some  
20 of the committees we have in the district. And I've  
21 been to several of their meetings. And it's -- it gives  
22 us an assessment of what's happening in the schools.

23 Q So do you think that the input from those  
24 meetings, the ELAC meetings and the school site council  
25 meetings, is important?

1 A Yes it is, in part. There are other ways.

2 Q Do you rely on test scores in assessing the  
3 quality of the Ravenswood schools?

4 A As one component, yes.

5 Q Do you think if the test scores were the only  
6 component, that that would be an adequate way of  
7 assessing the quality of the school?

8 A No.

9 MS. CARTER: Objection. It's vague and  
10 ambiguous. It's also an incomplete hypothetical, calls  
11 for expert opinion.

12 BY MS. WELCH:

13 Q You can answer.

14 A No.

15 Q And why is that?

16 A We're dealing with human beings. And the idea  
17 of using one component to assess the effectiveness and  
18 the learning of a child is not in the best interest of  
19 that child. I think we have to look at a series of  
20 things, of which a test score is one, and a very  
21 important item. We have to look at the satisfaction of  
22 the child, the child's assimilation into the school. A  
23 lot of the social factors are important, especially at  
24 the early elementary grades, very important. So I think  
25 there's a series of components that are very important.

1 And to use just one alone does a disservice to the kid,  
2 the parents and the school district.

3 Q Do you think that looking at the facilities of  
4 a school is a factor in assessing the quality of that  
5 school?

6 A Could you repeat that one.

7 MS. WELCH: Could you repeat it for me.  
8 (Record read.)

9 MS. CARTER: Objection. It's vague and  
10 ambiguous.

11 THE WITNESS: The environment -- the  
12 educational environment of a child is very important,  
13 and there are several components to the educational  
14 environment: the classroom, the facilities, the  
15 bathrooms, the hallways, everything that involves the  
16 education of a child. And I think that facilities play  
17 a part. A child who comes to a -- as does food, as does  
18 home life. A child coming to a place that is not safe  
19 or conducive to learning is not going to be in as good  
20 as position -- in a position to learn as well as a child  
21 who comes to a school that is -- that has -- that's a  
22 learning environment, is positive, that has eaten that  
23 morning, and has left the happy parents. So there's so  
24 many different ingredients of which the facilities is  
25 one.

1 BY MS. WELCH:

2 Q Do you think that the quality of the teachers  
3 at the school is a factor in assessing the quality of  
4 that school?

5 A Absolutely.

6 MS. CARTER: Objection. It's vague, and --  
7 that's all. I'm sorry. And I'm sorry to interrupt you.

8 THE WITNESS: No, that's okay.

9 MS. CARTER: As we discussed on the first day,  
10 it might help just to give a little bit of a pause, so  
11 that way I don't have to jump right in over you.

12 THE WITNESS: My apologies, I just --

13 Teacher quality is a key factor. There's no  
14 doubt about it. The magic moment happens between a  
15 child and a teacher, that's where it is.

16 BY MS. WELCH:

17 Q Would you say that the textbooks and other  
18 instruction materials are a factor in assessing the  
19 quality of a school?

20 A They are part of the overall ingredients. As  
21 you ask me these different points, there are some that  
22 are more important than others, and -- but they're all  
23 contributing factors to the education of a child.

24 Q What do you think are the most important  
25 factors?

1 A The most important factor for a successful  
2 program is the relationship -- I'm going to assume the  
3 teacher is of high quality -- is the relationship  
4 between a teacher and a child, the interaction between a  
5 teacher and a child, and the support that the principal  
6 gives to that teacher and that child. So it's the human  
7 factor in education that is the key factor in program  
8 success.

9 Q Can you give an estimate of how much the  
10 district's budget is dependent on money that it gets  
11 from the state?

12 A Sure. Our budget is approximately 38 to 39  
13 million. I think last year it was 39.5. This year it's  
14 going to be about 38. It's going to be less this year,  
15 of which about 60 percent is general fund --  
16 unrestricted, and the other 40 percent would be  
17 categorical, of which -- yeah, categorical funding.

18 Q So your budget comes completely from the state;  
19 is that correct?

20 A No. It comes basically from -- well, yes, it  
21 does, from the state, because we get a revenue limit  
22 from the state. But we also get federal funds also, and  
23 then we get lottery funds. Well, I guess that's through  
24 the state. So I think there's a combination of both  
25 state and federal funds. All schools are funded

1 basically by the state. The money comes locally from  
2 property tax -- you don't want to know the funding of  
3 school districts, do you?

4 Q I think that's a pretty long conversation,  
5 isn't it?

6 A Oh, it's very long. It's about an hour. I'd  
7 be glad to give it to you if you want.

8 Q Maybe another time.

9 A Okay.

10 Q Do you have a sense of what information the  
11 district -- Ravenswood district provides to the State of  
12 California about its schools?

13 A Generally, yes. There's so many things we  
14 provide.

15 Q Could you give me the general categories of the  
16 information that's provided?

17 A Yes. There's the whole area of fiscal. It's  
18 very large. The monitoring and the reports that we have  
19 to give to the state, they're just voluminous. There's  
20 the reports on the education program, what is offered,  
21 the requirements, textbooks. That whole area in  
22 education. I guess it's boiled down in three. Oh, then  
23 the other one -- another big one is personnel. So  
24 monitoring of personnel, credentials and teachers and  
25 the credentials area. So I guess there are probably --

1 well, it's more than four. I just thought of another  
2 one now. The whole areas of facilities, and  
3 earthquake-proof. The kinds of things we have to go  
4 through in order to get approval on certain buildings or  
5 reports of what we've been doing. So I think it's a  
6 cross-spectrum of everything that touches a child, from  
7 fiscal to educational to facilities to credentialing of  
8 personnel and staff. It's just a variety. I can tell  
9 you it's too much.

10 Q Are you familiar with the Academic Performance  
11 Index, the API?

12 A Um-hmm.

13 Q Do you think that API numbers correlate to how  
14 well a school is doing in providing educational  
15 opportunities to its students?

16 A I think it's one indicator.

17 Q And so that I'm not repeating questions that I  
18 just asked, when you say it's one indicator, are the  
19 other indicators things that we've already talked about?

20 A Yes, yes.

21 Q So would you say that, standing alone, the  
22 API -- well, strike that.

23 And the reason I'm taking breaks is because I'm  
24 getting rid of questions, so it's a good thing.

25 MR. MARQUEZ: Yeah.

1 BY MS. WELCH:

2 Q So if all you had was a school's API score, do  
3 you think that would be a valid way of determining  
4 whether that school is doing a good job providing  
5 educational opportunities to its students?

6 A No.

7 MS. CARTER: Objection. Incomplete  
8 hypothetical.

9 BY MS. WELCH:

10 Q And why not?

11 A As I indicated before, I think that a single  
12 assessment of a child is unfair, that there's a variety  
13 of assessment that has to be taken into account, of  
14 which test scores, API, formulas made up somewhere are  
15 not -- are not appropriate as a single indicator.

16 Q We've touched a little bit on the II/USP  
17 program already; correct?

18 A Um-hmm. Yes, we have.

19 Q I believe you testified that you were aware  
20 that there were two schools in Ravenswood that were  
21 currently involved in II/USP; is that right?

22 A Yes.

23 Q Is that your understanding today?

24 A My understanding, yes.

25 Q Do you have an understanding of how much

1 funding the schools would be receiving for the 2003  
2 school year?

3 A 2002-2003 or 2003-2004?

4 Q For next year.

5 A For next year. I cannot answer that question  
6 right now.

7 Q Do you know if that's something -- if that  
8 dollar figure is something that is up in the air as part  
9 of the budget issue, or do you not just have the  
10 information as you sit here today?

11 A I do not have the information, no. I do not  
12 have the information on that.

13 Q All right. Do you know if there are any  
14 schools in your district that are participating in the  
15 High Priority Schools Grant program?

16 A High Priority Schools Grant program? I am  
17 not -- I do not have any information on that.

18 Q Okay. We touched briefly on the CCR process,  
19 as well, on the first day of your deposition, I believe.  
20 I believe you testified that you had been -- that the  
21 district had been working on resolving some compliance  
22 issues. Does that sound familiar?

23 A Yeah. On which area?

24 Q The coordinated compliance review --

25 A Yes.

1 three, which are all under the instructional department,  
2 would have sufficient knowledge on that.

3 Q I don't mean to ask you a question that you  
4 can't give an answer to because of personnel issues or  
5 anything like that, so if this is one of those  
6 questions, just let me know, but I'm wondering if you  
7 have a sense of whether these district folks that you  
8 just mentioned and the district leadership that works  
9 with you, whether they will be returning in the fall or  
10 whether you expect to have some turnover there as well.

11 A You used the words, "district leadership," so  
12 that's broader than those three people.

13 Q Okay. Okay.

14 A There will be some changes.

15 Q Do you know when those changes will be made  
16 public?

17 A They will probably be made -- a couple of them  
18 are public already, just by the nature of the events of  
19 the course. And I would say that for the most part  
20 after -- after June 30th, they would all be made --  
21 become public. I don't make them public as part of the  
22 personnel procedures, but things like this become public  
23 very fast.

24 Q Okay. Are you familiar with the requirement  
25 that schools are supposed to have school accountability

1 Q -- process.

2 A Yes.

3 Q Do you have any more information since --

4 A Well, I know that we were involved with -- we  
5 had -- if we're talking about the same thing, when the  
6 State Department first came in, like the last year, we  
7 were -- we had 16 areas of correction and I know that as  
8 of now we're down to two, maybe one area of correction.  
9 So there's been tremendous improvement in that area for  
10 the quarter, for the compliance review.

11 Q Do you know if there are any schools in the  
12 district who are in the process of preparing their CCR  
13 self-reports?

14 A I am not aware of that.

15 Q Okay. Is there someone in the district who is  
16 in charge of that information?

17 A Yes, there is, um-hmm.

18 Q Who is that?

19 A It would be a combination of either a woman  
20 named Maria de la Vega, the superintendent for  
21 instructional services, or it would be Vera Clark, who  
22 is the person in charge of special projects, and also in  
23 the compliance, there's -- her last name is DeSoto,  
24 Marianna DeSoto, who is involved with the English  
25 language learners program. So the combination of those

1 report cards?

2 A Yes.

3 Q Do you know whether the schools in the district  
4 have school accountability report cards for --

5 A Yes.

6 Q I'm sorry, could you let me finish --

7 A I'm sorry.

8 Q -- because you may not know my full question.

9 Do they have school accountability report cards  
10 for the 2002-2003 school year?

11 A Yes.

12 Q Do you know where those documents could be  
13 found? And the reason I ask that is because on the Web  
14 site, the SARCs, at least for Cesar Chavez and  
15 Edison-McNair, were for 2001-2002. So I'm wondering if  
16 there are other documents that are publicly available  
17 for this school year.

18 A It is my belief, and just only my belief, that  
19 they're available for this year, that they've all been  
20 done. I know that it's a regular formal process that we  
21 go through every year to have that done. I'm surprised  
22 that you were unable to find the other ones, so -- but  
23 my speculation is that they're done.

24 Q Do you know if the process of working on the  
25 school accountability report cards for next school year

1 has begun?

2 A Yes, has begun mainly by planning, not  
3 necessarily by actual function.

4 Q Are you aware of a change in the reporting  
5 requirements for the SARC's for next school year?

6 A Not as of this time, no.

7 Q Do you have an estimate for when the SARC's will  
8 be ready for the next school year?

9 A I do not have a specific date on when they'll  
10 be ready. I know there is some requirement of their  
11 being ready. I cannot answer that question.

12 Q Okay. I am going to assume that you probably  
13 are not familiar with the contents of specific school  
14 SARC's for this past school year; is that correct?

15 A No, I am not.

16 MS. WELCH: Could we go off the record, please.

17 (Recess 11:37 a.m. to 11:44 a.m.)

18 (Deposition Exhibit 17 was marked for  
19 identification by the court reporter.)

20 BY MS. WELCH:

21 Q When we were off the record, I passed out the  
22 next exhibit, which is 17. Dr. Gonella, if you could  
23 just take a look at it and let me know when you're  
24 finished.

25 A Yes.

1 MS. WELCH: For the record, this is a document  
2 that was downloaded from the Palo Alto Weekly Web site,  
3 and it appears to be dated March 22nd, 1995, so it's an  
4 old news article. And the top of it says, "Schools:  
5 Tax to fund schools considered." And then it says, "San  
6 Mateo County superintendents look at sales tax  
7 initiative."

8 Q I'm assuming this is what you were talking  
9 about before --

10 A Yes.

11 Q -- when you gave the history. My guess is you  
12 don't recall this specific article, given that it was  
13 from eight years ago. Is that correct? Or maybe you  
14 do.

15 A Not this specific article. There were so many  
16 articles, so many, on this subject, because it was a  
17 little unique.

18 Q The article states -- and it's a quote from  
19 you, and the article states, "I don't think there's  
20 much debate about the funding of schools in the state,"  
21 Gonella said. "We're down to 44th place. The destiny  
22 of funding will be at the local level. If a county is  
23 to control (its) own destiny, it's going to have to  
24 happen locally." Do you recall making a statement like  
25 that?

1 A Um-hmm.

2 Q Do you still agree with this statement?

3 A Absolutely.

4 Q And could you tell me what you mean by "The  
5 destiny of funding will be at the local level"?

6 A I really think we're not funded adequately by  
7 the state. There's just no doubt in my mind. When  
8 we're compared to other states and what we have to do, I  
9 think there's not a value given to education. And I  
10 think that if we're going to move forward, I think that  
11 the funding has to be locally, that we have to develop  
12 some kind of mechanisms that people are closely affected  
13 in funding education for their own children. Right now,  
14 people consider funding education in California, they're  
15 funding kids from all over the state. That's fine.

16 That's our responsibility. But I believe that there's a  
17 closer contact with the local funding, that if you're  
18 paying a dollar for your school or for the school next  
19 door or in your own county, it's better yet even in your  
20 own district, but if you're in your own county, I think  
21 you're going to be more involved, more engaged, and I  
22 think you can then prove your point if you need more  
23 money, because it's right there.

24 MR. MARQUEZ: For clarification, could I ask,  
25 is this Exhibit 17?

1 MS. WELCH: Yes.

2 I'm going to go ahead and pass out Exhibits 18  
3 and 19.

4 MS. CARTER: While we are we passing that out,  
5 did you want to put that stipulation about the objection  
6 on the record?

7 MR. MARQUEZ: Sure. In our first day of  
8 deposition, we had agreed that all objections relating  
9 to the form of the question would be preserved by all  
10 parties, and I wanted to clarify, and I believe counsel  
11 will agree, that that applies to today's deposition as  
12 well.

13 MS. WELCH: That's correct. But you might not  
14 know it from the transcript.

15 (Deposition Exhibits 18 and 19 were marked  
16 for identification by the court reporter.)

17 BY MS. WELCH:

18 Q 18, which is the December 18th article, feel  
19 free to read the whole thing, but just so that you know,  
20 the only thing I'm going to ask you about is on the  
21 second page, midway through the first column, where it  
22 says, "friends describe Gonella." That's what I'm going  
23 to ask you about, but feel free to spend as much time as  
24 you want reviewing the entire document, if you would  
25 like.

1 A Oh, okay. No, go ahead. I'm familiar with  
 2 this article.  
 3 Q Okay. So for the record, December 18 -- I'm  
 4 sorry, Exhibit 18 is a December 18th article, December  
 5 18th, 2002 article, from the San Jose Mercury News. And  
 6 the headlines says, "Ready for a challenge; Ravenswood  
 7 Chief Happy to Delay Retirement."  
 8 A Um-hmm.  
 9 Q And you are the subject of this article; is  
 10 that correct?  
 11 A Um-hmm.  
 12 Q On the second page of the article, midway  
 13 through the first column it says, "Friends describe  
 14 Gonella as a passionate advocate for leveling the  
 15 playing field in education, loyal to his working-class  
 16 roots as an Italian kid in Colma who didn't speak  
 17 English." Would you agree with this characterization of  
 18 you --  
 19 A Yes.  
 20 Q -- as a passionate --  
 21 A I think she was right on.  
 22 Q What do you mean -- or what do you think  
 23 "advocate for leveling the playing field in education"  
 24 means?  
 25 MS. CARTER: Objection. Calls for speculation.

1 BY MS. WELCH:  
 2 Q What does that mean to you?  
 3 A What it means to me is that regardless of where  
 4 a kid comes from, whether he comes from the most --  
 5 richest place in the world or the poorest place in the  
 6 world, he should have the equal opportunity for  
 7 education. A kid, because he is poor, can't start a  
 8 100-yard dash back -- 20 yards back and expect to win.  
 9 In San Mateo County, we have a tremendous diversity of  
 10 economic wealth. We have some of the wealthiest people  
 11 in the world and some of the poorest people right in one  
 12 place. Their kids are going to grow up together, their  
 13 kids are going to work together, and the wealthier kids  
 14 should not have a start -- it is perfectly fine for the  
 15 wealthy kids to have what they have, but in education,  
 16 all schools should have the same equal opportunity  
 17 regardless of what the kid's color or what his parents'  
 18 pocketbook is.  
 19 Q Now, looking at Exhibit 19, Exhibit 19 is a  
 20 March 5th, 2002 article from the San Jose Mercury News,  
 21 as well. And the headline is "County: East Palo Alto  
 22 district negligent: Investigation Calls Ravenswood  
 23 Leaders' Work Unacceptable."  
 24 We've talked about this report already in your  
 25 deposition, and so the only question I have is: At the

1 bottom of the first column on the first page, it states,  
 2 "Among the findings in Gonella's report," colon, and  
 3 then --  
 4 A At the bottom of the first page?  
 5 Q Yeah. Right at --  
 6 A Oh, this side, on this side.  
 7 Q Yeah.  
 8 A Okay, okay.  
 9 Q It says, "The district has not corrected  
 10 serious safety hazards in its schools identified by fire  
 11 department officials." The reason I ask about this is,  
 12 I can't say that I have spent many hours combing the  
 13 document for an indication of this, but I have read it  
 14 and it didn't jump out at me, so I'm wondering, do you  
 15 recall this being in the findings of your report?  
 16 A Of the FCMAT report?  
 17 Q Yeah.  
 18 A I can't remember specifically. I know -- I  
 19 would have to go through the report and look for that  
 20 specific item. It didn't jump out at me.  
 21 Q Well, I'll read it again. If you had any  
 22 recollection of it --  
 23 A No, I don't.  
 24 Q Thanks. Okay.  
 25 MS. CARTER: Can you tell me again which

1 paragraph the question was regarding?  
 2 MS. WELCH: Sure. It's regarding the bottom of  
 3 the first column where it -- the last sentence in the  
 4 paragraph before the bullet points.  
 5 MS. CARTER: Okay.  
 6 MS. WELCH: You got it?  
 7 MS. CARTER: Um-hmm.  
 8 MS. WELCH: This is going to be marked as  
 9 Exhibit 20, and this will be my last exhibit.  
 10 MS. CARTER: I'm sorry, actually I don't have  
 11 it. I have -- oh, okay. You were referring to the  
 12 first bullet point. I'm with you now.  
 13 MS. WELCH: Okay.  
 14 (Deposition Exhibit 20 was marked for  
 15 identification by the court reporter.)  
 16 BY MS. WELCH:  
 17 Q Have you had a chance to read the document?  
 18 A Yes.  
 19 MS. WELCH: For the record, this document is  
 20 Bates-labeled State 427411 to 427414, and the top -- at  
 21 the top of the document it says, "Ravenswood City  
 22 Elementary School District."  
 23 Q And I will represent to you that this is a  
 24 document that the state provided plaintiffs in this case  
 25 as part of an agreement we reached to tell the other

1 side the issues or the schools that we intend to present  
2 information about at trial, we currently intend, at the  
3 point that we provided the document. That's not to say  
4 that either side will definitely provide the  
5 information, but it was basically a disclosure  
6 arrangement between the two sides, so that's why this  
7 document has been prepared.

8 Having said that, have you seen this document  
9 before?

10 A No.

11 Q Are you familiar -- I'm setting aside the  
12 specific contents of the document, are you familiar that  
13 the state was collecting this information from the  
14 district officials noted in the document?

15 A No.

16 MS. WELCH: I don't think I have any further  
17 questions. Off the record.

18 (Lunch recess 12:02 p.m. to 12:33 p.m.)

# EXAMINATION

20 BY MS. CARTER:

21 Q My name is Margaret Carter, and I'm  
22 representing the state in this action. I just wanted to  
23 remind you before we get started again that you're still  
24 under oath this afternoon. Do you understand that?

25 A Yes.

1 A 1/27/03, and it lists all the schools. Seven  
2 regular schools and, 1, 2, 3 -- four of the charters.  
3 And it then -- it has a thing, and I'll be glad to give  
4 you this or you can copy it or whatever.

5 MS. CARTER: If there's no objection, then why  
6 don't we attach it as Exhibit No. 21, and that way it  
7 will save some time having to go through the  
8 information.

9 MS. WELCH: Sounds great.

10 BY MS. CARTER.

11 Q Are any of the schools in Ravenswood multitrack  
12 schools?

13 A Would you give me your definition of  
14 multitrack.

15 Q Are there any that are year-round schools,  
16 first of all?

17 A Year-round schools? No, we don't have any  
18 year-round schools.

19 Q Are there any that have multiple tracks? And  
20 by "multiple tracks," I mean multiple cohorts of  
21 students on different academic calendars at the same  
22 school site.

23 A No. They're all on the same academic calendar,  
24 and then we have an extended school year with the summer  
25 school.

1 Q Is there any reason that you might not be able  
2 to give your best testimony today?

3 A No.

4 Q How many schools are in Ravenswood City School  
5 District?

6 A Counting charter schools?

7 Q Yes, all of the schools.

8 A I think we have 11 schools. Sites. Sites.

9 Q And how many of those are charter schools?

10 A We have -- let's see, five.

11 Q Do you know how many students attend each of  
12 the five charter schools?

13 A Students attending each of the charter schools?  
14 This is as of 1/27/03 --

15 Q And just for the record, what is it that you're  
16 referring to?

17 A It's the list of the schools in the district,  
18 and the numbers in each grade, and the total number.  
19 This is sort of updated every month. So you want to go  
20 down the list?

21 Q Let's go down the list for each --

22 A Would you like me to give you this?

23 Q Maybe what we'll do is make a copy of that.

24 A Sure.

25 Q And that is accurate as of 1/26?

1 Q You mentioned that you visit school sites in  
2 the first day of your deposition. About how often do  
3 you do that?

4 A I would say I probably visit schools on the  
5 average of five to eight times a week.

6 Q And that's since you've taken over --

7 A Yes.

8 Q -- as superintendent?

9 A Yes.

10 Q And what do you do on those visits?

11 A Usually I talk with the principal, walk through  
12 the schools, stand in cafeteria lines, eat the food,  
13 look at the building and grounds, look at the safety.  
14 I'm an old vice principal of a high school, so I usually  
15 walk into the restrooms and see how the restrooms are  
16 doing, talk to teachers, talk to little kids. I haven't  
17 been able to sit down and read to them yet, but I will  
18 do that. Building and grounds, that's -- sometimes I  
19 bring the building and grounds people out.

20 Q And when you say "the building and grounds  
21 people," who do you mean?

22 A We have a director of maintenance and  
23 operations and -- for example, the other day I was  
24 walking by a school, and I saw three cracked windows. I  
25 got them on the phone right away and brought them over

1 and said, "I want those fixed right away."

2 Q And do you know how long it took to get the  
3 windows fixed?

4 A Immediately.

5 Q And how long does it usually take to get broken  
6 windows fixed in Ravenswood, since you've been  
7 superintendent?

8 A I think if it's a broken window, I consider a  
9 broken window a safety factor, and it's going to be  
10 fixed pretty fast, or if it's not fixed, there's a  
11 coating that they put on front and back. I know at one  
12 place a couple of weeks ago, there were a couple of  
13 windows that were broken, and I walked back and they  
14 were still broken. And I got them up right away, and I  
15 said, "Why aren't they fixed?" He said they were taking  
16 tests, the regular STAR testing. And so we coated them.  
17 And he put a coating on the front and the back.

18 Q And how long -- when you say "pretty fast,"  
19 about how long to either fix the window or put the  
20 coating on?

21 A Well, they put the coating on immediately. As  
22 I stood there, they put the coating on. To fix a  
23 window, I'd say to go through the process, probably if  
24 it's not -- pardon me. If it's a dangerous window,  
25 they'll put the coating on right away, immediately, as

1 so when I'm talking to someone, the board or anything, I  
2 have firsthand knowledge what's happening; and fourth,  
3 personal therapy. There's nothing like watching little  
4 kids learn to make you feel good.

5 Q And how do you think personal knowledge is --  
6 or how do you use the personal knowledge that you gain  
7 in doing your job?

8 A This is an example here of personal knowledge,  
9 what I've done so far in a couple of days. Two, I'm  
10 asked a lot of questions at the board meetings about the  
11 schools and what's occurring. And I think three is that  
12 an important element of a leadership -- an important  
13 element of leadership is example and knowledge, the  
14 example of being interested in everything and having  
15 knowledge of everything is important to me as a leader,  
16 especially in supervision of principals who report to  
17 me. They have greater confidence in me if I know what's  
18 going on rather than hearing it through my assistant.  
19 Principals have always reported directly to me. I never  
20 have a principal report through someone to me. That's  
21 an important element in my whole career.

22 Q Do you think it's important to have personal  
23 knowledge in setting standards and policies for schools?

24 A Yes.

25 Q How so?

1 the principal calls them. And if not, it would probably  
2 be a couple of days to fix the window. The principals  
3 have commented on the response of the -- of the  
4 maintenance people, especially in emergency situations.

5 Q And what have they said about the response?

6 A They said it's been good.

7 Q Now, just going back to my question about what  
8 you do on the visits. You described several different  
9 things. Are there any other things that you haven't  
10 already listed?

11 A No, I think that's pretty well spread out. No,  
12 I guess it was some more than the other. I mean, I look  
13 at school grounds, I look at the school. I look what's  
14 going on in classrooms. I walk into classrooms. Maybe  
15 I didn't mention that. I walk into classrooms to look  
16 at what kids are doing. And I look at the classroom  
17 itself, how the classroom is arranged, what is the  
18 environment for learning. I look at that.

19 Q And what is the purpose of these visits?

20 A The purpose of the visits, I guess, three- or  
21 fourfold. One is to get personal knowledge of what's  
22 happening to kids in school grounds. You can't do that  
23 from an office; two is I might make myself known to the  
24 people at the school, that I'm interested in what  
25 they're doing; three is to gather my total information,

1 A I don't think you can carry on a rational  
2 conversation with any type of group or with any type  
3 of -- with people who are -- who are determining -- who  
4 are determining policy. I can't recommend policy to the  
5 school board unless I have firsthand knowledge of it.  
6 The school board in the district is the only one who  
7 passes policy, basically. Everything else -- you can  
8 have an administrative regulation, but basic policy  
9 belongs to the elected body, and I think that when I  
10 recommend policy, I've got to have first knowledge of  
11 what's occurring. As a board member, I would not be --  
12 I would not be very confident that I'm getting the right  
13 kind of recommendation if I felt the person didn't have  
14 firsthand knowledge. Firsthand knowledge is important  
15 to me and it's very demanding.

16 Q Do you think that the important -- in your  
17 mind, does the importance of firsthand knowledge  
18 indicate to you that setting standards and policies  
19 should be done by people who have personal knowledge  
20 about the school sites?

21 A I think that the people who are going to  
22 recommend policy should have firsthand knowledge. I  
23 think it's important for everyone involved in leadership  
24 and education to have some kind of firsthand knowledge,  
25 but it's to a matter of degree. I don't think the board

1 needs as much firsthand policy as I do as  
2 superintendent. I think that my principal better have  
3 all of the firsthand knowledge of that school. I'm at a  
4 different level. I should have pretty good firsthand  
5 knowledge all around, so I can recommend this to the  
6 board. I don't think everybody involved in education  
7 has to have firsthand knowledge of a school district.

8 Q Are there educational decisions that should be  
9 made, in your opinion, at the school site because -- by  
10 people at the school site because they have greater  
11 firsthand knowledge?

12 A I think that there are degrees of decisions.  
13 There are decisions that the board is going to make  
14 without having firsthand knowledge but depend on my  
15 recommendation and depend on information. I think the  
16 decisions are going to be made districtwide, and then  
17 there are those decisions directly related to the  
18 school, made by the principal. And the principal takes  
19 firsthand knowledge, has a very important part of that  
20 decision. The counselor might make a decision on a  
21 child because he has firsthand knowledge of that child,  
22 more than the principal. So the closer you get to the  
23 subject at hand, the more firsthand knowledge you should  
24 have.

25 Q How much -- how important is personal knowledge

1 when deciding what qualities are important for teacher  
2 hiring?

3 A Firsthand knowledge for teacher hiring? Could  
4 you explain that a little bit more?

5 Q Well, first let me ask you this. When you say  
6 "firsthand knowledge," do you mean firsthand knowledge  
7 at the school site?

8 A Firsthand knowledge to me is -- whether it be a  
9 school site or a classroom or a district, firsthand  
10 knowledge is your direct involvement, observation or  
11 participation in something. Firsthand knowledge of a  
12 school site is knowing the whole site, but that doesn't  
13 mean I would have firsthand knowledge of every  
14 classroom. I may have firsthand knowledge of Classrooms  
15 C and D, but not of the rest of them. So firsthand  
16 knowledge depends on -- I mean, I have to -- you have  
17 to -- what it's going to be. So I have firsthand  
18 knowledge of all of our school sites. I have firsthand  
19 knowledge of some of the classrooms. I do not have  
20 firsthand knowledge of all of the classrooms or all the  
21 teachers and whatever that may be, and even some places  
22 on the school grounds.

23 Q Could you give me examples of areas in which --  
24 of decision-making areas in which the knowledge that  
25 you've gained through site visits has been helpful to

1 you?

2 A Okay. I think that one that went all through  
3 the school process, I think just happened a couple of  
4 months ago, and that is that I began, from my first day  
5 there, walking through schools, and I began observing an  
6 incredible amount of food in the garbage cans. So I  
7 decided to stand in line and eat lunches and breakfasts.  
8 So I stood in line. It was terrible. My firsthand  
9 knowledge of that brought me to recommendation to the  
10 board to bring in a company. There is now a company,  
11 Sodexo, who has now taken over the school district  
12 cafeteria and will be providing services, food, so forth  
13 and so forth. That was because of my firsthand  
14 knowledge of the food.

15 Other people felt that -- once I said it, other  
16 people said, "Oh, yeah, it is terrible," but nobody ever  
17 did anything about it. I saw it firsthand. I looked at  
18 it, brought it back, recommended to the board, they  
19 approved it, and now it's in place.

20 Q Are there any other examples that you have in  
21 mind?

22 A Okay. Let's take a look at the broad areas of  
23 facilities, that area. Student welfare, performance of  
24 principals, some classroom situations. Oh, and  
25 technology.

1 Q And what are you referring to when you  
2 mentioned technology?

3 A What I'm referring to by technology?

4 Q I'll ask a better question. You had mentioned  
5 technology in a list of things in which -- in a list of  
6 decision-making areas in which having personal knowledge  
7 was a benefit. What, exactly, were you referring to?

8 A I was referring to -- I was referring to  
9 firsthand knowledge. When I go to a classroom and I see  
10 PowerBooks being shut first time I go there, second time  
11 I go there, third time I go there, and then I go to the  
12 technology people, the teacher, the principal, I say,  
13 "How come they're not being used? What's the reason?  
14 Are they broken? Do we have money for them?" And so  
15 forth. So my firsthand knowledge of watching PowerBooks  
16 that were closed and not being used was the reason why I  
17 asked the question. If I hadn't had that firsthand  
18 knowledge, I would have never asked the question.

19 Q What was the response to your question?

20 A The response? The response for that particular  
21 question in this particular class was that a lot of  
22 these Books were under a special grant, and they were  
23 older, and they had to be reconfigured, and the  
24 technology people hadn't got there yet. Which was a  
25 reasonable response.



1 Q And when you heard that, did you do anything in  
2 response?  
3 A Yeah, I asked the question, "When can we do  
4 it?"  
5 Q And do you know whether it's been done?  
6 A It's been done. In fact, the grant has been  
7 renewed again and all of these things are being redone.  
8 In fact, we got a whole bunch of new ones.  
9 Q What is this grant that you're referring to?  
10 A It was a grant that was involved a couple of  
11 years ago from the Hewlett -- I had nothing to do with  
12 it. It was from the Hewlett-Packard Foundation.  
13 Q And when was it renewed?  
14 A I think it was continuous. I think it was a  
15 three-year grant.  
16 Q And do you know how much it was for?  
17 A No, I do not.  
18 Q And was this for the -- was this districtwide  
19 or just at this one school?  
20 A It was specific to one school, Belle Haven.  
21 Q Belle Haven. Who else from the district visits  
22 school sites?  
23 A I know that our two assistant superintendents,  
24 Maria de la Vega in charge of curriculum instruction;  
25 Pamela Downing-Hosten, special education, both of them

1 are frequent visitors to our sites. The director of  
2 special projects, Vera Clark, and our person who was  
3 working in personnel for a while, Maria Ibarra, I can't  
4 tell you the degree of their visits. I can't tell you  
5 how much or not enough. It is my assumption that I give  
6 them professional latitude, that they visit dependent on  
7 their needs.  
8 Q And who visits from the county?  
9 A Who visits from the county? There aren't that  
10 many visitations from the county because the county  
11 doesn't have direct supervision. We have people from --  
12 I think the people who probably visit the most would be  
13 the people from special education. The county also  
14 provides a lot of facilitation, training and workshops.  
15 We have a project going on, a whole thing about  
16 classroom training, and they came out -- they come out  
17 to the schools. Because I used to be a county  
18 superintendent, several of the people have come out and  
19 visited the schools, but that would not be the norm.  
20 Q Okay.  
21 MR. MARQUEZ: Can I clarify that question?  
22 There's often confusion between the County of San Mateo  
23 versus the County Office of Education, and I assume you  
24 meant, and it sounded like the answer was referring to  
25 the County Office of Education.

1 THE WITNESS: That's what I thought you asked.  
2 BY MS. CARTER:  
3 Q That is what I meant. Was that what you were  
4 you referring to?  
5 A Yes That is what I meant.  
6 MS. CARTER: Thanks for the clarification.  
7 Q What do the two assistant superintendents  
8 that -- the two districts -- two assistant district  
9 superintendents do when they visit the school sites?  
10 A I think you'll have to ask them.  
11 Q Okay. Overall, do you believe that you and  
12 your staff -- and by that I mean, teachers,  
13 administrators, classified staff -- provide a good  
14 education to your students?  
15 A Yes.  
16 Q And why is that?  
17 A I think that we see overall, we try to put all  
18 the components together of assessment. And we see  
19 the -- our discussions and talk with parents, our  
20 discussions with kids, watching kids, and their attitude  
21 towards school, in attendance, kids being in school.  
22 And the idea of -- the idea of being able to sense happy  
23 kids who are very engaged in the classrooms. And the  
24 classrooms I have visited, I see that, so I think we are  
25 providing a good education for children in Ravenswood

1 School District.  
2 Q And when you say "putting together all the  
3 components of assessment," what, exactly, are you  
4 referring to?  
5 A I'm talking about that there is no one item,  
6 like an API score, there's no one single item of how you  
7 assess children. They're all important components. The  
8 test score is a very important component, but there are  
9 other components that one looks at to see if children  
10 are receiving a good education, especially at the  
11 earlier levels.  
12 Q And what other components do you look at?  
13 A I look at the -- I look at the participation  
14 engagement and comments from parents. I look at the  
15 kids outside of the classrooms. When the bell rings at  
16 the end of recess, how fast do they get back to their  
17 classrooms. If they linger and linger and linger, you  
18 get one idea, but if they don't linger and they run back  
19 yelling and screaming, you know that there's an element  
20 of success. These are all little components that lead  
21 up to my definition of successful schools.  
22 Q And one of the things you mentioned was  
23 attendance. Do you know what the attendance rates are  
24 for this past school year at Ravenswood?  
25 A I do not know the actual percentages, but I

1 know they've been on the high side.

2 Q What do you mean by "the high side"?

3 A I think --

4 Q Do you have a range?

5 A I would say the percentages -- this is my  
6 speculation and only my speculation. I would say that  
7 the percentages are probably in the 92s to 94 percent.  
8 Yeah, 90-plus.

9 Q Do you have a sense of whether those -- whether  
10 the attendance rates have been improving over time?

11 A I have -- do not have knowledge of past  
12 attendance rates.

13 Q What are some of the strengths of Ravenswood  
14 District in terms of providing a good education to  
15 students?

16 A I think you have an incredibly committed  
17 teacher corps. Teachers who stay there, teachers who  
18 work there, teachers who are upbeat. In my observation  
19 in the last six months, knowing that they have a lower  
20 salary scale in San Mateo County, knowing that they  
21 haven't had a raise for two years, knowing that they're  
22 not going to get a raise next year, and their  
23 commitment, I think that is an -- one of the most  
24 important ingredients we have is a commitment of our  
25 teacher corps under some difficult conditions, them

1 staying with their classrooms, talking with them, and  
2 their commitment. I mean, that really is an incredible,  
3 incredible thing.

4 Besides that -- because teachers, the critical  
5 part here.

6 Besides that, the support that's being given, I  
7 think we're seeing an incredible support given by  
8 everybody to the teacher, to the principal, to try to  
9 make the school better, from the maintenance crews to  
10 the gardeners to people at the district office. I spend  
11 a lot of time trying to give personal support to  
12 teachers. I spend a lot of time on that, and I think  
13 it's appreciated. I walk into classrooms. And I've had  
14 teachers tell me, three weeks later, when I've met them  
15 somewhere, I don't know who they are, but they say to  
16 me, "You know, you came into my classroom and I really  
17 appreciated that." So I think there's a corps -- the  
18 teacher corps commitment and the support that's given  
19 from the board of trustees to maintenance, right across  
20 the board. That's why I think the program is strong.

21 Q And how do you measure teacher commitment?

22 A How do I measure teacher commitment? I  
23 measure -- I don't have a diagnostic tool that talks  
24 about teacher commitment, but I can tell teacher  
25 commitment after being in the business for such a long

1 time, being in classrooms, being -- having the passion  
2 of education myself, I see the passion. I can tell if  
3 they're bored or I can tell if they still have that  
4 spark. And I would say the majority of the teachers at  
5 Ravenswood District still have that spark. We always  
6 get a few bored people -- bored, b-o-r-e-d, people -- in  
7 every profession. We have it, you have it in your  
8 profession.

9 MS. WELCH: No.

10 THE WITNESS: I'll tell you right now, when you  
11 see these kids and their faces and their eyes this big  
12 with their teachers, it is really something.

13 BY MS. CARTER:

14 Q Now, do you think that the kind of measures  
15 that you just described is an -- do you think that those  
16 are more important measures of teacher commitment than,  
17 say, a teacher turnover rate?

18 A I think a teacher turnover rate is a  
19 consideration. But, you know, there are a variety of  
20 reasons about teacher turnover. Let me tell you about  
21 teacher turnover. Three years ago, STRS, State Teachers  
22 Retirement System, put in a new rule, and the new rule  
23 was that anybody after 30 years is -- no more three  
24 average years, it's one year. One year, whatever your  
25 salary is for one year, you get a percentage of that.

1 So here is Ravenswood with a \$66,000-a-year  
2 salary scale, and Las Lomitas with 96,000. Because  
3 someone goes from here to here for 30,000 more a year  
4 for one year and gets maybe 80 percent of that for the  
5 rest of their life, I'm not sure that's a good indicator  
6 of turnover. I think what that is is an indicator of  
7 economics. So I think if we were all even, if we were  
8 even, if we all had the same salary scale and able to  
9 pay teachers -- because pay is important. I'm not going  
10 to deny, pay is important. If we had a countywide  
11 salary scale, and then you asked me that question, and I  
12 had a lot of turnover, I'd say, yeah, that's really  
13 serious, because we're all being paid the same. But we  
14 are not paid the same. And I think turnover -- there's  
15 a lot of reasons for turnover. I don't think the word  
16 "turnover" is a full -- is the full meaning of whether  
17 you have teacher satisfaction or not. There's so many  
18 other ingredients in San Mateo County.

19 Q Is turnover a significant problem this year in  
20 Ravenswood?

21 A Turnover in this year will be significant, but  
22 it won't be a problem. And the reason why is, remember,  
23 we let 89 teachers go. We're going to bring back 20 or  
24 30, so we're going to have a turnover rate of 35 or so,  
25 but that is trying to adjust to credentials. If we had

1 35, 40 percent turnover of teachers, for no other  
2 reason, just the turnover, I would be concerned about  
3 that.

4 Q Do you know whether there are any -- do you  
5 know of any specific teachers that are leaving  
6 Ravenswood this year because of higher salaries  
7 elsewhere?

8 A I don't know of any special one, but I'm going  
9 to speculate on this one and say if there's any, it's  
10 very few, because there's no other jobs out there this  
11 year. To the contrary, we have teachers with four or  
12 five years' experience in higher-paying districts. I  
13 know of one especially, because somebody asked me to  
14 tell her she wasn't going to get a job. And this  
15 teacher had been working for the Ravenswood School  
16 District, worked for another district for four years,  
17 probably at at least \$15,000 more per year than a  
18 Ravenswood's teacher, is now coming back and applied to  
19 the Ravenswood district. So I would speculate this  
20 year, because of the -- so many jobs out there, that  
21 there isn't much of a turnover.

22 Q So --

23 A I mean, teachers going to another place for  
24 more money, yeah.

25 Q So as of this year, you're not aware of

1 I'm not sure in what context I said that. Not having  
2 enough space where the students are?

3 Q I believe that it was in the context of a  
4 question regarding facilities issues in the district.  
5 But I can refer you to a specific page if that would be  
6 helpful.

7 A Please.

8 Q Page 83, beginning at line 5.

9 A This may be a stupid question, but line 5 in  
10 which box?

11 Q I'm sorry, in box -- in page 83, the upper --

12 A I'm sorry, these are four pages, okay, okay. I  
13 thought it was one page.

14 Yes. What I meant by that is that,  
15 unfortunately, when you have an open-enrollment system,  
16 they sometimes, by selection of parents or kids, may  
17 want to go to one school, for a variety of reasons.  
18 Could be a teacher, it could be a football coach or a  
19 coach, could be a principal. And that there are times  
20 that occurs that you may have overcrowding in one school  
21 and then you have space at another school, and  
22 equalizing out enrollment, the only way to do that is  
23 really by some kind of boundaries.

24 And, basically, Ravenswood has an open  
25 enrollment district. So with some schools, we had more

1 teachers going from Ravenswood to districts -- to other  
2 districts that pay more?

3 A As of this year, I'm not aware of that, because  
4 the only teachers that we have let go -- there could be  
5 some teachers who just left to go somewhere else. No, I  
6 am not aware of a teacher who did that this year.

7 Q Are you aware of any teachers who did that in  
8 past years, any specific teachers?

9 A I have no knowledge of that.

10 Q Do you know whether Ravenswood has been trying  
11 to increase the number of its credentialed teachers in  
12 years prior to when you began as its superintendent?

13 A I have no knowledge of that.

14 Q Do you have any knowledge of whether, in prior  
15 years, the district replaced uncredentialed teachers or  
16 teachers who lacked a full credential with other fully  
17 credentialed teachers?

18 A I have no knowledge of that. You did say  
19 "prior years"?

20 Q That's right.

21 A I have no knowledge of that.

22 Q In the first day of your deposition, you  
23 referred to an issue of not having enough space where  
24 the students are. Do you recall that?

25 A Not having enough space where the students are?

1 kids than another, and then we think about, do you put  
2 in -- do you make the expenditure of putting in a  
3 portable or do you begin talking with parents about  
4 boundary lines and schools, go to school in their  
5 attendance areas. So I meant that -- that discussion in  
6 relationship to the problem of more kids wanting to go  
7 to one school than another school, and that that could  
8 be a space problem with the school they want to go to.

9 Q And have you put in portables at any schools?

10 A There have been some portables. There are --  
11 let's see, there are -- schools -- yes, we have put in  
12 portables in some of the schools. These portables now  
13 were not put in this year, for this year. They were put  
14 in the last couple of years, so they were there when I  
15 got there. And I know by discussion that there was a  
16 reconfiguration of some of the grades in schools in one  
17 of the areas, and they had some extra portables put in  
18 there. And then a couple of other schools, they had  
19 some portables because more kids wanted to go there.  
20 But the portables, I think, have been there two or three  
21 years. It wasn't -- we didn't have portables, that I  
22 knew of, 202/203.

23 Q You also mentioned in that same discussion that  
24 there was an issue of getting technology to the  
25 classrooms. That was one of the facilities issues that

1 you mentioned. Do you recall what you meant by that?

2 A Yeah, can you tell me the page number?

3 Q Sure. It's page 84, beginning at line 1, so  
4 that's the lower right-hand page.

5 A I got it. I was talking -- I was talking  
6 basically about the mechanics of it in here. I'm  
7 talking about the connections, the wires, the  
8 connections to the Internet, and the training of people,  
9 because I think that we are very strong in schools in  
10 the application of technology to administration:  
11 attendance, accounting, enrollments, so forth, but I  
12 think that we have to do a lot of work in the  
13 application of technology to instruction. But here I'm  
14 talking about, mainly, the mechanics of getting  
15 technology to classrooms, wiring and all that kind of  
16 stuff, and connection to the Internet, and that kind of  
17 thing.

18 Q And are there any schools in the district at  
19 which a lack of this kind of wiring is a significant  
20 problem?

21 A Not significant problem. I think that  
22 sometimes what happens is that you have so many  
23 connections in the room, that the whole wiring for that  
24 corner of the building has to be fixed so there's no --  
25 so there's enough power going to classrooms. And we're

1 doing it little by little.

2 One of the things that's done, that has been  
3 done over the years, which bothers me, aesthetically, is  
4 when wires are slapped up against the outside of the  
5 building, but that's one of the only things we can do is  
6 put wires under the eaves rather than put them in  
7 conduit. So we put them under the eaves, and I think  
8 that sometimes schools have become wire heavens, and  
9 that bothers me, but aesthetically only. The power is  
10 getting there.

11 Q And are there any schools for which -- I think  
12 you stated a lack of training and how to apply  
13 technology to the classroom.

14 A Did I say a particular school?

15 Q This is today that you mentioned it. And my  
16 question would be: Is there, for any school, where that  
17 part of it, training on how to apply it to the  
18 classroom, any school which that part of it is a problem  
19 today?

20 A No. I'm not sure what I said today. But I  
21 don't -- I think we have -- we could always do more.

22 Q Um-hmm.

23 A But I think that some schools may be even ahead  
24 of the other schools, but none to the schools that kids  
25 are suffering.

1 Q Why is the salary scale in Ravenswood lower  
2 than in other districts that you've mentioned?

3 A I'm trying to put it the best way I can. Not  
4 enough money.

5 Q Do you know whether Ravenswood would have had  
6 enough money if the expenditures on legal fees for the  
7 Emma C. case had been lower?

8 A I think if you take the whole Emma C. case --  
9 and when I talk about the whole Emma C. case, I think  
10 the whole Emma C. case was a valid case that was brought  
11 forth on behalf of kids. I'm not going to -- I want to  
12 put that as a preface. I think when you take the cost  
13 of the legal fee -- but it was only the attorneys, you  
14 know. But when you have attorneys coming across the  
15 country at \$500 an hour, you have consultants, and you  
16 have researchers all coming out, and you have millions  
17 of dollars spent on that, and when a case goes -- when a  
18 case goes four or five years, there isn't a public  
19 entity in the world that can pay \$500 an hour for five  
20 years and survive.

21 And I think that Emma C. case -- and it's just  
22 not the attorneys. It's the whole -- everybody involved  
23 with it. That case itself, even though valid as it may  
24 be, I think took so much out of the district that if it  
25 weren't for that, that salaries could have been in

1 parity with San Mateo County.

2 Q What does Ravenswood do to compensate for a  
3 lower salary schedule?

4 A You know, I -- that's a very good question. I  
5 could speculate on that and tell you all kinds of  
6 things, but I don't -- I do not have a particular  
7 compensation item that I can give you, that we give them  
8 flowers on Friday, or whatever. I think we do the best  
9 to support them, I think we do our best to support. We  
10 try to make their whole professional life easier, what  
11 they do, that kind of support. I can't think of any  
12 monetary incentive or support that we give them to  
13 enhance -- there are some teachers that get stipends,  
14 for example, special education teachers. Special  
15 education teachers get a stipend of \$4,000 above other  
16 teachers. Now, that's an added support, I guess, above  
17 the salary scale.

18 Q And has the stipend helped to attract special  
19 ed teachers?

20 A No. We still are short special ed teachers. I  
21 would speculate, though, that if you asked every school  
22 district in California about special ed teachers, if I  
23 had a child that wanted to be a teacher, I'd tell them  
24 special ed. It's a guaranteed job.

25 Q Do you know whether there were shortages in

1 special ed, in the availability of special ed teachers,  
2 elsewhere in the county when you were superintendent?

3 A Yes, continually. When I was county  
4 superintendent?

5 Q Right.

6 A Yes, continually.

7 Q Since you've come to Ravenswood as  
8 superintendent of the district, do you believe that, as  
9 a result of your efforts and initiatives, that the  
10 district does a better job of educating students?

11 A I would -- having a big ego, I would think  
12 absolutely, but I can't answer that question. My  
13 presence there has helped stabilize the district. My  
14 presence there has, I think, brought some greater  
15 compatibility with the city, with the community. I  
16 mean, I can think of all these things that my presence  
17 there might have been, but as far as better education  
18 for the child, my presence there for six months, I could  
19 not speculate to that.

20 Q Do you know whether attendance has improved  
21 over the past six months?

22 A I think the attendance over the past six months  
23 has not significantly. I think it was high already. I  
24 don't think it's dropped below the 90 percent mark. I  
25 think in one area, I think there's one place for a

1 couple of weeks that it dropped to 86 or 87 percent, but  
2 it was close to, I think, the mid spring break, but I  
3 think we're still pretty consistent. So I would not say  
4 my presence has done anything at all to attendance.

5 Q Do you think that as a result of your presence  
6 and your efforts and initiatives that the schools are  
7 safer?

8 A I could not speculate on that, no.

9 Q Can you explain the process by which teachers  
10 are hired --

11 A Sure.

12 Q -- in Ravenswood?

13 A We advertise in the usual places, and mainly  
14 now it's over the Internet, and word of mouth counts a  
15 lot on teachers, because teachers will apply, generally  
16 across the board, whether there's openings or not. Once  
17 we get the applications, we then go through a series of  
18 screenings. There's an original paper screen where a  
19 team of people look at the teachers to see what they  
20 teach, what their credentials are, whatever that may be.  
21 And then in turn, we have interviews, and we set up  
22 teams of interviewers that interview all the applicants.  
23 They rate them and make recommendations, then, to the  
24 personnel office, and the personnel office then, in  
25 consultation with the principal, will then interview and

1 discuss and perhaps hire.

2 Q So the final decision is made in part by the  
3 principal?

4 A Within -- the final decision is made by the  
5 district office with input from the principal.

6 Q Okay.

7 A We offer -- the district offers -- the district  
8 offers the contract.

9 Q Okay. If you had a choice, would you prefer  
10 more or fewer state restrictions on the district system  
11 of hiring teachers?

12 A In regard to hiring teachers?

13 Q Right.

14 A We don't have many restrictions in relationship  
15 to the hiring of a teacher. The teacher has  
16 restrictions in relationship to credentials and so forth  
17 and so forth. Once they have that series of  
18 credentials, which is put out by the state, which I  
19 agree with what the state does on that, you know, they  
20 require certain things. Once the teacher has that  
21 credential, we then take that teacher. So I don't find  
22 a restriction on us. I don't find state restriction on  
23 hiring of teachers.

24 Q Do you think greater regulation or restrictions  
25 in this area would improve your ability to hire fully

1 credentialed teachers?

2 A No.

3 Q Do you think greater regulation or restrictions  
4 in this area -- well, first of all, I'm sorry, let me  
5 strike that and back up.

6 Why not?

7 A Okay, can you ask me the question again.  
8 Repeat the question --

9 MS. CARTER: Will you read it back.

10 THE WITNESS: -- of why you're asking why not.  
11 (Record read.)

12 THE WITNESS: Why not. Why not is that I think  
13 that we depend on a regulatory agency to license. We  
14 don't have time to monitor licenses, so we have the  
15 county and the state. We believe that the county and  
16 state, once the person is licensed, they have met the  
17 requirements of that agency. I don't want any other  
18 restrictions in relationship to my hiring the best  
19 possible people that meet the needs of what I need for  
20 those kids, I don't need any other -- I don't need  
21 regulations for that. I don't think any regulation --  
22 in fact, any regulations would have helped me get better  
23 teachers. Once they're licensed by that agency, then I  
24 have the flexibility to hire what I need, who I want.

25 BY MS. CARTER:

1 Q And why is that flexibility important to you?  
 2 A That flexibility, because I am the person who  
 3 is there locally. I see what is needed. I consult with  
 4 the principals. And when you say important to me, it's  
 5 important to the school district.

6 Q Um-hmm.

7 A We are the ones who know those children, who  
 8 know the kids, who know where they should be, and know  
 9 what they need. We have to have the flexibility to be  
 10 able to hire that teacher to meet those needs within the  
 11 licensing established by the state and the -- and  
 12 supervised by the county.

13 Q A lot of what you said already goes to this,  
 14 but I'm going to ask it again, just to be clear. Would  
 15 greater regulation or restrictions in the district -- of  
 16 the district system of hiring teachers, would that  
 17 improve your ability to educate children?

18 A Greater restrictions? No.

19 Q And why?

20 A You're asking me would greater restrictions --  
 21 greater restrictions improve the ability for me to  
 22 educate children. The answer is no.

23 Q And why is that?

24 A Because I think that a local school district,  
 25 the decision of a local school district who knows best

1 any topic you ask me about, I will tell you I do not  
 2 want more until I know what more means. Now, more can  
 3 have a lot of different -- the word "more" is very  
 4 broad. If it's something very simple, then let's talk  
 5 about it. But if it's something more restrictive -- I  
 6 guess the word "more" to me has a lot of different  
 7 levels.

8 Q Well, let me get a little bit more specific,  
 9 then.

10 A Sure.

11 Q Would -- let's take, for example, decisions  
 12 about which textbooks and supplemental materials to  
 13 purchase. Do you think that there should be -- well,  
 14 first of all, let me go back.

15 So taking first the question of what  
 16 material -- what supplementary materials or what  
 17 textbooks to order, we've already discussed that the  
 18 state has some restrictions in place already.

19 A Um-hmm.

20 Q Should there be more restrictions in that area  
 21 about which supplemental materials --

22 A No.

23 Q -- or which textbooks?

24 A No.

25 Q And why is that?

1 about those children, who's in contact with the parents,  
 2 this local decision making in that area is what I feel  
 3 is important, because we know best what's best for that  
 4 child. We know better than the county, we know better  
 5 than the state, and we know better than the federal  
 6 government, so I don't want any restrictions on it.

7 Q Okay. If you had a choice, would you prefer  
 8 more or fewer restrictions with regard to purchasing  
 9 textbooks and instructional materials for your district?

10 A I think at this stage, I think that --  
 11 flexibility and purchasing. I think we have to have --  
 12 I think it's important for the state to monitor the  
 13 whole textbook at K-8, monitor the whole textbook.  
 14 There's so many publishers, and they have a very  
 15 rigorous process of going through for state adoptions,  
 16 and I am satisfied to what is happening now. I don't  
 17 have any problem with how the state is allocating or  
 18 going through for series and the whole thing. I don't  
 19 have any problem. I think -- I don't want any more  
 20 restrictions, but I don't see the necessity of any less  
 21 restrictions. I'm satisfied with what the state is  
 22 doing.

23 Q And why do you say you don't want any more  
 24 restrictions?

25 A Well, I think why I don't want more -- I guess

1 A I think that the degree that the state has the  
 2 authority now fulfills its mission. And I feel then any  
 3 additional responsibility would take away our local  
 4 control of what we have to do for kids.

5 Q And why do you think local control is  
 6 important?

7 A I think local control is important because the  
 8 education of a child is locally. The education of a  
 9 child is within its community. It's with parents and  
 10 teachers who talk to parents and the local school  
 11 districts, and I think the further you get away from  
 12 that local education of a child -- the further you get  
 13 away from that, I think the less ability you have to  
 14 determine what is best for that child. I don't -- I  
 15 don't -- I truly believe in smaller classrooms which  
 16 gives the ability of teachers to work with more  
 17 students. I believe, firmly, in parent groups, PTAs. I  
 18 believe in parents being involved with kids. That can  
 19 only be done at a very local level. So I think that our  
 20 educational system is a system -- our educational system  
 21 in California -- in the United States is so successful  
 22 because -- especially at the elementary levels, because  
 23 we are so locally controlled. California is a good  
 24 example of local control. And we always scream for more  
 25 local control, and I think that it's a very

1 interesting -- it's a very interesting -- very  
2 interesting dilemma of where less local control is  
3 better for kids. And that's something that we look --  
4 guard very carefully. So local control to me means a  
5 better education for kids.

6 Q And at one point in your answer you said that  
7 local control is especially important at the elementary  
8 level. Is that right?

9 A Yes, I do.

10 Q And why is that?

11 A I think that the younger the children, when  
12 they are beginning school, I think it's more -- it's  
13 more important to have a smallness. I don't think that  
14 smallness is as necessary in a high school, and I don't  
15 think that necessary smallness isn't needed in the  
16 university system or community college. And I think  
17 that when we have a local elementary school or a couple,  
18 2- or 3-, 400, that's great. High school of 1,200,  
19 that's great. Getting larger than that, I don't like  
20 high schools that are 2,500. I don't like elementary  
21 schools that are a thousand.

22 So I believe that the beginning, of the kid  
23 going to elementary -- the kid going to school -- that's  
24 why we have the reduced rates of class sizes K through  
25 eighth that's funded -- no, K through 3 that's funded by

1 A No.

2 Q And why is that?

3 A I think that if you take a typical -- if you  
4 take a school, I think it has to be determined on class  
5 sizes. By law, class size is a bargainable issue under  
6 the RHODDA Act, and I think that the local union and the  
7 local school district have the tools to bargain a class  
8 size, whatever that may be, but I think that if the  
9 state puts restrictions on this, we'd have a problem,  
10 because there are places -- I know band teachers who  
11 want class sizes of 70 and 80, whereas maybe K-1 should  
12 have a class size of 20. I think that there are some  
13 specialty reading classes that should be 12 and 15, 10.  
14 So I think we need a flexible -- flexibility locally of  
15 class size in conjunction with our unions.

16 Q Okay. Going back to textbooks for a minute,  
17 are teachers in Ravenswood given the option of using  
18 outdated texts if they think that those texts better  
19 suit the needs of their students?

20 A Given the option of using outdated texts? I  
21 think they would be given the -- I think that what would  
22 be -- what the norm will be, on that specific question,  
23 is that they -- if they so desire to use an outdated  
24 text as a reference material, they could do it.

25 Q If you had the choice, would you prefer greater

1 the state. The whole purpose of a smaller group is more  
2 contact with the teacher, more contact with the parent.  
3 So I think the elementary level, the younger child just  
4 starting in, needs that kind of comfort zone, of  
5 closeness, to make them comfortable for his future  
6 education.

7 Q I want to ask you just a little bit about CSR  
8 for a minute, class-size reduction.

9 A About what?

10 Q The class-size reduction.

11 A Sure.

12 Q You mentioned the requirement that -- of  
13 reduced class sizes in the lower grades. Do you think  
14 that it's a good thing that the state has mandated this,  
15 or would you prefer the flexibility to make decisions  
16 about class sizes in the lower grades at the local level  
17 in the district?

18 A You're throwing me sort of a ringer there,  
19 because I think it is flexible already. I think that we  
20 have, at the local level, the determination to do it.  
21 Many school districts in the budget crunch are going the  
22 other way. So I believe that we have the local  
23 authority to do it. So I'm very happy with that.

24 Q Do you think that there should be greater  
25 restrictions put -- state restrictions on class sizes?

1 or fewer state restrictions with respect to deciding  
2 teacher training priorities in the district?

3 A Teacher training priorities? No, I would not  
4 want more restrictions.

5 Q And why is that?

6 A I think that different districts will need  
7 different types of training. I think they have to have  
8 the flexibility and latitude. What might be needed for  
9 a student -- what might be needed for training for a  
10 teacher in the Ravenswood School District might be  
11 different -- there is a basic training that they all  
12 should have, let's give that. But some of the  
13 additional supplemental training might be different  
14 in -- might be different in Ravenswood, as it would be  
15 with Woodside or Portola Valley. The clientele, the  
16 students, the parents, the setting, language. I mean,  
17 there's a variety of things. So I think that I would  
18 not want restrictions on that.

19 Q You mentioned that there might be a basic set  
20 of training that would be a given. What did you mean by  
21 that?

22 A I mean that there are certain things -- for  
23 example, if -- if the special training to -- a  
24 requirement, for example, in special education to have  
25 the special education certificate, to have a language --

1 to have a speech disorder -- I'm trying to think about  
 2 that, we just hired one -- language -- special trainings  
 3 for special things that the state has, like a license  
 4 for -- and I think that's important to have, that the  
 5 state should monitor and have that. When you talk  
 6 about -- and that's what I call the basic training.  
 7 It's almost like a license.

8 Q So you're referring to the credential?

9 A I'm referring to the credential. Not only the  
 10 credential. There could be the BCLAD, that kind of  
 11 thing. They are licensing in some way, yeah. But  
 12 general training of something, for example, we're going  
 13 to -- because of the Emma C., we're having a five-day  
 14 training of all staff in the Ravenswood School District.  
 15 I don't think that's necessary for Burlingame or San  
 16 Bruno. So I would want flexibility.

17 MS. WELCH: When you reach a good stopping  
 18 point, can we take a five-minute break?

19 MS. CARTER: We can take one now.

20 (Recess 1:43 p.m. to 1:55 p.m.)

21 (Deposition Exhibit 21 was marked for  
 22 identification by the court reporter.)

23 MS. CARTER: So we're back on the record.  
 24 During the break, we made a copy of the exhibit that we  
 25 had referred to previously as Exhibit 21, and those

1 copies were distributed. Again, this is a copy of a  
 2 pocket card that Dr. Gonella had with him that shows  
 3 enrollment at various schools in Ravenswood. During the  
 4 break, we also had a discussion about timing. Because  
 5 of commitments that Dr. Gonella has, we're going to  
 6 adjourn today at 3:00 and probably reconvene at a later  
 7 date.

8 Q Getting back to where we left off before the  
 9 break, I have another question regarding greater or  
 10 fewer restrictions from the state. And my question is:  
 11 If you had the choice, would you prefer greater or fewer  
 12 restrictions with respect to deciding how much to spend  
 13 on maintenance and facilities?

14 A Fewer.

15 Q And why is that?

16 A Because, locally, we are in the best position  
 17 to determine our priorities, what needs to be fixed,  
 18 what has to be done maintenance-wise, and I don't think  
 19 the state is in a good position to know locally what is  
 20 occurring. We need that flexibility so therefore we  
 21 would not want any controls.

22 Q And do you think greater regulation or  
 23 restriction would improve your ability to provide better  
 24 and cleaner facilities for students?

25 A Would greater restrictions improve my ability?

1 No.

2 Q And why is that?

3 A Because I think that we are in a better  
 4 position locally to make a determination on what is best  
 5 for our sites, what has to be improved, what has to be  
 6 cleaned, the assignment of people to clean them, the  
 7 degree of expertise to do certain things. We're in a  
 8 better position to do that than the state.

9 Q Could you describe each of the five charter  
 10 schools for me?

11 A Sure.

12 MR. MARQUEZ: It may help to be a little more  
 13 specific in the question with regard -- are you talking  
 14 facilities or students?

15 MS. CARTER: Oh, that's a good point.

16 Q I'll ask you a slightly more specific question.  
 17 Could you describe each of the five charter schools for  
 18 me in terms of their educational model?

19 A I was looking for another charter school in  
 20 here. We have one more but it's a high school. That's  
 21 why it's -- Aspire High School, but it's not on here.  
 22 Let me go to the model. Brentwood and McNair are two  
 23 for-profit models. They are connected with the Edison  
 24 Foundation, and they in turn -- fiscally, it's a  
 25 different model because they are a for-profit. And

1 educationally, though, I think they really model  
 2 programs that are very similar to public schools.

3 I think that the -- perhaps some of the  
 4 differences -- I do not believe that they have -- that  
 5 they're fully credentialed teachers. They do not have a  
 6 union, they do not have -- come under collective  
 7 bargaining. The educational program, I think, would be  
 8 similar to the organization and style of a public  
 9 school, regular school. School of Wisdom -- EPA Charter  
 10 is styled the same way as a public school, but their  
 11 emphasis is to work very closely with child and parent.  
 12 There's a family-type atmosphere of the EPA Charter, and  
 13 it's small.

14 School of Wisdom and Knowledge basically comes  
 15 from -- I have been told that the basis of the school  
 16 was to sort of continue and maintain the culture of  
 17 African Americans. I'm not sure if that's the purpose  
 18 of it now. That's how it started. It started as a  
 19 private school. It is a very small school, 62 students,  
 20 and so it is -- I'm not sure of their educational model.  
 21 I do not supervise that school or the other schools  
 22 here.

23 The only school that's not here is the Aspire,  
 24 and that's a high school, it's like a private high  
 25 school, very similar to other high schools except it's



1 small, it's about 325, 350. And it is a charter school,  
2 and they're trying -- the difference is that they are  
3 located in East Menlo Park, which is in the Ravenswood  
4 School District, and since they're called the East Palo  
5 Alto High School, they are going to move into East Palo  
6 Alto as soon as they can.

7 Q Do you know when these schools became charter  
8 schools?

9 A The Edison came up -- the Edison -- the  
10 Edison -- Brentwood and McNair just came up for a  
11 renewal and the renewal has to be five -- the first one  
12 was five years. So I'm going to say Edison and McNair  
13 were five years ago, EPA Charter was close to three or  
14 four years ago. School of Wisdom and Knowledge is a  
15 much -- I will say that's about five years, and Aspire,  
16 maybe about -- kindergarten -- they're going into their  
17 third year, they're going to have a junior class next  
18 year.

19 Q How are students assigned to the charter  
20 schools?

21 A Parents determine where they want their  
22 children to go. If a charter school -- there's no  
23 boundaries to a charter school and since the school was  
24 chartered, parents have determined that they want their  
25 schools to go -- it's up to the parent and the child, if

1 Q Okay.

2 A And I think we're dealing with School of Wisdom  
3 and Knowledge now. EPA Charter already has theirs;  
4 they're not coming up.

5 Q And were the charters renewed at Brentwood and  
6 McNair?

7 A The charters at Brentwood and McNair were  
8 renewed. The agreement was renewed for both the  
9 schools. I think it's important to explain this,  
10 though. They have a five-year -- in their memorandum of  
11 agreement, they have a five-year date. But within that  
12 charter, within their MOU, there is an agreement, and  
13 the agreement is this: The agreement is that Edison is  
14 aware of the committee that's going to be established  
15 next year by the district to look at school  
16 configuration, attendance boundaries and general  
17 transportation. The board of trustees will receive  
18 recommendations from this -- by this committee, and the  
19 board of trustees could reconfigure a school even to the  
20 extent of eliminating the charter.

21 Q Um-hmm.

22 A So the school district's flexibility is through  
23 this, via this committee route.

24 Q And has this committee been formed --

25 A No, it is not.

1 they want to go to a charter school. There's no  
2 boundary assigned to it.

3 Q How are -- what if there are too many children,  
4 more children who would like to go to that school than  
5 there are places available, what happens then?

6 A My assumption is that they would close their  
7 enrollment. They are not obligated to take anyone else.  
8 If they had full facility, they would close enrollment,  
9 or, what's happening around California, if there are too  
10 many kids, they ask the school district then to provide  
11 facilities which would be -- if the school district is  
12 providing facilities for a charter school, that charter  
13 school then could ask for additional -- some portables,  
14 some additional facilities to house their children.

15 Q And is Ravenswood School District providing  
16 facilities for any of these five charter schools?

17 A Every -- all of them.

18 Q And for how long is each charter granted?

19 A By law, you either have to grant five years or  
20 turn them down. We just had one come up now, and I  
21 wasn't even aware of that law, so on a renewal, it's  
22 five years. If we don't run five years, you must deny  
23 the charter.

24 Q And which one just came up?

25 A We just finished Brentwood and McNair.

1 Q -- at this point?

2 A It has been discussed at a public meeting. I  
3 have informed the board that I will be recommending the  
4 establishment of this committee next September, and  
5 that's a recommendation that they can establish or not  
6 establish.

7 Q What oversight does the district do of the  
8 charter schools?

9 A Oversight, basically -- once you grant the  
10 charter -- once you grant the charter, your oversight is  
11 basically minimal, unless there is some overt action of  
12 breaking some laws or something, or something occurs  
13 that is illegal. But the oversight becomes basically  
14 almost -- the oversight of charters is minimal. Once  
15 they receive the charter, they have their own board.  
16 And our oversight -- in fact, in the last two or three  
17 years, there's been some strengthening of laws in  
18 relation to oversight, especially in the area of  
19 finance. But I would say that the oversight is minimal  
20 on behalf of a school district.

21 I think there's certain criteria -- when a  
22 school gets chartered there's 12 or 13 criteria that  
23 must be established, and if those 13 or 12 criteria are  
24 followed, like they shall have classes, so forth, so  
25 forth, they're followed, then there's no -- it's only if

1 they break those things. I guess our oversight is over  
 2 the criteria that we have signed in the MOU, in the  
 3 charter, and if those are being fulfilled, then there's  
 4 no further oversight on that. We don't have oversight  
 5 over their teachers or administrators or who they hire.  
 6 They're completely on their own in that. And that's  
 7 charter schools, not just these.

8 Q So are there ways in which the district can  
 9 hold charter schools accountable for student  
 10 achievement?

11 A No, unless -- unless in the memorandum of  
 12 agreement that's signed for the charter, there is some  
 13 language that deals with that particular issue. I'm not  
 14 aware that that particular issue is in any of these  
 15 charters.

16 Q Do any of the memorandums of understanding  
 17 provide for district oversight in other areas?

18 A Yes.

19 Q And which areas are those?

20 A One of the areas is the Emma C. case. The  
 21 children in the charter schools are part of the class.  
 22 So there is definite oversight in that area. We also  
 23 provide transportation, and there's oversight on that,  
 24 on the transportation routes and everything. Let's see,  
 25 special ed oversight, specific maintenance of the

1 grounds, because there are buildings, so there would be  
 2 maintenance and operations oversight. It's not quite  
 3 oversight. It's performing the functions rather than  
 4 oversight.

5 Q Okay.

6 A Because it's our people who are doing it. And  
 7 I'm sure there's something else, but those are the kind  
 8 of things I'm talking about.

9 Q So maintenance of the grounds is performed by  
 10 the district; is that correct?

11 A Yes, right. It's all our buildings. Our  
 12 agreement -- a typical agreement like with Aspire High  
 13 School is that we take care of the grounds for the first  
 14 three years, then they take over the buildings and  
 15 grounds. But we have to keep them up at a certain  
 16 level. We can't just let them drop off and just forget  
 17 about them.

18 Q And what about at the Edison school?

19 A Same thing. They are part of the class. We do  
 20 the buildings and grounds -- oh, here's another one:  
 21 lunch.

22 Q Okay.

23 A We provide the food.

24 Q So you -- so the district still does  
 25 maintenance of the grounds at both Edison schools?

1 A Um-hmm, yes. They have their own -- they have  
 2 their own custodian, but we, in turn, would do any kind  
 3 of painting or repair.

4 Q How would you describe the division of  
 5 responsibility between the custodians at the Edison  
 6 schools and the district maintenance personnel?

7 A The responsibility really is -- the custodian  
 8 responsible to the principal of the school really is  
 9 responsible for cleaning up the classrooms afterwards,  
 10 dumping garbage cans, keeping the place tidy for the  
 11 next day, whereas the maintenance personnel, under our  
 12 director of maintenance, might come in and paint a wall  
 13 or fix a window or a fire alarm, that kind of difference  
 14 of responsibilities.

15 Q Okay. Could the district hold a charter school  
 16 accountable for student achievement by refusing to renew  
 17 their charter?

18 A Yes. But it's not holding them accountable.  
 19 Because once you get rid of them, you're not holding  
 20 them accountable. So the word "accountable" maybe is  
 21 not the right word. Can a school district terminate the  
 22 original agreement because of students not achieving?  
 23 If that was one of the criteria that was written in the  
 24 agreement, the schools would, you know, do the best to  
 25 achieve and so forth, and they were just flat-out -- a

1 school district then could, I think -- there are very  
 2 few reasons why a school -- once a charter is granted,  
 3 there are very reasons why they can be terminated, very,  
 4 very few.

5 Q Were you involved in the charter renewal  
 6 process for Edison-McNair and Edison-Brentwood?

7 A Yes.

8 Q How were you involved?

9 A I was involved by -- we had -- I was involved  
 10 in several ways. One, I had some major overall  
 11 philosophical discussions with the vice president that  
 12 came out here.

13 Q A vice president of the Edison --

14 A Of the Edison Corporation.

15 Q Um-hmm.

16 A And then I was involved in the final writing of  
 17 the agreement with the attorney. We hired an attorney  
 18 to do the final writing of the agreement, and she ran  
 19 the final agreement by me. So I was involved in that  
 20 before presenting it on to the board.

21 Q And what was the substance of your discussions  
 22 with the Edison vice president regarding philosophy?

23 A When I say "philosophical agreement," it wasn't  
 24 on philosophy; it was sort of -- maybe "philosophical  
 25 agreement" was the wrong word. We talked about general

1 concepts, like I wanted to only give them one more year,  
2 and he wanted five years. So we were coming down to  
3 negotiate these years, and all of a sudden we found a  
4 law, it had to be five years. So then I came up with  
5 the idea of the committee. So that's the kind of  
6 discussion we had.

7 So by the time it got to the attorneys, it was  
8 pretty well worked out. She just worked out the  
9 language.

10 Q And what do you mean when you say you came up  
11 with the idea of the committee? Which committee is this  
12 again?

13 A The committee that I talked about that I was  
14 going to recommend to the board that they formulate next  
15 September to look at grade configuration and so forth  
16 and so forth. That committee is going to have some  
17 major recommendations, and I told them those  
18 recommendations could have bearing on what the district  
19 wants to do with Edison schools. And he agreed with  
20 that. He said, yeah, he should have that flexibility.  
21 So therefore we put in the clause, and the district --  
22 the board could terminate the program without any  
23 consideration of charter.

24 Q And was this the reason that you only wanted to  
25 extend the charter for one year?

1 A The exact same reason. I wanted the district  
2 to have complete flexibility in what they would do with  
3 that school. Five years is too long, and one year -- it  
4 was important for the district to have flexibility, if  
5 they're going to look at the total district next year in  
6 regard to boundary lines configuration, so I think that  
7 they needed that flexibility.

8 Q Were there any other issues or concerns that  
9 you had about renewing the charters at the Edison  
10 schools?

11 A Renewing the charters at Edison school, the  
12 only tinge that I had in my heart is the word  
13 "for-profit." That bothers me at times because I've  
14 been a product of public education for a long time. And  
15 outside of that, I had no other reasons.

16 Q Do you think that these two Edison schools are  
17 doing a good job of educating students?

18 A I don't think that I'm in a position, at this  
19 time, to answer that question.

20 Q Do you know Linda Darling-Hammond?

21 A Yes.

22 Q How do you know her?

23 A I've heard her speak several times. I've read  
24 some of her materials. And, as a coincidence, Linda and  
25 I have made three separate appointments together and

1 we've not been able to keep them connected. As of --  
2 one was yesterday, in fact. I think Linda was going to  
3 come in and see me yesterday. No, Monday. She was  
4 supposed to come in Monday and something happened. So I  
5 know her personally. I heard her speak, and she has  
6 done a lot of work also for -- with the Aspire High  
7 School. She's done a lot of work in that area. And I  
8 know of her background.

9 Q And do you know -- what work has she done with  
10 the Aspire High School?

11 A Basically the work she's done in -- with Aspire  
12 would be -- I think would be instructional methodology.  
13 I -- that's only speculation by me. I don't know  
14 exactly what she's doing with Aspire.

15 Q Okay.

16 I'll mark a document -- I'm handing out a  
17 document that I would ask the court reporter to mark as  
18 Exhibit 22. Is that right?

19 (Deposition Exhibit 22 was marked for  
20 identification by the court reporter.)

21 MS. CARTER: And this document is titled, "The  
22 Charter School Management Agreement Between the Board of  
23 Education of the Ravenswood City School District and the  
24 Edison Project L.P." And it's Bates-labeled DT-RA 05650  
25 to 05709.

1 Q Have you ever seen this document before?

2 A I scanned it before talking to the vice  
3 president from Edison Corporation.

4 Q And what is this document?

5 A Pardon me?

6 Q What is this document?

7 A This is the charter school management agreement  
8 between the school district and the Edison Corporation.

9 Q And do you know from what -- do you know from  
10 when to when this agreement was in effect?

11 A Well, it looks like that it was ended in --  
12 through May, the 12th day of May of '98. I'm not  
13 sure -- I have no knowledge if the school started on  
14 September 1st and it took them this long to get there,  
15 or if they just started at that time until now. In  
16 fact, I was counting. It looks like five years if you  
17 go '98, '99, 2-1, 2-2, and 2-3, next year would be five.  
18 So I'm assuming this was a five-year. I had no  
19 knowledge, more than that.

20 Q And was this management agreement replaced by a  
21 new management agreement?

22 A Yes.

23 Q And is that new management agreement the one  
24 that we were previously discussing --

25 A That's right, that's right.

1 Q -- the renewal agreement?  
 2 A Yes.  
 3 Q And so this was the prior --  
 4 A Yes.  
 5 Q -- the prior --  
 6 A Yes.  
 7 Q -- management agreement?  
 8 A Yes. Yes. Yes.  
 9 Q I just want to direct you to page DT-RA 05653.  
 10 A 05653?  
 11 Q That's right. About halfway through the  
 12 paragraph 3.3(a), the document reads, "It is understood  
 13 between the parties that an essential principle of the  
 14 Edison School Design is its flexibility, adaptability  
 15 and capacity to change in the interests of continuous  
 16 improvements and efficiency, and further, that the  
 17 District and Edison are interested in working together  
 18 for results and not in inflexible prescriptions." Is  
 19 there a statement like that in the new charter  
 20 management agreement?  
 21 A I can't specifically answer that question.  
 22 Q Would you agree, based on your knowledge, with  
 23 the statement that the Edison model is focused on  
 24 flexibility and results as this document indicates?  
 25 A I have not been privy -- no, I should say I

1 have not paid that much attention to the instructional  
 2 program at the Edison school in relationship to  
 3 methodology. So I cannot answer that question.  
 4 Q In paragraph 3.3(b), the document refers to an  
 5 extended school year. Does the -- does the current  
 6 charter provide for an extended school year?  
 7 A Current charter -- the current -- the current  
 8 year will not be this. The Edison Corporation has  
 9 changed and will go to the same days as the rest of the  
 10 schools in the Ravenswood School District. So there  
 11 will not be a longer year. There could be a longer day,  
 12 but not a longer year.  
 13 Q This past school year, was there an extended  
 14 school year?  
 15 A Yes, uh-huh.  
 16 Q And what was that school year?  
 17 A If I'm not mistaken, it was like this, 200 -- I  
 18 think it was over 200 days. It was approximately 200  
 19 days.  
 20 Q And was there also an extended school day?  
 21 A Yeah, I think it ran for another half-hour or  
 22 so or closer to 4 o'clock than 3 o'clock.  
 23 Q And is there a provision for an extended school  
 24 day in the current charter?  
 25 A In the current charter there is some provision;

1 whether they go to it or not, it will be depending on  
 2 their fiscal ability to do so.  
 3 Q Okay. In the next paragraph, 3.3(c), the last  
 4 sentence indicates that home computers will be made  
 5 available to charter school students. Do you know  
 6 whether home computers were made available --  
 7 A No.  
 8 Q -- to Edison School students?  
 9 A No, I do not.  
 10 Q Do you know whether the current charter  
 11 contains a provision like this one?  
 12 A I do not remember.  
 13 Q Now I'd like to direct your attention to page  
 14 DT-RA 5655. And I'd like you to read through the  
 15 section beginning 4.1, "District's Responsibilities."  
 16 It continues to the end of the next page, which is 5656.  
 17 And just let me know whenever you're finished.  
 18 A Okay.  
 19 Q Do you know whether these two pages accurately  
 20 describe the district's responsibility vis-a-vis the  
 21 Edison schools for this past year, before the new  
 22 charter management agreement?  
 23 A No, I cannot testify to that.  
 24 Q Do you know whether the district  
 25 responsibilities described in this document differ from

1 the district responsibilities described in the new  
 2 charter management agreement?  
 3 A There probably -- and some of these -- there  
 4 probably was some adjustment. I think the food is the  
 5 same, the security basically, the overall security was  
 6 the same. Curriculum materials, I cannot attest to.  
 7 Technology infrastructure, I think most of that  
 8 infrastructure is there and it's being used now, so  
 9 we're not -- I don't think that was put in the new one.  
 10 Technology equipment, we're not giving them any  
 11 equipment. And capital repairs, we're still responsible  
 12 for the capital repairs and improvement, with the  
 13 exception of Aspire. In the third year, we change over.  
 14 Ancillary property, this is the same. I don't think  
 15 that's changed. And I think "(a)" is the same also.  
 16 Q And by "(a)," you're referring to the paragraph  
 17 titled "School Facilities" on DT-RA 5655?  
 18 A I'm sorry, say that again.  
 19 Q By -- when you said, "(a) is the same also,"  
 20 were you referring to the paragraph that says, "(a)  
 21 School Facilities" on DT-RA 5655?  
 22 A Let me look at that again. Yes.  
 23 Q Are there any magnet schools in Ravenswood?  
 24 A Technically the -- we refer, sometimes, to the  
 25 James Flood School as a magnet school.

1 Q And why do you refer to that school as a magnet  
2 school?

3 A Because it sort of specializes in science and  
4 math.

5 Q Is that the only school with a specialized  
6 academic program?

7 A The only school that we would refer to as a  
8 magnet school with specialized program in the district.

9 Q How are students assigned to James Flood?

10 A Open enrollment, and they take -- they take --  
11 they're interviewed, and some test scores are looked at  
12 to see their area of interest and how they're doing in  
13 math and science.

14 Q So what role did the interviews and the test  
15 scores play in who gets assigned?

16 A There's an overall selection criteria with the  
17 principal and some teachers, and students are looked at  
18 in relationship to their test scores and their interest.  
19 Also, it's an open enrollment school, so there's a lot  
20 of flexibility in bringing kids there. It's a smaller  
21 school campus, so they do have a maximum amount that  
22 they can bring in.

23 Q And so how do they decide where to cut off the  
24 enrollment?

25 A Well, basically one of the areas of cutoff is

1 the amount of kids that can be in that campus, the size.  
2 And if I'm not mistaken, they -- for the most part this  
3 year they've been at the maximum size.

4 Q Okay. And so it's on the basis of test scores  
5 and interviews --

6 A And interview and size.

7 Q -- that students are chosen?

8 A Right, right.

9 Q When did James Flood first start with the  
10 specialized program?

11 A I do not -- cannot answer that.

12 Q But it was before you --

13 A Yes --

14 Q -- became superintendent?

15 A -- definitely.

16 Q Do you have an understanding of why the school  
17 developed -- became a magnet school and developed this  
18 special program?

19 A I think it was the -- I think it was the  
20 direction of the district to try to diversify its  
21 program. Magnet schools, charter schools, the complex  
22 at Cesar Chavez, it was an attempt to diversify their  
23 approach to education of children.

24 Q And what do you mean when you say "the complex  
25 at Cesar Chavez"?

1 A What they did was they changed -- a couple of  
2 years ago, they put together a program, what they  
3 call -- they reconstituted the Cesar Chavez site. They  
4 made their three campuses there, and they made -- one  
5 campus is a CEC, the Children's Educational Center, and  
6 that's for like preschool. And then they made one  
7 school K-3, that's Green Oaks. And then they made the  
8 Chavez school 4 through 8. They had a principal at each  
9 site, and then they put in a coordinator to coordinate  
10 the three schools in relation to articulation,  
11 advancement, because kids would be going from the  
12 prekindergarten -- no, pre, over to one, then over to  
13 the other, and there was an attempt to coordinate an  
14 articulated K through 8 educational program.  
15 Actually -- yeah, a coordinated preschool through eighth  
16 grade, because it started with preschool.

17 Q And is that attempt to have the coordinated  
18 preschool through 8 at the Chavez complex, is that still  
19 ongoing?

20 A No.

21 Q And when did that end, if you know?

22 A January 10th of this year.

23 Q And do you have an understanding of why it  
24 ended?

25 A Yeah.

1 Q And what's that?

2 A Each was an independent entity, and that the  
3 coordination of three sites by one person did not give  
4 the flexibility of a site, especially what is grade  
5 configuration, that trying to put into the same  
6 structure a K-3 and a 4 through 8 was not in the best  
7 interest of kids. So I was the one who removed the  
8 coordinator, reassigned him, had the principals report  
9 directly to me instead of him, and in turn they act as  
10 independent schools responsible for the education of  
11 those kids, not necessarily in concert with the other  
12 schools. They were in concert with the other schools in  
13 regard to articulation when the kids change from the  
14 third grade to the fourth grade, that was important.  
15 But not necessarily in everything they did.

16 Q And have you seen any improvements at the three  
17 sites as a result of the change that you implemented?

18 A I think we had an improvement of spirit,  
19 improvement in morale, of an improvement of sort of  
20 people feeling that this was their own unit, especially  
21 with the administrators, and I think, moralewise,  
22 overall, it was better. I do not have evidence on test  
23 scores yet.

24 Q Was one of the desired outcomes of this change  
25 that you implemented on January 10th a desire to improve

1 test scores?

2 A No. It was a desire to improve everything,  
3 from morale -- I think I can say that probably my  
4 primary reason was to improve the morale and the -- to  
5 improve the feeling of independence of that school, that  
6 they weren't tied so closely together by one individual  
7 overseeing three principals. I gave the prospective  
8 principals their responsibilities, and I took away the  
9 other thing. So it wasn't necessarily for test scores,  
10 although it had -- I'm sure it had some effect. It was  
11 basically giving some independent authority, some  
12 autonomy to the respective units.

13 Q And why do you think that's important?

14 A I think it's important for someone to feel  
15 that -- a principal to feel that they're in charge of  
16 this facility, and that they're not having anybody  
17 looking over their shoulder in an immediate -- sure,  
18 they have a superintendent looking over their shoulder.  
19 There's an established relationship between a  
20 superintendent and a principal. Here they had another  
21 person, so what you had was the principal  
22 coordinating -- then you had one person coordinating  
23 three people, and then the principal coordinating that.  
24 It was just too many layers. Too many layers.

25 Q Is there a science-based theme to the

1 of California -- no, not the president of University of  
2 California -- yeah, the president of University of  
3 California, Gardner, was on that board, Bob Kennedy, the  
4 president of Stanford.

5 (Interruption in the proceedings.)

6 THE WITNESS: I left off at Kennedy, president  
7 of Stanford was on there; superintendent of  
8 San Francisco, Oakland, mayor of Oakland. There was  
9 some very prestigious people. In fact, one of the most  
10 prestigious committees I've seen in a long time. And  
11 they elected me president, and I was president for two  
12 years. We were also attached with the Hewlett  
13 Foundation. In fact, they gave us, I think,  
14 \$50,000,000. The Annenbergs gave us \$50,000,000, and I  
15 think Hewlett matched it with 25, and then somebody else  
16 matched it with another 25. So we had about  
17 \$100,000,000, and we began developing programs that --  
18 trying to improve performance of schools throughout the  
19 Bay Area. And what we did, we received proposals from  
20 schools, and the schools came before the board,  
21 presented proposals on how they can improve instruction,  
22 education, planning, whatever that may be, and we, in  
23 turn, allotted grants. We had a staff of about --  
24 former State Department -- long-time State Department  
25 employee, Merrill Vargo, was the CEO. And we had, I

1 curriculum at Chavez?

2 A A science-based theme? I cannot answer that  
3 question.

4 Q Do you know whether the Ravenswood School  
5 District received any special funding for the magnet  
6 program at Flood?

7 A It did receive some magnet funding, but I think  
8 this last year, that funding was no longer there. It  
9 did have some individual grants, but I think what it  
10 has -- it's based on now irregular revenue limit, but it  
11 does have some specialty grants.

12 Q Do you know what the Bay Area School Reform  
13 Collaborative or BASRC, do you know what that is?

14 A I was president of that organization for two  
15 years.

16 Q And what is it?

17 A It's called "BAS-RaC." It's the Annenberg  
18 Foundation. The Annenberg Foundation funded six or  
19 seven sites in the United States. On the West Coast the  
20 largest one is the one in Los Angeles. Then they funded  
21 this one, and it was composed of the Bay Area counties.  
22 They had a board of directors composed of  
23 superintendents and college professors. We had a  
24 superintendent -- the president of San Francisco State  
25 College was on that board. The president of University

1 think, at one time, close to 50 or 60 schools. There  
2 were schools in almost all counties. It was the Bay  
3 Area counties that were involved. And it was a very  
4 exhilarating, a very highly professional experience, and  
5 I enjoyed it, two years as chair.

6 BY MS. CARTER:

7 Q Do you recall when Ravenswood first became  
8 involved with -- is it BASRC?

9 A Did Ravenswood become involved with BASRC or  
10 did they become involved with the Silicon Valley? Let  
11 me think of the name of it. This was a very similar  
12 thing going on at the same time. It was the -- it was  
13 an initiative out of Silicon Valley, and, you know, I  
14 feel embarrassed, because I was also on that board at  
15 the same time I was on BASRC. And that board was  
16 established and Ravenswood became part of a grant that  
17 was given to the feeder districts, to the Sequoia High  
18 School District, and San Carlos, Belmont, Sequoia, all  
19 the feeder schools in Sequoia, of which Ravenswood is  
20 one, was involved in that grant. And that grant was  
21 funded by the Packard Foundation, the Hewlett  
22 Foundation, the Packard and Hewlett, Wells Fargo, by a  
23 bunch of corporations. You know, I really feel  
24 embarrassed because the name slips me right now. But I  
25 think that's the one that was involved. I didn't

1 realize BASRC was involved with them in the past. And  
 2 if it was, I just simply did not connect, because I was  
 3 president at the beginning of BASRC and they had been  
 4 going on, and that was maybe five, six, seven years ago,  
 5 at least six years ago when BASRC started.

6 Q That you were president?

7 A That I was president of BASRC. BASRC is still  
 8 continuing right now. To my knowledge, we're not  
 9 connected with BASRC now, but we were connected with the  
 10 efforts of this Silicon Valley project.

11 MS. CARTER: I'm just going to mark a document  
 12 really quickly. I believe this document is number 23.

13 (Deposition Exhibit 23 was marked for  
 14 identification by the court reporter.)

15 THE WITNESS: '97.

16 MS. CARTER: This is a document that's  
 17 Bates-labeled DT-RA 0 --

18 THE WITNESS: No, that's the one. This is the  
 19 BASRC. This is the BASRC agreement.

20 MS. CARTER: Okay. Just for the record, this  
 21 is a document labeled DT-RA 8456 to 8465.

22 Q Now, you just said that this is the BASRC  
 23 agreement?

24 A Yes.

25 Q What do you mean by that?

1 to try to provide a better -- that the Silicon Valley  
 2 was to try to provide a better articulation between all  
 3 of the elementary schools feeding into one high school.

4 Q Okay. And what did the grant money do to  
 5 support a better articulation?

6 A It was -- it had -- it assigned, for example, a  
 7 group leader from other -- I think one that was at --  
 8 the person that was at this one was someone who worked  
 9 in Hewlett -- in the personnel department at  
 10 Hewlett-Packard. They were assigned a full year. They  
 11 were given money for workshops and training in order to  
 12 get better communications between the school districts  
 13 in order to -- especially dealing with the graduates  
 14 that went from the eighth grade to high school. It was  
 15 an attempt to provide a better program, a continuing  
 16 program of articulation K through 12.

17 Q And do you know whether Ravenswood still  
 18 receives --

19 A No.

20 Q -- monies from that project?

21 A They do not.

22 Q And why is that?

23 A The Silicon Valley project spent -- it raised  
 24 \$25,000,000. It spent \$25,000,000, and then decided  
 25 that that's what -- as far as it would go.

1 A Well, it's the agreement that was used when the  
 2 school district received a grant from BASRC, and I was  
 3 off of the BASRC board when this occurred.

4 Q In 1997?

5 A '97, yeah, because I was president when it  
 6 first started, I guess it was '94 '95, somewhere around  
 7 there, for two years. And I served three years on the  
 8 board, and then I was off the board. So this did not  
 9 happen while I was on the board, and I do not have any  
 10 knowledge of it, as of this time.

11 Q Okay. Do you know whether this is the same  
 12 project that you were referring to, the Silicon Valley  
 13 Cooperative, or is this different?

14 A No, no, it's not. It's different. This is  
 15 definitely the BASRC project. It's not the one I was  
 16 referring to where they were involved. So evidently,  
 17 Ravenswood was involved with BASRC and the Silicon  
 18 Valley project.

19 Q Okay.

20 A I don't think at the same time, because we  
 21 would have known -- I don't think there was a crossover,  
 22 but possibly there was.

23 Q Okay.

24 A The Ravenswood project from the Silicon Valley  
 25 one was very early on, and basically it was an attempt

1 Q Okay.

2 A It really -- it ended, I would say, about a  
 3 year and a half ago. Yeah, about a year and a half ago  
 4 it ended.

5 Q And you stated that you did not believe that  
 6 Ravenswood currently receives money from BASRC?

7 A Yes, I believe that, but I do not -- no, I have  
 8 not heard BASRC mentioned in that school district as of  
 9 this time, but that could possibly be. I mean, I was  
 10 surprised that we did have BASRC, because I was so  
 11 involved with it, I had no knowledge of it. So I cannot  
 12 answer that question specifically.

13 Q Okay. Are you generally familiar with the API  
 14 scores for schools in your district?

15 A Generally, yes.

16 Q Do you have a general sense of how schools  
 17 within your district are doing with respect to their API  
 18 scores?

19 A Yes, we have -- we have some schools that are  
 20 at the higher end, some in the middle, and we have about  
 21 three schools -- I think, we have some of the lower  
 22 schools. I think we have possibly one, there could be  
 23 two schools, Chavez and Green Oaks, that could be down  
 24 at 1 or 2's. Could be -- and we have to have -- we're  
 25 bringing in intervention programs for them. 49er

1 Academy could have been a 1 also. And I think Belle  
2 Haven is about a 5 or 6, and these are not specific.  
3 Green Oaks is probably a little -- Willow is probably in  
4 the middle, 5 or 6. We probably have some 5 or 6, and  
5 then I think one of the charters, EPA, is like an 8 or  
6 9. Brentwood, the Edison charters are low. They're 1  
7 and 2s. I think Chavez and Green Oaks are lowest for  
8 us, and 49er.

9 Q And you mentioned that you were bringing in  
10 intervention programs for some of the schools that were  
11 not -- that were on the low end. What are those  
12 programs?

13 A Those programs are programs we hire -- we bring  
14 in as consultants -- we get money from the state, and we  
15 also use some of our own special money in -- for  
16 categorical funds, and you bring in consultants who do  
17 specific training with staff, try to raise test scores,  
18 take a look at where the test scores -- where the  
19 testing is weak. It's an attempt -- it's mainly in  
20 training.

21 Q Um-hmm.

22 A Both in the classroom, training of teachers,  
23 and training of staff to raise test scores.

24 Q And are those consultants currently in place?

25 A Some are, some aren't.

1 programs. The lower you were, the more you qualified  
2 for the program, then you went through -- there were  
3 stages. You had intervention. I think this is about  
4 the fourth or fifth year. They're almost at the stage  
5 now -- there is a stage where a school could be closed  
6 if it didn't improve its test scores. So I think we're  
7 pretty close to that four- or five-year. It was a State  
8 Department program of testing and intervention and  
9 sanctions.

10 Q Is this the II/USP program?

11 A Right.

12 Q Oh, okay.

13 Can we go off the record for a minute.

14 (Discussion off the record.)

15 MS. CARTER: Back on the record.

16 Q Dr. Gonella, did you have something to add?

17 A Yes, the name of the organization out of the  
18 Santa Clara Valley was the Silicon Valley Joint Ventures  
19 Educational Initiative.

20 MS. CARTER: And with that, we're off the  
21 record for the day.

22 //

23 //

24

25

1 Q And when do you expect that the intervention  
2 programs will be fully rolled out?

3 A I think we're going to be -- we're -- we hired  
4 a bunch more this year. I think next year we'll be in  
5 full -- there were some there this last year, and I  
6 think next year will be also, a lot of them. And then  
7 we have to look at the test scores that just were taken  
8 now, they'll come out next year, to see where we are.

9 Q You mentioned that you received some monies  
10 from the state for this. Do you know how much?

11 A No. I think there's a general formula. I  
12 think that the first round of funding, I think  
13 districts, if you participated and you had intervention  
14 teams come in, I think there was \$50,000 that was given  
15 to a site to help offset the costs. It was a regular  
16 form that the state had, if you participated in the --  
17 these interventions.

18 Q And is this through a particular state program  
19 or did it have a particular name?

20 A It was a program dealing with the intervention.  
21 It was the -- it had to do with the API scores. There's  
22 some other names to it, but it had to do basically with  
23 the API scores and the indexes of where you were. And  
24 if you ranked at a certain index, you then were -- if  
25 you were at a certain index, you qualified for these

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I, FLOYD GONELLA, Ed.D., do hereby declare  
under penalty of perjury that I have read the foregoing  
transcript; that I have made such corrections as noted  
herein, in ink, initialed by me, or attached hereto;  
that my testimony as contained herein, as corrected, is  
true and correct.

EXECUTED this \_\_\_\_ day of \_\_\_\_\_,  
2003, at \_\_\_\_\_, \_\_\_\_\_.  
(City) (State)

\_\_\_\_\_  
FLOYD GONELLA, Ed.D.  
Volume 2



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I, the undersigned, a Certified Shorthand  
Reporter of the State of California, do hereby  
certify:  
That the foregoing proceedings were taken  
before me at the time and place herein set forth; that  
any witnesses in the foregoing proceedings, prior to  
testifying, were placed under oath; that a verbatim  
record of the proceedings was made by me using machine  
shorthand which was thereafter transcribed under my  
direction; further, that the foregoing is an accurate  
transcription thereof.  
I further certify that I am neither  
financially interested in the action nor a relative or  
employee of any attorney of any of the parties.  
IN WITNESS WHEREOF, I have this date  
subscribed my name.  
Dated: \_\_\_\_\_  
\_\_\_\_\_  
GINA GLANTZ  
CSR No. 9795, RPR, RMR