

Pursuant to Court's Instructions the Record on Appeal in this matter was condensed. Pages were not renumbered, therefore it appears there are missing pages, however, counsel has confirmed all pertinent information is included in the condensed record.

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM LEE COUNTY
Court of Common Pleas

Thomas W Cooper, Jr , Circuit Court Judge

Case No 93-CP-31-169

Abbeville County School District, Allendale County School District, Bamberg County School District 1, Bamberg County School District 2, Barnwell County School District 19, Barnwell County School District 29, Barnwell County School District 45, Berkeley County School District, Chesterfield County School District, Clarendon County School District 1, Clarendon County School District 2, Clarendon County School District 3, Dillon County School District 1, Dillon County School District 2, Dillon County School District 3, Florence County School District 1, Florence County School District 2, Florence County School District 3, Florence County School District 4, Florence County School District 5, Hampton County School District 1, Hampton County School District 2, Jasper County School District, Laurens County School District 55, Laurens County School District 56, Lee County School District, Lexington County School District 4, Marion County School District 1, Marion County School District 2, Marion County School District 7, Marlboro County School District, McCormick County School District, Orangeburg Consolidated School District 3, Orangeburg Consolidated School District 5, Saluda County School District and Williamsburg County School District, *(caption continued on second page)*

**RECORD ON APPEAL (CONDENSED),
VOL III OF XXVIII**

Lena Manning, individually, and as a taxpayer residing in Allendale County and as Guardian ad Litem of Courtney V , Courtney V , a minor, by and through Lena Manning, as Guardian ad Litem, William L Mills, individually, and as a Taxpayer residing in Allendale County and as Guardian ad Litem of Waylon P , Waylon P , a minor, by and through William Mills, as Guardian ad Litem, Betty Bagley, individually, and as a taxpayer residing in Bamberg County and as a parent and Guardian ad Litem of Tyler B , Tyler B , a minor, by and through Betty Bagley, as Guardian ad Litem, Evert Comer, Jr , individually, and as a taxpayer residing in Bamberg County and as parent and Guardian ad Litem of Kimberly C , Kimberly C , a minor, by and through Evert Comer, Jr , as Guardian ad Litem, Marla Q Jameson, individually, and as a taxpayer residing in Barnwell County, and as a parent and Guardian ad Litem of Eleanor J , Eleanor J , a minor, by and through Marla Q Jameson, as Guardian ad Litem, Victor M Lancaster, Sr , individually, and as a taxpayer residing in Barnwell County, and as parent and Guardian ad Litem of Christie L , Christie L , a minor, by and through Victor M Lancaster, Sr , as Guardian ad Litem, Dr Charles Clark, individually, and as a taxpayer residing in Chesterfield County, and as parent and Guardian ad Litem of Candace C , a minor, by and through Dr Charles Clark, as Guardian ad Litem, Colonel Larry Coker, individually, and as a taxpayer residing in Clarendon County, and as a parent and Guardian ad Litem of Corrie C , Corrie C , a minor, by and through Colonel Larry Coker, as Guardian ad Litem, Pamela Williams, individually, and as a taxpayer residing in Dillon County, and as parent and Guardian ad Litem of Katisha W , Kathisha W , a minor, by and through Pamela Williams as Guardian ad Litem, Eddie Wright, individually, and as a taxpayer residing in Florence County, and as parent and Guardian ad Litem of Brandon F , Brandon F , a minor, by and through Eddie Wright as Guardian ad Litem, John Whiteside, individually, and as a

taxpayer residing in Florence County and as Parent and Guardian ad Litem of Joel W , Joel W , a minor, by and through John Whiteside as Guardian ad Litem, Dr Francis Mills, individually, and as a taxpayer residing in Hampton County and as a parent and Guardian ad Litem of Amy M , Amy M , a minor, by and through Dr Francis Mills, as Guardian ad Litem, Brenda Brooks, individually, and as a taxpayer residing in Hampton County, and as parent and Guardian ad Litem of Tyrin B , Tyrin B , a minor, by and through Brenda Brooks as Guardian ad Litem, Marva Tigner, individually, and as a taxpayer residing in Jasper County, and as parent and Guardian ad Litem of Bryan T and Bradley T , Bryan T , a minor, by and through Marva Tigner as Guardian ad Litem, Bradley T , a minor, by and through Marva Tigner as Guardian ad Litem, Robert Elisha Short, individually, and as a taxpayer residing in Laurens County and as parent and Guardian ad Litem of Robert B S , Robert B S , a minor, by and through Robert Elisha Short, as Guardian ad Litem, Dr Keith A Bridges, individually, and as a taxpayer residing in Laurens County and as parent and Guardian ad Litem of Jorgana Ranson B , Jorgana Ranson B , a minor, by and through Dr Keith A Bridges, as Guardian ad Litem, Gail Y Harriott, individually, and as a taxpayer residing in Lee County and as parent and Guardian ad Litem of Rashade H , Rashade H , a minor, by and through Gail Y Harriott, as Guardian ad Litem, Linda Carraway, individually, and as a taxpayer residing in Marion County, and as parent and Guardian ad Litem of Kimberly W , Kimberly W , a minor, by and through Linda Carraway as Guardian ad Litem, Dr John Nobles, individually, and as a taxpayer residing in Marlboro County and as parent and Guardian ad Litem of Erin N , Erin N , a minor, by and through Dr John Nobles, as Guardian ad Litem, Patricia Hampton, individually, and as a taxpayer residing in McCormick County and as parent and Guardian ad Litem of Krystle H ,

Krystle H , a minor, by and through Patricia Hampton, as Guardian ad Litem, Bernice Profit, individually, as a taxpayer residing in Orangeburg County and as parent and Guardian ad Litem of Russell H , Russell H , a minor, by and through Bernice Profit, as Guardian ad Litem, Matlin P Brown, individually, and as a taxpayer residing in Orangeburg County and as parent and Guardian ad Litem of Tanisha P B , Tanisha P B , a minor, by and through Matlin P Brown, as Guardian ad Litem, James Berry, individually, and as a taxpayer residing in Orangeburg County and as parent and Guardian ad Litem of Dondrea B , Dondrea B , a minor, by and through James Berry, as Guardian ad Litem, Gerald Smith, individually, and as a taxpayer residing in Orangeburg County and as parent and Guardian ad Litem of Brenda S , Brenda S , a minor, by and through Gerald Smith, as Guardian ad Litem, Thomas Shealy, individually, and as a taxpayer residing in Saluda County and as parent and Guardian ad Litem of Thomas S , Jr , Thomas S , Jr , a minor, by and through Thomas Shealy, as Guardian ad Litem,

Of whom

Allendale County School District,
Dillon County School District 2,
Florence County School District 4,
Hampton County School District 2,
Jasper County School District,
Lee County School District,
Marion County School District 7,
Orangeburg School District 3,
Lena Manning, individually, and as a taxpayer residing in Allendale County and as Guardian ad Litem of Courtney V , Courtney V , a minor, by and through Lena Manning, as Guardian ad Litem, Pamela Williams, individually, and as a taxpayer residing in Dillon County, and as parent and Guardian ad Litem of Katisha W , Katisha W , a minor, by and through Pamela Williams as

Plaintiffs,

Guardian ad Litem, Eddie Wright, individually, and as a taxpayer residing in Florence County, and as parent and Guardian ad Litem of Brandon F , Brandon F , a minor, by and through Eddie Wright as Guardian ad Litem, Brenda Brooks, individually, and as a taxpayer residing in Hampton County, and as parent and Guardian ad Litem of Tyrin B , Tyrin B , a minor, by and through Brenda Brooks as Guardian ad Litem, Marva Tigner, individually, and as a taxpayer residing in Jasper County, and as parent and Guardian ad Litem of Bryan T and Bradley T , Bryan T , a minor, by and through Marva Tigner as Guardian ad Litem, Bradley T , a minor, by and through Marva Tigner as Guardian ad Litem, Gail Y Harriott, individually, and as a taxpayer residing in Lee County and as parent and Guardian ad Litem of Rashade H , Rashade H , a minor, by and through Gail Y Harriott, as Guardian ad Litem, Linda Carraway, individually, and as a taxpayer residing in Marion County, and as parent and Guardian ad Litem of Kimberly W , Kimberly W , a minor, by and through Linda Carraway as Guardian ad Litem, Bernice Profit, individually, and as a taxpayer residing in Orangeburg County and as parent and Guardian ad Litem of Russell H , Russell H , a minor, by and through Bernice Profit, as Guardian ad Litem, are

Appellants-
Respondents,

v

Glenn F McConnell, as President *Pro Tempore* of the Senate and as a representative of the South Carolina Senate, Robert W Harrell, Jr , as Speaker of the House of Representatives and as a representative of the South Carolina House of Representatives,
and

Respondents-
Appellants,

The State of South Carolina, Mark C Sanford, as Governor of the State of South Carolina,

Respondents

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1 Q STATE MINIMUM?

2 A YES

3 Q OKAY DOES THAT INCLUDE LOCAL SUPPLEMENTS?

4 A NO, IT DOES NOT THAT'S THE MINIMUM THAT'S REQUIRED
5 BY THE STATE OF SOUTH CAROLINA

6 Q ALL RIGHT SO IF I LOOK ACROSS THE COLUMNS THEN ARE
7 LOCAL SUPPLEMENTS INCLUDED?

8 A YES THEY ARE

9 Q OKAY NOW WHAT DOES THIS CHART SHOW?

10 A WELL, IT SHOWS SEVERAL THINGS FOR EXAMPLE IF YOU
11 GO BACK TO THE CHART WE WERE LOOKING AT PREVIOUSLY WITH
12 WHICH THIS GRAPH IS BASED ON AND IF YOU WERE A TEACHER IN
13 DILLON SCHOOL DISTRICT TWO AND YOU HAVE TAUGHT FOR FIVE
14 YEARS WITH A BACHELOR'S DEGREE YOUR SALARY WOULD STILL BE
15 LESS THAN WHAT A FIRST YEAR TEACHER WOULD MAKE IN BEAUFORT
16 COUNTY

17 SO EVEN AFTER FIVE YEARS YOUR SALARY WOULD BE
18 LESS THAN -- THAN WHAT'S BEING PAID IN BEAUFORT COUNTY FOR
19 A FIRST YEAR TEACHER, A TEACHER WITH ZERO YEARS OF
20 EXPERIENCE, AND THAT'S TRUE FOR ANY OF THE PLAINTIFF
21 DISTRICTS THAT SOME OF THEM ARE -- ARE NOT QUITE AS
22 DRASTIC, BUT IN EACH LEVEL, EITHER THE YEARS OF EXPERIENCE
23 OR THE DEGREE THAT THE PERSON HAS EARNED, THEY COULD BE
24 MAKING AS MUCH AS 10 OR \$11,000 A YEAR LESS THAN THEY
25 WOULD IF THEY WERE IN BEAUFORT COUNTY

1 AND WITH JASPER RIGHT NEXT DOOR TO BEAUFORT, YOU
2 CAN SEE THE DISCREPANCIES BETWEEN WHAT YOU WOULD MAKE IN
3 JASPER OR IF YOU DROVE ACROSS THE COUNTY LINE INTO -- TO
4 BEAUFORT, THE HIGHER SALARY

5 Q ALL RIGHT THE CHART SAYS SALARY, BACHELOR'S DEGREE,
6 ZERO YEARS EXPERIENCE

7 A THAT S CORRECT

8 Q NOW, WHAT DOES THE GRAPH SHOW?

9 A THE GRAPH SHOWS THE ZERO YEARS EXPERIENCE WITH A
10 BACHELOR'S DEGREE THE TABLES SHOW MORE INTERVALS OF THIS
11 -- THIS BAR GRAPH SHOWS

12 Q ALL RIGHT HOW DO WE GET TO THE FIVE YEARS?

13 A IF YOU -- IF WE CAN GO BACK TO THE TABLES AND LOOK AT
14 -- UNDER DILLON TWO TEACHER WITH A BACHELOR'S DEGREE AND
15 FIVE YEARS OF EXPERIENCE, THAT PERSON WOULD MAKE \$28,695 A
16 YEAR AFTER FIVE YEARS

17 IF YOU LOOK BACK AT THE TOP UNDER ZERO YEARS OF
18 EXPERIENCE AND A BACHELOR'S, AND THE RANGE, AND THE
19 HIGHEST SALARY THERE IS \$29,468 WHICH HAPPENS TO BE IN
20 BEAUFORT COUNTIES SO THAT'S

21 Q ALL RIGHT A BACHELOR'S DEGREE WITH FIVE YEARS OF
22 EXPERIENCE IN DILLON MAKES WHAT?

23 A \$28,695

24 Q ALL RIGHT AND A BACHELOR'S -- EXCUSE ME -- SOMEONE
25 WITH FIVE YEARS EXPERIENCE IN LEE COUNTY WOULD MAKE WHAT

1 PLEASE?

2 A IN LEE COUNTY THEY WOULD MAKE \$28 995

3 Q ALL RIGHT LET'S GO TO 6152-B AND IS THIS DATA
4 THAT YOU ALSO PULLED OFF OF 6138?

5 A YES THIS IS A CHART THAT SHOWS YOU THE SALARY OF
6 INDIVIDUALS WITH MASTER'S DEGREES AND FIVE YEARS OF
7 EXPERIENCE AGAIN THE BAR ON THE FAR LEFT IS THE
8 STATEMENT MINIMUM SALARY

9 THE BLUE BAR NEXT TO IT IS THE BEAUFORT COUNTY
10 PAY SCALE, AND THEN THE OTHER BARS ARE -- INDICATE THE
11 PLAINTIFF DISTRICTS AND WHAT THEIR SALARY IS FOR A PERSON
12 WITH A MASTER'S DEGREE AND FIVE YEARS OF TEACHING
13 EXPERIENCE

14 Q ALL RIGHT SO LET'S GO THROUGH THIS THEN, AND TELL
15 US WHAT THE BAR REPRESENTS

16 A OKAY WELL IN THE RANGE -- FOR EXAMPLE IF YOU ARE
17 A TEACHER WITH FIVE YEARS OF EXPERIENCE AND A MASTER'S
18 DEGREE, IN THE HIGHEST PAID DISTRICT IN THE STATE, YOU
19 WOULD MAKE \$38,160

20 IN THE PLAINTIFF DISTRICTS FOR THAT SAME AMOUNT
21 OF EXPERIENCE AND PREPARATION YOU WOULD MAKE \$33,427,
22 WHICH IS ABOUT \$4600 LESS IF YOU WERE IN DILLON TWO, YOU
23 WOULD MAKE 32,827 WHICH IS ABOUT \$5500 LESS

24 IF YOU ARE IN FLORENCE FOUR YOU WOULD MAKE
25 33,327, AGAIN ABOUT \$5 000 DIFFERENCE AND IT GOES ON BY

1 DISTRICT IF YOU'D LIKE FOR ME TO GO THROUGH ALL OF THEM
2 Q WELL, WHAT IT SHOWS IS THAT IN BEAUFORT WITH A
3 MASTER'S DEGREE, THAT THE BEGINNING SALARY IS HIGHER THAN
4 YOU WOULD GET WITH A MASTER'S DEGREE IN THE PLAINTIFF
5 DISTRICTS?

6 A IF YOU HAD A MASTER'S DEGREE WITH ZERO YEARS OF
7 EXPERIENCE IN SOME CASES IT WOULD BE ABOUT THE SAME AS
8 WHAT YOU WOULD MAKE IN BEAUFORT COUNTY WITH A BACHELOR'S
9 DEGREE BUT MOSTLY IT S THE YEARS OF EXPERIENCE IS WHAT
10 -- THE -- WHERE YOU SEE THE MOST VARIATION

11 Q ALL RIGHT NOW WHAT DOES THIS DO IF YOU HAVE YOUR
12 NEIGHBORING COUNTY WHERE YOU HAVE TO WORK MORE THAN FIVE
13 YEARS -- OR IF YOU HAVE COUNTIES THAT PAY INDUCTION
14 TEACHERS MORE THAN YOU WOULD MAKE IN A PLAINTIFF DISTRICT
15 AFTER WORKING FOR FIVE YEARS?

16 A WELL, I THINK THAT CERTAINLY IT WOULD BE A MORALE
17 ISSUE, WHEN YOU COULD GO TO A FUNCTION AND FIND OUT THAT
18 YOUR FRIEND IN A NEIGHBORING DISTRICT MAKES A WHOLE LOT
19 MORE MONEY THAN YOU DO WITH THE SAME BACKGROUND AND YEARS
20 OF EXPERIENCE

21 I THINK IT ALSO WOULD MAKE ME LOOK TO SEE IF
22 THERE WERE ANY JOB OPENINGS IN THAT DISTRICT WHERE THEY
23 PAY MORE MONEY, AND SEE IF I COULD BE ABLE TO GET A JOB
24 THERE, BECAUSE THAT WOULD BE AN INCENTIVE FOR ME TO GO TO
25 WORK IF I WAS GOING TO MAKE \$5 000 A YEAR MORE

1 Q DOES THAT ALLOW DISTRICTS WITH THE HIGHEST NEEDS TO
2 ATTRACT TEACHERS TO THEIR DISTRICTS?

3 A NO WE ARE PAYING THE TEACHERS IN THE DISTRICTS WITH
4 THE HIGHEST NEEDS, THE -- SOME OF THE LOWEST SALARIES IN
5 THE STATE IF NOT THE LOWEST

6 Q ALL RIGHT I WANT TO SWITCH NOW TO THE SECOND THING
7 THAT YOU SAID MADE A DIFFERENCE, AND THAT WAS WORKING
8 CONDITIONS AND WE'VE COVERED A NUMBER OF DIFFERENT
9 AREAS AND LET'S TALK ABOUT RECRUITING AND RETAINING
10 TEACHERS IN THIS CONTEXT

11 AND THE FIRST THING I WANT TO TALK ABOUT IS
12 FACILITIES NOW, HOW DO FACILITIES IMPACT A SCHOOL OR A
13 DISTRICT'S ABILITY TO ATTRACT AND RETAIN TEACHERS?

14 A WELL, I THINK THAT FIRST IMPRESSIONS ARE IMPORTANT
15 AND WHEN YOU WALK INTO A SCHOOL AND A FACILITY'S DIRTY OR
16 IT'S OUTDATED OR IT DOESN'T HAVE THE PROPER EQUIPMENT FOR
17 YOU TO BE ABLE TO USE TECHNOLOGY, I THINK THAT THOSE ARE
18 FACTORS THAT YOU WOULD LOOK AROUND AND THINK, YOU KNOW,
19 THIS IS NOT A PLACE THAT I WOULD FIND -- THAT I'D LIKE TO
20 SPEND A LOT OF TIME, AND SO I THINK THAT THAT'S ONE OF THE
21 ISSUES JUST RIGHT OFF THE BAT

22 ALSO THE SAFETY FACTORS IN FACILITIES SOME
23 SCHOOLS ARE BETTER DESIGNED AND BETTER MAINTAINED FOR
24 SAFETY FEATURES SO I THINK THAT THAT'S AN ISSUE THAT YOU
25 WOULD LOOK AT ALSO

1 BUT MOSTLY IT'S -- TEACHERS THAT HAVE AN
2 OPPORTUNITY TO WORK IN A BRAND NEW SCHOOL, FOR EXAMPLE,
3 JUMP AT THAT CHANCE BECAUSE IT'S A MORALE BOOST TO GET TO
4 WORK IN A FACILITY THAT HAS AMPLE SPACE THAT HAS A WELL
5 DESIGNED, WELL LAID OUT FLOORPLAN, THAT ENOUGH OUTLETS
6 THAT YOU CAN ACTUALLY PLUG IN ALL THE THINGS THAT YOU NEED
7 TO HAVE PLUGGED IN, THAT HAS A GOOD AIR CONDITIONING OR
8 HEATING SYSTEM

9 IT'S, YOU KNOW, IT'S A -- PRETTY MISERABLE WHEN
10 A TEACHER'S IN A CLASSROOM WHERE THEY ARE CONSTANTLY
11 SENDING NOTES TO THE OFFICE THAT IT'S TOO HOT IN MY
12 CLASSROOM OR IT'S TOO COLD OR I'M HAVING, YOU KNOW,
13 DIFFICULTY BECAUSE THE WINDOW IS BROKEN OUT IN MY
14 CLASSROOM, CAN SOMEBODY COME AND FIX THAT WINDOW

15 AND IT TAKES AWAY FROM THE TEACHER'S TIME OF
16 TEACHING BECAUSE THEY ARE WORRIED ABOUT THE FACILITIES AND
17 WHETHER OR NOT THEY ARE FUNCTIONING PROPERLY

18 Q HOW ABOUT IF A YOUNG TEACHER OR A TEACHER WHO HAS TO
19 WORK IN A SCHOOL THAT'S BUILT IN A SWAMPLAND, OR PROBABLY
20 A BETTER EXAMPLE WOULD BE A SCHOOL THAT'S BUILT IN A BAD
21 NEIGHBORHOOD WHERE EVERYTHING IS RUN DOWN, THE
22 NEIGHBORHOOD AROUND IT IS RUN DOWN AND YOU MAY HAVE SAFETY
23 ISSUES

24 A WELL, I VISITED A SCHOOL A COUPLE OF YEARS AGO WHERE
25 THE TEACHERS LEFT IN PAIRS OR MORE AT THE END OF THE

1 ARE EVALUATED THROUGH THE ADEPT FORMAL EVALUATION AND,
2 THREE THAT THEY HAVE THE OPPORTUNITY TO OBSERVE IN OTHER
3 TEACHERS' CLASSROOMS

4 Q ALL RIGHT LET'S SEGREGATE OURSELVES AS MUCH AS WE
5 CAN, AND JUST TALK FROM ADEPT AND I WANT TO -- CONTINUE
6 TALKING TO YOU ABOUT MENTORING IN GENERAL AND WHY THAT'S
7 IMPORTANT IN ATTRACTING AND RETAINING TEACHERS AND THE
8 FOCUS HERE IS WHY IT'S IMPORTANT NUMBER ONE, TO GET
9 TEACHERS IN, AND NUMBER TWO, TO KEEP THEM

10 A WELL, WITH OUR STATISTICS IN SOUTH CAROLINA, WE LOSE
11 ABOUT 11 PERCENT OF ALL FIRST YEAR TEACHERS FROM THE
12 PROFESSION AND PRIMARILY THAT'S BECAUSE OF THE LACK OF
13 MENTORING OR LACK OF INDUCTION, OR IT'S SPECIFICALLY
14 ADDRESSED FOR THAT PARTICULAR TEACHER'S NEEDS

15 AND THEN THE NUMBERS INCREASE, THAT BY THE TIME
16 THREE YEARS OF EXPERIENCE WE LOSE ABOUT 25 PERCENT OF
17 TEACHERS, AND THEN AFTER FIVE YEARS, WE HAVE LOST ABOUT 33
18 PERCENT OF ALL BEGINNING TEACHERS A SMALL PERCENTAGE OF
19 THEM RETURN TO THE PROFESSION WE AVERAGE ABOUT FOUR
20 PERCENT, THOSE TEACHERS RETURNING ON AN ANNUAL BASIS AT
21 SOME POINT IN THEIR CAREER

22 THAT -- THE NEED -- WHAT THEY SITE AS ONE OF THE
23 REASONS THAT THEY LEAVE THE PROFESSION IS THE LACK OF A
24 MENTOR AND THE LACK OF SUFFICIENT SUPPORT DURING THEIR
25 FIRST YEAR AS A TEACHER

1 SO THE INVESTMENT THAT WE HAVE MADE IN THAT
2 PERSON TO BECOME A TEACHER EITHER THROUGH THEIR TRAINING
3 PROGRAM OR THROUGH THE PROFESSIONAL DEVELOPMENT INDUCTION
4 THAT WE GIVE TO THAT PERSON AS A FIRST YEAR TEACHER OR
5 RECRUITING COSTS OF THAT PARTICULAR TEACHER, WE HAVE LOST

6 AND MOST OF THE STUDIES THAT I HAVE LOOKED AT ON
7 TEACHER TURNOVER INDICATE THAT IT COSTS ABOUT \$20,000
8 EVERY TIME A TEACHER TURNS OVER, AND I BELIEVE THAT
9 INFORMATION

10 Q ALL RIGHT I WANT TO FOCUS NOW ON SMALL RESOURCE OR
11 LOWER RESOURCE DISTRICTS AND MENTORING PROBLEMS THAT THEY
12 FACE AND WHY DO THEY FACE THOSE AS OPPOSED TO POTENTIAL
13 ADVANTAGES CREATED BY MORE FLUENT (SIC) OR LARGER
14 DISTRICTS

15 A WELL, AN EXAMPLE I CAN GIVE YOU IS THAT THERE IS A
16 DISTRICT IN RICHLAND SCHOOL DISTRICT TWO THAT HAS HIRED
17 THREE OR FOUR TEACHERS WHO SERVE HALF A DAY AS A MENTOR
18 AND THE OTHER HALF A DAY THEY TEACH

19 MRS GRAY YOUR HONOR, I OBJECT I THINK THIS IS
20 COMPARING DISTRICTS AND RESOURCES TO OBVIOUSLY THE
21 PLAINTIFF DISTRICTS I OBJECT

22 THE COURT WELL IT IS TO A CERTAIN EXTENT, BUT I'M
23 NOT NECESSARILY ACCEPTING THE RICHLAND DISTRICT AS THE
24 STANDARD ONE WAY OR THE OTHER, BUT TO INDICATE THE
25 RELATIVE DIFFICULTIES IN OBTAINING TEACHERS I WILL ALLOW

1 THE COURT DR PODA?

2 (WHEREUPON THE WITNESS RESUMED THE STAND)

3 BY MR EPPS:

4 Q DR PODA, ALL THOSE THINGS WE FINISHED DISCUSSING A
5 MOMENT AGO, WENT FROM PAY, TO FACILITIES DOWN THROUGH
6 MORALE, AND INCLUDING THE REPORT CARDS DO THEY ADVERSELY
7 IMPACT SCHOOLS SUCH AS THE PLAINTIFF DISTRICTS IN THEIR
8 ABILITY TO ATTRACT AND RETAIN TEACHERS?

9 A THE SALARY AND WORKING CONDITIONS ADVERSELY EFFECT
10 THE PLAINTIFF DISTRICTS AND OTHER DISTRICTS LIKE THEM

11 Q ALL RIGHT I WANT TO TURN NOW TO, IF I CAN, EXHIBIT
12 1556 DR PODA, WHAT IS THAT PLEASE?

13 A THIS PARTICULAR CHART LISTS THE DISTRICTS IN THE
14 STATE, AND IT SHOWS YOU THE TURNOVER RATE FOR THREE YEARS,
15 1998, '99, '99 2000, 2000 AND 2001 AND THEN IT SHOWS YOU
16 AN AVERAGE OF THOSE THREE YEARS OF THE TURNOVER RATE FOR
17 EACH OF THOSE DISTRICTS

18 Q OUT OF THE FIRST EIGHT DISTRICTS LISTED, IN TERMS OF
19 THE HIGHEST PERCENTAGE OF TEACHER TURNOVER, HOW MANY OF
20 THOSE DISTRICTS ARE REPRESENTED IN THE PLAINTIFF GROUP?

21 A SIX OF THE EIGHT

22 Q NOW, WHAT IS THE AVERAGE TEACHER TURNOVER PER YEAR IN
23 SOUTH CAROLINA?

24 A THE AVERAGE IS 9 4

25 Q 9 4 PER YEAR?

1 A YES, SIR THAT'S -- FOR THESE THREE YEARS, IT WAS AN
2 AVERAGE OF THE STATE OF 9 4

3 Q AND THAT'S 1998 '99 THROUGH '00, '01?

4 A THAT'S CORRECT

5 Q NOW, IF WE CAN, LET'S PULL UP 6152-C AND TELL US
6 WHAT THIS IS DR PODA

7 A THIS BAR CHART IS -- IT'S A GRAPHIC REPRESENTATION OF
8 THE TABLE WE JUST LOOKED AT USING THE STATE AVERAGE ON THE
9 FAR LEFT-HAND SIDE OF THE THREE YEAR AVERAGE TURNOVER
10 RATE, AND THEN THE OTHER BAR'S REPRESENTATIVE OF THE
11 PLAINTIFF SCHOOL DISTRICTS

12 Q WHAT DO YOU OBSERVE ABOUT THE TURNOVER RATE IN THE
13 PLAINTIFF SCHOOL DISTRICTS?

14 A IN ALL CASES IT'S HIGHER THAN THE STATE AVERAGE

15 Q AND WHAT DOES THAT DO TO A SCHOOL'S ABILITY TO CONVEY
16 THE OPPORTUNITY FOR A MINIMALLY ADEQUATE EDUCATION TO ITS
17 STUDENTS?

18 A THE TURNOVER RATE IMPEDES THE DISTRICT'S ABILITY TO
19 OFFER A MINIMALLY ADEQUATE EDUCATION TO THEIR STUDENTS

20 Q ALL RIGHT LET'S TALK ABOUT THE EFFECT ON THE
21 SCHOOLS AND SOME OF THIS HAS BEEN DISCUSSED AND, SO IT
22 MAY BE IN SOME PART A RECAPITULATION OF WHAT WE SAID BUT
23 HOW DOES TEACHER TURNOVER IMPACT A SCHOOL?

24 A IT FIRST OF ALL IT CAUSES THAT SCHOOL TO HAVE A
25 NUMBER OF NEW TEACHERS EITHER NEW TO THE PROFESSION OR

1 NEW TO THAT PARTICULAR DISTRICT, AND IT PUTS A DRAIN ON
2 THE RESOURCES IN TERMS OF THE INDUCTION AND MENTORING THAT
3 WE SPOKE ABOUT EARLIER

4 IT ALSO CAUSES THE SCHOOL TO HAVE AN UNSTABLE
5 TEACHING FORCE THEY HAVE TO PUT MORE RESOURCES INTO
6 PROFESSIONAL DEVELOPMENT FOR EXAMPLE, IF THE DISTRICTS
7 HAVE STARTED A LONG RANGE PLAN TO IMPROVE THE ABILITY OF
8 THE TEACHERS TO TEACH READING AND THEY HAVE SPENT THEIR
9 PROFESSIONAL DEVELOPMENT FUNDS ON -- FOR THAT PURPOSE AND
10 THEN AS MANY AS 25 PERCENT OF THE TEACHERS TURN OVER, THEY
11 HAVE TO START THAT PROCESS OVER WITH THE PROFESSIONAL
12 DEVELOPMENT TO GET ALL THE TEACHERS UP TO SPEED IN THEIR
13 ABILITY TO TEACH READING

14 SO THAT'S -- THAT'S ANOTHER DRAIN ON THEIR
15 RESOURCES WITH THAT TURNOVER RATE ALSO IT GOES BACK
16 AGAIN TO THE STUDENTS AND THEIR RELATIONSHIPS WITH THE
17 TEACHERS THEIR ABILITY TO HAVE -- TRUST THAT THE TEACHERS
18 WILL BE THERE

19 OFTEN STUDENTS IN SCHOOLS LIKE THIS REALIZE THAT
20 TEACHERS COME AND GO, AND SO IT'S HARD FOR THEM TO BUILD
21 RELATIONSHIPS WITH THEM BECAUSE THEY DON'T KNOW WHETHER OR
22 NOT THAT PERSON WILL BE BACK IN THE FUTURE SO I THINK
23 THAT'S ANOTHER CRITICAL ISSUE IN THE LEARNING ENVIRONMENT
24 THAT THEY ARE TRYING TO CREATE IN THAT SCHOOL

25 IT ALSO HAMPERS THE COLLEGIABILITY OF THE TEACHERS

1 IN THAT DISTRICT BECAUSE YOU ARE CONSTANTLY HAVING AN
2 INFLUX OF NEW PEOPLE COMING IN AND THAT YOU CAN'T BUILD
3 TEAMS OF PEOPLE THAT WORK TOGETHER THAT KNOW THE STRENGTHS
4 OF THE OTHER PERSONS THAT THEY ARE WORKING WITH AND CAN
5 PROVIDE SUPPORT FOR THE AREAS WHERE THEY HAVE WEAKNESSES

6 SO ALL OF THOSE FACTORS HAVE AN IMPACT, AND THE
7 HIGHER THAT TURNOVER RATE, THE MORE DISRUPTIVE IT IS TO
8 THE SCHOOL SYSTEM

9 Q DO ALL OF THESE THINGS ADVERSELY IMPACT STUDENT
10 LEARNING?

11 A YES THEY ALL HAVE AN INFLUENCE ON STUDENT LEARNING
12 OR THE LACK OF STUDENT LEARNING

13 Q NOW WHAT IMPACT FINANCIAL IMPACT DOES TEACHER
14 TURNOVER HAVE ON A SCHOOL?

15 A WELL AS WE DISCUSSED EARLIER, JUST THE FINANCIAL
16 IMPACT OF HAVING TO REPLACE THAT TEACHER IS SOMEWHERE
17 AROUND \$20,000 IT S AN ESTIMATE BASED ON THE RESEARCH
18 STUDIES THAT I HAVE LOOKED AT

19 AND IF YOU ALSO COMPARE IT TO BUSINESS AND
20 INDUSTRY, SOME OF THE BUSINESSES THAT I'M FAMILIAR WITH
21 BUDGET ABOUT 20 PERCENT OF THE PERSON'S FIRST YEAR SALARY
22 JUST FOR THE PURPOSE OF RECRUITING A NEW INDIVIDUAL SO
23 IF YOU'RE -- ALL ABOUT COMPARABLE ABOUT \$20,000 SO
24 THAT'S A FIRST DRAIN ON THE RESOURCES

25 THE SECOND IS THAT YOU HAVE TO PROVIDED

1 ADDITIONAL PROFESSIONAL DEVELOPMENT YOU MAY HAVE TO
2 BRING BACK IN TRAINING THAT YOU HAVE HAD TO PROVIDE
3 PROFESSIONAL DEVELOPMENT

4 YOU MAY HAVE TO FIND MORE TRAINING FOR SOMEONE
5 IN THE STANDARDS, IN THE CURRICULUM THAT'S IN PLACE FOR
6 THAT PARTICULAR SCHOOL SO THERE ARE A NUMBER OF OTHER
7 FINANCIAL RESOURCES, MORE PEOPLE TO MENTOR OR MORE PEOPLE
8 TO EVALUATE THOSE REQUIRE RESOURCES

9 Q IS IT OKAY TO HAVE THIS LARGE A PERCENTAGE OF TEACHER
10 TURNOVER AT THE END OF THE YEAR AS OPPOSED TO MIDYEAR
11 TURNOVER?

12 A I THINK AT ANY POINT IN TIME IT S DISRUPTIVE TO THE
13 SCHOOL SYSTEM AND THEM TRYING TO ACCOMPLISH THEIR GOALS
14 IT CERTAINLY WOULD BE VERY DISRUPTIVE IN THE MIDDLE OF THE
15 YEAR WHEN YOU HAVE TO FIND A REPLACEMENT TEACHER, BUT I
16 THINK ANY TIME YOU HAVE THIS KIND OF TURNOVER IT'S
17 DISRUPTIVE

18 Q DOES THIS SIZE OF TEACHER TURNOVER, OR TEACHER
19 TURNOVER IN GENERAL, I GUESS WOULD BE THE BETTER WAY TO
20 EXPRESS IT, IMPACT THE NECESSITY OF HIRING SUBSTITUTE
21 TEACHERS?

22 A MANY TIMES IT WOULD REQUIRE HIRING A SUBSTITUTE,
23 ESPECIALLY IF A PERSON LEAVES AND THEY ARE NOT ABLE TO
24 FIND A SUITABLE REPLACEMENT IT WOULD REQUIRE THEM TO
25 HAVE EITHER A SHORT TERM OR A LONG TERM SUBSTITUTE

1 SOMETIMES LONG TERM CAN BE AS LONG AS THE MAJORITY OF THE
2 YEAR

3 Q NOW ARE SUBSTITUTE TEACHERS PAID FOR BY THE STATE?

4 A NOT UNLESS THEY ARE CERTIFIED IF THEY ARE CERTIFIED
5 IN THAT AREA, THEN THEY WOULD BE PAID BY THE STATE BUT
6 IF THEY ARE JUST A LONG TERM SUBSTITUTE, THEY WOULD NOT BE
7 PAID BY THE STATE

8 Q ARE THERE ANY QUALIFICATIONS REQUIRED OF A SUBSTITUTE
9 TEACHER?

10 A THERE ARE NO STATE REQUIREMENTS FOR SUBSTITUTE
11 TEACHERS THERE ARE DISTRICTS THAT HAVE QUALIFICATIONS,
12 TYPICALLY QUALIFICATIONS THAT THEY HAVE FOR SUBSTITUTES IS
13 A PERSON HAS TO HAVE A HIGH SCHOOL DIPLOMA OR ITS
14 EQUIVALENT BUT THAT'S NOT A STATE POLICY, IT IS A
15 DISTRICT POLICY

16 Q WILL TEACHER TURNOVER OF THIS MAGNITUDE REQUIRE THE
17 PLAINTIFF DISTRICTS TO HIRE SUBSTITUTE TEACHERS?

18 A IT COULD RESULT IN HIRING OF SUBSTITUTE TEACHERS OR
19 OTHER TEACHERS IF THEY CAN FIND THEM

20 Q NOW, WE TALKED ABOUT THE RATE OF TEACHER TURNOVER
21 NOW IN TERMS OF IMPORTANCE, HOW IMPORTANT IS TEACHER
22 TURNOVER IN TERMS OF DELIVERING MINIMALLY ADEQUATE
23 EDUCATIONAL OPPORTUNITIES TO THE STUDENTS IN THE SCHOOL?

24 A I WILL ANSWER JUST THE OPPOSITE IT'S STABLE WORK
25 FORCE, IF YOU HAVE A STABLE WORK FORCE WITHOUT TURNOVER,

1 MRS GRAY THANK YOU, YOUR HONOR

2 BY MR EPPS

3 Q ALL RIGHT NOW WE TALKED ABOUT THE DISTRICTS'
4 ABILITY TO RECRUIT TEACHERS ARE THE PLAINTIFF SCHOOL
5 DISTRICTS DOING WHAT THEY CAN, BASED ON YOUR EXPERIENCE
6 AND YOUR CONTACTS WITH THEM, TO ATTRACT QUALIFIED
7 TEACHERS?

8 A WITH THE RESOURCES THEY HAVE, BOTH THE WORK FORCE,
9 THE MANPOWER AS WELL AS THE FINANCIAL RESOURCES THEY ARE
10 DOING THE MOST THAT THEY CAN TO RECRUIT TEACHERS IN MOST
11 CASES

12 Q DO THE PLAINTIFF SCHOOL DISTRICTS HAVE OPTIONS OR
13 ENOUGH OPTIONS IN THEIR TEACHER POOL OR APPLICANT POOL TO
14 HIRE THE TYPE OF TEACHERS THAT THEY NEED?

15 A NO, THEY DO NOT

16 Q DR PODA, I WANT TO TALK TO YOU NOW ABOUT THE SOUTH
17 CAROLINA CENTER FOR TEACHER RECRUITMENT THAT YOU RAN FOR
18 TEN YEARS, AND I WOULD LIKE TO JUST FIRST OF ALL A BRIEF
19 EXPLANATION OF WHAT IT IS AND WHAT IT ATTEMPTS OR DOES
20 DO

21 A OKAY THE CENTER WAS CREATED IN 1986 BASED ON THE
22 E I A , THE EDUCATION IMPROVEMENT ACT, TO INCREASE THE
23 QUALITY OF TEACHERS IN SOUTH CAROLINA, AND THAT -- THEY
24 HAVE DONE THAT BY TRYING TO ATTRACT YOUNG PEOPLE TO THE
25 PROFESSION AND THEN SPECIFICALLY TO MAKE AVAILABLE

1 Q AND IS THAT WHERE THE TEACHER LOAN PROGRAM IS
2 ADMINISTERED?

3 A THE TEACHER LOAN PROGRAM IS MARKETED THROUGH THAT
4 PROGRAM THE LOAN PROGRAM IS ACTUALLY ADMINISTERED BY THE
5 SOUTH CAROLINA STUDENT LOAN CORPORATION

6 Q ALL RIGHT LET'S TALK ABOUT THE TEACHER LOAN PROGRAM
7 FOR A SECOND, AND TELL ME HOW THAT WORKS

8 A THE TEACHER LOAN PROGRAM IS FUNDED BY THE GENERAL
9 ASSEMBLY TO TRY TO ATTRACT PEOPLE TO THE TEACHING
10 PROFESSION IT PAYS DIFFERENT AMOUNTS OF MONEY IN TERMS
11 OF LOANS DEPENDING ON WHERE THE PERSON IS IN THEIR
12 PREPARATION TO BECOME A TEACHER

13 IF THEY ARE FRESHMAN OR A SOPHOMORE IN COLLEGE,
14 THEY RECEIVE 200 -- I MEAN \$2 500 PER YEAR OR UP TO \$2,500
15 PER YEAR AS A LOAN AND THEN WHEN THEY REACH THE JUNIOR
16 OR SENIOR LEVEL, OR GRADUATE LEVEL THEY CAN RECEIVE UP TO
17 \$5 000 A YEAR IN LOANS TO BE ABLE TO PAY COLLEGE TUITION
18 AND ROOM AND BOARD TO ATTEND COLLEGE TO BECOME A
19 TEACHER

20 THAT LOAN IS FORGIVEN BY EITHER TEACHING IN A
21 CRITICAL SUBJECT AREA AS DEFINED BY THE SUPPLY AND DEMANDS
22 STUDY AND THEN APPROVED BY THE STATE BOARD OF EDUCATION OR
23 IN A CRITICAL SCHOOL AS DEFINED BY THE PERKINS LOAN
24 CRITERIA AS STATED IN THE STATUTE

25 Q AND WHAT IS THE CRITICAL SCHOOL AS DEFINED BY THE

1 PERKINS PROGRAM?

2 A THE PERKINS LOAN CRITERIA LOOKS AT THE PERCENTAGE OF
3 STUDENTS THAT ARE ON FREE AND REDUCED LUNCH, AND ANYTHING
4 THAT HAS -- ANY SCHOOL THAT HAS A PERCENTAGE ABOVE 30
5 PERCENT, THEY ARE ELIGIBLE

6 SO CURRENTLY ABOUT 900, MORE THAN 900 OF OUR
7 1100 SCHOOLS ARE ELIGIBLE FOR LOAN FORGIVENESS IF A
8 TEACHER WORKS IN THOSE SCHOOLS, THEN THEY ARE ELIGIBLE FOR
9 LOAN FORGIVENESS

10 Q ALL RIGHT SO THE LOAN IS ADMINISTERED BASED ON
11 CRITICAL SUBJECT AREAS OR BASED ON THE PERKINS CRITERIA
12 PERKINS IS A FEDERAL PROGRAM?

13 A THAT'S CORRECT FEDERAL LOAN PROGRAM

14 Q AND ANY SCHOOL THAT HAS A PERCENTAGE OF 30 PERCENT OR
15 HIGHER FREE AND REDUCED IS ELIGIBLE UNDER THE LOAN
16 PROGRAM?

17 A THAT'S CORRECT TO -- THAT IF YOU TEACH THERE, THEN
18 YOUR LOAN IS FORGIVEN

19 Q ALL RIGHT HAVE YOU LOOKED AT HOW SUCCESSFUL THE
20 TEACHER LOAN PROGRAM HAS BEEN IN THE PLAINTIFF DISTRICTS?

21 A YES I HAVE BECAUSE THERE'S SO MANY SCHOOLS ON THE
22 LIST THE OPPORTUNITY FOR THE PLAINTIFF DISTRICTS TO BE
23 ABLE TO RECRUIT TEACHERS WHO HAVE LOANS TO BE FORGIVEN IS
24 DIMINISHED BECAUSE THERE ARE SO MANY OTHER SCHOOLS WHERE A
25 PERSON CAN GO

1 AND SO WHAT HAPPENS IS THAT THEY END UP IN WHAT
2 THE TEACHER DEEMS IS MORE DESIRABLE LOCATIONS OR ONES THAT
3 HAVE HIGHER SALARIES OR BETTER WORK CONDITIONS

4 Q HAS THERE BEEN EFFECTIVE THEN IN ATTRACTING STUDENTS

5 -- EXCUSE ME -- TEACHERS TO THE PLAINTIFF DISTRICTS?

6 A IT HAS NOT BEEN EFFECTIVE IN ATTRACTING TEACHERS TO
7 THOSE DISTRICTS

8 Q HOW MANY SCHOOLS DO WE HAVE IN SOUTH CAROLINA?

9 A APPROXIMATELY 1100

10 Q AND HOW MANY SCHOOLS QUALIFY UNDER THE TEACHER LOAN
11 PROGRAM AS ADMINISTERED BY THE STATE OF SOUTH CAROLINA?

12 A OVER 900

13 Q OVER 900 NOW ARE THERE ANY OTHER SHORTCOMINGS IN
14 THE TEACHER LOAN PROGRAM OR THE OTHER PROGRAMS
15 ADMINISTERED BY THE STATE IN TERMS OF GETTING QUALIFIED
16 TEACHERS INTO THE PLAINTIFF SCHOOL DISTRICTS?

17 A WELL, IN THE CASE OF THE LOAN PROGRAM, THE OTHER
18 THING THAT OCCURS IS THAT ONCE A PERSON HAS THEIR LOAN
19 FORGIVEN, AND THEY CAN DO THAT AND A PERCENTAGE OF THE
20 LOAN IS FORGIVEN EACH YEAR THAT THEY TEACH, DEPENDING ON
21 HOW MUCH THEY RECEIVE IN LOANS FROM THE STATE, THEN IT'S

22 -- USUALLY AS SOON AS THEIR LOAN IS FORGIVEN, THEY MOVE
23 TO GO TO ANOTHER LOCATION

24 SO THEY -- THEY USE THAT AS AN OPPORTUNITY TO
25 HAVE THE LOAN FORGIVEN, BUT THEN IT CREATES MORE TURNOVER

1 TEACHING

2 Q ALL RIGHT JUST GENERALLY TAKE ME THROUGH, WITHOUT A
3 LOT OF DETAIL, BUT JUST GIVE ME THE FRAMEWORK OF ADEPT, IF
4 YOU WILL

5 A OKAY STARTING WITH STUDENT TEACHERS THERE ARE TEN
6 PERFORMANCE DIMENSIONS THAT HAVE BEEN IDENTIFIED THROUGH
7 YEARS OF RESEARCH THAT INDICATE THAT IF A PERSON
8 DEMONSTRATES THOSE DIMENSIONS IN THEIR TEACHING, THAT THEY
9 HAVE A GREATER CHANCE OF BEING EFFECTIVE THAN IF THOSE
10 DIMENSIONS ARE NONEXISTENT IN THEIR TEACHING

11 FOR EXAMPLE THE FIRST PERFORMANCE DIMENSION IS
12 ABOUT LONG RANGE PLANNING AND THE TEACHERS ABILITY TO MAKE
13 A LONG RANGE PLAN WHAT THEY NEED TO ACCOMPLISH DURING A
14 GIVEN SCHOOL YEAR, AND TO BE ABLE TO EVALUATE THAT AND
15 DETERMINE IF THE STUDENT GRASPS ALL THE THINGS THAT HAVE
16 TO BE TAUGHT IN THAT YEAR AND THE AMOUNT OF TIME THAT THEY
17 CAN SPEND IN EACH OF THOSE AREAS TO BRING THE STUDENTS
18 THROUGH A FULL YEAR'S WORTH OF LEARNING

19 ANOTHER EXAMPLE IS SHORT TERM PLANNING, LOOKING
20 SPECIFICALLY AT UNIT AND AT DAILY LESSON PLANS THERE'S
21 ALSO ONE THAT DEALS WITH CLASSROOM MANAGEMENT THERE'S
22 ANOTHER ONE THAT DEALS WITH ASSESSMENT OF STUDENTS

23 AND THOSE ARE JUST SOME OF THE TEN DIFFERENT
24 THINGS THAT YOU EITHER LOOK FOR THROUGH AN INTERVIEW WITH
25 THE TEACHER DOCUMENTATION THAT THE TEACHER PROVIDES OR

1 AN ACTUAL CLASSROOM OBSERVATION

2 AND THAT'S THE EVALUATION COMPONENT OF ADEPT,
3 AND IT IS USED IN THE STUDENT TEACHING EXPERIENCE THOSE
4 PERFORMANCE DIMENSIONS ARE ASSESSED AGAIN IN THE PERSON'S
5 INDUCTION YEAR AND THEN THROUGH THE FORMAL PROCESS OF
6 HAVING THREE OBSERVATIONS WITH TEAM MEMBERS, TWO OR MORE
7 TEAM MEMBERS, IN THE FALL, AND THE SPRING AGAIN THE
8 SPRING OF THEIR ANNUAL PROVISIONAL ANNUAL CONTRACT YEAR

9 SO THAT IS THE WAY THAT WE DETERMINE IF TEACHERS
10 HAVE AT LEAST THOSE MINIMAL -- HAVE MET THOSE MINIMAL
11 PERFORMANCE STANDARDS OF ACTUALLY BEING ABLE TO APPLY
12 THEORY INTO PRACTICE IN THEIR CLASSROOM

13 Q ALL RIGHT SO STUDENTS GET IT FIRST AND I REALLY
14 WANT TO MOVE INTO THE SCHOOL SYSTEM INDUCTION TEACHERS
15 GO THROUGH THE PROCESS
16 CORRECT?

17 A THAT'S CORRECT

18 Q AND THEN PROVISIONAL CONTRACT TEACHERS?

19 A THAT'S PROVISIONAL -- PROVISIONAL OR ANNUAL

20 Q OR ANNUAL AND ALSO ADEPT APPLIES TO CONTINUING
21 CONTRACT TEACHERS?

22 A ADEPT ALSO APPLIES TO CONTINUING CONTRACT TEACHERS
23 THE WAY THAT WE EVALUATE CONTINUING CONTRACT TEACHERS IS
24 THROUGH AN INFORMAL PROCESS CALLED GOALS BASED EVALUATION
25 OR G B E

1 AND ESSENTIALLY WHAT HAPPENS THERE IS THAT A
2 TEACHER SETS THREE GOALS THAT THEY HAVE FOR A THREE YEAR
3 PERIOD OF TIME THEY HAVE TO ACCOMPLISH ONE GOAL PER YEAR
4 DURING THAT THREE YEAR PERIOD OF TIME

5 AND AT THE END OF THE THREE YEARS, THEY ACTUALLY
6 HAVE A SUMMATIVE EVALUATION WITH THE THEIR EVALUATOR TO
7 DETERMINE WHETHER OR NOT THEY HAVE IN FACT MET THOSE
8 GOALS

9 Q THAT DEEMED GOALS WHAT?

10 A GOALS BASED EVALUATION

11 Q ALL RIGHT LET'S TALK NOW ABOUT HOW ADEPT IS
12 IMPLEMENTED AS OPPOSED TO DESIGNED IN SOUTH CAROLINA

13 A I WANT TO TALK SPECIFICALLY HOW IT'S IMPLEMENTED IN
14 SCHOOL SYSTEMS

15 Q SURE

16 A THE FIRST PART IS IT'S AGAIN, THE ASSISTING AND
17 DEVELOPING IS THE INDUCTION PART THAT USUALLY OCCURS
18 DURING A TEACHER'S FIRST SEMESTER OF TEACHING WHEN THEY
19 ARE GOING THROUGH A COURSE PROGRAM IN THE DISTRICT, AND IT
20 USUALLY IS A COURSE OF SOME KIND WHERE THEY HAVE MONTHLY
21 MEETINGS OR BIMONTHLY MEETINGS TO ADDRESS THE PERFORMANCE
22 DIMENSIONS THE DISTRICT'S PROCEDURES AND POLICIES, AND
23 ANYTHING ELSE THAT THE DISTRICT DEEMS WORTHY OF INCLUDING
24 IN THAT INDUCTION PROGRAM

25 THEN BEGINNING AROUND THE CHRISTMAS BREAK OR

1 DISTRICTS DEPENDENT UPON THEIR RESOURCES AVAILABLE

2 MANPOWER --

3 MRS GRAY YOUR HONOR?

4 BY MR EPPS

5 Q -- AND TIME?

6 MRS GRAY I OBJECT I MEAN, HE'S JUST LEADING LIKE
7 CRAZY

8 THE COURT WELL, THE QUESTION IS WHETHER THERE IS A
9 DISPARITY, AND THE ANSWER IS EITHER YES OR NO, SO I WILL
10 ALLOW IT

11 THE WITNESS YES, SIR THERE IS A DISPARITY

12 BY MR EPPS

13 Q ALL RIGHT TELL ME OR TELL THE COURT, IF YOU WILL
14 ABOUT THE DISPARITY IN THE WAY SCHOOLS ARE ABLE TO
15 IMPLEMENT ADEPT

16 A WELL THE -- PART OF THE DISPARITIES COME IN THE
17 COMPOSITION OF THE TEAM OF PEOPLE WHO ACTUALLY DO THE
18 OBSERVATIONS OF THE TEACHER AND THE EVALUATION IDEALLY
19 THE STATE HAS RECOMMENDED THAT THE TEAM BE COMPOSED OF AN
20 ADMINISTRATOR AND SOMEONE WHO HAS SUBJECT MATTER KNOWLEDGE
21 AND IS CLOSELY EXPERIENCED IS CLOSELY RELATED TO WHOEVER
22 THEY ARE EVALUATING

23 SO IN OTHER WORDS, IF IT'S A FOURTH GRADE
24 TEACHER THEY WANT SOMEONE WHO HAS EXPERIENCE AS AN
25 ELEMENTARY TEACHER IN THE -- A GRADE AROUND THE FOURTH

1 GRADE

2 IF IT'S A MATH TEACHER, THEY WANT SOMEBODY WHO
3 HAS EXPERTISE IN MATH OR KNOWLEDGE OF MATH OR IF IT'S
4 FOREIGN LANGUAGE, THEY WANT SOMEONE WHO SPEAKS A FOREIGN
5 LANGUAGE TO BE ABLE TO ACTUALLY EVALUATE THAT TEACHER

6 IN MANY OF THE SCHOOL DISTRICTS THEY FIND THAT
7 THAT'S DIFFICULT IF NOT IMPOSSIBLE, TO DO THEY DON'T
8 HAVE THE RESOURCES TO PULL TEACHERS OUT OF CLASSROOMS TO
9 ALLOW THEM TO GO INTO ANOTHER TEACHER'S CLASSROOM TO BE
10 ABLE TO OBSERVE AND CONDUCT THAT EVALUATION

11 SO THE PEOPLE THAT COMPOSE THAT TEAM OF
12 EVALUATORS MAY OR MAY NOT HAVE KNOWLEDGE OF THE SUBJECT
13 MATTER FOR EXAMPLE THEY MIGHT HAVE A FRENCH TEACHER WHO
14 IS TEACHING THIRD YEAR FRENCH, AND THE TWO PEOPLE OR THREE
15 PEOPLE THAT ARE DOING THE EVALUATION MAY NOT SPEAK
16 FRENCH

17 AND SO IT WOULD BE VERY DIFFICULT FOR THEM TO
18 ASCERTAIN WHETHER OR NOT THE PERSON TAUGHT A VERY
19 EFFECTIVE LESSON OTHER THAN MAYBE THE STUDENTS SAT QUIETLY
20 IN THEIR SEATS AND THAT -- DON'T KNOW THAT THAT WOULD TELL
21 YOU WHETHER THEY'RE LEARNING OR NOT

22 Q ALL RIGHT I WANT TO GO THROUGH THE PROGRAM IF WE
23 COULD PULL UP LANA, PLEASE 6099 AND I'M ON PAGE FOUR
24 INDUCTION CONTRACT TEACHERS 6099

25 (CONFERRING WITH DEFENSE COUNSEL)

1 COPIES OF THIS, AND ONE IS, I THINK JUST THE REGULATION
2 ITSELF WHICH I THINK ALL PARTIES HAVE HAD A LONG TIME
3 THIS IS A LITTLE BIT EASIER TO READ

4 BY MR EPPS

5 Q DR PODA, AM I CORRECT IN THIS?

6 A IT'S PART OF THE REGULATION, YES, SIR

7 Q OKAY AND SO THAT'S WHY I CHOSE THIS VERSION BUT
8 WE HAVE HAD THIS CIRCULATED AMONG COUNSEL FOR A LONG
9 TIME THIS IS NOT NEW NEWS TO ANYBODY

10 THE COURT CERTAINLY THE ADEPT, THE REGULATIONS
11 SHOULD NOT BE NEW I DON'T KNOW WHAT -- THIS SEEMS TO
12 HAVE SOME OTHER ASPECTS THAT ARE TIED TO IT NONETHELESS,
13 IT'S IN OVER OBJECTION, SO WE CAN GO FORWARD

14 MR EPPS THANK YOU

15 MRS GRAY THANK YOU

16 BY MR EPPS

17 Q ALL RIGHT WHAT I WANT TO DO, DR PODA, IS I WANT TO
18 GO THROUGH HOW ADEPT READS, OKAY, WHAT IT SAYS, AND WE
19 WILL GO DOWN TO THE -- AND START WITH INDUCTION CONTRACT
20 TEACHERS, NUMBER ONE

21 AND YOU CAN SUMMARIZE THESE IF YOU ARE FAMILIAR
22 ENOUGH TO DO THAT AND I MAY WANT TO GO BACK AND PICK UP
23 SOMETHING BUT IF YOU WOULD LIKE TO JUST SUMMARIZE
24 PARAGRAPH ONE, THAT WOULD BE FINE

25 A THIS PARTICULAR PARAGRAPH SUMMARIZES THE EXPECTATIONS

1 THAT THE DISTRICTS ARE SUPPOSED TO PROVIDE FOR INDUCTION
2 CONTRACT TEACHERS, SPECIFICALLY INCLUDED FOR THE PURPOSE
3 OF INDUCTING THEM INTO THE PROFESSION, AND INCLUDES
4 EXPLANATIONS OF THE REQUIREMENTS, PROCEDURES AND
5 ACTIVITIES THAT WILL OCCUR DURING THE INDUCTION YEAR

6 IT ALSO INCLUDES EXPLANATIONS OF DISTRICT AND
7 SCHOOL POLICIES, OPERATIONS AND RESOURCES INFORMATION
8 ABOUT THE TEACHER AND STUDENT ORIENTED SERVICES AVAILABLE
9 TO THE DISTRICT INFORMATION CONCERNING THE CULTURAL
10 SOCIAL AND ECONOMIC CHARACTERISTICS OF THE COMMUNITY,
11 WRITTEN AND ORAL EXPLANATIONS OF THE ADEPT PERFORMANCE
12 DIMENSIONS AND WRITTEN AND ORAL EXPLANATIONS OF LOCALLY
13 AND ESTABLISHED CRITERIA OR REQUIREMENTS FOR SUCCESSFULLY
14 COMPLETING THE INDUCTION PROGRAM

15 Q IT IS WHAT IT SAYS IT IS?

16 A YES

17 Q A COMPREHENSIVE ORIENTATION SESSION?

18 A YES

19 Q HOW LONG DOES IT TAKE TO ADMINISTER THAT?

20 A TYPICALLY THAT LASTS THE ENTIRE YEAR OF A TEACHER'S
21 FIRST YEAR IN THE PROFESSION

22 Q ALL RIGHT SO THIS ORIENTATION WOULD CONTINUE ON?

23 A YES, SIR IT USUALLY IS OFFERED EITHER ONCE A MONTH
24 A SESSION, OR TWICE A MONTH THROUGHOUT THE SCHOOL YEAR

25 Q ALL RIGHT LET'S GO DOWN TO TWO, PLEASE

1 WITH, I THINK, PROVISIONAL YOU HAD TEN CRITERIA THAT YOU
2 NEEDED TO FILL
3 A THAT'S CORRECT
4 Q AND THEN ON PAGE 11 WE GET TO CONTINUING CONTRACT
5 TEACHERS
6 A YES, SIR
7 Q AND WITH CONTINUING CONTRACT TEACHERS YOU HAVE
8 AGAIN TEN CRITERIA THAT YOU NEED TO FILL --
9 A YES, SIR
10 Q -- UNDER THE ADEPT PROGRAM?
11 A THAT'S CORRECT
12 Q ALL RIGHT NOW, LET S GO BACK AND TALK ABOUT THE
13 ADEPT PROGRAM AND HOW IT WORKS IN DISTRICTS SMALL RURAL
14 DISTRICTS SUCH AS THE PLAINTIFF DISTRICTS THAT -- IF YOU
15 HAVE DIRECT KNOWLEDGE ABOUT THE PLAINTIFF DISTRICTS, TELL
16 US ABOUT THAT
17 MRS GRAY YOUR HONOR I OBJECT FOR LACK OF
18 FOUNDATION I THINK HE NEEDS A FOUNDATION FIRST
19 THE COURT WELL, HE ASKED HER IF SHE HAD SPECIFIC
20 KNOWLEDGE ABOUT IT, AND I ASSUME THAT THAT WOULD LAY THE
21 FOUNDATION IF IT'S THERE BEFORE SHE ADDRESSES IT
22 SPECIFICALLY, AND I CERTAINLY ASK HER TO DO THAT BEFORE
23 SHE TALKS ABOUT THE PLAINTIFF DISTRICTS IN PARTICULAR,
24 THAT IS, TELL US HOW SHE KNOWS THAT INFORMATION
25 BY MR EPPS

1 Q WHAT I AM CURIOUS ABOUT DR PODA, IS THE WAY IT'S
2 WRITTEN AND THE WAY IT'S IMPLEMENTED AND WHETHER THERE ARE
3 ANY DISTINCTIONS

4 A THE DIFFERENCES IN THE WAY IT'S WRITTEN AND THE WAY
5 IT'S IMPLEMENTED, SOME OF THEM WE HAVE TALKED ABOUT, BUT
6 PRIMARILY THE ABILITY OF THE DISTRICT TO PROVIDE THIS
7 ORIENTATION SECTION, THAT IS COMPREHENSIVE ORIENTATION
8 SECTION THAT'S REQUIRED FOR INDUCTION CONTRACT TEACHERS
9 DEPENDS ON THE STAFF THAT'S AVAILABLE IN THE SCHOOL
10 DISTRICT, THE RESOURCES THAT THEY HAVE TO BRING OTHER
11 PEOPLE IN TO PROVIDE INFORMATION ABOUT THE REQUIREMENTS
12 HERE, SO THAT IS DEPENDENT UPON -- EVEN THOUGH THEY MAY DO
13 THESE THINGS THEY MAY GIVE THEM AN EXPLANATION OF THE
14 REQUIREMENTS AND MAY GIVE AN EXPLANATION OF THE SERVICES
15 THAT ARE PROVIDED AND DO THAT IN SUCH A WAY THAT IT MEETS
16 THE LETTER OF THE LAW, BUT IT DOESN'T HAVE THE NEED ON IT
17 THAT A FIRST YEAR TEACHER NEEDS IN ORDER TO BE
18 SUCCESSFUL

19 IT MEETS THE MINIMUM REQUIREMENT THAT'S
20 ADDRESSED HERE BUT OTHER THAN THE FULL FLEDGED SUPPORT
21 SYSTEM THAT TEACHERS NEED TO GET IN SOME OTHER DISTRICTS

22 Q WOULD IT BE HARD TO FILL OUT A FORM AND SAY THAT YOU
23 HAVE DONE WHATEVER IS REQUIRED UNDER SECTION ONE?

24 A NO SIR

25 Q ALL RIGHT GO AHEAD I'M SORRY

1 A OKAY AND THEN THE NEXT THING IS THE ASSISTANCE
2 TEAMS AGAIN, WE -- WHEN THE STUDY GROUP WAS DONE ABOUT
3 THREE YEARS AGO THEY ASKED FIRST YEAR TEACHERS IF THEY
4 HAD A MENTOR, AND 40 PERCENT OF THEM SAID NO

5 THESE ARE TEACHERS IN THE -- SOME OF THEM IN THE
6 PLAINTIFF DISTRICTS THEN THAT LEADS ME TO BELIEVE THAT A
7 LOT OF THE DISTRICTS ARE NOT ASSIGNING ASSISTANCE TEAMS TO
8 THESE INDIVIDUALS OR AT LEAST NOT DESIGNATING ONE OF THE
9 PEOPLE ON THE ASSISTANCE TEAM IS AS A MENTOR

10 SO WHAT MAY BE HAPPENING IS THAT THEY ARE
11 UTILIZING THEIR LOCAL CRITERIA, WHATEVER THAT IS -- AND IF
12 YOU LOOK AT THE NUMBER SIX UNDER NUMBER -- UNDER B-1
13 NUMBER SIX, WHERE IT SAYS WRITTEN AND ORAL EXPLANATIONS OF
14 LOCALLY ESTABLISHED CRITERIA REQUIREMENTS FOR SUCCESSFULLY
15 COMPLETING THE INDUCTION CONTRACT YEAR, THOSE VARY FROM
16 DISTRICT TO DISTRICT

17 AND THEY MAY BE VERY RIGOROUS IN ONE DISTRICT
18 AND NOT RIGOROUS AT ALL IN ANOTHER DISTRICT SO -- AND
19 THEY MAY NOT BE EXPLAINED IN SUCH A WAY THAT THE TEACHER
20 UNDERSTANDS EXACTLY WHAT'S EXPECTED OF THEM, AND THEY
21 MAYBE DISMISSED FOR SOMETHING THAT THEY ARE NOT EVEN AWARE
22 THAT THEY ARE BEING EVALUATED FOR

23 SO I THINK THAT THAT'S ONE OF THE THINGS THAT WE
24 FIND TO BE VERY WEAK AND INCONSISTENT THROUGHOUT THE
25 STATE, AND THAT WAS BASED ON THE STUDY THAT WAS DONE BY

1 DR WARREN ANDERSON FOR US JUST COMPLETED ON JUNE 30TH OF
2 THIS YEAR

3 Q ALL RIGHT WHEN YOU TALK ABOUT AN ASSISTANCE TEAM
4 WHAT IS A SCHOOL DISTRICT, SUCH AS ONE OF THE PLAINTIFF
5 SCHOOL DISTRICTS, ABLE TO DO IN TERMS OF FORMING AN
6 ASSISTANCE TEAM?

7 A THEY ARE ABLE TO PICK THE ADMINISTRATOR AND THE
8 TEACHER THAT THEY THINK WOULD BE THE MOST HELPFUL TO THAT
9 NEW TEACHER, AND THEN TO PROVIDE OBSERVATION AND TO
10 PROVIDE A COACHING TO THAT PERSON, AT LEAST ON A MONTHLY
11 BASIS, AND TO PROVIDE EXPERIENCES FOR THEM TO GO AND
12 OBSERVE BETTER TEACHERS IN A VARIETY OF SETTINGS

13 AND AGAIN, WHEN WE HAVE SURVEYED BEGINNING
14 TEACHERS WE FIND THAT THE OPPORTUNITY FOR THEM TO OBSERVE
15 AND WHAT THEY'VE INDICATED WHETHER OR NOT THEY HAVE
16 OBSERVED, IN FACT THOSE OPPORTUNITIES ARE NOT PROVIDED TO
17 THEM

18 Q WHY?

19 A WELL AGAIN BECAUSE OF RESOURCES THEY WOULD HAVE TO
20 PAY SOMEONE TO SUBSTITUTE IN THAT PERSON'S CLASSROOM IN
21 ORDER TO REMOVE THEM TO GO AND OBSERVE IN SOMEBODY ELSE'S
22 CLASSROOM THEY MAY NOT HAVE THE RESOURCES AVAILABLE TO
23 DO IT

24 IT ALSO TAKES SOMEBODY TO MAKE THOSE
25 ARRANGEMENTS, TO SET IT UP FOR THE PERSON TO GO AND SEE

1 THOSE CLASSROOMS AND THAT MAY NOT OCCUR

2 Q ALL RIGHT IT SAYS THEY ARE TO INCLUDE A MENTOR
3 TEACHER WE TALKED ABOUT MENTOR TEACHERS?

4 A YES, SIR

5 Q DO YOU HAVE ANYTHING ELSE TO SAY ABOUT MENTOR
6 TEACHERS?

7 A NOT AT THIS POINT NO, SIR

8 Q ALL RIGHT SO LET'S TALK ABOUT NUMBER -- PARAGRAPH
9 THREE, THEN

10 A I'M NOT WITH YOU

11 Q I'M SORRY IF YOU'LL JUST GO ON, AND INDUCTION
12 CONTRACT TEACHERS THE NEXT SECTION, WHICH IS PARAGRAPH
13 THREE AND WHAT I WOULD LIKE TO DO IS GO THROUGH THESE
14 PARAGRAPHS AND TELL US WHAT IS DIFFERENT BETWEEN THE WAY
15 ADEPT IS PUT ON PAPER AND HOW ITS IMPLEMENTED ARE ABLE TO
16 BE IMPLEMENTED IN DISTRICTS LIKE THE PLAINTIFF DISTRICTS

17 A WELL, NUMBER THREE AGAIN, DEALS WITH THE TRAINING
18 THAT THE PEOPLE WHO ARE PART OF THIS ASSISTANCE TEAM ARE
19 SUPPOSED TO RECEIVE AND THE WAY THAT ACTUALLY PLAYS OUT
20 IN REALITY IS THAT THE STATE TRAINS A GROUP OF TRAINERS
21 AND THEN THOSE PEOPLE, USUALLY THE ADEPT COORDINATORS FOR
22 THE DISTRICT, GO BACK AND THEY ARE RESPONSIBLE FOR
23 TRAINING THE PRINCIPALS AND THE TEACHERS AND THE OTHER
24 INDIVIDUALS IN THAT SCHOOL SYSTEM

25 AND THE QUALITY OF THE TRAINING VARIES DEPENDING

1 UPON WHO IS CONDUCTING THE TRAINING AND THEIR KNOWLEDGE
2 AND EXPERTISE IN THOSE AREAS ALSO WE HAVE FOUND THAT ONE
3 OF THE SHORTCOMINGS OF A TRAINING PROGRAM AT THE STATE
4 LEVEL AS WELL AS AT THE DISTRICT LEVEL IS IN THE AMOUNT OF
5 INFORMATION THAT WE PROVIDE TO INDIVIDUALS ABOUT HOW TO
6 COUNSEL AND COACH AND THEN GIVE FEEDBACK TO TEACHERS
7 DURING THIS -- THIS PERIOD OF TIME

8 AND THAT'S TRUE STATEWIDE, SO IT'S ALSO TRUE IN
9 THE PLAINTIFF DISTRICTS

10 Q DO YOU HAVE TO HAVE ANY SET OF SKILLS IN ORDER TO BE
11 A MENTOR OR A TRAINER?

12 A I THINK YOU HAVE TO HAVE SKILLS TO BE BOTH YOU HAVE
13 TO HAVE SKILLS TO BE A MENTOR, YOU HAVE TO HAVE SKILLS TO
14 BE A TRAINER AND YOU HAVE TO HAVE SKILLS TO BE AN
15 EVALUATOR

16 Q DO YOU HAVE TO HAVE THOSE SET OF SKILLS IN ORDER TO
17 BE A MENTOR OR A TRAINER UNDER THE ADEPT PROGRAM? AND BY
18 THAT I MEAN, IS THERE ANY REQUIREMENT, IS THERE ANY
19 SCREENING, IS THERE ANY DETERMINATION THAT YOU HAVE THOSE
20 SKILLS?

21 A NO, THERE'S NO CRITERIA SET FOR WHAT CHARACTERISTICS
22 YOU HAVE TO HAVE TO BE A MENTOR, AND THERE ARE NO
23 CHARACTERISTICS OTHER THAN YOU HAVE TO BE A PRINCIPAL OR
24 ADMINISTRATOR TO SERVE ON THE ASSISTANCE TEAM AND AS FAR
25 AS BEING A TRAINER, THE DISTRICT APPOINTS A PERSON THAT

1 THEY WANT TO SEND TO THE TRAINER TO BECOME THE ADEPT
2 COORDINATOR

3 Q ALL RIGHT IF WE MOVE DOWN TO NUMBER FOUR, IT'S
4 PROCEDURES TO ASSURE THAT THE ASSISTANCE TEAM MEMBERS
5 OBSERVE AND CONSULT WITH THEIR ASSIGNED TEACHERS ON A
6 REGULAR BASIS IS THAT DONE OR DO YOU KNOW WHETHER IT'S
7 DONE IN SMALL DISTRICTS SUCH AS THE PLAINTIFF DISTRICTS?

8 A I THINK IT'S INCONSISTENT THERE AGAIN ARE SOME
9 PEOPLE WHO TAKE BEING A MENTOR AND A PART OF AN ASSISTANCE
10 TEAM VERY SERIOUSLY AND THEY WORK HARD TO MAKE THIS OCCUR,
11 AND THE SURVEY RESULTS THAT WE HAVE GOTTEN SHOW THAT IT'S
12 A REAL MIXED BAG AND THAT'S TRUE FOR THE PLAINTIFF
13 DISTRICTS AS WELL AS OTHER DISTRICTS

14 Q NOW, THE NEXT ONE SAYS PROCEDURES TO ASSURE THAT
15 INDUCTION CONTRACT TEACHERS OBSERVE AND ARE CONSULTED WITH
16 A VARIETY OF EXPERIENCED TEACHERS THROUGHOUT THE SCHOOL
17 YEAR

18 A AND AGAIN, THE SURVEY RESULTS THAT WE HAVE RECEIVED
19 JUST RECENTLY SHOW THAT THAT OCCURS VERY INFREQUENTLY

20 Q PROCEDURES TO ASSURE THAT ALL INDUCTION CONTRACT
21 TEACHERS WITHIN A SCHOOL AND OR DISTRICT MEET AS A GROUP
22 TO SHARE INFORMATION, IDEAS AND SUGGESTIONS ABOUT
23 TEACHING

24 A I BELIEVE THAT THAT OCCURS IN ALL THE DISTRICTS, AND
25 -- BUT THE QUALITY OF THOSE MEETINGS AND THE SHARING THE

1 INFORMATION DEPENDS ON THE QUALITY OF A PERSON THAT'S IN
2 CHARGE OF FACILITATING THOSE DISCUSSIONS AND ASSURING THAT
3 IT'S NOT JUST A GRIPE SECTION, BUT THEY ARE ACTUALLY
4 DISCUSSING STRATEGIES AND INFORMATION THAT WILL HELP THEM
5 TO GROW AS TEACHERS

6 Q ALL RIGHT AS WE MOVE THROUGH THIS -- THROUGH THIS
7 PROGRAM YOU HAVE ADEPT THE NEXT COVERS PROVISIONAL
8 CONTRACT TEACHERS AND THEN YOU HAVE ADEPT NEXT COVERS
9 ANNUAL CONTRACT TEACHERS AND THEN YOU HAVE ADEPT THAT
10 COVERS CONTINUING CONTRACT TEACHERS SO ALL TEACHERS IN
11 SOUTH CAROLINA COME UNDER THE UBRICK (SIC) OF ADEPT AT
12 SOME POINT OF TIME

13 A THAT'S CORRECT

14 Q NOW, HAVE SCHOOL DISTRICTS BEEN ABLE TO COMPLY WITH
15 ADEPT AS DRAFTED?

16 A THEY HAVE ASKED FOR ADAPTATIONS TO ADEPT IN TERMS OF
17 THE INSTRUMENTS THAT THEY USE FOR EXAMPLE IN LIEU OF
18 USING THE TEAM INSTRUMENT WHICH WAS DEVELOPED BY THE STATE
19 AND WHICH IS A -- AN OBSERVATION WHERE YOU ACTUALLY RECORD
20 WHAT OCCURS IN THE CLASSROOM THEY -- AND MANY OF THE
21 DISTRICTS HAVE ASKED TO GO TO A -- USING A DIFFERENT
22 INSTRUMENT, THERE ARE SEVERAL DIFFERENT ONES

23 STEP IS ONE OF THE ACRONYMS, FEET, PETE I
24 CAN'T REMEMBER ALL OF THEM, BUT THOSE ARE JUST THREE THAT
25 COME TO MIND AND BASICALLY WHAT THE STEP INSTRUMENT, FOR

1 EXAMPLE, DOES IS IT'S MORE OF A CHECKLIST RATHER THAN AN
2 ACTUAL DOCUMENTATION OF WHAT OCCURS AND THEN YOU USE THAT
3 DOCUMENTATION TO COME TO CONSENSUS WITH YOUR TEAM
4 MEMBERS

5 SO WHEN YOU ARE DOCUMENTING AND LOOKING AT IT
6 YOU ARE LOOKING AT QUALITY AS WELL AS PRESENCE AND ABSENCE
7 OF SPECIFIC BEHAVIORS BUT THE CHECKLIST YOU ARE
8 FOCUSING ON PRIMARILY DID IT OCCUR YOU ARE NOT TALKING
9 ABOUT WHAT IS THE QUALITY OF WHAT OCCURRED, BUT WHETHER IT
10 OCCURRED

11 AN EXAMPLE WOULD BE DID THE INDIVIDUAL STATE THE
12 PURPOSE OF THE LESSON THE OBJECTIVE OF WHAT THEY WANTED
13 TO STUDENTS TO LEARN WELL, THEY MAY HAVE STATED IT, BUT
14 WHETHER OR NOT THEY STATED IT IN A FORM THAT THE STUDENTS
15 UNDERSTOOD OR IF THEY COULD AT THE END OF THE DAY REALIZE
16 WHAT IT WAS THAT THEY WERE SUPPOSED TO LEARN AND WHETHER
17 THEY LEARNED IT OR NOT, THAT'S NOT REFLECTIVE ON THE STEP
18 INSTRUMENT IT WOULD BE REFLECTIVE ON THE TEAM
19 INSTRUMENT, AND THAT'S JUST ONE EXAMPLE

20 Q ALL RIGHT LET'S FOCUS NOW ON ADEPT AS IMPLEMENTED
21 IN A MORE AFFLUENT MORE RESOURCED SCHOOL DISTRICT THAT'S
22 CONTRASTED WITH THE LESS AFFLUENT SMALL RESOURCED
23 DISTRICTS SUCH AS THE PLAINTIFF DISTRICTS, AND TELL ME
24 WHAT VARIATIONS ARE PRESENT IN THE IMPLEMENTATION OF THE
25 TEACHER EVALUATION AND TRAINING PROCESS

1 A WELL THE TWO PRIMARY ONES ARE, ONE, THE COMPOSITION
2 OF THE TEAM OF PEOPLE WHO EVALUATE THAT TEACHER THE
3 DISTRICTS WHERE RESOURCES ARE LIMITED, THEY HAVE FEWER
4 MEMBERS ON THE TEAM, TWO USUALLY, WHICH IS THE MINIMUM,
5 AND THEY DON'T NECESSARILY HAVE SOMEONE ON THAT TEAM WHO
6 HAS THE SUBJECT MATTER OR BACKGROUND THAT THE TEACHER OR
7 THE TEACHER THAT THEY ARE EVALUATING

8 THEY ARE SUPPOSED TO AS CLOSELY AS POSSIBLE
9 REPLICATE THAT BUT THEY DON'T REQUIRE THAT IN A CLASSROOM
10 TEACHER WHO IS THEIR PEER THAT PARTICIPATES IN THAT THE
11 MORE AFFLUENT DISTRICTS DO REQUIRE THAT, A PEER TO THAT
12 TEACHER AS PART OF THE TEAM PEOPLE WHO ARE DOING THE
13 OBSERVATION

14 THE SECOND ONE IS IN THE KIND OF INSTRUMENTS
15 BEING USED, WHETHER IT'S THE CHECKLIST OR WHETHER IT'S
16 MORE OF A CONSENSUS BASED ON DOCUMENTATION APPROACH TO
17 EVALUATION IT'S ANOTHER CHAIN

18 THE THIRD ONE THAT COMES TO MIND IS THE WAY THAT
19 THE SCORES ARE REPORTED OR THAT THE RESULTS ARE REPORTED
20 IN THE STEP INSTRUMENT, FOR EXAMPLE, THEY CLUSTER
21 PERFORMANCE DIMENSIONS SO THAT INSTEAD OF LOOKING AT EACH
22 ONE OF THE TEN INDIVIDUALLY, YOU ARE LOOKING AT A CLUSTER,
23 AND YOU MAY NOT BE ABLE TO SEE OR IDENTIFY THE WEAKNESSES
24 OF THAT CANDIDATE BECAUSE IF THEY CAN PASS THE OVERALL
25 CLUSTER AND STILL HAVE SOME SERIOUS GAPS IN THEIR

1 PERFORMANCE IN THE CLASSROOM

2 Q IS IT HARD FOR A MATH TEACHER, FOR EXAMPLE, TO TELL
3 WHETHER A FRENCH TEACHER IS DOING A GOOD JOB?

4 A YES, ESPECIALLY IF THEY ARE ONLY SPEAKING IN FRENCH
5 AND THE PERSON DOESN'T SPEAK FRENCH

6 Q DO YOU HAVE TO HAVE IN THE PLAINTIFF DISTRICTS A
7 FRENCH TEACHER TO EVALUATE A FRENCH TEACHER? CAN YOU HAVE
8 IN MANY INSTANCES?

9 A WELL, THAT'S ONE OF THE CHALLENGES THAT THEY FACE IN
10 THAT IN ORDER TO -- SOMETIMES THEY ONLY HAVE ONE FRENCH
11 TEACHER IN THAT DISTRICT AND SO IN ORDER TO HAVE SOMEBODY
12 WHO IS TEACHING THAT THEY WOULD HAVE TO PULL IN SOMEBODY
13 FROM ANOTHER DISTRICT OR THEY WOULD HAVE TO PAY A RETIRED
14 TEACHER TO BE AN EVALUATOR, AND IT WOULD COST ADDITIONAL
15 RESOURCES TO BE ABLE TO DO THAT

16 Q I WANT TO TURN THIS NOW AND TURN OUR ATTENTION NOW TO
17 THE DAY TO DAY REALITIES AND PRACTICALITIES OF
18 IMPLEMENTING ADEPT IN A SMALL DISTRICT WITH LIMITED
19 RESOURCES AS CONTRASTED WITH ADEPT AS DRAFTED AND TELL
20 US ABOUT THAT IF YOU WILL

21 A WELL, THE LETTER OF THE LAW I THINK IN TERMS OF THE
22 REGULATION AND STATUTE WOULD PROVIDE A COMPREHENSIVE
23 ORIENTATION OF INDUCTION INTO THE PROFESSION, AND IT WOULD
24 ALSO DETERMINE WHETHER OR NOT A TEACHER COULD CHANGE
25 THEORY INTO PRACTICE, AND DO IT EFFECTIVELY IN THE

1 CLASSROOM THAT'S THE PURPOSE OF DOING AN EVALUATION

2 THE FUNDING FOR ADEPT STATEWIDE IS TWO MILLION

3 DOLLARS A LITTLE OVER TWO MILLION DOLLARS WITH 51,608

4 TEACHERS EMPLOYED IN THE STATE THAT INCLUDES GUIDANCE

5 COUNSELORS AND MEDIA SPECIALISTS AND SPEECH PATHOLOGISTS,

6 AND ALL OF THEM ARE EVALUATED UNDER THE ADEPT SYSTEM, AND

7 SO WHEN YOU DIVIDE THAT OUT, IT'S ABOUT \$40 PER PERSON IN

8 THE STATE THAT THEY ARE SUPPOSED TO USE THOSE FUNDS TO

9 INDUCT AND EVALUATE IN EACH OF THE CONTRACT LEVELS EITHER

10 FORMALLY OR INFORMALLY, TO DETERMINE IF THE TEACHER IS

11 EFFECTIVE

12 WHAT HAPPENS IN SOME DISTRICTS WHERE THEY HAVE

13 OTHER RESOURCES IS THAT THEY PUT MUCH MORE MONEY INTO THE

14 SYSTEM THAN THAT THEY HIRE TEACHERS WHOSE ONLY PURPOSE

15 IS TO CONDUCT THE EVALUATIONS SO THAT'S WHAT THEY DO ALL

16 DAY LONG, THEY GO FROM CLASSROOM TO CLASSROOM AND THEY ARE

17 PART OF THE ASSISTANCE TEAMS OR PART OF THE EVALUATION

18 TEAMS

19 AND SO NOT ONLY IS THAT THEIR FULL-TIME JOB, SO

20 THEY ARE NOT PULLED AWAY FROM TEACHING BUT THEIR ABILITY

21 TO OBSERVE AND GET AT THE PERFORMANCE DIMENSIONS IS

22 GREATER BECAUSE THEY HAVE MORE EXPERIENCE DOING IT

23 IN CASES IN THE SMALL DISTRICTS, POOR DISTRICTS,

24 THEY DON'T HAVE THE RESOURCES TO PUT IN -- THE ADDITIONAL

25 PERSONNEL TO MAKE THAT THEIR SOLE JOB RESPONSIBILITY OR

1 THEIR PRIMARY JOB RESPONSIBILITY AND THEY ALSO DON'T HAVE
2 PEOPLE THAT DO IT OFTEN ENOUGH THAT THEY ARE INNER LATER
3 (SIC) LIABILITY OR THEIR ABILITY TO SEE AT THE SAME WAY NO
4 MATTER HOW OFTEN THEY DO IT, OR TO SEE IT THE SAME WAY,
5 WHETHER IT'S YOU AND I LOOKING AT THE SAME THING AND WE
6 BOTH COME UP WITH THE SAME ANSWER, THEY DON T HAVE AS MUCH
7 EXPERIENCE IN APPLYING THE EVALUATION PROCESS THAT YOU DO
8 IN THESE LARGER AREAS

9 Q HOW ABOUT TIME CONSTRAINTS IN THE PLAINTIFF
10 DISTRICTS?

11 A WELL AGAIN, YOU'RE ASKING PEOPLE TO DO THE
12 EVALUATIONS THAT ALREADY HAVE A NUMBER OF OTHER JOB
13 RESPONSIBILITIES IF YOU'RE AN ADMINISTRATOR YOU ARE
14 TRYING TO RUN A SCHOOL AND WEAR ALL THE HATS OF THE SCHOOL
15 PRINCIPAL WEARS AS WELL AS TO BE PART OF HIS ASSISTANCE
16 TEAM

17 IF YOU ARE A DISTRICT EMPLOYEE, YOU HAVE A
18 NUMBER OF OTHER JOB ASSIGNMENTS, THAT IT'S JUST ONE MORE
19 THAT IS ADDED ON TO AN ALREADY FULL PLATE IF YOU ARE A
20 TEACHER YOU HAVE A FULL TEACHING WORKLOAD AND THEN
21 YOU'RE EXPECTED TO PARTICIPATE ON THIS TEAM, GO THROUGH
22 THE WRITE-UP OF WHAT YOU OBSERVED, PARTICIPATE IN THE
23 CONFERENCE WITH THE TEACHER, MAKE A DETERMINATION ABOUT
24 THEIR PROFESSIONAL GROWTH PLAN, AND ALL OF THAT IS A BIG
25 DRAIN ON TIME THAT IS REQUIRED

1 ONE OF THE BIG CRITICISMS OF THE ADEPT PROCESS
2 IS THAT IT IS VERY TIME CONSUMING

3 Q IS THERE A GAP BETWEEN ADEPT THAT'S DRAFTED AND AS
4 SHOWN AS EXHIBIT 6099 AND ADEPT AS IS IMPLEMENTED WITHIN
5 THE SCHOOLS OF SOUTH CAROLINA?

6 A THERE IS A GAP AND I CAN'T TELL YOU HOW EXTENSIVE
7 THE GAP IS BECAUSE OUR ABILITY TO MONITOR THAT IS VERY
8 LIMITED FROM THE STATE LEVEL AND WE KNOW THAT IT EXISTS,
9 HOW BADLY IT EXISTS

10 WE -- WHAT WE KNOW ABOUT THE WAY ADEPT IS
11 IMPLEMENTED IS THROUGH THE STUDY WHICH WAS JUST CONDUCTED
12 BY DR ANDERSON AND THROUGH THE WRITTEN REPORTS THAT THE
13 DISTRICTS PROVIDE TO US

14 WE HAVE ONE EMPLOYEE FOR THE STATE OF SOUTH
15 CAROLINA WHOSE JOB IS TO MONITOR AND IMPLEMENT THE ADEPT
16 SYSTEM THROUGHOUT THE STATE

17 Q ISN'T THE STATE DEPARTMENT OF EDUCATION SUPPOSED TO
18 PROVIDE TECHNICAL ASSISTANCE --

19 A YES SIR

20 Q -- IN SCHOOLS TO IMPLEMENT THE ADEPT PROGRAM?

21 A WE DO HAVE THAT RESPONSIBILITY TO PROVIDE TECHNICAL
22 ASSISTANCE

23 Q ALL RIGHT AND THE HOW DOES STATE DEPARTMENT DO THAT
24 WITH ONE PERSON IN CHARGE OF THE PROGRAM?

25 A WELL, IF WE DO IT ON A VERY LIMITED BASIS, WE

1 PRIMARILY DO IT BY HAVING AN ANNUAL MEETING WITH ALL THE
2 ADEPT COORDINATORS WE BRING THEM TOGETHER ONE TIME A
3 YEAR, IF POSSIBLE, TO TALK WITH THEM ABOUT ISSUES, WE
4 RESPOND TO QUESTIONS THAT THEY HAVE VIA EMAIL OR ON THE
5 TELEPHONE, BUT WE DON'T HAVE THE RESOURCES TO BE ABLE TO
6 SEND SOMEONE OUT TO THAT DISTRICT TO WORK INDIVIDUALLY
7 WITH A DISTRICT, ESPECIALLY IF THEY ARE STRUGGLING

8 WHEN THE STATE DEPARTMENT OF EDUCATION TOOK OVER
9 ALLENDALE, FOR EXAMPLE, WE DID SEND A STAFF MEMBER TO THAT
10 DISTRICT TO WORK WITH THE PRINCIPALS AND TO ACTUALLY GO
11 THROUGH ALL THE FILES OF TEACHERS AND TO DETERMINE WHAT
12 THE STATUS WAS AND WHETHER THEY WERE BEING PROPERLY
13 IMPLEMENTED

14 AND FRANKLY, WHAT WE FOUND WAS ALARMING BECAUSE
15 IT HAD NOT BEEN DONE IN MOST CASES, EVALUATIONS HAD NOT
16 BEEN CONDUCTED ON THOSE TEACHERS AND THEY WERE NOT BEING
17 INDUCTED PROPERLY AND THEY WERE NOT BEING GIVEN ASSISTANCE
18 TO IMPLEMENT THE PROFESSIONAL GROWTH PLANS THAT HAD BEEN
19 WRITTEN

20 Q IS IT HARD TO FIND MENTORS PARTICULARLY IN SMALL
21 SCHOOLS SMALL DISTRICTS?

22 A IT'S HARD TO--

23 MRS GRAY I OBJECT ASKED AND ANSWERED

24 THE COURT I THINK IT HAS BEEN ANSWERED

25 BY MR EPPS

1 Q HAVE YOU ANSWERED THAT QUESTION, DR PODA? I REALLY
2 DO NOT RECALL, BUT I NEED IT ON THE RECORD IF YOU HAVE
3 NOT

4 A I BELIEVE I HAVE ANSWERED IT

5 Q OKAY

6 A BUT I THINK IT'S ALSO HARD TO FIND TEACHERS WHO ARE
7 WILLING TO SERVE ON EVALUATION TEAMS, ESPECIALLY WHEN THE
8 EVALUATION MAY LEAD TO A END RESULT OF A TEACHER BEING
9 DISMISSED A NUMBER OF TEACHERS WHO REFUSE TO
10 PARTICIPATE

11 Q IS THE ADEPT PROGRAM, BECAUSE OF THE VARIETY, THE WAY
12 YOU -- THE DIFFERENCE IN THE WAY IT'S DRAFTED AND THE WAY
13 IT'S IMPLEMENTED AS YOU DESCRIBED IS THE ADEPT PROGRAM AN
14 ASSURANCE OR A GUARANTEE THAT INDEED GOOD TEACHERS ARE
15 BEING PROPERLY INDUCTED INTO THE SYSTEM AND BAD TEACHERS
16 ARE BEING WEEDED OUT?

17 A NO AND WE HAD THAT CONFIRMED RECENTLY BY THE STUDY
18 CONDUCTED BY DR ANDERSON THAT IT IS NOT EFFECTIVE IN
19 ELIMINATING OR TERMINATING VERY MANY TEACHERS IN SOUTH
20 CAROLINA, IT'S LESS THAN ONE PERCENT ON AN ANNUAL BASIS

21 MR EPPS ALL RIGHT YOUR HONOR, I'M GOING TO TURN
22 TO A DIFFERENT TOPIC IT S IN THE SAME FRAMEWORK -- IF
23 YOU WOULD LIKE ME TO MOVE ON TILL 1

24 THE COURT WE CAN DO THAT OR WE CAN STOP NOW AND
25 COME BACK AT 2 00 WE CAN TAKE AN HOUR AND 15 MINUTFS

1 THE CHANCES OF THE PROFESSIONAL DEVELOPMENT OPPORTUNITIES
2 IN SOUTH CAROLINA, AS TYPICALLY ADMINISTERED OF CREATING
3 A CHANGE IN THE TEACHER PERFORMANCE OR STUDENT
4 ACHIEVEMENT?

5 A I'D SAY ABOUT A TEN TO 15 PERCENT CHANCE

6 MR EPPS YOUR HONOR, I'M GOING INTO A DOCUMENT
7 NOW THIS WOULD BE A GOOD TIME

8 THE COURT OKAY THAT WILL BE FINE THANK YOU
9 FOLKS, WE WILL STOP FOR LUNCH NOW AND COME BACK AT 15
10 AFTER THE HOUR WE WILL TAKE A LITTLE MORE THAN AN HOUR
11 AND 15 MINUTES 2 15 IS EASY FOR US TO REMEMBER WE
12 WILL BE IN RECESS UNTIL 2 15 THANK YOU

13 (WHEREUPON COURT WAS IN RECESS FOR LUNCH)

14 (WHEREUPON THE WITNESS RESUMED THE STAND)

15 THE COURT MR EPPS YOU CAN CONTINUE YOUR
16 EXAMINATION

17 BY MR EPPS

18 Q CAN YOU

19 (CONFERRING WITH STAFF)

20 Q DR PODA, WHAT IS EXHIBIT 6143, PLEASE?

21 A THIS IS A LETTER FROM A SUPERINTENDENT, DR EDWARD
22 DEAN FROM THAT TIME MARION SCHOOL DISTRICT THREE IT'S A
23 LETTER WRITTEN TO DR SANDY ROE, WHO AT THAT TIME WAS THE
24 DIRECTOR OF THE OFFICE OF TEACHER CERTIFICATION

25 Q AND WHAT IS THE CONTENT OF THIS LETTER, WHAT IS THE

1 LETTER ABOUT?

2 A THE LETTER IS ABOUT PROPOSED CHANGES TO THE
3 REGULATION THAT FOR THE ADEPT SYSTEM AND IT WAS SINCE
4 SUBMITTED TO DOCTOR ROW AS A PART OF THE REQUEST FOR
5 PUBLIC INPUT WHEN REGULATION CHANGES WERE PROPOSED

6 Q DID HE EXPRESS PROBLEMS THAT THE SMALL DISTRICTS WERE
7 FACING WITH TRYING TO IMPLEMENT ADEPT?

8 A YES, HE DOES HE ENUMERATES SEVERAL DIFFERENT
9 PROBLEMS THAT THE DISTRICT WAS FACING IN TERMS OF THE
10 IMPLEMENTATION OF ADEPT AND THE CHALLENGES TO A SMALL
11 SCHOOL DISTRICT

12 Q AND WHAT WERE THOSE PROBLEMS, PLEASE?

13 A I DON'T HAVE A COPY OF THAT LETTER I CAN ONLY SEE
14 THE FIRST PAGE

15 Q GO TO THE NEXT PAGE, PLEASE

16 A WELL, THE FIRST POINT THAT HE MAKES DEALS WITH THE
17 FINANCIAL COST OF HAVING A TEACHER ON THE EVALUATION TEAM
18 BECAUSE OF THE COSTS OF HAVING A SUBSTITUTE TEACHER TO BE
19 OUT OF CLASS FOR STIPENDS, IF IN FACT THEY PAY THE TEACHER
20 FOR TAKING ON THAT ADDITIONAL RESPONSIBILITY AND THEN THE
21 FOLLOW UP THAT THEY HAVE TO DO WITH THE TEACHER ONCE THE
22 EVALUATION HAD BEEN COMPLETED AND THAT THE NUMBER OF
23 TEACHERS THAT ARE INVOLVED IN THE PROCESS IS EXTENSIVE,
24 ESPECIALLY IF THE TEACHER HAS TO BE IN THE SAME AREA THAT
25 THE PERSON BEING EVALUATED

1 HE GOES ON TO SAY THAT EACH TEACHER IS OUT OF
2 THE CLASSROOM TWO TO FIVE DAYS FOR EACH TEACHER THAT THEY
3 ARE EVALUATING AND THAT INCLUDES THE OBSERVATION PROCESS,
4 WRITING UP THE OBSERVATION REPORT AND THEN PARTICIPATING
5 IN THE COMPETENCE AND HE'S SAYING THAT THAT COST
6 PROHIBITED TO TRAIN ENOUGH TEACHERS SO THAT A DIFFERENT
7 EVALUATOR IS AVAILABLE FOR EACH TEACHER EVALUATION TEAM
8 AND THAT THE TIME OUT OF CLASS FOR THE TEACHERS IS
9 MULTIPLIED FOR EVERY PERSON THAT THEY EVALUATE

10 AND HE GOES ON TO MAKE REFERENCE BACK TO THE
11 INITIAL ADEPT SECTION SUMMARY THAT, WHICH STATED THAT
12 THERE WOULD BE NO ADDITIONAL COST AND DISTRICTS REACTED
13 WITH THE EVIDENCE THAT THEY RECEIVED THAT THAT WAS
14 TOTALLY INCORRECT BECAUSE IN FACT THERE HAD BEEN
15 ADDITIONAL COSTS, AND HE WANTED TO EXPRESS HIS CONCERN
16 ABOUT THE ADDITIONAL COST THAT WAS REQUIRED FROM HAVING
17 TEACHERS SERVE ON THE EVALUATION TEAMS

18 Q ON THE NEXT PAGE, IF YOU WILL FLIP TO THAT PLEASE,
19 MRS LANDIS THE FIRST -- I GUESS IT'S A BULLET POINT IS
20 THE APPROPRIATE DESCRIPTION WHAT DOES THAT ADDRESS
21 PLEASE?

22 A IN THIS BULLET DR DEAN IS EXPRESSING THE FACT THAT
23 RURAL DISTRICTS HAVE A HIGH TEACHER TURNOVER RATE AND THEY
24 LEAVE TO GO TO HIGHER PAYING SCHOOL DISTRICTS AND
25 THEREFORE THE SMALLER DISTRICTS AND POOR DISTRICTS LIKE

1 KIDS WERE FACED WITH PROVISIONAL ANNUAL EVALUATIONS AT A
2 MUCH HIGHER RATE THAN THE LARGER DISTRICTS, THAT THIS
3 WOULD DISPROPORTIONATELY COST POOR DISTRICTS MORE MONEY
4 AND TIME IN PERSONNEL AND FINANCIAL RESOURCES AND ANOTHER
5 UNFUNDED MANDATE FROM THE STATE

6 Q AND THE NEXT BULLET POINT, PLEASE

7 A IN THIS POINT HE S MAKING HERE DEALS WITH THE TEACHER
8 SHORTAGES ESPECIALLY THAT OCCUR IN THE POOR AND RURAL
9 DISTRICTS AND THAT FINDING TEACHERS IS DIFFICULT IN ITSELF
10 IN THAT TEACHERS ARE ALREADY BEGINNING TO QUESTION THE
11 TIME IT TAKES TO FORMALLY SERVE AS A MENTOR FOR AN
12 INDUCTION TEACHER

13 THESE MENTORS ARE EVEN SAYING THAT THEY DO NOT
14 WISH TO HELP IN THE INDUCTION PROGRAM IF THEY ARE ASKED TO
15 HAVE AN EVALUATIVE RATHER THAN A SUPPORTIVE FEEDBACK
16 ROLE

17 AND THEY TRY TO ASSURE THE TEACHERS THAT THEIR
18 ROLE IS SUPPORTIVE AND NOT EVALUATIVE, BUT THEY ARE UNABLE
19 TO FIND ENOUGH TEACHERS THAT ARE WILLING TO SERVE AS
20 MENTORS TO THE TEACHERS HAVE THAT ADDITIONAL DUTY

21 THE MENTORS ALREADY ARE OUT OF CLASS MORE THAN
22 THEY WANT BECAUSE OF OBSERVATIONS THAT THEY DO JUST AS A
23 MENTOR AND HE FEELS LIKE THEY WOULD PREVAIL IF THEY WERE
24 GIVEN ADDITIONAL RESPONSIBILITIES AND THAT THEY WOULD NOT
25 HAVE ENOUGH TEACHERS TO FILL THE INDUCTION AND MENTOR

1 EVALUATION TEAM ROLES IF THE REGULATION CHANGES THAT HAVE
2 BEEN PROPOSED ARE PASSED

3 Q AND THE NEXT BULLET POINT?

4 A THE NEXT ONE DEALS WITH COMPLAINTS THAT THEY RECEIVE
5 FROM PARENTS ABOUT THE TEACHERS BEING OUT OF THEIR
6 CHILDREN'S CLASSROOM TO DO OTHER SCHOOL REQUIREMENTS AND
7 THAT THEY FELT LIKE THE TEACHERS HAD BEEN PULLED OUT TOO
8 MUCH

9 AND THAT THIS WOULD - THIS NEW PROPOSED
10 REQUIREMENT WOULD ADD MORE VALIDITY TO THEIR CONCERN AND
11 THAT STRONG TEACHERS ALREADY SERVE ON CURRICULUM
12 COMMITTEES AND STRATEGIC PLANNING COMMITTEES AND SEEK
13 ADDITIONAL SPECIALIZED TRAINING ABOVE AND BEYOND WHAT THE
14 SCHOOL REQUIRES AND THEN THIS SYSTEM WOULD REQUIRE EVEN
15 ADDITIONAL RESPONSIBILITIES FOR THEM TO TAKE ON AS PART OF
16 THE EVALUATION TEAM

17 Q NOW, THIS LETTER IS DATED DECEMBER 16TH OF 1999?

18 A THAT'S CORRECT

19 Q AND IS IT REFLECTIVE OF THE PROBLEMS THAT SMALL RURAL
20 SCHOOL DISTRICTS WERE HAVING IN TRYING TO IMPLEMENT ADEPT?

21 A YES, SIR THIS IS JUST ONE OF SEVERAL LETTERS THAT
22 WE HAVE IN OUR FILE FROM THOSE, THE SMALL RURAL
23 DISTRICTS BUT I THINK DR DEAN'S LETTER DOES THE BEST
24 JOB OF SUMMARIZING ALL OF THE LETTERS THAT WE RECEIVED
25 ABOUT THIS ISSUE

1 TEACHERS, SCHOOLS AND DISTRICTS

2 NOW, THE TEAM THAT CAME TOGETHER TO FORM THESE
3 STANDARDS AS DIRECTED BY THE LEGISLATURE IN THE EDUCATION
4 ACCOUNTABILITY ACT OF 1998 DID THEY DO A GOOD JOB OF
5 PUTTING THESE STANDARDS TOGETHER?

6 A THEY DID A VERY ADMIRABLE STANDARDS

7 Q ALL RIGHT HOW DOES THAT HOW DOES THIS DOCUMENT AND
8 THE STANDARDS PROMULGATED UNDER THE DIRECTION OF THE
9 LEGISLATURE COMPARE WITH WHAT WE SEE TAKING PLACE IN THE
10 SCHOOL DISTRICTS INCLUDING THE PLAINTIFF SCHOOL DISTRICTS?

11 A UNFORTUNATELY I THINK THE STANDARDS LOOK REAL GOOD ON
12 PAPER I THINK THE IMPLEMENTATION OF THEM CONSISTENTLY
13 THROUGHOUT THE DISTRICTS AND INCLUDING THE PLAINTIFF
14 DISTRICTS IS ALMOST NONOCCURRING

15 Q ALMOST NONOCCURRING AND WILL YOU TELL ME, DR PODA,
16 WHY YOU ARE WHY YOU ARE OF THAT OPINION?

17 A FIRST OF ALL, THE AMOUNT OF TIME THAT SCHOOL
18 DISTRICTS HAVE FOR PROFESSIONAL DEVELOPMENT IS LIMITED
19 PRIMARILY TO THE FIVE DAYS THAT ARE BUILT INTO A TEACHER'S
20 WORK CONTRACT FOR PROFESSIONAL DEVELOPMENT

21 THE OTHER TIME THAT'S ALLOWED FOR PROFESSIONAL
22 DEVELOPMENT IS AFTER SCHOOL LETS OUT AND AFTER THEY HAVE
23 TAUGHT ALL DAY, AND THE TIME THAT THESE REQUIRE, THE ONES
24 THAT YOU SHARED WITH US AND THE OTHER ONES, TOO, ARE VERY
25 TIME CONSUMING

1 THEY REQUIRE A LOT OF TIME TO LEARN ABOUT AND TO
2 IMPLEMENT AND TO FOLLOW UP WITH THAT PROCESS OF
3 INSTITUTIONALIZING IT THAT TAKES A GOOD BIT OF TIME, SO
4 THAT'S ONE THING

5 TWO, THE RESOURCES, THE MONEY THAT'S USED FOR
6 PROFESSIONAL DEVELOPMENT COMES FROM A LOT OF POTS OF MONEY
7 THAT ARE USUALLY EARMARKED IN WHAT THEY CAN BE SPENT FOR
8 SO IT'S -- IT'S DIFFICULT TO SAY, OKAY, THIS YEAR OUR
9 GOALS ARE "X" AND THAT'S ALL WE ARE GOING TO SPEND THE
10 MONEY FOR BECAUSE OFTEN THE MONEY HAS TO BE SPENT ON
11 IMPROVING SCIENCE, FOR EXAMPLE, OR IMPROVING READING, FOR
12 EXAMPLE AND YOU CAN'T USE THAT MONEY FOR ANY OTHER
13 REASON

14 SO IT'S EARMARKED AND IT'S -- IT'S FOR THAT
15 SPECIFIC REASON AND IF YOU ARE GOING TO DO, USE THAT
16 MONEY YOU HAVE TO USE IT IN THAT AREA AND THAT GIVEN
17 PERIOD OF TIME THAT YOU HAVE TO SPEND THE MONEY WHICH IS
18 USUALLY ONE FISCAL YEAR

19 AND THE THIRD THING IS THAT DISTRICTS IN MANY
20 CASES DON T HAVE THE CAPACITY TO DO THE FOLLOW UP THAT
21 THESE STANDARDS REQUIRE FOR THE IMPLEMENTATION OF
22 PROFESSIONAL DEVELOPMENT TO BE EFFECTIVE

23 THEY DON'T HAVE EITHER THE PEOPLE WHO ARE
24 EXPERTS IN WHATEVER PROFESSIONAL DEVELOPMENT IN, IS IN
25 FOR EXAMPLE, YOU CAN'T EXPECT A PRINCIPAL TO BE AN EXPERT

1 IN EVERY KIND OF PROFESSIONAL DEVELOPMENT OFFERING THAT
2 THE DISTRICT OR THE SCHOOL IS GOING TO PROVIDE

3 BUT SOMEONE HAS TO YOU ARE GOING TO
4 INSTITUTIONALIZE THAT SOMEONE HAS TO BE ENOUGH OF AN
5 EXPERT TO BE ABLE TO GO IN, FOLLOW UP AND COACH THE
6 TEACHERS SO THAT CHANGE OCCURS AND THE LEARNING OCCURS

7 BUT THIS THESE ARE THESE STANDARDS ARE VERY
8 BROAD THEY ARE TALKING ABOUT LOOKING AT DIVERSE
9 LEARNERS, THEY'RE TALKING ABOUT ASSESSMENT OF STUDENTS
10 THEY ARE TALKING ABOUT USING DIFFERENT METHODOLOGIES

11 I MEAN, THESE ARE EXTREMELY COMPREHENSIVE, AND
12 WOULD BE TIME CONSUMING AND EXPENSIVE TO DO THEM RIGHT OR
13 MORE THAN WE ARE SPENDING TODAY ANYWAY

14 Q WELL DOES OUR PROFESSIONAL DEVELOPMENT PROGRAM COME
15 ANYWHERE CLOSE TO MEETING THE STATE STANDARDS FOR
16 PROFESSIONAL DEVELOPMENT? WHEN I SAY OUR, I'M TALKING
17 ABOUT THE STATE OF SOUTH CAROLINA

18 A AGAIN, THE ONLY EXAMPLE I KNOW OF THAT COMES CLOSE TO
19 MEETING THESE STANDARDS IS THE READING INITIATIVE

20 Q IF WE CONTINUE ALONG -- WELL LET ME ASK THIS
21 QUESTION FIRST IF INDEED THE TEACHERS IN THE PLAINTIFF
22 DISTRICTS HAD THE TIME, HAD THE RESOURCES, HAD ACCESS TO,
23 HAD THE CAPACITY, THE PEOPLE AROUND THEM, TO ENGAGE IN
24 PROFESSIONAL DEVELOPMENT SUCH AS IS INDICATED IN THESE
25 STANDARDS, DO YOU BELIEVE THAT THAT WOULD IMPROVE THEIR

1 CAPACITY TO GIVE CHILDREN IN THE PLAINTIFF DISTRICTS THE
2 OPPORTUNITY TO ACQUIRE A MINIMALLY ADEQUATE EDUCATION?

3 A I THINK IF WE HAD PROFESSIONAL DEVELOPMENT THAT WAS
4 DEVELOPED BASED ON THESE STANDARDS AND IMPLEMENTED BASED
5 ON THESE STANDARDS, THAT WE WOULD SEE GROWTH IN OUR
6 TEACHERS' ABILITY TO MEET THE NEEDS OF CHILDREN AND
7 THAT THEY LACK CURRENTLY IN DISTRICTS AND ESPECIALLY IN
8 PLAINTIFF DISTRICTS IN SOUTH CAROLINA

9 Q WITHOUT SOMETHING LIKE THAT, WE TALKED ABOUT THE
10 COLLEGES AND THE PROGRAMS OR THE LACK OF PROGRAMS, WE
11 TALKED ABOUT THE INDUCTION AND THE EVALUATION PROCESS,
12 SPECIFICALLY ADEPT, AND NOW WE HAVE TALKED ABOUT
13 PROFESSIONAL DEVELOPMENT WITHOUT CHANGES IN THE STATE
14 POLICY OR THE STATE LAWS THAT FILL IN THE GAPS BETWEEN THE
15 STUDENT NEEDS IN THE PLAINTIFF DISTRICTS, AND THE
16 TEACHERS' ABILITY TO MATCH THOSE NEEDS, ARE STUDENTS IN
17 THE PLAINTIFF DISTRICTS EVER GOING TO HAVE ACCESS TO THE
18 OPPORTUNITY FOR A MINIMALLY ADEQUATE EDUCATION?

19 A WITHOUT MAKING THE CHANGES THAT WE HAVE DISCUSSED,
20 THE STUDENTS ARE NOT GOING TO HAVE ACCESS TO A MINIMALLY
21 ADEQUATE EDUCATION

22 Q NOW DR PODA, WE HAVE SPENT A LONG TIME -- LET ME
23 ASK ONE MORE QUESTION

24 (CONFERRING WITH STAFF)

25 Q WE HAVE SPENT A LONG TIME DISCUSSING THE PROBLEMS

1 RIGHT NOW IN YOUR OPINION ARE NOT QUALIFIED TO TEACH
2 PROSPECTIVE TEACHERS IN THE STATE OF SOUTH CAROLINA?

3 A WELL, I THINK THAT I CAN ANSWER THAT SEVERAL WAYS
4 FIRST OF ALL, WE ARE IN A TRANSITION PERIOD IN TERMS OF
5 STANDARDS THAT WE ARE REQUIRING

6 AND WE WILL START IN ABOUT TWO WEEKS GOING
7 THROUGH ANOTHER PHASE OF ACCREDITATION VISITS AND I THINK
8 AT THAT POINT I MAY CHANGE MY OPINION BASED ON NEW
9 INFORMATION THAT I WILL RECEIVE WHERE THE COLLEGES ARE
10 ACCREDITED BASED ON THE NEW STANDARDS

11 WE HAVE HAD A NUMBER OF COLLEGES IN THE PAST TWO
12 YEARS THAT WE HAVE EITHER PUT ON PROBATION OR ADVISED OR
13 CLOSED DOWN THE COLLEGE THAT WE CLOSED THEIR TEACHER
14 EDUCATION PROGRAM WAS VOORHEES COLLEGE

15 Q VOORHEES?

16 A VOORHEES

17 Q WHERE IS VOORHEES?

18 A IN DENMARK

19 Q OKAY AND WHAT OTHER ONES ARE ON PROBATION?

20 A BENEDICT COLLEGE WAS ON PROBATION, SO WAS WOFFORD
21 COLLEGE, ERSKIN COLLEGE AND I BELIEVE LIMESTONE WAS THE
22 OTHER ONE THEY WERE -- THEY WERE NOT ON PROBATION THEY
23 WERE ON ADVISEMENT

24 Q MEANING WHAT?

25 A MEANING THAT THEY DIDN T HAVE THE WEAKNESSES THAT

1 WERE SEVERE ENOUGH TO PUT THEM ON PROBATION, BUT THAT
2 REQUIRED US TO GO BACK AND MAKE ANOTHER SITE VISIT TO THAT
3 INSTITUTION THE YEAR FOLLOWING THE INITIAL VISIT

4 Q WELL, NOW, YOU HAVE TESTIFIED THAT COLLEGE STUDENTS
5 WHO ATTEND NONCOMPETITIVE COLLEGES MAY NOT MAKE EFFECTIVE
6 OR COMPETENT TEACHERS, IS THAT CORRECT?

7 A THAT IS CORRECT THEY MAY NOT

8 Q I'M SORRY I DIDN'T MEAN TO INTERRUPT YOU HAVE YOU
9 FINISHED YOUR ANSWER?

10 A YES

11 Q NOW, TELL ME WHO THESE COLLEGES ARE IF YOU CAN
12 WHICH COLLEGES ARE IN YOUR OPINION UNABLE TO EDUCATE
13 STUDENTS TO BE EFFECTIVE AND COMPETENT TEACHERS QUALIFIED
14 TO EDUCATE CHILDREN AND PROVIDE CHILDREN WITH THE
15 OPPORTUNITY TO RECEIVE A MINIMALLY ADEQUATE EDUCATION?

16 A I DON'T BELIEVE I SAID THAT THEY WERE UNABLE TO
17 EDUCATE THEM I SAID THAT THEY WERE IN NONCOMPETITIVE
18 COLLEGES WHICH MEANS THAT THEY HAVE LESSER ADMISSION
19 STANDARDS AND LESS RIGOR IN THEIR COLLEGES BUT THAT DOES
20 NOT NECESSARILY MEAN THAT THEY DON'T EDUCATE THEM TO
21 BECOME TEACHERS

22 Q WELL, I BELIEVE YOUR TESTIMONY DR PODA WAS THAT
23 THE PLAINTIFF DISTRICTS HAVE MORE OF THESE GRADUATES AND
24 THAT NEGATIVELY IMPACTS THEIR ABILITY TO DELIVER A
25 MINIMALLY ADEQUATE EDUCATION OR THE OPPORTUNITY FOR A

1 MINIMALLY ADEQUATE EDUCATION IN THE PLAINTIFF DISTRICTS
2 WASN'T THAT YOUR TESTIMONY?
3 A THAT IS ONE CHARACTERISTIC THAT DETERMINES WHETHER OR
4 NOT THEY WILL HAVE A MINIMALLY ADEQUATE EDUCATION AND IT'S
5 NOT THE ONLY DETERMINANT
6 Q YES, MA'AM BUT I BELIEVE YOUR TESTIMONY WAS THAT IT
7 CERTAINLY HAD A NEGATIVE IMPACT?
8 A IT DOES HAVE A NEGATIVE IMPACT
9 Q ALL RIGHT AND MY QUESTION TO YOU IS WHAT ARE THE
10 COLLEGES WHOSE GRADUATES HAVE A NEGATIVE IMPACT IN THE
11 PLAINTIFF DISTRICTS OR ANY DISTRICT? AND WHAT BOOK DO YOU
12 HAVE UP THERE?
13 A THESE ARE MY PERSONAL NOTES I CAN TELL YOU WHICH
14 COLLEGES ARE RANKED AS NONCOMPETITIVE BY BARRONS AND THE
15 LATEST PUBLICATION THAT THEY HAVE PUT OUT AND THAT MEANS
16 THAT THE COLLEGES WERE EITHER RANKED A ONE OR A TWO
17 Q ALL RIGHT AND DOES THIS SATISFY YOUR DEFINITION AS
18 WELL?
19 A OF BEING A NONCOMPETITIVE COLLEGE?
20 Q YES
21 A YES, IT DOES
22 Q BASICALLY UPON WHICH YOU BASED YOUR TESTIMONY, THAT
23 THEIR GRADUATES CREATE A NEGATIVE IMPACT ON--
24 A THEY ARE MORE LIKELY TO CREATE A NEGATIVE IMPACT THAN
25 IF THEY WENT TO A COMPETITIVE COLLEGE

1 Q OKAY

2 A IT DOESN'T MEAN THAT EVERY GRADUATE FROM THAT
3 INSTITUTION HAS A NEGATIVE IMPACT BUT THEY ARE MORE LIKELY
4 TO HAVE A NEGATIVE IMPACT

5 Q AND I WANT YOU TO IDENTIFY FOR ME, PLEASE, WHAT THOSE
6 INSTITUTIONS ARE?

7 A OKAY THE FIRST ONE WOULD BE ALLEN UNIVERSITY,
8 BENEDICT COLLEGE, COLUMBIA COLLEGE, LANDER UNIVERSITY,
9 MORRIS COLLEGE, NEWBERRY COLLEGE, SOUTH CAROLINA STATE
10 UNIVERSITY, U S C AIKEN

11 Q AND THAT'S IT? OKAY ALLEN AND BENEDICT, ALLEN
12 UNIVERSITY AND BENEDICT COLLEGE ARE IN COLUMBIA, CORRECT?

13 A CORRECT

14 Q COLUMBIA COLLEGE IS IN COLUMBIA, CORRECT?

15 A THAT'S CORRECT

16 Q LANDER UNIVERSITY I BELIEVE IS IN GREENWOOD?

17 A IT IS IN GREENWOOD

18 Q WHERE IS MORRIS COLLEGE?

19 A IT'S IN SUMTER

20 Q AND NEWBERRY COLLEGE IN NEWBERRY?

21 A THAT'S CORRECT

22 Q SOUTH CAROLINA STATE UNIVERSITY IS IN ORANGEBURG,
23 CORRECT?

24 A YES, SIR

25 Q AND U S C AIKEN, I PRESUME IS IN AIKEN?

1 A IT'S IN AIKEN

2 Q NOW IT'S ALSO YOUR TESTIMONY, I BELIEVE THAT THE
3 COLLEGE TEACHER PROGRAM IN THESE, IN NOT ONLY THESE
4 UNIVERSITIES BUT IN ALL UNIVERSITIES AND COLLEGES IN THE
5 STATE OF SOUTH CAROLINA THEMSELVES DO NOT ADEQUATELY TEACH
6 TEACHERS WHAT THEY NEED TO KNOW IN ORDER FOR THEM TO
7 PROVIDE AN OPPORTUNITY TO THEIR STUDENTS TO RECEIVE A
8 MINIMALLY ADEQUATE EDUCATION ISN'T THAT YOUR TESTIMONY?

9 A MY TESTIMONY WAS THAT COLLEGES TRAIN TEACHERS TO DEAL
10 WITH TYPICAL STUDENTS THAT THEY WILL ENCOUNTER IN THE
11 STATE OF SOUTH CAROLINA OR ANYWHERE ELSE IN THE COUNTRY

12 THEY HAVE SOME PREPARATION IN DEALING WITH
13 STUDENTS FROM IMPOVERISHED BACKGROUNDS AND WHO HAVE
14 LEARNING DIFFICULTIES BUT THE EMPHASIS OF THE EDUCATION
15 IS ON DEALING WITH THE TYPICAL CHILD THERE ARE NO
16 SPECIFIC COURSES OR PROGRAMS THAT ARE DESIGNED
17 SPECIFICALLY TO DEAL ONLY WITH POPULATIONS FROM
18 IMPOVERISHED BACKGROUNDS IN THE STATE OF SOUTH CAROLINA

19 Q ONE OF THE REQUIREMENTS NOW IN THE COLLEGE
20 PREPARATORY PROGRAM FOR TEACHERS REQUIRES A HUNDRED HOURS
21 OF, I PRESUME JUNIORS AND SENIORS AS FIELD EXPERIENCE
22 OVER AND ABOVE THE 60 DAYS OF THE STUDENT TEACHING
23 REQUIREMENT, CORRECT?

24 A THAT WENT INTO EFFECT IN JULY, 2002, SO IT'S ONLY
25 BEEN IN EFFECT FOR ONE YEAR AND ACTUALLY THOSE FIELD

1 EXPERIENCES START AS EARLY AS THE FRESHMAN YEAR IN
2 COLLEGE

3 Q SO EVEN THOUGH THEY ARE NOT ADMITTED TO THE PROGRAM,
4 THESE INDIVIDUAL STUDENTS CAN IN FACT RECEIVE FIELD
5 EXPERIENCES THROUGH THEIR RESPECTIVE DEPARTMENTS OF
6 EDUCATION?

7 A YES THAT'S CORRECT

8 Q AND WHO PUT THAT REQUIREMENT INTO THE REGULATIONS?

9 A THAT WAS A RECOMMENDATION THAT WAS MADE BY THE
10 DIVISION OF TEACHER QUALITY TO THE STATE BOARD OF
11 EDUCATION

12 Q AND THAT'S YOUR DIVISION?

13 A YES IT IS

14 Q OKAY AND SO THAT IS NOW SOMETHING THAT IS IN THE
15 TEACHER TRAINING PROGRAM THAT EVERY PROSPECTIVE STUDENT
16 BEFORE THEY GRADUATE FROM A COLLEGE MUST HAVE A HUNDRED
17 HOURS OF FIELD EXPERIENCE, CORRECT?

18 A IN ADDITION TO THE 60 DAYS OF STUDENT TEACHING

19 Q AND ONE OF THE THINGS I THINK YOU COMPLAINED ABOUT
20 WAS THAT THESE PARTICULAR TEACHER EDUCATION PROGRAMS DO
21 NOT PROVIDE EXPERIENCES TO THEIR STUDENTS TO BE EXPOSED TO
22 POOR KIDS IN THE PLAINTIFF DISTRICTS, CORRECT?

23 A ACTUALLY I DON'T THINK I COMPLAINED ABOUT IT I WAS
24 SYMPATHETIC WITH THE COLLEGES IF THEY DON'T HAVE THE TIME
25 OR THE RESOURCES TO BE ABLE TO EXPOSE THEM TO STUDENTS IN

1 THEY FOUND THOUGH IS THAT OFTEN THOSE SCHOOLS DON'T HAVE
2 ENOUGH STAFF TO BE ABLE TO RELEASE A TEACHER ONE PERIOD A
3 DAY TO BE ABLE TO OFFER THE TEACHER THAT SO MOST OF THE
4 PLAINTIFF SCHOOL DISTRICTS DO NOT HAVE THE TEACHER CADET
5 PROGRAM IN THEIR HIGH SCHOOLS AND THEY ARE UNABLE TO DO
6 THAT FOR FINANCIAL REASONS

7 ALSO THAT THEY HAVE BEGUN WORKING WITH THEM BY
8 TARGETING THE MONEY THAT WE RECEIVED AS A GRANT FROM THE
9 NATIONAL BOARD, THE PEOPLE WHO ARE BANKING THEIR SCORES
10 FROM NATIONAL BOARD, THOSE -- THOSE FUNDS AS OF THIS YEAR
11 FOR THE FIRST TIME ARE EARMARKED TO THE LOW PERFORMING
12 SCHOOL DISTRICTS

13 Q NOW ALSO IN TERMS OF ATTRACTING TEACHERS TO SOUTH
14 CAROLINA THE SOUTH CAROLINA AVERAGE TEACHER SALARY IS
15 TRACKING THE SOUTHEASTERN AVERAGE TEACHER SALARY, CORRECT?

16 A IT'S TRACKING IT IT'S HARD TO SAY IT'S EXACT
17 BECAUSE YOU DON'T KNOW UNTIL THE END OF THE YEAR WHETHER
18 YOU ACTUALLY MET THOSE GOALS BUT THAT'S THE PURPOSE OF IT

19 Q BUT THAT'S THE INTENT?

20 A THAT'S THE INTENT

21 Q NOW LET'S MOVE ON TO AFTER WE HAVE DONE EVERYTHING WE
22 COULD DO TO GET TEACHERS IN THE SOUTH CAROLINA THEN WE
23 HAVE A CHALLENGE TO RETAIN THEM IN THE PROFESSION, RIGHT?

24 A YES AND IT'S NOT ONLY TO GET, YOU KNOW, TEACHERS TO
25 SOUTH CAROLINA I THINK THE BIG OBSTACLE THAT WE FIND NOW

1 A NO I THINK THAT THE GENERAL CONSENSUS IN THE FIELD
2 AND CERTAINLY FROM THE U S SECRETARY OF EDUCATION ROB
3 PAGE ON DOWN, IT IS NOT CONSIDERED A RIGOROUS TEST

4 Q ALL RIGHT IN ORDER TO PASS PRAXIS TWO WHICH IS THE
5 CONTENT OR PRAXIS, NOT PRAXIS THREE, BUT THE PRINCIPLES OF
6 LEARNING AND TEACHING WHICH IS PART OF THE PRAXIS SERIES
7 IS IT THE SAME OR LESS RIGOR? I MEAN I WONDER HOW
8 DIFFICULT IT IS

9 A WELL IT'S MEASURING ON TWO DIFFERENT THINGS BUT IT'S
10 LOOKING AT THE PRINCIPLES OF LEARNING AND TEACHING,
11 LOOKING AT THE TEACHER'S KNOWLEDGE OF THEORY AND OF
12 EDUCATIONAL METHODOLOGY, CLASSROOM MANAGEMENT AND THEIR
13 KNOWLEDGE OF THOSE AREAS THAT THEY WOULD HAVE LEARNED IN
14 THE TEACHER EDUCATION PROGRAM

15 AND IT PROBABLY REQUIRES SOME EXPERIENCE WORKING
16 IN A SCHOOL OR IN A CLASSROOM BEFORE THEY COULD BE
17 SUCCESSFUL PASSING IT BUT IT'S -- THE RIGOR IS
18 ESTABLISHED BY THREE DIFFERENT THINGS

19 ONE, THE QUESTIONS THAT ARE ASKED TWO BY THE
20 JOB RELEVANCY OF IT AND THREE BY THE CUT SCORE AND SO
21 IF YOU ARE MISSING ANY ONE OF THESE THREE IN RIGOR, THEN I
22 THINK THAT OR THAT -- ANY ONE OF THOSE THREE IS NOT A PART
23 IN YOUR -- YOUR RIGOR IS NOT AS GREAT AND I THINK WHERE WE
24 SEE THAT RIGOR NOT BEING AS GREAT IS IN THE PASSING SCORE
25 THAT WE REQUIRE

1 I DON'T KNOW THAT THAT CASE IS THAT THE
2 QUESTIONS ARE NOT RELEVANT OR NOT CHALLENGING, BUT IT'S IN
3 THE CUT SCORE WHERE WE WERE LACKING THE RIGOR

4 Q THE TITLE TWO REPORT WE READ YESTERDAY SAID AND WE
5 WILL GET READY OF THE PRACTICE TEACHING PART THE PEDAGOGY
6 PART OF THIS QUESTION FOR THE MOMENT BUT THE TITLE REPORT
7 YESTERDAY SAID THAT CUT SCORES WERE SET EITHER AT A HIGH
8 SCHOOL LEVEL OR THE FIRST OR MAXIMUM THE SECOND YEAR OF
9 LEARNING AT THE COLLEGE LEVEL

10 A THAT'S WHAT THE REPORT SAYS, YES

11 Q NOW IS THAT TRUE ON SOUTH CAROLINA'S CUT SCORE ON
12 PRAXIS?

13 A WELL WE WERE PART OF THAT STUDY THAT WAS REPORTED IN
14 THAT DOCUMENT SO IT WOULD BE TRUE FOR SOUTH CAROLINA

15 Q SO WILL YOU CONSIDER HAVING TO PASS PRAXIS IN ORDER
16 TO GET THE KEYS TO THE CLASSROOM A RIGOROUS REQUIREMENT OF
17 TESTS?

18 A NO, IT'S NOT

19 Q ARE THE PRINCIPLES OF LEARNING AND TEACHING?

20 A NO, IT'S NOT

21 Q ALL RIGHT SO GETTING A LICENSE IN SOUTH CAROLINA,
22 THE STEPS THAT YOU GO THROUGH TO GET A LICENSE IN SOUTH
23 CAROLINA IS THAT A RIGOROUS PROCESS?

24 A THE STEPS TO BECOME A TEACHER ARE AGAIN ONLY TO
25 ACCOMPLISH THE FACT THAT THE PERSON HAS MINIMUM

1 COMPETENCE SO IT'S -- IT MAY BE A LOT OF STEPS BUT THERE
2 ARE STILL STEPS TO INDICATE THAT A PERSON HAS MINIMAL
3 COMPETENCY TO BEGIN TEACHING

4 Q MINIMUM COMPETENCY AND THEN ONCE THEY GET OUT OF
5 THAT THIS STATUTE I WAS LOOKING AT THAT, AND I DON'T HAVE
6 THE -- YES, I DO -- THE EXHIBIT 2879 YOU WERE NOT
7 FAMILIAR WITH THAT DO YOU HAVE IT IN FRONT OF YOU?

8 A I DO, YES, SIR

9 Q IF YOU START ON -- I'M NOT SURE WHERE YOU START
10 LET'S SEE RIGHT IF YOU START ON PAGE SEVEN PARAGRAPH
11 SIX, OR YOU CAN START ON PAGE SEVEN PARAGRAPH TEN JUST
12 READING THROUGH THAT IT SAYS, PARAGRAPH TEN BEGINNING
13 WITH THE YEAR 1997 1998 SCHOOL YEAR, THE ASSESSMENTS OF
14 PERFORMANCE IN TEACHING THAT'S THE L A T TEST SHALL NO
15 LONGER BE USED TO EVALUATE THE STUDENT TEACHERS NOW,
16 THIS LOOKS LIKE THE LEGISLATION THAT LED TO THE ADEPT
17 PROGRAM?

18 A THAT IS CORRECT

19 Q ALL RIGHT AND WE TALKED ABOUT THE ADEPT PROGRAM
20 YESTERDAY BEFORE WE GO THERE, IN THE FIRST -- FIRST
21 SECTION 592610 SECTION B IT SAYS, ASSURE THAT PROSPECTIVE
22 TEACHERS HAVE BASIC READING, MATHEMATICS AND WRITING
23 SKILLS IT DOESN'T SAY GOOD, IT DOESN'T SAY EXCELLENT, IT
24 DOESN'T SAY A HIGH QUALITY IT SAYS BASIC

25 A THAT'S CORRECT

1 Q OKAY ARE THEY STILL LIVING?

2 A NO THEY MY MOTHER PASSED AWAY IN 90 -- 1996 I
3 BELIEVE

4 Q AND YOU STAYED IN DILLON THROUGH THE END OF THE
5 SCHOOL YEAR 1997, RIGHT?

6 A I STAYED UNTIL '97

7 Q RIGHT OKAY UNTIL -- I'M SORRY THAT'S RIGHT SO
8 WHY DID YOU LEAVE DILLON AT THAT POINT AND GO TO NORTH
9 MYRTLE BEACH?

10 A I HAD THREE YEARS LEFT BEFORE I HAD 30 YEARS IN AND
11 COULD RETIRE AND THE MONEY ATTRACTED ME TO HORRY COUNTY
12 AT THAT TIME I FELT THAT I NEEDED TO DO SOMETHING TO HELP
13 MY FAMILY I WAS INTERESTED IN TAKING THE B PLAN STATE
14 PLAN WHICH WOULD ALLOW MY WIFE TO DRAW MY RETIREMENT IF I
15 SHOULD PASS AWAY FIRST

16 Q OKAY

17 A AND BY GOING TO HORRY COUNTY THE BASE PAY WAS SO
18 MUCH HIGHER THAT I COULD GET THAT PLAN AND MAKE JUST AS
19 MUCH RETIREMENT AS IF I WAS TAKING PLAN A IN DILLON

20 Q ALL RIGHT WELL WHAT WAS THE DIFFERENCE IN PAY?
21 WHAT WERE YOU MAKING IN DILLON TWO WHEN YOU LEFT,
22 APPROXIMATELY?

23 A JUST A LITTLE OVER \$36,000 AT THAT TIME

24 Q OKAY AND YOU HAD A MASTER'S DEGREE?

25 A MASTER'S DEGREE

1 Q AND 27 YEARS EXPERIENCE BY THAT POINT?
2 A THAT'S CORRECT
3 Q WHAT WAS YOUR SALARY WHEN YOU WENT OVER TO NORTH
4 MYRTLE BEACH?
5 A IT WAS ABOUT \$46,000
6 Q SO IT'S ABOUT A \$10,000 INCREASE?
7 A YES THAT'S CORRECT
8 Q AND YOU HAD NOT HAD ANY ADDITIONAL EDUCATIONAL
9 CREDITS?
10 A THAT'S CORRECT
11 Q OKAY SO IT WAS JUST A MATTER OF CROSSING THE STATE
12 LINE?
13 A CROSSING THE COUNTY LINE
14 Q EXCUSE ME COUNTY LINE COUNTY LINE OKAY AND
15 THAT MADE A DIFFERENCE IN WHAT YOU COULD DRAW IN YOUR
16 RETIREMENT?
17 A WELL, THE STATE PAYS YOU ON THE LAST 12 QUARTERS, SO
18 YES, IT MADE A SIGNIFICANT DIFFERENCE
19 Q ALL RIGHT SO YOU - YOU WORKED FOR 12 QUARTERS IN
20 DILLON TWO -- I MEAN EXCUSE ME, IN NORTH MYRTLE BEACH?
21 A THAT'S CORRECT
22 Q IN HORRY COUNTY AND THEN RETIRED?
23 A AND RETIRED
24 Q ALL RIGHT WHY WAS THERE SUCH A DIFFERENCE IN PAY
25 BETWEEN WHAT YOU WERE EARNING IN DILLON TWO AND WHAT YOU

1 WERE EARNING IN HORRY COUNTY?

2 MRS GRAY YOUR HONOR, I OBJECT I MEAN, I THINK
3 HE'S TESTIFIED THAT HE GOT MORE BUT WHY HE GOT MORE

4 MS HART WELL THIS GOES TO THE MECHANICS OF WHAT
5 WENT INTO IT

6 THE COURT WELL, I THINK AS BETWEEN STATE AND LOCAL
7 SUPPLEMENT I TAKE IT IS WHAT YOU ARE TALKING ABOUT

8 MS HART YES, SIR

9 THE COURT I WILL ALLOW THAT

10 THE WITNESS DILLON COUNTY ONLY PROVIDED STEPS
11 THROUGH, I BELIEVE, AROUND 18 YEARS AND AFTER 18 YEARS YOU
12 GOT NO MORE STEPS FOR THE AMOUNT OF YEARS YOU TAUGHT
13 WHEREAS--

14 BY MS HART

15 Q AND BY STEPS -- EXCUSE ME I'M GOING TO INTERRUPT
16 YOU BUT BY STEPS YOU MEAN INCREASES IN PAY DUE TO YEARS
17 OF SERVICE?

18 A THAT'S CORRECT

19 Q SO IT CAPPED OUT AT ABOUT 18 YEARS?

20 A 18 YEARS AND THEN AFTER THAT YOU ONLY RECEIVED WHAT
21 THE STATE WOULD GIVE IN RAISES

22 Q OKAY

23 A HORRY COUNTY'S SCALE WENT UP TO 24 OR 25 YEARS I'M
24 NOT REAL SURE, BUT IT WENT UP AT LEAST SIX YEARS MORE, I
25 THINK

1 Q ALL RIGHT AND--
2 A AND ALSO THEY HAD QUITE A SUPPLEMENT
3 Q OKAY SO YOU, YOU WERE GIVEN CREDIT FOR 24 OR 25
4 YEARS OF SERVICE IN HORRY COUNTY IN TERMS OF SALARY,
5 CORRECT? IS THAT WHAT YOU ARE SAYING?
6 A WELL, THEY COUNTED ME AT 27 YEARS BUT I HAD MAXED
7 THEIR SCALE
8 Q ALL RIGHT
9 A SO I WAS AT THE TOP OF THE SCALE
10 Q BUT IF I UNDERSTAND YOU THEIR SCALE WAS AT A, WENT
11 SEVERAL MORE YEARS BEYOND WHAT DILLON TWO'S SCALE WENT,
12 RIGHT?
13 A ABOUT SIX, I THINK
14 Q AND WAS THERE A LOCAL SUPPLEMENT PAID TO THE TEACHERS
15 IN HORRY COUNTY THAT WAS IN EXCESS OF THAT PAID IN DILLON
16 TWO?
17 A YES YES, IT WAS FAIRLY HEFTY I DON'T KNOW EXACTLY
18 HOW MUCH
19 Q OKAY BUT TO YOU IT WAS A \$10,000 INCREASE IN PAY?
20 A IT WAS WONDERFUL
21 Q OKAY WOULD YOU HAVE STAYED IN DILLON TWO IF YOU
22 COULD HAVE MADE THAT HIGHER SALARY THERE?
23 A KNOWING WHAT I KNOW NOW OR
24 Q THEN--
25 MRS GRAY YOUR HONOR, I THINK THIS IS SPECULATING

Bill Johnson
Former math teacher Dillon High School and North
Myrtle Beach Middle School
Direct Examination by Ms Hart

1 THE COURT WELL, I THINK BACK UNDER THE
2 CIRCUMSTANCES I WILL ALLOW HIM TO TESTIFY TO WHETHER HE
3 WOULD HAVE STAYED

4 THE WITNESS YES, I WOULD

5 BY MS HART

6 Q OKAY

7 A THE MONEY WAS A PART BECAUSE OF THE RETIREMENT I
8 WAS INTERESTED IN MAKING, GETTING A RETIREMENT AT THAT
9 TIME, SO YES

10 Q ALL RIGHT NOW, YOU TAUGHT IN DILLON TWO FOR 22
11 YEARS AND IN HORRY COUNTY FOR THREE YEARS?

12 A THAT'S CORRECT

13 Q SO KNOWING WHAT YOU KNOW NOW AFTER THAT ABOUT
14 SALARIES AND WORKING CONDITIONS AND SUPPORTS AVAILABLE TO
15 THE TEACHERS IN HORRY COUNTY, IF YOU HAD A CHOICE BETWEEN
16 A TEACHING JOB IN HORRY COUNTY AND ONE IN DILLON TWO,
17 WHICH WOULD YOU CHOOSE?

18 A HORRY COUNTY

19 Q WELL, WHAT IS THE DECIDING FACTOR FOR YOU? I MEAN
20 WHAT ARE THE DIFFERENCES BETWEEN THE TWO DISTRICTS, DILLON
21 TWO AND HORRY COUNTY FOR TEACHERS?

22 MRS GRAY YOUR HONOR, I OBJECT I MEAN, I THINK
23 THIS GETS INTO THE WHOLE COMPARISON THING I MEAN, HE'S
24 TESTIFIED THAT HE WOULD GO THERE BECAUSE OF THE MONEY AND
25 I THINK THAT'S SUFFICIENT YOUR HONOR

1 THE COURT RIGHT AND IF THERE ARE OTHER FACTORS I
2 WILL ALLOW HIM TO TESTIFY ALONG THOSE LINES BECAUSE IT'S
3 NOT HE'S NOT ESTABLISHING A STANDARD SO MUCH AS I
4 UNDERSTAND HIS TESTIMONY IS INDICATING HIS MOTIVATION FOR
5 MOVING FROM ONE PLACE TO THE OTHER AND FOR CHOOSING THE
6 ONE OVER THE OTHER AND THAT'S A RELEVANT AREA OF INQUIRY
7 I WILL ALLOW HIM TO DO IT GO AHEAD

8 THE WITNESS WHEN I ARRIVED AT NORTH MYRTLE BEACH I
9 WAS -- I WAS AMAZED AT THE FACILITIES THAT WAS THE ONE
10 THING THAT, THAT STRUCK ME WAS THEY THEY HAD GYMS, THEY
11 HAD LIBRARIES THAT WERE FULLY AUTOMATED WITH COMPUTERS
12 THEY HAD COMPUTER ROOMS FILLED WITH COMPUTERS MY ROOM
13 WHEN I ENTERED IT HAD FOUR OR FIVE COMPUTERS IN IT I
14 LOOKED IN THE CABINET, THERE WERE A SET OF T I 83'S

15 BY MS HART

16 Q WHAT IS THAT A T I 83?

17 A WHICH ARE GRAPHING CALCULATORS I LOOKED DOWN IN
18 ANOTHER BOX THAT WAS NOT BEING USED, THOSE HAD T I 81 S IN
19 IT AND THEY, THEY WEREN'T EVEN USING THOSE OTHER THINGS
20 THAT I FOUND OUT ABOUT WERE THE AMOUNTS OF SUPPORT THAT
21 WAS GIVEN TO YOU SUCH AS THERE WERE INDIVIDUALS TO, THAT
22 CAME IN PERIODICALLY TO MAKE SURE THAT COMPUTERS WERE
23 ONLINE AND UP AND RUNNING AND THEY DID THAT EVERY TWO
24 WEEKS OR SO

25 MR CLANTON WAS VERY GOOD ABOUT THIS THEY WERE

1 PROBABLY DIDN'T KNOW HOW MUCH WHAT ELSE WAS OUT THERE,
2 BUT THE QUESTION I THINK WAS ASKED IN THE ABSTRACT AND
3 THAT IS DID YOU HAVE WHAT YOU NEEDED IN DILLON TWO TO
4 TEACH THE CHILDREN WHAT THEY NEEDED TO LEARN TO BECOME
5 PRODUCTIVE CITIZENS THAT MEANS SORT OF THINGS CAPSULATED
6 TO THAT PARTICULAR TIME PERIOD

7 BY MS HART

8 Q I WILL ASK A SPECIFIC QUESTIONS DID YOU HAVE FOUR
9 COMPUTERS IN YOUR CLASSROOM AT DILLON TWO THAT WERE KEPT
10 UP AND RUNNING?

11 MRS GRAY YOUR HONOR, I OBJECT I MEAN I JUST
12 DON'T KNOW HOW YOU CAN START OUT BY

13 MS HART I WILL DO IT ANOTHER WAY YOUR HONOR

14 THE COURT OKAY GO AHEAD AND TRY

15 BY MS HART I CAN DO IT ANOTHER WAY WHAT COMPUTERS DID
16 YOU HAVE IN YOUR CLASSROOM AT DILLON TWO?

17 A NONE

18 Q WHAT KINDS OF CALCULATORS DID YOU HAVE IN YOUR
19 CLASSROOM AT DILLON TWO?

20 A I HAD SOME CALCULATORS THEY WERE GRAPHING
21 CALCULATORS BUT THERE WERE SOME FUNCTIONS THAT EITHER YOU
22 HAD TO GO THROUGH A LENGTHY PROCESS TO COME UP WITH THE
23 ANSWER TO THE PROBLEMS OR THEY, IT WOULD NOT PERFORM THAT
24 FUNCTION

25 Q SO THE CALCULATORS DIDN T PERFORM THE SAME FUNCTIONS

1 THAT YOU COULD GET FROM A T I 83?
2 A 83, THAT IS CORRECT
3 Q ALL RIGHT HOW MANY OF THOSE CALCULATORS DID YOU
4 HAVE EVEN IF THEY DIDN'T PERFORM ALL THE FUNCTIONS, HOW
5 MANY DID YOU HAVE IN THAT CLASSROOM?
6 A I HAD A CLASS SET OF THOSE
7 Q OKAY ALL RIGHT LET'S TALK ABOUT THE CALCULATORS
8 CAN YOU EXPLAIN FOR THE JUDGE OR DESCRIBE FOR THE JUDGE
9 WHAT A T I 83 GRAPHING CALCULATOR IS AND DOES, WHAT YOU
10 CAN DO WITH IT IN A CLASSROOM?
11 A OKAY A T I 83 GRAPHING CALCULATOR IS ONE THAT WILL
12 GRAPH DATA IT -- YOU CAN PROGRAM IT LIKE YOU WOULD A
13 COMPUTER TO DO BASIC OPERATIONS YOU CAN DO THINGS LIKE
14 TRANSFORMATIONS ON THE CALCULATOR AND HAVE IT DO
15 TESSELLATIONS YOU CAN--
16 Q YOU HAVE LOST ME
17 A EVALUATE EXPRESSIONS
18 Q OKAY CAN YOU DO SCATTER PLOTS? WE HAVE HEARD ABOUT
19 SCATTERPLOTS?
20 A RIGHT IT CAN DO SCATTER PLOTS OF DATA AND ONCE
21 YOU HAVE DONE THIS YOU CAN GO TO A SCREEN WHICH WOULD
22 ALLOW YOU TO DO WHAT WE, WHAT WE CALL A LINE OF A BEST FIT
23 FOR SEVENTH, EIGHTH GRADE WHICH WOULD PROJECT OUT IN THE
24 FUTURE WHAT A PROFIT OR LOSS WOULD BE OF A PARTICULAR
25 PROBLEM

Bill Johnson
Former math teacher, Dillon High School and North
Myrtle Beach Middle School
Direct Examination by Ms Hart

1 THE COURT YES MA'AM
2 (WHEREUPON THERE WAS A PAUSE)
3 (CONFERRING WITH STAFF)
4 BY MS HART
5 Q MR JOHNSON?
6 A YES
7 Q ALL RIGHT WE WERE TALKING ABOUT THE T I , AND I
8 THINK THAT STANDS FOR TEXAS, INSTRUMENTS DOES IT NOT?
9 A YES, MA'AM
10 Q T I 83 GRAPHING CALCULATOR ARE THERE OTHER GRAPHING
11 CALCULATORS ON THE MARKET THAT YOU KNOW OF?
12 A SHARP PUTS OUT ONE IT'S A GRAPHING CALCULATOR
13 Q NOW?
14 A THAT I'M AWARE OF
15 Q OKAY AND THESE CALCULATORS ARE, YOU CAN LINK THEM
16 TO COMPUTERS, CORRECT?
17 A IF YOU HAVE GOT A -- THE LATEST MODELS THE 83 TO
18 85 THE 81 DOES NOT LINK TO THE COMPUTER
19 Q ALL RIGHT AND YOU CAN PRINT GRAPHS IF YOU HAVE A
20 PRINTER?
21 A THAT'S CORRECT
22 Q CREATED BY -- I MEAN THE GRAPH CREATED BY THE
23 CALCULATOR YOU CAN PRINT ON THE PRINTER?
24 A THAT'S CORRECT
25 Q ALL RIGHT NOW, HOW DO THESE THINGS HELP THE

1 CHILDREN IN AN ALGEBRA CLASS TO UNDERSTAND THE CONCEPTS
2 THAT YOU AS A TEACHER ARE TRYING TO TEACH THEM?
3 A WELL, IT'S HIGHLY MOTIVATIVE THE KIDS ARE TURNED ON
4 BY TECHNOLOGY HOW MANY PEOPLE WALK BY A COMPUTER AND
5 KEEP GOING? THEY'RE GOING TO SIT DOWN THEY ARE
6 INTERESTED SO IT AUTOMATICALLY DRAWS STUDENTS TO IT SO
7 IN IT -- ONTO ITSELF IS A MOTIVATOR FOR THE CHILDREN
8 THAT'S ONE THING

9 OF COURSE IT'S DYNAMIC IT'S GOING TO MAKE
10 THESE LINEAR EQUATIONS, IT'S GOING TO BREAK THE PARABOLAS
11 AND IT'S GOING TO MAKE THEM FASTER THAN YOU COULD GENERATE
12 IT YOURSELF SO YOU CAN ANALYZE AND COMPARE THESE MUCH
13 EASIER

14 Q IS IT--

15 A WE GOT TO REALIZE -- EXCUSE ME WE HAVE GOT TO
16 REALIZE THAT IF WE DON'T HAVE SOMETHING THAT'S, THAT
17 HIGHLY STIMULATES THESE CHILDREN, WE ARE GOING TO LOSE
18 THEM THEY ARE USED TO A TECHNOLOGY WORLD SO JUST THE
19 FACT THEY'RE IN THE CLASSROOM MAKES A BIG DIFFERENCE AND
20 YOU CAN SEE THE DIFFERENCE IN THE CHILDREN

21 Q WHAT KIND OF DIFFERENCE DO YOU SEE IN THE CHILDREN
22 WHO ARE EXPOSED TO THIS KIND OF TECHNOLOGY A CLASSROOM AS
23 COMPARED WITH THOSE WHO ARE NOT?

24 A THEY ARE MUCH MORE COOPERATIVE IN DOING PAPER AND
25 PENCIL WORK BECAUSE THEY KNOW WHAT'S COMING NEXT THEY GET

1 MAKE TO STUDENTS IN THE CLASSROOM?

2 YOU HAVE SEEN A CLASSROOM WITH THAT AND YOU HAVE
3 SEEN A CLASSROOM WITHOUT THAT CAN YOU TELL US WHAT
4 DIFFERENCE IT MAKES?

5 A WELL, THE CHILDREN ARE MORE ACTIVE, MORE RESPONSIVE
6 TO WHAT IS GOING ON, THEY ARE MORE EAGER TO ACQUIRE THE
7 SKILLS SO THEY CAN APPLY -- IT JUST ENHANCES LEARNING
8 THAT'S

9 Q OKAY DOES IT MAKE A DIFFERENCE IN YOUR ABILITY TO
10 EXPLAIN THE CONCEPTS OF MATHEMATICS AND GET IT ACROSS TO
11 THESE STUDENTS?

12 A TO ME IT -- IT, IT'S A MEANS FOR GIVING VALIDITY TO
13 WHAT THE CHILD DOES IN OTHER WORDS, HE SEES THE COPY, A
14 PRINT OUT OF WHAT HE'S DONE WITH PAPER AND PENCIL SO HE
15 IS GETTING FEEDBACK AND, AND HE RELATES IT TO SOMETHING
16 THAT CAN BE GENERATED BY THE COMPUTER OR WHATEVER SO IT
17 DOES HELP TO FIRM UP WHATEVER SKILL HE'S

18 Q IN YOUR EXPERIENCE, IS THAT PARTICULARLY IMPORTANT TO
19 CHILDREN FROM IMPOVERISHED BACKGROUNDS TO BE ABLE TO SEE
20 THE FEEDBACK OF THEIR WORK AND TO SEE THE CONSTRUCT OF THE
21 MATHEMATICAL CONCEPT YOU'RE TRYING TO--

22 MRS GRAY OBJECTION, YOUR HONOR LEADING

23 THE COURT YES, MA'AM I WILL SUSTAIN THAT

24 BY MS HART

25 Q WHAT DIFFERENCE DOES IT MAKE, THOSE KINDS OF SUPPORTS

1 IN THE CLASSROOM TECHNOLOGY AND UNDERSTANDING OF IT, TO
2 STUDENTS FROM IMPOVERISHED BACKGROUNDS?

3 A KIDS THAT DO NOT HAVE EVERY DAY ACCESS TO THIS TYPE
4 OF TECHNOLOGY, IT'S AN AWESOME TOOL I MEAN, IT JUST,
5 IT'S A MOTIVATING INSTRUMENT THAT PROBABLY SURPASSES
6 ANYTHING THAT A TEACHER CAN DO OTHERWISE

7 IF YOU DON'T IF -- ALL YOU HAVE GOT TO DO IS GO
8 INTO A STORE AND LOOK AT THEM PLAYING THE LITTLE GAMES
9 ON -- ANYTHING THAT'S TECHNOLOGY THEY JUST JUMP ALL OVER
10 IT SO WHY WOULDN'T A CHILD THAT HAD NO EXPERIENCE ON
11 THIS JUST LOVE IT?

12 Q IF -- AND DID YOU --

13 A THEY DO

14 Q -- YOU OBSERVE THAT IN YOUR CLASSROOM?

15 A YES

16 Q OKAY I THINK YOU MENTIONED YOU HAD CHILDREN IN YOUR
17 CLASSROOM BOTH AT DILLON TWO AND AT NORTH MYRTLE BEACH
18 HIGH WHO WERE ON FREE AND REDUCED LUNCH PROGRAM CORRECT?

19 A THAT'S CORRECT

20 Q WAS IT -- WERE THE NUMBERS COMPARABLE OR CAN YOU TELL
21 US HOW THAT

22 A PROBABLY HAD MORE IN DILLON THAT WERE ON FREE AND
23 REDUCED THAN AT NORTH MYRTLE BEACH BUT IT -- I DON'T KNOW
24 WHAT PERCENTAGE NORTH MYRTLE BEACH HAD QUITE A BIT OF
25 ITS STUDENTS ON FREE AND REDUCED ALSO

Polly Elkins

Former principal, East Elementary School, Dillon 2

Director of School Reform Dillon 2

Direct Examination by Ms Hart

1 A YES, MA'AM, BUT I'M KNOWN TO BE REAL FAST

2 Q WE ARE GOING TO GO THROUGH THIS AND WE'RE NOT GOING
3 TO BELABOR THE POINT BUT IF YOU WOULD JUST TELL US
4 BRIEFLY WHAT THESE PICTURES DEPICT?

5 A OKAY THIS DEPICTS A SLATE ROOF FROM THE 1926
6 PORTION OF THE BUILDING THAT IS VFRY HARD TO FIND ANYONE
7 TO WORK ON AGAIN PIECES DO FALL AND IT HAS ENDANGERED
8 STUDENTS AND STUDENTS HAVE BEEN INJURED SLIGHTLY AND
9 THAT'S WHAT THIS PICTURE REPRESENTS

10 Q ALL RIGHT NEXT PICTURE IS 1571-BY AND THAT'S A
11 LITTLE DARK

12 A IT IS A PICTURE OF THE BASEMENT WHERE WATER RETAINS
13 UNDERNEATH THE 1926 BUILDING A LOT OF ANIMALS RESIDE
14 THERE, ROACHES, MANY THINGS BUT THE MAIN REASON WHY THIS
15 PICTURE IS TAKEN IS IT PROMOTES MOISTURE UP INTO THE WALLS
16 IN THE CLASSROOMS WHICH WE HAVE A LOT OF MILDEW PROBLEMS
17 IN ALL THE CLASSROOMS

18 Q ALL RIGHT 1571-BZ, WHAT IS THAT?

19 A THIS IS A PICTURE OF A DILAPIDATED WINDOW IT IS A
20 FIRE HAZARD WE HAVE BEEN TOLD THAT BUT IT'S WHEN I SAY
21 A FIRE HAZARD IF THIS UNIT CAUGHT ON FIRE AS SOME UNITS
22 DO, THAT WOULD BE A VERY DANGEROUS SITUATION BUT WE
23 CANNOT FIX IT, WE DO NOT HAVE THE MONEY TO DO IT THAT'S
24 AESTHETICS

25 Q NOW THIS IS ON THE -- WHAT BUILDING?

1 A THIS IS 1926 BUILDING ALSO

2 Q AND WHAT FLOOR?

3 A IT IS THE THIRD FLOOR AND--

4 Q OKAY WE WILL TALK A LITTLE BIT MORE ABOUT THIS
5 CIRCUMSTANCE 1571-CA

6 A THIS IS OUR CAFETERIA I THINK IT'S REAL PRETTY
7 BECAUSE WE HAD MORE I MEAN MURALS PAINTED EVERYWHERE,
8 BUT THE MAIN REASON FOR THIS PICTURE TAKEN IS I HAVE 560
9 STUDENTS AND LUNCH BEGINS AT 10 30 WITH THE KINDERGARTEN
10 STUDENTS AND ENDS AT 1 30 WITH THE THIRD GRADE

11 Q NOW THIS IS A SEPARATE BUILDING THAT WAS BUILT--

12 A THIS IS THAT LITTLE SEPARATE BUILDING IN THE BACK
13 THAT IS THE FOURTH ACTUALLY BUILDING

14 Q OKAY 1571-CB?

15 A THIS IS A WATER FOUNTAIN IN THE CAFETERIA THAT --
16 WHAT IT'S TRYING TO DEPICT ALL OF OUR WATER FOUNTAINS IS
17 CONNECTED TO LINES OUT OF THE 1926 BUILDING WHERE RUST IS
18 A PROBLEM WE HAVE TO KEEP THEM RUNNING BEFORE CHILDREN
19 DRINK OUT OF IT BECAUSE THE LINE THAT RUNS FROM THE SCHOOL
20 TO THE CITY THEY ARE AFRAID TO CONNECT MORE LINES BECAUSE
21 IT WOULD EXPLODE ALL THE OLD LINES IN THE BUILDING

22 AND IN ORDER TO DO THAT IT TAKES A LOT OF
23 MONEY SO RIGHT NOW THAT'S WHAT--

24 MRS GRAY YOUR HONOR, I OBJECT TO THE FOUNDATION ON
25 SOME OF THIS TESTIMONY

Polly Elkins

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Director of School Reform, Dillon 2

Direct Examination by Ms Hart

1 Q ALL RIGHT 1571-CC

2 A THIS IS THE MOISTURE THAT I -- DEPICTS AT THE BOTTOM
3 THAT THE ROOMS ARE CONSTANTLY PAINTED

4 Q OKAY WHAT IS THIS THAT WE ARE LOOKING AT?

5 A THIS IS A WALL IN THE 198 -- EXCUSE ME, 1926
6 BUILDING

7 Q 1926 ALL RIGHT LET'S MOVE TO 1571-CD

8 A THIS IS A RESTROOM IN THE 1926 BUILDING WHICH IS
9 LOCATED KIND OF OUTSIDE OF THE FACILITY SO YOU WILL
10 UNDERSTAND THIS, THESE EAST ELEMENTARY USED TO BE A HIGH
11 SCHOOL YEARS AND YEARS AND YEARS AGO AND THIS FACILITY IS
12 KIND OF LIKE LOCATED IN THE BACK PART OF THE BUILDING AND
13 THE TILES AGAIN WE THINK IT LOOKS BAD BUT AGAIN IT JUST
14 TAKES MONEY TO REPLACE, BUT THEY ARE CLEAN

15 I MEAN, THE BATHROOM IS CLEAN IT'S JUST --
16 APPEARANCE IS NOT GREAT BUT WE USE IT

17 Q ALL RIGHT 1571-CE

18 A THIS IS -- SO I CAN EXPLAIN THIS VERY QUICKLY, THE
19 RIGHT SIDE IS A HOLE THAT OUR MAINTENANCE PRODUCED THE
20 LEFT SIDE IS THAT STARTED THE INVESTIGATION WAS WHERE BATS
21 HAD CHEWED OR AND PIGEONS HAD CAME THROUGH WHERE WIRING
22 FOR THE INTERNET AND STUFF HAD HAPPENED AND THIS IS AGAIN
23 IN THE UPSTAIRS IN THE 1926 BUILDING IT'S JUST WIRES
24 EXPOSED

25 WE HAVE A LOT OF BATS AND A LOT OF PIGEONS

1 THERE WAS A PIGEON NEST THAT WAS AS LARGE AS I WAS UP IN
2 THIS AREA

3 Q OKAY AND THIS IS A CEILING?

4 A THIS IS A CEILING

5 Q OKAY 1571-CP-- CF

6 A THIS IS JUST SHOWING THAT WE CAN CONTINUE TO REPLACE
7 TILES OVER AND OVER BUT THIS IS WHAT YOU CONTINUALLY GET
8 OUR MAINTENANCE DEPARTMENT IS CONTINUALLY ON IT BUT AGAIN
9 YOU CAN KEEP REPLACING BUT THIS IS, IF THE ROOF IS GOING
10 TO LEAK IT'S GOING TO LEAK IN THE SAME AREA OVER AND OVER

11 Q NOW WHAT BUILDING IS THIS IN?

12 A THIS AGAIN IS ALSO THE 1926 BUILDING

13 Q ALL RIGHT 1571-CG?

14 A THIS IS IN THE UPSTAIRS PART OF THE 1926 BUILDING
15 THIS ROOM IS A LITTLE SPECIAL THIS IS WHERE YEARS AGO
16 THIS USED TO BE THE STAGE AREA FOR A, IT WAS LIKE A
17 THEATRE KIND OF THING, AN AUDITORIUM AND IF YOU WILL
18 LOOK STRAIGHT IN FRONT OF YOU IT S A PARTITION, IT'S
19 ACTUALLY A PARTITION AND THERE'S ANOTHER SECOND GRADE
20 CLASS ON THE OTHER SIDE

21 SOUND IS HORRIBLE THE KIDS ALMOST HAVE TO BE
22 TRAINED NOT TO LISTEN TO THE OTHER TEACHER ON THE OTHER
23 SIDE IF YOU WILL LOOK ABOVE, WHEN THE CEILINGS FELL DUE
24 TO THE CEILINGS FALLING ALL OF THE CEILINGS WERE REPLACED
25 WITH THIS NEW LOOK OF A CEILING

1 Q BUT THIS CEILING HAS BEEN IN PLACE--

2 A BARELY A YEAR

3 Q OKAY WE WILL TALK A LITTLE BIT MORE ABOUT THAT
4 AND 1571-CH?

5 A NOW THIS PART IS IN THE 1984 PORTION WHICH HOUSES
6 SECOND GRADE, THE LIBRARY AND THINGS LIKE THAT BUT AGAIN
7 IT'S SHOWING YOU THE LEAKING CONTINUES IT'S A FLAT ROOF,
8 AND WE CAN REPAINT AND REDO, AND IF -- YOU CAN TELL IT'S
9 TWO TYPES OF CEILING TILES BECAUSE WE CONTINUE TO REPLACE
10 THAT AREA CONTINUE TO WORK ON THE ROOF, BUT WE STILL
11 GETTING THIS PROBLEM BUT IT WILL BE REPAINTED AND TILES
12 WILL BE REPLACED

13 Q ALL RIGHT 1571-CI

14 A OKAY THIS IS THE RESTROOM WHICH THERE IS NO HEATING
15 AND NO COOLING THIS IS WHERE THE FIRST GRADE USES

16 Q WHAT BUILDING?

17 A THIS IS IN THE 1926 BUILDING, THE BACK PART WHERE
18 THERE IS A BATHROOM SHOWN EARLIER PRESENTLY THIS IS
19 BEING FIXED THERE ARE HOLES WHERE WE HAD A SNAKE PLACED,
20 THAT CAME OUT ALSO WE HAD SOME PIGEONS NESTED IN THE
21 UPPER PART OF IT SO I DON'T KNOW IF THE SNAKE WAS
22 WAITING FOR THE PIGEON OR WHAT

23 BUT THESE ARE BATHROOMS THESE WOODEN STALLS
24 FOR PRIVACY FOR THE CHILDREN, BUT THEY GET A LOT OF
25 SPLINTERS AND WE HAVE TO KEEP REPLACING THESE DOORS THIS

1 DOWN OR WE WOULD BE CITED AND ANY OTHER SCHOOL IN OUR
2 DISTRICT WOULD BE CITED

3 Q ALL RIGHT HAVE THERE BEEN ANY MAJOR RENOVATIONS TO
4 THE 1926 BUILDING IN THE LAST FIVE OR SIX YEARS?

5 A OH, YES, MA'AM THE -- WE HAVE HAD ALL OF THE
6 CEILINGS LOWERED AND I DON'T KNOW THE EXACT TERMINOLOGY
7 BUT THEY HAVE HAD METAL WHERE IT'S ENFORCED AND WE HAVE
8 NOW REAL TILES THAT ARE REAL LIGHT THAT WEIGH VERY LIGHT
9 THAT WAS DONE IN 2001 DUE TO A CEILING FALLING

10 Q TELL US ABOUT THAT WE HEARD A LITTLE BIT ABOUT THAT
11 FROM MR ROGERS, BUT WERE YOU THERE WHEN THE CEILING FELL?

12 A IT FELL RIGHT IN FRONT OF MY FACE, YES

13 Q TELL US ABOUT IT

14 A THIS WAS IN, IT HAPPENED ON OCTOBER THE FIRST OF
15 2001 AND I'M GOING BACK TO SEPTEMBER BECAUSE OF SOME
16 THINGS THAT THE TEACHER HAD SAID SEPTEMBER THE 11TH AS
17 EVERYONE KNOWS A VERY DRASTIC THING HAPPENED WITH A LOT OF
18 THINGS FALLING AND OUR TEACHERS AS WELL AS OUR STUDENTS
19 WERE AWARE OF ALL OF THIS

20 DURING ALL THIS TIME WE HAD PIGEON PROBLEMS WE
21 HAD SEVERAL PEOPLE GOING UP IN THE CEILING AS I SAID,
22 THE PIGEON NEST THAT WAS TAKEN DOWN, THAT WAS AS LARGE AS
23 I WAS, SAW IT MYSELF WE HAD SOME BAT PROBLEMS AND WE ARE
24 USED TO CERTAIN SOUNDS IN THE 1926 BUILDING

25 I HAVE ALWAYS SAID AT NIGHT IF I WAS THERE LATE

1 I THINK I HAD AN EAST GHOST THERE BECAUSE, YOU KNOW,
2 EITHER THE PIGEONS WERE GOING TO VISIT ME OR A BAT THEY
3 WERE REALLY NICE BECAUSE I -- I WOULD HAVE A BAT MYSELF
4 AND BAT BATS

5 BUT IT WAS A VERY TRYING TIME OF KIND OF KNOWING
6 WHAT WAS GOING ON AND HOW IT WAS GOING ON AS A FEMALE I
7 CALLED EVERYTHING INTO OUR MAINTENANCE DEPARTMENT WHO IN
8 TURN WOULD COME CHECK OUT THE CEILINGS, WOULD GO UP AND
9 LOOK WOULD EVEN HAVE -- IF A PERSON WAS WORKING IN THE
10 AREA, WOULD SAY OKAY, SHE HAS A LOT OF COMPLAINTS AND
11 SHE'S NOT GOING TO STOP BOTHERING ME UNTIL I HAVE SOMEBODY
12 TO WORK ON IT

13 DURING THAT TIME THE MAINTENANCE LOOKED UP IN
14 THE CEILINGS AND THEY PRETTY MUCH THOUGHT IT WAS PIGEONS
15 AND BATS BECAUSE WE WERE CLEANING OUT THAT AREA NO
16 STRUCTURAL MOVEMENT, NOTHING THAT WE NOTICED AND AGAIN
17 WE WERE ON THIS

18 BUT ON OCTOBER THE FIRST A FIRST GRADE TEACHER
19 CAME TO MY OFFICE AND SAID, MRS ELKINS COULD YOU COME
20 DOWN TO MY ROOM? I DON'T THINK IT'S A PIGEON THIS TIME
21 WOULD YOU PLEASE JUST COME AND CHECK AND THEN MAYBE WE CAN
22 CALL MAINTENANCE TO PLEASE COME BACK ONE MORE TIME BECAUSE
23 THERE ARE SOME SOUNDS THAT ARE HAPPENING AND I JUST HAVE
24 THIS FEELING THAT IT'S NOT PIGEONS STILL BECAUSE SHE HAD
25 SEVERAL PIGEON DROPPINGS IN HER ROOM BEFORE

1 WELL, WHEN I GOT IN THERE, AS SOON AS I WALKED
2 IN I WHISPERED TO HER I SAID LET'S HAVE A SMALL RECESS
3 OUT ON THE GROUNDS AND IT WAS A COOL DAY AND SO SHE SAID
4 OKAY CLASS, LET'S STAND UP

5 AND I WAS STANDING AT THE DOOR AND THERE WERE SO
6 MANY LITTLE BRIGHT EYES AND I THINK I SEE THIS SO VIVIDLY
7 BECAUSE OF WHAT HAPPENED KIDS FROM -- A LITTLE SIX YEAR
8 OLD BLONDE HEADED GIRL WITH BLUE EYES WHO WAS LIKE OH WE
9 GET TO GO OUTSIDE, MRS ELKINS, I TALKED TO A LITTLE BOY
10 WHO WAS LIKE WE'VE BEEN GOOD, AND THEY STARTED GOING TO
11 THE HALLWAY

12 WHEN THE LAST LITTLE CHILD WHICH ATTENDED MY
13 CHURCH USUALLY KIDS WHEN THEY COME BY ME LIKE TO HUG ME
14 AND SHE WAS JUST HUGGING ME, AND I SAID, COME ON, LET'S GO
15 ON OUT AND THE TEACHER WAS ABOUT TO TURN OFF THE LIGHT
16 AND AS SOON AS SHE PUT HER HAND UP WE HEARD A REAL LOUD
17 CRACK AND AS SOON AS SHE GOT PAST MY SHOULDER, EVERYTHING
18 JUST FELL FLAT IN FRONT OF ME AND IT TOOK ME BY SURPRISE

19 MY EYES WERE BURNING IT WAS DUSTY I SAW
20 FIRE I SAW BEAM -- IT LOOKED LIKE SOMETHING SO HEAVY
21 BECAUSE I SAW DESKS THAT ARE REAL OLD FLATTENED IT WAS
22 AMAZING

23 I WAS IN SHOCK AND I KNOW THAT NOW I
24 COULDN'T MOVE AND ALL I HEARD THE TEACHER DOING WAS
25 SCREAMING WELL THE ONLY THING I KNEW INSTINCTIVELY WAS

1 LET'S CALM THE TEACHER DOWN, LET'S CALM THE TEACHER DOWN,
2 AND LET'S GET ALL KIDS OUT AND ALL I COULD THINK OF THE
3 BUILDING WAS COMING DOWN BECAUSE OF SEPTEMBER THE 11TH
4 THAT'S ALL THAT WAS ON MY MIND

5 I TURNED IMMEDIATELY, GRABBED THE TEACHER AND I
6 SAID GET THE KIDS OUT I WILL DEAL WITH YOU LATER AND
7 THAT'S WHAT I SAID AND SHE SAID YES MA'AM SO SHE WENT
8 ON OUT

9 AND WHEN THAT HAPPENED THAT WAS AMAZING TO ME
10 I HIT THE FIRE ALARM, AND IT WAS GOING OFF, AND ALL I
11 COULD THINK OF, LORD, PLEASE JUST GET THESE KIDS OUT OF
12 THIS BUILDING BEFORE EVERYTHING GOES

13 THE FIRE ALARM -- I THINK KIDS CAME OUT OF THAT
14 BUILDING THE FASTEST FIRE DRILL THEY HAVE EVER DONE AND I
15 THINK MAYBE THEY HEARD THIS LOUD NOISE, IT WAS SO LOUD
16 THAT EVEN THE 1984 BUILDING WHICH IS WAY ON THE OTHER SIDE
17 HEARD A LOUD SOUND SO YOU CAN IMAGINE HOW LOUD IT WAS

18 WHEN THE FIRE DRILL HAPPENED TEACHERS
19 INSTINCTIVELY KNEW SOMETHING WAS NOT NORMAL BECAUSE THAT
20 WASN'T A NORMAL TIME DURING LANGUAGE ARTS SO WHENEVER
21 ALL THE KIDS CAME OUT I WENT TO THE FRONT OFFICE, CLEARED
22 EVERYBODY OUT I MEAN, SECRETARIES ONLY SIT THERE AND
23 ANSWER THE PHONE, THEY KNEW FROM -- I HAD WHITE SMOOT
24 (SIC) ALL OVER ME, I BEGAN -- ACTUALLY BEGAN TO CRY MYSELF
25 BECAUSE I NEVER HAD SOMETHING LIKE THIS TO HAPPEN

1 I CALLED THE DISTRICT SUPERINTENDENT AND I GOT
2 HIS SECRETARY AND I SAID PLEASE, PLEASE GET MR ROGERS TO
3 PLEASE COME TO EAST ELEMENTARY, IT'S AN EMERGENCY ALSO
4 KNOWING HE HAD JUST HAD HEART SURGERY I'M LIKE, OH, MY
5 GOD, I GOT EVERYBODY IN MY HAND WHAT AM I GOING TO DO,
6 HOW DO I TELL HIM?

7 WELL, WHEN I WALKED OUT MY MAIN THING WAS I
8 HAVE TO SHOW COMPOSURE SO I WENT QUICKLY TO THE BATHROOM
9 THINKING THIS BUILDING IS GOING TO FALL ON ME, MIGHT AS
10 WELL DIE YOU KNOW, I ALWAYS HEARD IF YOU'RE CAPTAIN OF
11 THE SHIP, YOU GO DOWN WITH THE SHIP

12 WELL, I WAS GOING DOWN WITH THESE BECAUSE I
13 FIGURED EVERYTHING WAS GOING DOWN I WENT TO THE
14 BATHROOM CLEARED OFF MY FACE THE DUST AS MUCH AS I
15 COULD, STILL HAD A LOT IN MY HAIR

16 WHENEVER I LEFT THE RESTROOM, WENT OUT THE FRONT
17 DOOR, TEACHERS WHO KNOW ME AS FAMILY KNEW SOMETHING WAS
18 WRONG SO THEY KNEW ALREADY KEEP THE KIDS CALM I EVEN
19 SAW THE TEACHERS SITTING THE KIDS DOWN THAT'S NOT NORMAL
20 FOR A FIRE DRILL THEY KNEW SOMETHING WAS WRONG

21 AND WHAT I SAW THE TEACHERS DOING WASN'T SO
22 CALMING TO ME THAT WHEN I SAW MR ROGERS COME UP I ASKED
23 HIM TO PLEASE WALK INTO THE BUILDING WITH ME AND WE WALKED
24 SLOW

25 NOW, I WANTED TO GO FAST BUT HE ALREADY KNEW

1 FROM EXPERIENCE DON'T SHOW, YOU KNOW, THIS ENTHUSIASM YOU
2 HAVE SO WE WALKED SLOWLY INTO THE BUILDING AND AS SOON
3 AS THAT DOOR CLOSED I SAID MR ROGERS YOU'RE NOT GOING TO
4 BELIEVE IT, BUT YOU NEED TO WALK VERY SLOWLY TO THIS AREA,
5 AND ARE YOU OKAY

6 AND HE SAID WHY? HE SAID I CAN TELL SOMETHING
7 IS WRONG BECAUSE AT THIS TIME DUST HAD ALREADY FLOATED ALL
8 OVER THE BOTTOM FLOOR TO WHERE YOU COULD SEE THE FLOOR BY
9 WHERE IT WAS WHITE BUT THE WALLS YOU COULDN'T REALLY TELL
10 BECAUSE THEY ARE BONE

11 GOT INTO THAT AREA, OPENED THE BACK AREA TO
12 WHERE THOSE BATHROOMS WERE AND TRIED TO GET SOME FLOW OF
13 AIR AND THERE WERE STILL SPARKS GOING ON AND YOU PULLED
14 OUT THIS DESK, THE ONLY THING HE SAW AT THAT TIME WAS HE
15 SAW THREE DESKS THAT WERE FLATTENED

16 AGAIN, THIS IS OLD METAL THAT IT IS HARD TO BEAT
17 UP, FLATTENED THREE DESKS WHERE THAT LITTLE BLONDE HEADED
18 GIRL THE SIX YEAR OLD BLUE EYED WAS SITTING I HAD
19 ANOTHER CHILD SITTING BESIDE HER AND THE CHILD THAT HUGGED
20 MY NECK AT THE END BECAUSE HE WAS ON THAT FAR SIDE WAS
21 SITTING IN THAT AREA WHERE THEY WOULD HAVE DIED BECAUSE I
22 COULDN'T -- WHAT AMAZED ME WAS, I'M THINKING THIS IS
23 TILE WHAT IN THE WORLD HAPPENED

24 AND AGAIN, YOU DIDN'T KNOW WHEN I WENT OVER
25 THERE AND HE'S WITH ME WE PICKED UP A PIECE OF THAT

1 TILE IT WAS LIKE 200 POUNDS AND IT -- AND I WAS -- THEY
2 TELL ME IT'S WHEN THE 1926 BUILDING WAS BUILT--
3 MRS GRAY YOUR HONOR
4 THE COURT I SUSTAIN THAT OBJECTION AS TO WHAT SHE
5 WAS TOLD
6 BY MS. HART
7 Q IT WASN'T ARE YOU -- WHAT KIND OF CEILING TILE WAS
8 IT?
9 A IT WASN'T THIS CEILING TILE IT WAS CEMENT I CALL
10 IT CEMENT BECAUSE IT'S SO HEAVY IT'S -- TO DO A
11 COMPARISON ALL I SAW AT THAT TIME WAS MR ROGERS
12 GRABBING HIS HEART AND I JUST STARTED TO CRY
13 AND ALL I COULD THINK OF WAS THOSE THREE KIDS
14 COLD HAVE DIED IF IT WASN'T FOR THE INTUITIVE (SIC) OF
15 THAT TEACHER SAYING THERE'S MORE TO THIS THAN A PIGEON OR
16 ANYTHING
17 SO THAT DAY WAS SOMETHING I WILL ALWAYS
18 REMEMBER I HAD NIGHTMARES, I HAVE HAD--
19 MRS GRAY YOUR HONOR, I OBJECT RELEVANCE
20 MS HART YOUR HONOR, I THINK IT'S CERTAINLY
21 RELEVANT
22 THE COURT I WILL ALLOW JUST THIS REALLY WE NEED
23 TO GET--
24 MS HART YEAH, WE ARE GOING TO MOVE ON
25 THE COURT THANK YOU

Polly Elkins
Former principal, East Elementary School, Dillon 2
Director of School Reform Dillon 2
Direct Examination by Ms Hart

1 Q LET'S GO ON AND TALK ABOUT THE 1984 BUILDING, I THINK
2 YOU CALLED IT THIS -- WHAT FUNCTIONS DOES THIS BUILDING
3 SERVE?

4 A THE 1984 BUILDING HOUSED THE SECOND GRADE THERE ARE
5 FOUR SECOND GRADE LOCATED IN THAT AREA THE THIRD GRADE
6 WHICH HAS THE HANDICAPPED CHILD WHICH IS IN A WHEELCHAIR

7 Q THIRD GRADE CLASS?

8 A ONE THIRD GRADE CLASS

9 Q ALL RIGHT

10 A A LIBRARY, A COMPUTER LAB, A PROGRAM FOR EXCEPTIONAL
11 CHILDREN CLASS WHICH IS -- RIGHT NOW L D IS LOCATED IN
12 IT

13 Q L D MEANING? WHAT DOES L D STAND FOR?

14 A I HAVE GONE TOTALLY BLANK

15 Q IS IT LEARNING DISABLED?

16 A THAT'S WHAT IT IS THANK YOU L D CLASS, A NURSE'S
17 STATION THAT WE CALL IT AND THAT'S ALL

18 Q OKAY DO YOU HAVE ANY CONCERNS ABOUT THIS BUILDING?
19 I THINK WE SHOWED SOME PICTURES OF --

20 A I HAVE CONCERNS

21 Q -- LEAKS?

22 A I HAVE CONCERNS WITH MOLD AND MILDEW BECAUSE I
23 CONSTANTLY HAD TO HAVE HOUSEKEEPING TO CLEAN IT WEEKLY
24 BECAUSE THE MOLD WOULD GROW ON THE WALLS OR ON THE DESKS
25 OR ON INTO THE CARPET WHERE IT HAD TO BE CLEANED OR

1 REPLACED IF WE HAD MONEY TO REPLACE IT
2 HAD SEVERAL CHILDREN THAT WERE -- THEY HAD
3 ASTHMA ATTACKS AT SCHOOL THAT I HAD TO DEAL WITH THAT CAME
4 FROM THAT ROOM OR ACTUALLY SEVERAL ROOMS IN THAT BUILDING
5 MR SMITH OBJECT, YOUR HONOR HOW DO WE KNOW THAT
6 THE ASTHMA ATTACKS WERE RELATED TO THE MOLD PROBLEM? I
7 DON'T BELIEVE THERE'S A FOUNDATION LAID, YOUR HONOR
8 THE COURT I WILL SUSTAIN THAT AS FAR AS THE
9 CAUSATION IS CONCERNED I WILL ALLOW HER TO TESTIFY THERE
10 WERE ASTHMA ATTACKS FROM CHILDREN WHO WERE USING THE
11 BUILDING BUT I SUSTAIN THE OBJECTION AS TO CAUSATION
12 THANK YOU
13 BY MS. HART
14 Q DO YOU NOTICE ANY ODORS IN THAT BUILDING?
15 A YES, I DO
16 Q CAN YOU DESCRIBE IT
17 A WHEN I WALK INTO THE BUILDING THERE IS A MOLD SMELL
18 A MILDEW SMELL
19 MRS GRAY YOUR HONOR I OBJECT I DON'T THINK SHE
20 CAN IDENTIFY WHAT A MOLD SMELLS LIKE AS OPPOSED TO ANY
21 OTHER SMELL I MEAN, I THINK THAT REQUIRES AN EXPERTISE
22 BEYOND THE REALM OF THIS WITNESS
23 THE COURT YOU KNOW, I DON'T KNOW WHETHER -- HOW
24 EXPERT YOU HAVE TO BE TO DO THAT IT'S MUSTY, YOU KNOW,
25 WHETHER IT'S MOLD IN THE CHEMICAL SENSE OR WHETHER IT'S

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1 Q ALL RIGHT YOU MENTIONED THAT THREE CHILDREN, WELL

2 --

3 A YES

4 Q -- HAVE HAD ASTHMA ATTACKS AT SCHOOL?

5 A YES

6 Q IS THAT DIFFERENT FROM IN YEARS PAST?

7 A YES IT IS VERY DIFFERENT FROM YEARS PAST THAT'S
8 THE -- AS WELL AS THE TEACHER SHE HAD TO BE OUT SEVERAL
9 DAYS BECAUSE OF IT AND AGAIN, HER COMMENT TO ME WAS--

10 MR SMITH OBJECT, YOUR HONOR

11 THE COURT YES, I SUSTAIN THE OBJECTION

12 BY MS HART:

13 Q HAS INCIDENCE OF ASTHMA IN YOUR STUDENT POPULATION
14 INCREASED?

15 A OH, VERY MUCH SO IT HAS INCREASED A LOT

16 Q HOW ABOUT THE INCIDENCE OF ASTHMA IN THE DISTRICT AS
17 A WHOLE?

18 A WE HAVE HAD, AS IN THE DISTRICT AS A WHOLE, WE HAVE
19 HAD THREE STUDENTS TO DIE

20 MRS GRAY OBJECT YOUR HONOR IF SHE KNOWS I
21 MEAN, THE QUESTION WAS IN THE DISTRICT AS A WHOLE

22 THE COURT THAT'S RIGHT

23 MR SMITH YOUR HONOR, UNLESS THEY ARE GOING TO
24 OFFER SOME TESTIMONY ABOUT THE CAUSATION, THIS IS
25 IRRELEVANT

1 THE COURT I AGREE AND I THINK IT'S--

2 MR SMITH I THINK THE COURT MADE NOTICE THAT
3 ARTICLES ABOUT INCREASES IN ASTHMA GENERALLY UNLESS IT CAN
4 BE ASSOCIATED

5 THE COURT I WILL SUSTAIN THAT OBJECTION WE ARE
6 GOING BEYOND THE MATTER OF THE COMPLAINT IN WHICH THIS
7 COURT ALLOWS SOME LATITUDE UNTIL WE'RE TALKING ABOUT MORE
8 SERIOUS PROBLEMS THAN THAT THOSE PROBLEMS, ATTEMPT TO BE
9 RELATED GOT TO BE FROM EXPERTS' TESTIMONY

10 MS HART ALL RIGHT

11 BY MS HART

12 Q WE WILL TALK ABOUT SOME OTHER ISSUES ABOUT -- LET'S
13 GO BACK TO THE 1926 BUILDING ARE THERE ANY -- WELL, YOU
14 TESTIFIED THAT THERE WERE AREAS IN THAT BUILDING THAT YOU
15 COULD NOT USE DOES THAT CONCERN YOU WITH RESPECT TO THE
16 CHILDREN WHO ARE HOUSED IN THAT BUILDING?

17 A I'M CONCERNED WITH ANY ASPECT OF THAT BUILDING THIS
18 DAY AND TIME

19 Q CAN YOU GIVE US SOME EXAMPLES OF INSTANCES THAT HAVE
20 OCCURRED BECAUSE OF THE AGE OF THAT BUILDING?

21 A WELL, AS I HAD SAID EARLIER OR STATED EARLIER, WE HAD
22 PROBLEMS WITH BATS AND PIGEONS I HAD CHILDREN WHO AND
23 THIS I SAW MYSELF -- A CHILD IN THE FIRST GRADE YOU RELATE
24 LETTERS TO PICTURES AND THE FIRST GRADE TEACHER WAS
25 GOING OVER THE LETTER B

1 AND I WAS WALKING THROUGH THE HALLWAY AND HER
2 DOOR WAS OPEN AND I STOPPED BECAUSE I DON'T KNOW WHY I
3 STOPPED BUT IT WAS JUST INTERESTING AND SMILING AT THE
4 CHILDREN, LOOKING AT THE TEACHER FOR SUPPORT AND SHE WAS
5 GOING OVER THE LETTER B
6 AND SHE SAID CAN YOU GIVE ME AN INSTANCE OR A
7 PICTURE IN THE ROOM OR ANYTHING THAT YOU CAN THINK OF WITH
8 THE LETTER B WITHIN THREE OR FOUR SECONDS HERE COMES A
9 CHILD WITH A BAT, A DEAD BAT THAT I DON'T KNOW WHERE IT
10 CAME FROM BECAUSE, YOU KNOW USUALLY I INSPECT THESE ROOMS
11 AND SAID BAT, DO I GET EXTRA RECESS TODAY? THAT CONCERNED
12 ME DEEPLY
13 NOW TO ME THE OTHER KIDS WERE HAVING A BALL BUT
14 I, AS A PRINCIPAL I WAS VERY CONCERNED WHAT ARE THE OTHER
15 PARENTS GOING TO THINK OF ME AS A PRINCIPAL WHENEVER YOU
16 GOT DEAD BATS LAYING EVERYWHERE AND I THOUGHT I HAD
17 ALREADY CHECKED THESE ROOMS BECAUSE WE DO HAVE THAT
18 PROBLEM
19 I HAVE HAD KIDS CRAWL UNDER THE BUILDING IT'S
20 AN OLD BUILDING AND IT'S LIKE, THERE'S THE BIG -- WHAT I
21 CALL THINGS THAT YOU GO UNDER WHERE YOU WORK ON THE
22 BUILDING THAT HAS TO BE OPENED AND CLOSED
23 Q CRAWL SPACE?
24 A YES, MA'AM WELL, I HAD A CHILD MISSING AND THE
25 TEACHER HAD LOOKED, HAD DONE EVERYTHING AND THIS IS A

1 Q WELL LET'S TALK ABOUT THE SPACE THAT YOU DO HAVE
2 A OKAY
3 Q OLD THOUGH IT MAY BE
4 A YES
5 Q IS IT LARGE ENOUGH?
6 A LARGE ENOUGH?
7 Q YEAH LET'S TALK ABOUT THE SPACE ISSUES
8 A OKAY
9 Q YOU TESTIFIED THAT YOU ONLY HAVE SPACE TO OFFER FOUR
10 YEAR OLD KINDERGARTEN PRE-K?
11 A DO NOT
12 Q DO YOU HAVE ANY AREAS FOR ALL THE STUDENTS TO MEET
13 FOR ASSEMBLY?
14 A I DO NOT WE CAN MEET AS A GRADE LEVEL AND I CAN
15 SQUISH THEM UP IN THE LIBRARY AND THEY ARE REAL TIGHT AND
16 ARE SITTING BUT IT'S NOT COMFORTABLE TO SIT MORE THAN TEN
17 MINUTES AS A GRADE LEVEL AND A GRADE LEVEL 130 140 YOU
18 CAN SIT REAL TIGHTLY BUT NOT AS AN ENTIRE BIG MEETING
19 OF KINDERGARTEN THROUGH THIRD GRADE, NO
20 Q AND WE TALKED ABOUT THE CAFETERIA?
21 A THAT IS CORRECT IT'S TOO SMALL
22 Q WHY DO YOU SAY IT'S TOO SMALL?
23 A WELL YOU CAN ONLY SEAT FOUR CLASSES AT A TIME SO
24 80, YOU CAN PUT ABOUT 80 STUDENTS IN THERE COMFORTABLY TO
25 EAT AND THEN YOU -- WHAT WE HAVE IS A ROTATING SERVE,

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1 PARENTS ARE REALLY WONDERFUL ABOUT DOING THAT

2 Q OKAY ARE ALL YOUR CLASSROOMS USED AT ALL TIMES?

3 A ALL CLASSROOMS ARE USED AND CLOSET SPACE AND HALL
4 SPACE

5 Q DO YOU HAVE SOME CLASSES THAT DO NOT HAVE AN ASSIGNED
6 SPACE?

7 A YES P E IS OUTSIDE THERE IS NO INSIDE GYMNASIUM,
8 NO INSIDE TO CONDUCT CERTAIN ACTIVITIES THAT SHOULD BE
9 INSIDE MUSIC HAS TO FLOAT FROM CLASS TO CLASS ART IS
10 THE ONLY AREA WHICH WE CAN STABILIZE IT BECAUSE OF THE
11 MATERIALS THAT ARE USED, BUT MUSIC AND P E IS ONLY
12 OFFERED THE FIRST THROUGH THIRD BECAUSE THEY HAVE TO GO TO
13 THE OTHER SCHOOL SO THEY ARE SHARED BY THE OTHER TWO
14 ELEMENTARY SCHOOLS

15 Q THEY BEING THE TEACHERS?

16 A YES, THE TEACHER HAS TO GO TO THE OTHER SCHOOLS

17 Q DO YOU HAVE TO OFFER THOSE DISCIPLINES TO THESE
18 CHILDREN?

19 A YES

20 Q WHY?

21 A IT'S PART OF THE REGULATION WE HAVE TO

22 Q OKAY DO YOU HAVE A TEACHERS' LOUNGE?

23 A NO MA'AM WE DO NOT HAVE A TEACHERS' LOUNGE AT EAST
24 ELEMENTARY

25 Q OKAY WHERE IS THE GUIDANCE COUNSELOR'S OFFICE?

1 A IN A CLOSET
2 Q AND WHERE IS THE NURSE'S OFFICE?
3 A CLOSET
4 Q I'M SORRY?
5 A IN A CLOSET
6 Q ARE THERE ANY PLANS TO RENOVATE THE BUILDINGS AT EAST
7 ELEMENTARY?
8 A NO, MA'AM NOT AT THIS TIME
9 Q WHY NOT?
10 A THERE'S NO MONEY
11 Q DO YOU HAVE AN ART TEACHER THIS YEAR?
12 A THE ART TEACHER--
13 MRS GRAY YOUR HONOR, I'M GOING TO OBJECT TO THIS
14 ART IS NOT AN--
15 THE COURT IT IS NOT
16 MRS GRAY NEITHER IS MUSIC I JUST DIDN'T JUMP UP
17 THE COURT TELL ME ABOUT THE RELEVANCE OF IT
18 MS HART WELL, THE ISSUE IS THAT EVEN THOUGH IT MAY
19 NOT HAVE BEEN MENTIONED IN THE ABBEVILLE OPINION,
20 ABBEVILLE OPINION IT TALKED ABOUT DELIBERATELY BROAD
21 PARAMETERS TALKED ABOUT ACADEMIC VOCATIONAL SKILLS AND
22 ALL THAT CAN RELATE TO ART AND MUSIC
23 ALSO THE STATE DEPARTMENT OF EDUCATION AS
24 APPROVED BY THE GENERAL ASSEMBLY HAS -- REQUIRES THESE
25 SCHOOLS TO OFFER THESE DISCIPLINES AND SO THE SCHOOLS

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1 BY MS HART

2 Q DO YOU HAVE AN ART TEACHER THIS YEAR?

3 A THEY WERE GOING TO ABSORB THE ART POSITION BUT THEY
4 DECIDED THE ART TEACHER AT THE OTHER ELEMENTARY SCHOOL
5 WILL ALSO SERVE ALL THREE LIKE MUSIC AND P E

6 Q OKAY DOES EAST ELEMENTARY HAVE AS MANY FACULTY
7 MEMBERS, STAFF, TEACHERS IN CLASSROOMS THIS YEAR AS IT HAD
8 LAST YEAR?

9 A NO MA'AM THEY ABSORBED A THIRD GRADE TEACHER WE
10 WANTED TO REPLACE HER BUT AGAIN THEY WERE CUTTING ALL OVER
11 THE DISTRICT AND THEY WERE TRYING TO BE FAIR TO EACH
12 ELEMENTARY SCHOOL, SO WE HAD TO ABSORB A THIRD GRADE
13 TEACHER WHO RETIRED

14 Q OKAY WHAT DID THAT DO TO THE CLASS SIZES AT EAST?

15 A MADE THEM VERY LARGE I HAVE BEEN TOLD -- NOW THERE
16 ARE 28, 29 RIGHT NOW I KNOW IN THIRD GRADE CLASSES

17 Q CAN A GOOD TEACHER WITH THE PROPER SKILLS AND
18 KNOWLEDGE, TRAINING, EFFECTIVELY TEACH A CLASS WITH 26 TO
19 29 STUDENTS?

20 A THEY WILL TRY BUT THEY CAN'T EFFECTIVELY DO IT

21 Q WHY DO YOU SAY THAT?

22 A BECAUSE THERE ARE SO MANY IN THERE AND THERE'S SO
23 MANY NEEDS THAT ARE THERE FOR QUESTIONS TO INDIVIDUALIZED
24 INSTRUCTIONS THAT NEED TO BE TAKEN INTO EFFECT EVERY
25 CHILD LEARNS DIFFERENTLY THAT TEACHER HAS TO BE ABLE TO

1 UNDERSTAND THE CHILDREN AND WITH 28, THAT IS VERY HARD TO
2 INDIVIDUALIZE, TO BUILD THE BOND, AS WELL AS FOR THE
3 TEACHER

4 IMAGINE THE STUFF THAT -- THE MATERIALS THEY
5 HAVE TO CHECK, THEY HAVE TO GET READY FOR YOU ARE
6 TALKING ABOUT EXTRA HOURS AGAIN THAT THEY ARE
7 CONCENTRATING ON PAPERS THAT THEY DO AFTER HOURS SO NO,
8 IT'S NOT EFFECTIVE FOR THAT TEACHER

9 Q ALL RIGHT WELL LET S TALK SOME ABOUT THE OTHER
10 ISSUES THAT TEACHERS HAVE TO DEAL WITH IN THE CLASSROOM
11 DO THEY HAVE ADEQUATE INSTRUCTIONAL MATERIALS FOR THESE
12 CHILDREN?

13 A NO, MA AM

14 Q WHAT DO YOU NEED IN THE WAY OF INSTRUCTIONAL
15 MATERIALS?

16 A ADDITIONAL INSTRUCTIONAL MATERIALS CAN BE FROM MATH
17 MANIPULATIVES WHICH ARE HANDS-ON ACTIVITIES KIDS LEARN
18 BETTER OR THEY RETAIN MORE WHEN THEY ARE ABLE TO TOUCH
19 THINGS AND TO ABSORB IT INTO REAL LIFE COMPONENTS

20 SOMETHING THAT YOU HAVE IN YOUR HAND THERE IS
21 JUST AN EXAMPLE OF A TEACHER UTILIZING CALLED MATH
22 MANIPULATIVES WHICH ARE HANDS ON IT CAN BE ANYTHING
23 BUT THESE ARE BAGS THAT ARE COMPOSED BY THE TEACHERS

24 A LOT OF IT THEY SPEND WITH THEIR OWN, THEY
25 SPEND THEIR OWN MONEY BUT A LOT OF IT HAS TO BE DONATED

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1 THE SUMMER OF 2004?

2 A I DON'T, I DON'T DEAL WITH THAT THAT'S OUT OF MY
3 DEPARTMENT SO I CAN'T ANSWER IT

4 Q OKAY WHAT DOES IT MEAN TO THE STUDENTS IN DILLON
5 TWO IF THEY, WITH THE SHRINKING OF THIS SUMMER SCHOOL
6 PROGRAM?

7 A SHRUNK -- YOU SAY WHAT DOES IT MEAN FOR THE STUDENTS,
8 THE STUDENT?

9 Q HOW DOES THAT AFFECT THEIR LEARNING OPPORTUNITIES?

10 A IT AFFECTS THEM BECAUSE THEY ARE NOT UP TO STANDARD
11 IF THEY ARE ALREADY BEHIND AND THERE IS NOTHING THERE OR
12 ANY AVENUE FOR THEM TO EVEN TRY TO GET TO THE STANDARD
13 THAT THE NEXT GRADE LEVEL IS GOING TO TEACH OR IF THEY ARE
14 GOING TO REPEAT THAT GRADE, THEY ARE STILL NOT UP TO THAT
15 STANDARD AND IT'S -- THEY ARE LOSING THEY ARE FALLING
16 THROUGH THE CRACKS OF THE SYSTEM

17 Q OKAY ARE THEY GETTING AN OPPORTUNITY TO RECEIVE A
18 MINIMALLY ADEQUATE EDUCATION?

19 A NO, THEY ARE NOT RECEIVING THAT

20 Q OKAY BEFORE WE WRAP THIS UP, MRS ELKINS I WANTED
21 TO ASK YOU ABOUT ANOTHER BUILDING IN DILLON COUNTY SCHOOL
22 DISTRICT NUMBER TWO HAS ANYTHING HAPPENED TO ANY OF THE
23 OTHER FACILITIES AT DILLON TWO IN THE LAST WEEK OR SO?

24 A YES, MA'AM THIS PAST SUNDAY BECAUSE -- I AM NOW THE
25 DISTRICT STEP LEVEL I GOT A CALL FROM THE PROGRAM FOR

1 EXCEPTIONAL CHILDREN DIRECTOR, MRS ALICE GRICE WHO SAID
2 THAT THE CEILINGS--

3 MRS GRAY YOUR HONOR?

4 THE COURT ALL RIGHT SHE CAN TESTIFY AS TO WHAT
5 SHE OBSERVED I TAKE IT SHE--

6 BY MS HART:

7 Q DID YOU GO TO J V MARTIN ON SUNDAY?

8 A WENT TO J V MARTIN SUNDAY

9 Q WHAT DID YOU SEE?

10 A IN THE 1896 BUILDING ON THE SECOND FLOOR THE
11 CEILINGS HAD FALLEN IN

12 Q OKAY NOW ON THE SCREEN WE HAVE GOT AN OLDER
13 PICTURE THAT WAS USED IN MR ROGERS' TESTIMONY
14 PLAINTIFFS' 1571-X IS THIS THE BUILDING WE ARE TALKING
15 ABOUT?

16 A YES, MA'AM THAT IS THE BUILDING

17 Q ALL RIGHT NOW, I'D LIKE TO OFFER THESE PICTURES AS
18 WELL YOUR HONOR NOT SURE THAT THEY HAVE BEEN MARKED

19 MRS GRAY MINE DOESN'T HAVE A NUMBER

20 MS HART MINE DOESN'T EITHER

21 THE COURT MS HART, BEFORE WE GET TOO DEEPLY INTO
22 THIS, CAN WE TAKE A BREAK AT THIS JUNCTURE OR IS THIS THE
23 LAST THING?

24 MS HART THAT IS THE LAST THING, AND I'M GOING TO
25 OFFER THESE IN, YOUR HONOR AS A GROUP

1 THE COURT WE WILL GO AHEAD
2 MS HART IT MAY TAKE TEN MINUTES SO WHY DON'T WE GO
3 AHEAD AND BREAK?
4 THE COURT IT'S UP TO YOU I DON'T WANT TO BREAK
5 THE FLOW OF THINGS ALL RIGHT WE WILL TAKE OUR BREAK AT
6 THIS POINT IN TIME AND START BACK AT 25 AFTER THE HOUR
7 MRS ELKINS YOU CAN STEP DOWN
8 THE WITNESS THANK YOU, SIR
9 (WHEREUPON THE WITNESS LEFT THE STAND)
10 (WHEREUPON A RECESS WAS HAD)
11 THE COURT ALL RIGHT MRS ELKINS, YOU CAN RESUME
12 THE STAND, PLEASE MA'AM
13 (WHEREUPON THE WITNESS RESUMED THE STAND)
14 BY MS. HART:
15 Q ALL RIGHT MRS ELKINS, BEFORE WE TOOK THE BREAK, WE
16 WERE TALKING ABOUT THE EVENT AT J V MARTIN JUNIOR HIGH
17 SCHOOL IN DILLON TWO ON SEPTEMBER 21, 2003 NOW, TELL US
18 WHAT HAD -- WHAT YOU SAW WHEN YOU WENT TO J V MARTIN ON
19 SEPTEMBER THE 21ST
20 A WHEN I ARRIVED AT J V MARTIN, IT WAS IN THE LATE
21 AFTERNOON, AND THERE WERE TWO LIGHT FIXTURES THAT HAD
22 FALLEN IN THE RIGHT SIDE OF THE CEILING INTO, LOOK THE
23 SECRETARIES CHAIRS ONE IN THE BACK AREA, ONE IN THE
24 FRONT AREA
25 TILES WERE ALL OVER THE FLOOR, AND LIGHT

1 FIXTURES, BULBS WERE BROKEN AND JUST STUFF FROM THE
2 CEILING HAD COME DOWN ON THE RIGHT-HAND SIDE OF THE
3 OFFICE
4 Q OKAY NOW, YOU HAVE ON THE SCREEN, THE FIRST
5 PICTURE, SET OF PHOTOGRAPHS THAT WE ARE INTRODUCING NOW,
6 YOUR HONOR, THEY ARE PLAINTIFFS' EXHIBIT NUMBER 6151
7 THE COURT 54, I BELIEVE IT IS
8 MS HART THANK YOU 6154 ALL RIGHT NOW, THE
9 FIRST PICTURE IN THIS SET IS ON THE SCREEN, MRS ELKINS
10 WHAT IS THAT WHITE OBJECT IN THE CENTER OF THE PHOTOGRAPH?
11 A IN THE CENTER OF THE PHOTOGRAPH IS A LIGHT FIXTURE
12 THAT WAS CONNECTED TO TILE LIKE, LIKE THIS THAT WAS
13 PLACED -- THAT WAS AN EXTENDED CEILING DOWN AND WHEN YOU
14 LOOK UP FROM -- JUST FROM WHERE THAT LIGHT FIXTURE IS
15 HANGING, YOU SEE THE 1896 OLD WOOD, LOOKED LIKE LITTLE
16 BOARDS AT THE TOP IT'S THE OLD 1896 CEILING
17 Q OKAY THE CEILING TILES WERE PLACED UNDERNEATH THE
18 OLD 1896 CEILING?
19 A THEY ARE CONNECTED TO THAT CEILING
20 Q AND THE LIGHT FIXTURE WAS ATTACHED TO THAT NEWER
21 CEILING?
22 A RIGHT AND IF YOU LOOK IN THE BACK OF THE FIRST --
23 YOU WILL SEE THE SECOND LIGHT FIXTURE HEADING DOWN ALSO
24 RIGHT IN FRONT OF THAT SAME PICTURE
25 Q OKAY THIS IS THE SECOND FLOOR OF J V MARTIN?

1 TICKET REPORT SITES, CORRECT?

2 A YES, MA'AM

3 Q SO AND IT SHOWS THE NUMBER OF OPEN TICKETS, CLOSED
4 TICKETS AND THAT SORT OF THING?

5 A UH-HUH

6 Q THAT IS ONGOING SINCE THE BEGINNING OF THE YEAR,
7 RIGHT?

8 A THAT'S CORRECT

9 Q AS THEY GET A COMPLAINT AND FIX IT OR RESPOND TO IT,
10 IT GOES TO THE CLOSED TICKET SIDE, RIGHT?

11 A AND A LOT OF THAT IS BY PHONE THEY CANNOT DO IT
12 PERSONALLY

13 Q RIGHT BUT, YOU KNOW, THE WEBSITE'S GOT SOME OTHER
14 RESOURCES FOR TECHNOLOGY, DOESN'T IT?

15 A BUT PEOPLE DON'T HAVE THE TIME DURING THE SCHOOL DAY
16 TO GET THAT DONE IF YOU WANT TO ACCESS FOR INSTRUCTIONAL
17 -- COMPUTERS ARE PUT IN THE CLASSROOMS FOR INSTRUCTION
18 IF THEY DON'T WORK, YOU CLOSE THEM AND YOU GO ON WITH THE
19 INSTRUCTION TEACHERS HAVE TO BE TIME-ON-TASK TO MEET
20 THESE STANDARDS

21 Q WELL, YOU HAVE A SITE ON YOUR WEBSITE THAT SAYS
22 TECHNOLOGY FORMS AND DIRECTIONS, RIGHT?

23 A THAT IS RIGHT THIS IS NEW THIS HAS JUST BEEN PUT
24 UP

25 Q RIGHT AND WHAT IT DOES IS IT HAS EQUIPMENT

1 DIRECTIONS, CORRECT?

2 A THAT'S RIGHT

3 Q AND IT HAS FREQUENTLY ASKED QUESTIONS CONCERNING THE
4 INTERNET, FOR EXAMPLE?

5 A AND THAT WAS PUT ON THERE BECAUSE OF SO MANY CALLS,
6 THE SCHOOLS WERE COMPLAINING WE DON'T KNOW WHAT TO DO, WE
7 CAN'T GET THIS COMPUTER TO WORK I MEAN, WE HAD SOME
8 TEACHERS WE CAN'T AFFORD TO DO THE TRAINING WHO WANTS TO
9 KNOW LIKE FOR A MOUSE, IF A MOUSE DON'T WORK WHERE DO YOU
10 GO BUY A MOUSE, WHERE DO I ASK FOR A MOUSE

11 I MEAN, VERY MINUTE THINGS BUT THAT'S WHY SHE IS
12 PUTTING THESE QUESTIONS ON HERE

13 Q RIGHT AND WHAT THIS DOES ACTUALLY IS PROVIDE
14 SUPPORT TO YOUR TEACHERS AND OTHERS THAT, FOR SIMPLE
15 QUESTIONS SHE'S PROBABLY LEARNED THAT THERE ARE A LOT OF
16 QUESTIONS THAT AREN'T THAT HARD TO ANSWER

17 A THAT'S RIGHT

18 Q THAT THIS IS A RESOURCE TO YOUR TEACHERS IF THEY
19 FORGET A PASSWORD WHAT TO DO I DO OR THE ANSWER YOU KNOW,
20 NO DOUBT I'M NOT GOING TO TAKE THE TIME TO GO PLOW INTO
21 ALL THESE ANSWERS BUT THEY GIVE YOU GUIDES FOR ASSISTANCE
22 IN USING TECHNOLOGY IN THIS MODERN DAY WORLD WHEN WE ARE
23 ALL TRYING TO GET USED TO IT?

24 A YES AND SHE DOES THIS AT HER HOME SHE DOES NOT DO
25 IT DURING SCHOOL HOURS BECAUSE THERE'S NOT ENOUGH TIME FOR

1 STUDENTS TO E-MAIL THEIR TEACHERS?

2 A IT'S JUST LIKE OTHER REGULATION, THEY ARE NOT
3 THINKING OF ALL KINDS OF CHILDREN AND WHAT HOMES THEY COME
4 FROM

5 Q NOW THE PERSON -- MRS GRAY PULLED UP ON THE SCREEN
6 THE TECHNOLOGY DEPARTMENT I'M NOT SURE EXACTLY IF THAT'S
7 WHAT IT WAS CALLED ON THE WEBSITE, BUT THERE'S SOME PEOPLE
8 LISTED UNDER TECHNOLOGY?

9 A YES

10 Q AND THERE'S ONE PERSON YOU SAID THAT SET UP AND
11 MAINTAINS THAT WEBSITE?

12 A YES, MA'AM MRS HILLY YOWE

13 Q I'M SORRY?

14 A MRS YOWE

15 Q LIKE YOWE?

16 A YOWE

17 Q OKAY DOES MRS YOWE DO THAT ON -- IS SHE PAID TO DO
18 THAT?

19 A TO SET UP THE WEBSITE

20 Q YES

21 A NO, SHE'S NOT PAID TO DO THAT SHE'S DIRECTOR OF
22 TECHNOLOGY WHICH I'M SURE SHE FEELS THAT IS HER
23 RESPONSIBILITY BUT THAT'S HER BABY, SHE LOVES TECHNOLOGY

24 Q ALL RIGHT DOES SHE DO IT DURING WORKING HOURS?

25 DOES SHE MAINTAIN THAT WEBSITE DURING WORKING HOURS?

1 TEACHERS?

2 A EXACTLY

3 Q AND THE LAST ONE IS YOUR TEACHERS, TEACHER COACH?

4 A YES

5 Q TELL US ABOUT THAT, PLEASE?

6 A COACHING IS A METHOD THAT'S RECOMMENDED TO BE USED
7 WITHIN A SCHOOL AND TEACHERS ARE TRAINED IN THE MODEL IN
8 THAT FOR INSTANCE I'M A TEACHER AND I'M CONCERNED ABOUT
9 MY QUESTIONING ABILITY

10 SO I WOULD ASK YOU TO COME IN AND LISTEN TO ME
11 AND YOU WOULD MARK, KEEP A TALLY OF HOW MANY QUESTIONS I
12 ASKED OR I MIGHT EVEN ASK YOU TO RATE THE DIFFICULTY
13 LEVEL I WOULD ASK YOU TO DO ONE THING

14 YOU WOULD COME IN AT AN ASSIGNED PERIOD OF TIME
15 AND YOU WOULD DO THAT THEN WE WOULD MEET AGAIN AND YOU
16 WOULD GIVE ME THAT INFORMATION FOR INSTANCE, YOU MIGHT
17 SAY PEGGY, YOU ASKED TEN QUESTIONS RAPIDLY IN LESS THAN
18 FIVE MINUTES IS THAT WHAT YOU WANTED TO DO? NO VALUE
19 JUDGMENT

20 SO THERE'S A STRATEGY THERE FOR YOU FINDING THE
21 INFORMATION THAT I AS A TEACHER INTERPRET IT, AND AS A
22 TEACHER I MIGHT SAY, THAT REALLY WASN'T WHAT I WANTED TO
23 DO, IT WAS TOO RAPID, I NEED TO GIVE MY CHILDREN MORE TIME
24 TO BE REFLECTIVE, I'M GOING TO WORK ON THAT

25 SO I SAY TO YOU I REALLY WANT TO DO THINGS

1 DIFFERENTLY, COULD YOU COME BACK, I'M GOING TO WORK ON
2 THIS, COME BACK ANOTHER TIME SO IT'S A STRATEGY THING
3 WHERE ONE TEACHER HELPS ANOTHER TO BUILD HER EXPERTISE IN
4 TEACHING

5 Q HOW HAVE YOU USED THESE SKILLS TO MAKE YOUR SCHOOL
6 EFFECTIVE?

7 A AND WE HAVE HEARD A LOT IN HERE -- AND I'M STARTING
8 MY SENTENCE WITH AN AND BECAUSE I'M CONTINUING -- THE LACK
9 OF RESOURCES, THE LACK OF OPPORTUNITY TO HAVE OTHERS COME
10 IN AND DO THE JOBS

11 I DON'T HAVE THE MONEY TO PAY A THOUSAND DOLLARS
12 A DAY FOR A PERSON TO COME IN TO GIVE IN-SERVICE TO MY
13 TEACHERS IN THE PAST WE HAVE OFFERED CLASSES, BUT WE
14 HAVE TO HAVE ONGOING SUSTAINED TRAINING

15 AND IN DOING THAT WE MEET EVERY THURSDAY AND MY
16 TEACHERS GIVE THEIR TIME, EVERY THURSDAY FROM 3 00 TO
17 4 00 AND WE WORK ON STRATEGIES TOGETHER, WE WORK ON
18 DEVELOPING LESSON PLANS ON GRADE LEVEL AND THE TEACHERS
19 ARE REQUIRED TO WRITE THEIR OWN QUESTIONS

20 NOW THEY LEARN THIS BECAUSE I HAVE MODELED IT
21 WITH THEM THEY KNOW THAT IF THEY HAVE A DIFFICULTY IN
22 TEACHING CONCEPTS THAT ARE IN THOSE STANDARDS AND WE HAVE
23 HEARD A LOT ABOUT STANDARDS ALSO

24 SO AS THE TEACHERS ARE DOING THESE THINGS
25 THEY'RE STANDARD DRIVEN AND THEY ASK WELL, MRS STAFFORD,

1 RESULTS TELLING US, WHERE ARE YOUR WEAKNESSES, WHAT DO WE
2 AS TEACHERS NEED TO FOCUS ON AND WHAT DOES THE TEST TELL
3 US ABOUT OUR STRENGTH

4 SO WE USE ALL THE DATA THAT WE GET BACK IT
5 ISN'T JUST LEFT IN A BOX AND EVERY TEACHER GETS FEEDBACK
6 FROM EACH INDIVIDUAL CHILD SO THEY KNOW THE EFFECTIVENESS
7 OF THEIR INSTRUCTION THAT'S WHAT THEY DO

8 Q ALL RIGHT NOW, FIRST OF ALL, ARE YOUR TEACHERS FROM
9 THE DILLON AREA OR

10 A YES

11 Q JUST HOW MANY TEACHERS DO YOU HAVE?

12 A 17 REGULAR CLASSROOM TEACHERS

13 Q 17 REGULAR CLASSROOM TEACHERS AND ARE THEY ALL FROM
14 DILLON OR MOST OF THEM OR WHAT?

15 A I HAVE ONE FROM FAIRMONT AND SHE'S COMMUTED FROM MY
16 SCHOOL FOR OVER 15 YEARS

17 Q ALL RIGHT NOW, WHERE IS FAIRMONT?

18 A IT'S ABOUT 20 MILES AWAY

19 Q AND THESE OTHER 16 ARE NATIVES OF DILLON?

20 A YES

21 Q BORN, RAISED IN DILLON?

22 A YES

23 Q OKAY AND THEY -- THE AVERAGE EXPERIENCE WITH YOU IN
24 DILLON IS HOW MANY YEARS?

25 A OH MY GOODNESS I HAVE BEEN THERE 18 YEARS SOME

1 HAVE BEEN THERE ALL THE 18 YEARS, BUT THE NEWEST TEACHER I
2 HAVE HAD, MY NEWEST TEACHERS HAS BEEN WITH ME, I HAVE ONE
3 NEW ONE WITH THE EXCEPTIONAL CHILDREN'S CLASS BUT WITH
4 ONGOING INSTRUCTION MY NEWEST TEACHER'S NOW TWO YEARS OLD
5 BEEN WITH ME TWO YEARS

6 Q SHE'S TWO YEARS OLD?

7 A TWO YEARS OLD I HAVE FOUR YEAR OLD TEACHERS AND I
8 HAVE FIVE YEAR OLD TEACHERS THAT'S THE WAY WE TALK ABOUT
9 OUR TEACHERS IN EDUCATION

10 Q OKAY SO THAT I WILL UNDERSTAND THE -- PULL UP IF
11 YOU WILL, 6152 GOT IT? I'M SORRY

12 (CONFERRING WITH STAFF)

13 Q AS WE SURVEYED THIS YESTERDAY, DILLON HAD BELOW THE
14 STATE AVERAGE IN TEACHERS WITH ZERO TO FIVE YEARS OF
15 EXPERIENCE NOW OUT OF THE 18 NOW 17 TEACHERS THAT YOU
16 HAD, HOW MANY TEACHERS DO YOU HAVE WITH LESS THAN FIVE
17 YEARS, WITH FIVE YEARS I SHOULD SAY OR LESS TEACHING
18 EXPERIENCE?

19 A TWO

20 Q TWO ALL RIGHT NOW, IF WE LOOK AT THE PERCENTAGE
21 OF WHAT THEY CALL INDUCTION CONTRACT TEACHERS AGAIN
22 DILLON THAT'S -- I'M SORRY, LANA, THAT'S 6152-I -- OUT OF
23 THE PLAINTIFF SCHOOL DISTRICTS, DILLON HAD THE LOWEST IT
24 WAS 2 2 PERCENT HOW MANY INDUCTION CONTRACT TEACHERS DO
25 YOU HAVE?

1 A ONE THIS YEAR

2 Q YOU HAVE ONE OKAY AND HOW LONG HAS THAT TEACHER

3 BEEN THERE?

4 A SHE'S ON -- THIS IS HER FIRST YEAR WITH ME

5 Q SO SHE IS INDEED AN INDUCTION CONTRACT TEACHER SO

6 YOU HAVE GOT ONE ALL RIGHT NOW, IN TERMS OF TEACHING

7 EXPERIENCE, DID YOU GIVE US AN AVERAGE WITHIN YOUR SCHOOL,

8 YEARS OF EXPERIENCE?

9 A OF MY TEACHERS? MOST OF MY TEACHERS HAVE BEEN

10 TEACHING A MINIMUM OF TEN YEARS

11 Q A MINIMUM OF TEN YEARS SO YOU HAVE GOT MORE THAN

12 AMPLE EXPERIENCE? YOU HAVE TO ANSWER

13 A OH YES I'M SORRY

14 Q OKAY THANK YOU ALL RIGHT NOW LET'S LOOK AT

15 PERCENTAGES OF CONTINUING CONTRACT TEACHERS BY DISTRICT

16 AND THAT WOULD BE 6152-F AND HOW MANY OF YOUR TEACHERS

17 ARE CONTINUING CONTRACT TEACHERS?

18 A ALL BUT THE TWO, THE INDUCTION AND THE SECOND YEAR

19 TEACHER

20 Q ALL RIGHT SO THAT WOULD BE 15 OF THE 17?

21 A UH-HUH, YES, SIR

22 Q ALL RIGHT SO OVER THE LAST FIVE YEARS YOU HAVE

23 HIRED TWO TEACHERS?

24 A YES, SIR

25 Q OKAY NOW, HOW DID YOU FIND THESE TEACHERS?

Polly Elkins
Former principal, East Elementary School, Dillon 2
Director of School Reform, Dillon 2
Direct Examination by Ms Hart

1 A THEY WERE RECOMMENDED TO ME FROM THE DISTRICT
2 OFFICE THEY APPLY AT THE DISTRICT OFFICE AND LEAVE A
3 RESUME AND THEN THEY ARE REFERRED TO ME FOR INTERVIEW
4 Q AND YOU INTERVIEWED THEM?
5 A I INTERVIEWED THEM
6 Q AS A TEAM APPROACH?
7 A NO I HAVE INTERVIEWED THEM AND PRETTY MUCH IT'S MY
8 DECISION
9 Q IN THE LAST THREE YEARS, MRS STAFFORD, HOW MANY
10 TEACHERS HAVE YOU LOST OUT OF SOUTH ELEMENTARY?
11 A TWO
12 Q TWO WERE BOTH OF THESE BY CHOICE OR WAS ONE KIND OF
13 SUGGESTED?
14 A I ENCOURAGED BOTH TO LEAVE
15 Q YOU ENCOURAGED BOTH TO LEAVE?
16 A YES
17 Q ALL RIGHT NOW, IN TERMS OF CERTIFIED TEACHERS, ARE
18 ALL YOUR TEACHERS CERTIFIED?
19 A YES, THEY ARE
20 Q ALL 17?
21 A YES
22 Q AND IN TERMS OF OUT OF FIELD, TEACHING OUT OF
23 ELEMENTARY EDUCATION?
24 A I DON'T HAVE ANY
25 Q NOW, DO YOU HAVE ANY OTHER READING SPECIALISTS IN

1 STRENGTHS OF MY FACULTY IS A POSITIVE ATTRIBUTE STEP, TOO
2 Q I WANT TO USE PEGGY STAFFORD'S STRENGTHS FOR A
3 MINUTE OKAY
4 A OKAY
5 Q NOW, YOU HAVE BEEN AT SOUTH FOR 17 YEARS IF MY MATH
6 WORKS OUT OKAY AND YOU GOT YOUR MASTERS IN READING
7 SPECIALTY AND YOU HAVE HAD 30 HOURS POST GRADUATE AND ALL
8 THE LEADERSHIP AND TRAINING COURSES WE DISCUSSED AS WE
9 WENT THROUGH YOUR RESUME HOW HARD IS YOUR JOB?
10 A IT'S HARD I HAVE GIVEN UP ALL OF MY OUTSIDE
11 ACTIVITIES I HAVE BEEN PRESIDENT SECRETARY OF ALMOST ALL
12 CIVIC GROUPS IN DILLON WHEN I BECAME PRINCIPAL OF SOUTH
13 I REALIZED THAT TO DO THE JOB THAT HAD TO BE DONE, I
14 COULDN'T DO THAT
15 NOW MY OUTSIDE ACTIVITY IS I PLAY THE PIANO IN
16 ADULT DEPARTMENT IN SUNDAY SCHOOL AND TEACH 85 YEAR OLD
17 SUNDAY SCHOOL CLASS AND I PAY MY DUES TO THE OTHER
18 ORGANIZATIONS AND I PUT MY HUSBAND TO BED AT 9 00 SO I CAN
19 CONTINUE WITH MY READING AND STUDY AND THAT'S PRETTY,
20 THAT'S MY LIFE MY CHILDREN ARE MY LIFE
21 Q WHILE WE ARE ON THE SUBJECT OF CHILDREN, I'M GOING TO
22 DIGRESS FOR A SECOND I WANT YOU TO TELL ME ABOUT THE
23 RELATIONSHIP THAT SOUTH IS ABLE TO BUILD UP WITH THIS
24 STUDENT POPULATION BECAUSE OF THE ABILITY TO WORK WITH
25 THAT POPULATION OVER TIME

1 INSTRUCTION

2 Q WELL, HOW DO YOU KNOW THEY READ IT?

3 A BECAUSE THEY COME TO ME AND TALK ABOUT IT AND

4 MOREOVER, THEY KNOW THEY ARE GOING TO HEAR ABOUT IT IN THE

5 TEACHERS' MEETING

6 Q OKAY NOW, THE TEACHERS' MEETING, LET'S TALK ABOUT

7 THAT FOR A MEETING WHAT TEACHERS' MEETING ARE WE TALKING

8 ABOUT?

9 A THAT ONE DAY A WEEK THEY GIVE TO ME TO AT 4 00 AND SO

10 WE JUGGLING LOTS OF STUFF IN THAT 4 00 MEETING, THE

11 PLANNING, THE RESEARCH AND JUST NOW WE HAVE IN THE

12 PLANS BLUE AND SANDY ARE GOING TO DO A BOOK STUDY TWO

13 THURSDAYS A WEEK WHICH MEANS I'M GOING TO HAVE TO DO MY

14 INTERACTION WITH A TEACHER THROUGH NOTES IN THEIR BOX AND

15 FIND TIME TO USE THIS WONDERFUL COMPUTER SO THAT I CAN GET

16 MY NOTES DONE AND IN THEIR BOX AND COMMUNICATE THAT WAY

17 Q HOW TO USE IT OR DO YOU HAVE TO TAKE TIME TO LEARN

18 HOW TO USE IT?

19 A OH, NO NO NO I CAN USE IT

20 Q OKAY I DIGRESSED I APOLOGIZE SO YOU HAVE A

21 MEETING ONCE A WEEK EVERY THURSDAY?

22 A EVERY THURSDAY

23 Q WITH ALL OF YOUR TEACHERS IN THE SCHOOL?

24 A RIGHT

25 Q SO ALL 17 TEACHERS AND YOU SHOW UP?

1 AREAS

2 IT MAY LOOK JUST LIKE PLAY TO YOU BUT THEY GOT
3 TO KNOW THAT IN THE BLOCK CENTER THEY ARE LEARNING MATH
4 LESS THAN, GREATER THAN, MORE THAN, FEWER, SMALLER, AND
5 THAT LANGUAGE YOU HAVE GOT TO TRAIN THAT ASSISTANT TO
6 KNOW THAT BECAUSE LIKE OUR MOTHERS, THEY WILL JUST SEE A
7 PLAY ROOM

8 SO AN ASSISTANT HAS TO KNOW TODAY I'M GOING TO
9 MATH AND WE ARE GOING TO WORK ON LANGUAGE, WE'RE GOING TO
10 WORK ON THAT MATH LANGUAGE SO WE ARE GOING TO TALK ABOUT
11 THAT SO THAT'S THE KIND OF TRAINING THEY GET

12 Q ALL RIGHT SO THE FIRST THING YOU DO OR ONE OF THE
13 THINGS YOU DO IS YOU PLAN?

14 A YES

15 Q YOU PLAN THESE MEETINGS?

16 A YES

17 Q ALL RIGHT AND YOU PLAN FOR, WHAT, THE NEXT WEEK?

18 A WE PLAN, YES, WE PLAN WE KNOW WHAT WE ARE GOING TO
19 DO AS FAR AS THE -- OUR LESSON PLAN EVERY TEACHER IS
20 REQUIRED TO HAVE LESSON PLANS TO ME ONCE A WEEK ON
21 MONDAY IT HAS TO BE ON MY DESK WITH A TEST IN MATH AND
22 SCIENCE WRITTEN IN HIGH-ORDERED QUESTIONS AND HER PLANS
23 FOR THE WEEK WITH A STANDARDS NOTED THAT SHE'S TEACHING
24 PLUS THE GRADE LEVEL TEST

25 Q ALL RIGHT SO THAT'S THAT WEEK'S --

1 A THEY KNOW THAT

2 Q -- LESSON PLAN?

3 A YES THEY GOT TO DO THAT

4 Q NOT DONE A DAY IN ADVANCE BUT A WEEK IN ADVANCE?

5 A YES

6 Q GO AHEAD

7 A AND SO THEY HAVE, THEY WORK ON THAT ON THEIR OWN TIME

8 AND ON THE OCCASION THAT WE DON'T USE UP ALL THE TIME ON

9 THURSDAYS THEY PLAN TOGETHER ONLY THOSE TIMES

10 BUT THURSDAY IS A PLANNING TOGETHER DAY, GETTING

11 INFORMATION FROM THE DISTRICT OFFICE DAY A SHARING TIME

12 THROUGH FELLOWSHIP AND FOOD AND WE ARE GOING TO START A

13 BOOK STUDY AS SOON AS WE ARE RELEASED FROM THE THIS

14 Q ALL RIGHT NOW WHEN, IN ADDITION TO PLANNING, IS

15 THERE A TRANSFER OF INFORMATION? THAT IS, IS THERE

16 TEACHER EDUCATION GOING ON?

17 A YES, BECAUSE RIGHT -- AND WE ARE GOING TO HAVE MORE

18 OF THAT THIS YEAR IN THAT MRS HUGGINS IS GOING TO BE A

19 COACH AND SHE'S GOING TO HAVE TIME TO ACTUALLY WORK WITH

20 THE TEACHERS AND COACH THEM IN WHAT WE KNOW ARE RESEARCH-

21 BASED STRATEGIES

22 SO WE ARE GOING TO HAVE THAT GOING ON AS WELL AS

23 SHE AND MRS COOK HAVE JOINED FORCES, THEY ARE GOING TO

24 TEACH SOME STRATEGIES THROUGH RESEARCH THEN THE TEACHERS

25 MEET EVERY - MOST OF MY TEACHERS MEET EVERY AFTERNOON ON

1 THEIR OWN TIME TO GO OVER THE DAY AND TO DEBRIEF JUST AS
2 I SEE YOU GUYS DO TEACHERS DO THAT ALSO

3 Q ALL RIGHT SO IN ADDITION TO THE SCHEDULED WEEKLY
4 MEETING THEY DO IT ON THEIR OWN?

5 A YEAH

6 Q ALL RIGHT NOW IN THIS, IN THE MEETINGS ON THURSDAY
7 AFTERNOON I JUST WANT TO MAKE SURE I HAVE MY ARMS AROUND
8 THIS IN ADDITION TO THE PLANNING, DO YOU TALK ABOUT
9 ARTICLES OR DO YOU TALK ABOUT SPECIFIC PROBLEMS WITH
10 CHILDREN OR IS IT JUST ANYTHING THAT COMES UP?

11 A NO, IT'S NOT ANYTHING WE HAVE AN AGENDA

12 Q OKAY

13 A AND THE AGENDA FIRST OF ALL OUR TITLE ONE
14 FACILITATOR, SHE PRESENTS IF THERE IS ANY NEWS IN TITLE
15 ONE OUR READER SPECIALIST WHO ALSO SERVES FOR OUR
16 TECHNOLOGY PERSONNEL BUILDER, SHE WILL SHARE AND THEN WE
17 WILL HAVE THE TEAMS AND THE FLOWER FUND THE SOCIAL
18 COMMITTEE WHERE WE HAVE AN OUTDOOR CLASSROOM AND THAT THE
19 GARDEN CLUB HAS A GARDEN THERE SO ALL OF THESE
20 COMMITTEES

21 AND WE TRY TO GET THROUGH THEM VERY QUICKLY AND
22 HAVE OUR REPORTS AND THEN FALLS THE -- EITHER PLANNED
23 BOOK STUDY OR AN ENDS UP BRIEF IN-SERVICE WITH ME OR A
24 RESEARCH STUDY BUT IT'S ALL ON AN AGENDA

25 Q AND WHAT'S THE PURPOSE OF THE -- OF THE STUDY THE

1 RESEARCH STUDY OR THE IN-SERVICE THAT YOU GIVE?

2 A MAKE US BETTER AT WHAT WE DO

3 Q OKAY NOW DO YOU GIVE THE TEACHERS IN-SERVICE ON A
4 REGULAR BASIS IN THESE THURSDAY MEETINGS?

5 A YES

6 Q IS THIS A ROUTINE PART OF THE MEETINGS OR?

7 A IT'S A ROUTINE PART OF THE MEETING

8 Q OKAY

9 A THEY MAY HAVE HAD A QUESTION IN THE HALL IT WON'T
10 BE AS IN DEPTH AS WE HAVE A CONSULTANT TO COME IN, BUT
11 MANY TIMES WE GET GOOD LEARNING JUST FROM A BRIEF
12 CONVERSATION

13 Q OKAY NOW DO THE TEACHERS DURING THAT PLANNING
14 SESSION TALK ABOUT STANDARDS AND HOW TO DO LESSON PLANS
15 THAT COMPLY WITH THE STANDARDS?

16 A THEY BRING IN STANDARDS WITH THEM

17 Q THEY BRING THEIR STANDARDS WITH THEM? SO EACH GRADE
18 THEN WOULD BE ABLE TO COMPARE LESSON PLANS AND MATCH THEM
19 AGAINST STANDARDS, IS THAT HELPFUL?

20 A MOST OF THEM HAVE PRETTY MUCH LEARNED THE STANDARDS
21 AND CAN FLIP THROUGH THEM QUICKLY AND YOU WILL HEAR THEM
22 AS TALKING AND THINK THEY HAVE TO CORRELATE THE BASAL
23 INSTRUCTION WITH THE STANDARD AND THOSE YOU CAN'T GO ABOUT
24 PAGE BY PAGE, AND THAT THEY HAVE GOTTEN SOPHISTICATED
25 ENOUGH TO KNOW AND DONE THIS A LONG TIME AGO

1 WE DON'T GO PAGE BY PAGE IN OUR BASAL IN OUR
2 READING OR IN OUR MATH BECAUSE WE KNOW IN THE THIRD GRADE
3 FOR INSTANCE YOU DON'T GET TO MULTIPLICATION UNTIL THE END
4 OF THE BOOK THE END OF THE BOOK IS FAR TOO LATE FOR PACT
5 AND SO THEY KNOW, THEY ADJUST THE MATERIALS TO MEET THE
6 NEEDS OF THE CHILDREN AND THEY CAN ONLY DO THAT BY KNOWING
7 THE STANDARDS
8 Q ALL RIGHT AND THEN WHEN THEY TURN THEIR LESSON
9 PLANS IN TO YOU ON MONDAY, DO YOU REVIEW THEM?
10 A I READ THOSE PLANS
11 Q THEY HAVE A TEST EVERY WEEK?
12 A YES
13 Q THEY TEST THEIR STUDENTS EVERY WEEK?
14 A YES, SIR
15 Q AGAINST THE STANDARDS?
16 A YES
17 Q NOW, YOU ALSO SAID THAT THE TEACHERS MET ON THEIR
18 OWN?
19 A YES
20 Q TELL ME ABOUT THIS IF YOU WILL
21 A THOSE ARE MEETINGS THAT THEY INITIATE THEMSELVES
22 WHEN I LEAVE AT 4 00 THE YARD IS STILL FULL OF TEACHERS'
23 CARS, LITERALLY AND PEOPLE ARE AMAZED THAT SCHOOL IS OUT
24 AND THEY ARE STILL THERE WE HAVE HAD TEACHERS LOCKED IN
25 THE BUILDING, THEY SET THE ALARM OFF WHEN THEY MOVE

1 BECAUSE YOU KNOW, THEY DON'T KNOW THEY ARE THERE THAT'S
2 HOW DEDICATED THEY ARE

3 Q WHAT DO THEY DO?

4 A THEY ARE WORKING ON THEIR LESSONS THEY ARE PLANNING
5 FOR THE CHILDREN

6 Q WE HAVE HEARD SOME TIME SOME DISCUSSION MRS
7 STAFFORD ABOUT NOT HAVING TIME TO DO TEAM WORK TO TALK TO
8 YOUR PEERS DOES YOUR TEACHER GROUP HAVE TEAM WORK AND
9 TALK TO THEIR PEERS?

10 A THEY DON'T HAVE TIME DURING THE DAY THAT'S WHY THEY
11 ARE STAYING AFTER SCHOOL AND COMING BEFORE SCHOOL

12 Q ARE THEY PAID FOR THAT?

13 A NO

14 Q WHY DO THEY DO IT?

15 A BECAUSE THEY LOVE THE CHILDREN AND THEY WANT THE
16 CHILDREN TO LEARN

17 Q NOW, WHEN YOU GET A NEW TEACHER IN LIKE YOU DID THIS
18 YEAR, HOW DOES THE SCHOOL TAKE CARE OF THAT NEW TEACHER?

19 A SHE IS AN EXCEPTIONAL, SHE IS A TEACHER OF
20 EXCEPTIONAL CHILDREN SO THAT IS A DEPARTMENT IN ITSELF
21 SHE IS ASSIGNED A MENTOR AND THE MENTOR IS JUST ACROSS THE
22 HALL FROM HER THE MENTOR IS WITH HER SEVERAL TIMES A DAY
23 AND I OBSERVE THIS

24 THE MENTOR IS GIVING HER FEEDBACK MOREOVER,
25 I'M IN THE ROOM AND OBSERVING GIVING FEEDBACK SHE AND

1 HER ASSISTANTS ARE NEW TO THE BUILDING THE ENTIRE PROGRAM
2 'IS NEW TO US AND SO THE SUPPORT SHE IS GETTING IS REALLY
3 ASTRONOMICAL IN THAT THIS PERSON, HER MENTOR IS VERY GOOD
4 AT WHAT SHE DOES

5 SHE IS THERE FOR HER SHE UNDERSTANDS THE
6 CHILDREN SHE UNDERSTANDS THEIR NEEDS SHE UNDERSTANDS
7 THE BEST WAY TO DO THINGS AND IF YOU HAVEN'T WORKED WITH
8 EXCEPTIONAL CHILDREN THAT ARE IN WHEELCHAIRS OR ARE --
9 CAN'T WALK OR WHO ARE NONVERBAL IT'S VERY DEMANDING AND
10 TECHNIQUE IS SO IMPORTANT AND TO HAVE SOMEONE TO MENTOR
11 FOR YOU TO BE THERE IS INVALUABLE

12 Q WHILE DOES THAT MENTOR ACROSS THE HALL FROM THE
13 INDUCTION TEACHER SPEND THE TIME WITH THE NEW TEACHER?

14 A SHE DOES THAT BECAUSE MENTORS DO RECEIVE A STIPEND
15 SO SHE IS RECEIVING A STIPEND FOR IT BUT SHE'S DOING IT TO
16 EARN A STIPEND AND DOING IT BECAUSE YOU CARE TO AND THE
17 AMOUNT OF TIME SHE SPENDS WITH THIS NEW TEACHER SUGGESTS
18 TO ME SHE IS CONCERNED AND SHE WANTS TO BE THERE

19 Q SO SHE DOES IT OUT OF CONCERN FOR THE NEW TEACHER AND
20 WANTS TO HELP?

21 A YES

22 Q NOW, YOU HAVE A NEW TEACHER THAT COMES ON BOARD
23 EVERY, YOU GOT TWO IN THE LAST THREE YEARS, CORRECT?

24 A (INDICATED NODDING HEAD)

25 Q IS MENTORING FOR YOUR SCHOOL, SOUTH ELEMENTARY, A

1 BURDEN?

2 A MY NEW TEACHERS HAVE BEEN DEPARTMENTALIZED SO, NO,
3 IT HASN'T BEEN BECAUSE THE MENTOR HAS BEEN IN AN ADJOINING
4 ROOM IT REQUIRES NO EXTRA -- I'M SAYING NO, BUT LET ME
5 BACK UP I'M NOT THE FINANCE PERSON I AM NOT INTO MONEY
6 AND THE DISTRICT OFFICE MAY BE STRUGGLING TO FIND THE
7 MONEY TO PAY THAT MENTOR SO I WILL HAVE TO RE-THINK THAT

8 Q I DIDN'T MEAN A FINANCIAL BURDEN I MEANT A BURDEN TO
9 THE MENTOR?

10 A SHE DOESN'T SEE IT THAT WAY

11 Q HOW DOES SHE SEE IT?

12 A MY -- THE MENTORS, THEY ARE EXCITED ABOUT IT AND THEY
13 TELL ME THAT IT RENEWS THEIR INTEREST THEY RE-THINK WHAT
14 THEY ARE DOING, IT SHARPENS THEIR OWN SKILLS WELL WE
15 HAVE A BELIEF AMONG US THAT TEACHERS LEARN THE MOST WHEN
16 THEY TEACH TEACHERS DON'T THINK I HAVE TO KNOW IT VERY,
17 VERY WELL

18 Q SO SHE LOOKED -- SORRY I INTERRUPTED GO AHEAD

19 A AND MENTORS FEEL THAT WAY

20 Q SHE LOOKS AT IT AS AN OPPORTUNITY TO SHARE KNOWLEDGE
21 AND TO LEARN HERSELF?

22 A RIGHT

23 Q OKAY NOW, DOES YOUR TEACHING GROUP HAVING BEEN
24 TOGETHER FOR SO LONG, DO THEY GET ALONG?

25 A YES THEY GET ALONG

1 THESE CHILDREN IT IS A CHALLENGE EVERY DAY

2 MR ROGERS WAS REMINDING ME OF SOME EXPERIENCES
3 I HAVE HAD I HAVE HAD PEOPLE WHO COULDN'T TAKE IT MR
4 EPPS I HAD A TEACHER WHO BEGAN TO SCREAM IN THE MIDDLE
5 OF THE HALL, I CAN'T TAKE IT ANY MORE, I CAN'T DEAL WITH
6 THESE CHILDREN ANY MORE, AND OF COURSE, SHE HAD TO
7 RESIGN

8 MY WORK IS STRESSFUL TO ANSWER ALL THE NEEDS
9 OF THESE CHILDREN, IT'S INCREDIBLY HARD AND WHEN YOU
10 ASSIGN A TEACHER AS A MENTOR, SHE IS ADDING ON ALREADY TO
11 AN OVEREXTENDED DAY AND AN OVEREXTENDED MENU OF THINGS SHE
12 HAS TO DO

13 Q IF YOU HAD HIGH RATES OF TURNOVER, COULD YOU
14 EFFECTIVELY MENTOR?

15 A NO

16 Q NOW, ONE THING WE HAVEN'T TALKED ABOUT THAT WE NEED
17 TO TALK ABOUT -- WELL BEFORE I ASK THAT QUESTION, LET ME
18 BACK UP ONE MORE SECOND WE DIDN'T -- WE TALKED ABOUT
19 YESTERDAY THAT ALL YOUR TEACHERS ARE CERTIFIED IN
20 ELEMENTARY ED

21 A YES

22 Q AND YOU NOW HAVE TWO READING SPECIALISTS IN ADDITION
23 TO YOURSELF --

24 A RIGHT

25 Q -- ON STAFF IN A 17 FACULTY SCHOOL HOW MANY OF YOUR

1 A OKAY THAT WOULD BE CLOSE ENOUGH

2 Q ALL RIGHT NOW, IF WE COULD PULL UP 6119-A, IT WOULD
3 BE EASIER TO READ

4 A NO, I CAN'T SEE THAT WITHOUT MY CLASSES OKAY I
5 SEE IT YES, I CAN SEE THAT

6 Q ALL RIGHT EXPLAIN TO THE COURT, IF YOU WILL WHAT
7 6120 AND 6119-A SHOW

8 A OKAY LOOK AT STUDENT A IF YOU WILL AS I SAID,
9 THE EIGHT REPRESENTS THE EIGHTH PERCENTILE MEANING THAT
10 92 PERCENT OF THE CHILDREN SCORED HIGHER THAN HE DID AND
11 THE TWO IS A STANINE SCORE AND A STANINE SCORE RUNS FROM A
12 ONE TO NINE WITH FIVE BEING AVERAGE, AND SO THIS CHILD
13 SCORED AS A TWO

14 THAT WAS WHEN HE WAS GIVEN THIS TEST IN THE
15 SPRING AFTER APPROXIMATELY TEN TO 12 WEEKS OF
16 INSTRUCTION, THIS CHILD SCORED IN THE 36 PERCENTILE NOW
17 LOOK AT THE GAIN AND HE DOUBLED HIS STANINE

18 NOW, THESE ARE NOT OUTSTANDING SCORES BECAUSE 50
19 PERCENTILE IS AVERAGE BUT YOU DO WANT TO LOOK AT THE
20 GAIN IN SUCH A SHORT TIME LOOK AT STUDENT B , HE SCORED
21 IN THE 33RD PERCENTILE IN THE SPRING BEFORE STANINE AND HE
22 SCORED IN THE 84TH PERCENTILE LOOK AT THAT GAIN

23 THIS WAS WHAT I WAS LOOKING FOR THIS IS WHAT I
24 BELIEVED COULD HAPPEN I BELIEVED THESE CHILDREN COULD
25 LEARN I TOOK THE RISK I PUT THEM WITH THE BEST TEACHER

1 I COULD FIND, AND THIS IS WHAT HAPPENED IN A SHORT WHILE
2 AND YOU CAN SEE IT ALL THE WAY THROUGH ONE
3 STUDENT, AND I DON'T KNOW WHICH IT IS, WAS NOT A REPEATER,
4 AND HE WAS MAKING ADEQUATE GAIN FOR THE AMOUNT OF TIME HE
5 WAS IN THE ROOM, BUT--
6 Q THE ONE I KNOW ABOUT IS -- IS LISTED ON 6120 THE
7 FOURTH ONE DOWN AS AUSTIN
8 A YEAH
9 Q OKAY HE WASN T IN THE PRIOR YEAR?
10 A NO, HE WAS NOT A REPEATER
11 Q OKAY AND SO THAT WOULD BE D LET ME MAKE SURE I AM
12 RIGHT YES
13 A THAT WOULD BE D ON MY SCREEN?
14 Q YES
15 A OKAY AND THAT WOULD BE ADEQUATE GAIN FOR THAT
16 AMOUNT OF TIME BECAUSE HE IS NOT A REPEATER I WAS -- AND
17 THIS AGAIN, HAS TO SAY -- TO DO WITH MATURATION AND
18 KNOWING HOW CHILDREN THINK AND DO
19 I WAS COUNTING ON MATURATION IN THE RIGHT
20 SETTING THE RIGHT TRAINING, TO PULL THESE CHILDREN
21 THROUGH, AND I'M CONVINCED THAT IT WAS THE RIGHT DECISION
22 Q SO AT 12 WEEKS ESSENTIALLY WITH MRS COOK, WHO IS A
23 READING SPECIALIST, AND WHO AT ONE TIME WAS A TEACHER
24 SPECIALIST --
25 A YES

1 Q -- WHO TAUGHT AT DILLON --

2 A YES

3 Q -- AS A REGULAR TEACHER, BECAME A TEACHER SPECIALIST
4 CAME BACK

5 A YES

6 Q IN 12 WEEKS, SHE WAS ABLE TO TAKE THAT CLASS --

7 A YES

8 Q -- AND DEMONSTRATE THESE SCORES ON A MAT 7 TEST?

9 A YES

10 Q ARE THOSE STUDENTS NOW THIRD GRADERS?

11 A YES THEY WILL BE TESTED THIS YEAR

12 Q NOW, WHAT DOES THIS SHOW TO YOU MRS STAFFORD?

13 A IT PROVES THAT MY CHILDREN CAN LEARN IT PROVES THAT
14 MY CHILDREN HAVEN'T LEARNED BUT THEY CAN LEARN, AND WE
15 HAVE TO PROVIDE THEM WITH THAT OPPORTUNITY AND THAT
16 OPPORTUNITY MAY BE MORE TIME, THE PRESCHOOL, AFTERSCHOOL
17 AND SUMMER PROGRAMS

18 IF MEANS THEY ARE GOING TO HAVE TO HAVE TEACHERS
19 WHO ARE EXTREMELY WELL TRAINED THAT THEY HAVE TO BE
20 TRAINED IN THE PRIMARY GRADES IN THE TEACHING OF READING
21 SPECIFICALLY BECAUSE THIS IS THE CRUCIAL LEARNING FOR
22 EVERYTHING THAT'S GOING TO HAPPEN TO THEM BEFORE

23 THEY MUST BE PROVIDED WITH PEOPLE WHO BELIEVE IN
24 THEM, THAT ARE SELECTED AND WHO CHOOSE TO BE WITH THEM
25 SO WE HAVE GOT TO PROVIDE THEM TIME, WE HAVE GOT -- THEN

1 Q TELL US WHAT THAT IS, PLEASE

2 A THAT'S MY OFFICE AND THOSE ARE THE EXPOSED CABLES
3 THAT ARE RUNNING ALL THROUGH, AS YOU SEE FROM THE BACK OF
4 THE COMPUTERS, THEY ARE EXPOSED WIRING, YOU CAN SEE THE
5 RADIATOR THOSE RADIATORS HAVEN'T BEEN USED IN YEARS AND
6 THEY ARE STILL THERE THE UNSIGHTLINESS OF IT ALL AND--

7 Q WHO -- I'M SORRY GO AHEAD

8 A AND OF COURSE, THE DANGER OF HAVING EXPOSED WIRING,
9 AND YOU CAN SEE HOW IT'S DROPPED AND RUN SOME DISTANCE,
10 THE WIRING IS, IT

11 Q SOUTH ELEMENTARY IS A BURNES SCHOOL? OKAY WHEN WAS
12 SOUTH ELEMENTARY BUILT?

13 A IT WAS BUILT IN '54

14 Q OKAY ALL RIGHT 1571-FL

15 A THAT'S IN THE TEACHERS' BATHROOM MY TEACHERS ONLY
16 HAVE THIS ONE FACILITY AND THERE IS ONLY TWO LOCATIONS FOR
17 THEM TO USE THE BATHROOM THIS IS ON THE MAIN HALL AND
18 THIS IS -- THIS IS THE BATHROOM

19 Q ALL RIGHT 1571-FC

20 A THIS IS THE GIRLS' BATHROOM AND AS YOU CAN SEE IN
21 THE BACK, THERE IS PLYWOOD BACK THERE AND THERE IS AN
22 EXHAUST FAN THAT YOU COULD ALMOST SEE, AND THE EXHAUST FAN
23 ROARS TREMENDOUSLY

24 IT ISN'T LARGE ENOUGH TO PULL OUT THE ODORS
25 WHICH BUILD UP WITH THE -- MY MAID DOES AN EXCELLENT JOB,

1 BUT THE SANITATION MATERIALS HAVE THEIR OWN STENCH AS
2 WELL AND YOU CAN SEE THE AGE OF THE FACILITY THERE

3 Q 1571-EY

4 A THAT IS MY SECURE AREA AS YOU KNOW, WE ARE SUPPOSED
5 TO KEEP RECORDS UNDER LOCK AND KEY, AND THE TEACHERS JUST
6 RETURNED THEIR NOTEBOOKS UP HERE IT'S NORMALLY NEATER
7 THAN THAT

8 BUT THAT IS NOTHING MORE THAN A WALKWAY BETWEEN
9 MY SECRETARY'S OFFICE AND THE BATHROOM, AND THAT'S THE
10 ONLY AREA I HAVE THAT IS SECURE THAT I CAN LOCK AND MAKE
11 SECURE AND SAFE TO HOUSE OUR RECORDS

12 Q ALL RIGHT 1571-EW

13 A THAT'S ALL OF MY SUPPLIES

14 Q FOR THE WHOLE SCHOOL?

15 A FOR ALL OF MY CHILDREN EXCEPT FOR THE FOUR YEAR OLDS
16 THE FOUR YEAR OLDS GET THEIR OWN FUNDS, BUT THAT'S THEM --
17 AND BASICALLY FIRST SECOND AND THIRD GRADE THOSE ARE MY
18 SUPPLIES

19 Q WHAT SUPPLIES ARE YOU LACKING IN YOUR VIEW, MRS
20 STAFFORD?

21 A WE CAN'T ALLOW THE TEACHERS TO USE A COPIER BECAUSE
22 OF FEAR THAT FROM CARELESSNESS OR LACK OF KNOWLEDGE, IT
23 WILL GO DOWN IF IT GOES DOWN, WE ARE OUT OF BUSINESS
24 WE HAVE THE LAMINATING MACHINE AND SIMILARLY, WE CAN'T
25 ALLOW THEM FREE ACCESS TO IT BECAUSE IF THEY WERE TO

1 Q OKAY WELL AGAIN I NEED TO BE CLEAR ON THIS BECAUSE
2 I DON'T WANT TO PUT SOMETHING IN THAT'S NOT CORRECT IS
3 THIS THE ENTIRE ROOM OR ARE WE MISSING PARTS OF THE ROOM?

4 A NO, THAT'S THE ENTIRE ROOM

5 Q OKAY 5033-B

6 A THAT ROOM IS ART, P E , MUSIC, TITLE ONE, AND IF I'M
7 NOT MISTAKEN, GUIDANCE THEY SHARE THAT ONE MOBILE AND
8 THE GUY YOU SEE THERE IS OUR ART TEACHER, AND THAT'S AN
9 ACCUMULATION OF HIS SUPPLIES AND THE OTHER SUPPLIES

10 AND THAT'S THE SPACE THAT IS SHARED BECAUSE WE
11 DON'T HAVE ANY OTHER SPACE FOR THEM AND AS YOU SEE THE
12 INFERENCE HERE IS THAT THERE IS NO CLASSROOM FOR THESE
13 PEOPLE

14 Q ALL RIGHT 5033-C

15 A THOSE ARE AREAS THAT HAVE LEAKED IN THE MOBILE WE
16 CELEBRATED IN THAT WE WERE ABLE TO GET 25 YEAR OLD
17 MOBILES THESE ARE OUR NEW MOBILES BUT AS YOU SEE THEY
18 -- THEY ARE LEAKING

19 Q WHERE DID YOU GET THESE MOBILES?

20 A WE GOT TWO THIS YEAR WE HAVE SEVEN AND ALL -- AND
21 ONE DOUBLEWIDE, AND EACH OF THOSE -- MANY OF THOSE HAVE
22 BEEN SPLIT AND DOUBLED FOR USAGE

23 Q ALL RIGHT SO THESE WERE ORIGINALLY ON THE GORDON
24 CAMPUS?

25 A YES

1 A -- IN ONE AT A TIME, SO THEY ACTUALLY HAVE A CHILD OR
2 EVEN AS MANY AS TWO CHILDREN SEE THE SMALL CHAIRS?

3 Q DO THEY ALTERNATE THEIR TIMES SO THAT THEY DON'T HAVE
4 TWO CHILDREN IN THERE TEACHING DIFFERENT THINGS AT
5 DIFFERENT TIMES?

6 A NOT THESE TWO THESE TWO MAY ACTUALLY BE HERE AT THE
7 SAME TIME

8 Q SO THE SOUND JUST GOES

9 A YES, YES

10 Q OKAY BACK AND FORTH?

11 A YES

12 Q ALL RIGHT 5033-I

13 A THAT IS THE DUCTWORK, AND I'M TRYING TO -- IT'S THE
14 DUCTWORK THAT COULD BE IN ALMOST ANY ROOM AND YOU SEE
15 THE MILDEW ON THE VENT AT THE TOP, AND WE HAD MILDEW IN
16 OUR BUILDING

17 WE HAD ONE CLASSROOM THAT HAD TO BE
18 COMPLETELY -- THE TEACHER LOST MOST OF THE PAPER PRODUCTS
19 IN HER ROOM, PERSONAL BOOKS TORE THE RUG OUT WE HAD TO
20 DO MAJOR WORK TO CONTROL THE MILDEW

21 Q 1571-FV

22 A THAT AGAIN IS A PICTURE OF OUR CREATIVITY WE
23 EXTENDED OUR WALK TO ANOTHER MOBILE WE DIDN'T HAVE
24 ENOUGH MONEY WHEN WE BOUGHT THE STEPPING STONES WE HAD
25 TO RAISE MORE MONEY IN THE FUND RAISER AND SO WE DECIDED

1 OLD AND THEY -- THAT YOU CAN SEE THEY HAVE BEEN REPLACED
2 BY -- I BELIEVE THEY CALL IT PVC PIPE IT WAS AN OLDER
3 PIPE FOR -- AND IT'S CONTINUALLY CLOGGING UP, STOPPING
4 UP

5 AND WE HAVE BEEN WITHOUT WATER FOR SEVERAL
6 HOURS, EVEN TO THE EXTENT OF BEING AFRAID WE WERE GOING TO
7 HAVE TO CALL MR ROGERS AND GET BUSES OVER THERE TO SEND
8 OUR CHILDREN OUT BECAUSE YOU CAN'T HAVE 500 300 AND SOME
9 CHILDREN IN A SCHOOL WITHOUT RUNNING WATER

10 AND THIS HAPPENS FAR TOO OFTEN MOREOVER, IN
11 THE FRONT OF THE BUILDING, WHICH YOU CAN'T SEE, THIS DRAIN
12 EMPTIES INTO A PIT THAT IS BY THE FRONT OF OUR BUILDING,
13 AND THE STENCH IS AWFUL, AND IT HAS TO BE DRAINED OUT SO
14 THIS IS WHY THIS IS HERE IT'S DUG OUT AND -- AND IT'S
15 DONE REGULARLY

16 Q SO THE PURPOSE OF THE PICTURE IS TO SHOW THAT THIS IS
17 A REPETITIVE PROBLEM?

18 A RIGHT RIGHT AND IT CAN HAPPEN SEVERAL TIMES A
19 YEAR

20 Q ALL RIGHT 1571-FY TO ME SIMPLY SHOWS WIRING,
21 EXPOSED WIRING, LEADING OUT TO THE BUILDING?

22 A UH-HUH

23 Q ANYTHING OTHER THAN THAT?

24 A NO THIS BUILDING IS INDICATIVE OF THE 50'S, BEFORE
25 WE HAD A NEED FOR LOTS OF WIRING, LOTS OF POWER WHEN I

1 WENT TO SOUTH, THERE WERE ONLY ONE OR TWO ROOMS THAT HAD
2 AIR CONDITIONING AND IT WASN'T THAT -- AND THE TEACHERS
3 HAD TO BUY THOSE

4 THEY SOON STOPPED ALLOWING TEACHERS TO BUY THEIR
5 OWN AIR CONDITIONING BECAUSE THE BUILDING SIMPLY DIDN'T
6 HAVE THE POWER TO RUN IN THE AFTERNOONS WE WERE THROWING
7 SWITCHES ALL OVER THE PLACE BECAUSE THE TEACHERS WERE
8 TRYING TO RUN THE OVERHEADS, AND ALL OF JUST RUNNING
9 OVERHEADS WITH THE COOKING GOING ON IN THE LUNCHROOM IT
10 WOULD THROW THE SWITCHES

11 SO WE HAVE A LOT OF MAKESHIFT WIRING, AND IT'S
12 BEING UPDATED, BUT THAT WAS BEFORE THE INFLUX OF THE
13 COMPUTERS WE HAVE SO WIRING AND POWER IS A BIG PROBLEM

14 Q REMAINS A PROBLEM?

15 A YES

16 Q ALL RIGHT 1571-FR

17 A THAT IS ONE OF THE MOBILE UNITS THAT'S USED BY OUR
18 TITLE ONE FACILITATOR AND OUR GUIDANCE AND YOU CAN SEE
19 THAT IT'S OLD MOBILE IT'S -- CERTAINLY DOESN'T ANY -- DO
20 ANYTHING FOR THE AESTHETICS OF THE CAMPUS BUT WHEN YOU
21 DON'T HAVE ANY SPACE YOU ARE GLAD TO HAVE THEM

22 Q 1571-FP FP

23 A THIS IS THE OUTSIDE OF OUR LUNCHROOM PERHAPS YOU
24 CAN ENVISION THE 50 SCHOOLS I THINK THEY WERE MOSTLY
25 BUILT BY THE SAME ARCHITECTURAL STYLE THEY ARE THE METAL

1 (WITNESS BACK ON STAND)

2 THE COURT MR EPPS?

3 MR EPPS THANK YOU, YOUR HONOR

4 BY MR EPPS

5 Q MRS STAFFORD WE HAVE BEEN THROUGH THE PHOTOGRAPHS
6 OF SOUTH ELEMENTARY SCHOOL AND TELL US IF YOU WILL WHAT
7 YOU'RE LACKING IN THE WAY OF FACILITIES OR SUPPLIES IN
8 ORDER TO PROVIDE YOUR CHILDREN WITH AN EDUCATION

9 A WE HAVE ESTIMATED JUST TO MEET THE NEEDS AS THEY
10 EXIST NOW, IT WOULD COST APPROXIMATELY TWO MILLION DOLLARS
11 TO BUILD THE ROOMS THAT ARE NEEDED WITH THE -- GAIN
12 BATHROOMS MOREOVER, WE NEED SUPPLIES THE NUMBER THAT
13 IS REQUESTED FOR THE BOOKS IN THE CLASSROOM IS AROUND 500
14 SO THAT EACH CHILD HAS ACCESS TO INDEPENDENT READING
15 LEVELS AS WELL AS INSTRUCTIONAL LEVEL READINGS

16 WE DON'T HAVE THE MONEY TO BUY THAT WE NEED
17 AUDIO VISUALS, WE NEED A SCIENCE LAB WITH BEAKERS,
18 WEIGHTS, BALANCES MY CHILDREN HAVE NEVER SEEN SUCH
19 THEY WOULD NOT KNOW WHAT A SCIENCE LAB LOOKED LIKE

20 WE NEED ROOM FOR THE ARTS OUR P E CLASS IS
21 ALL OUTSIDE WE HAVE NO FACILITIES FOR ART, P E , MUSIC
22 THE CHILDREN ONLY GET THOSE ONCE EVERY OTHER WEEK AND
23 AS--

24 MRS GRAY YOUR HONOR, I OBJECT TO THE QUESTIONS
25 ABOUT ART, P E AND MUSIC

1 THE COURT I WILL PUT THAT INTO THE MIX, ONCE AGAIN,
2 TO THE EXTENT THAT THOSE FACILITIES MAY BE TAKEN AWAY FROM
3 SOME OTHER THINGS RECOGNIZING THAT'S NOT PART OF THE
4 ABBEVILLE REQUIREMENTS THANK YOU

5 MRS GRAY THANK YOU

6 MR EPPS YOUR HONOR I'M GOING TO ADDRESS THAT WITH
7 THE COURT IN A MOMENT, IF THAT'S OKAY
8 BY MR EPPS

9 Q BUT GO AHEAD MRS STAFFORD

10 A OUR LIBRARY IS TERRIBLY SMALL IN THAT -- IN THERE BY
11 CHOICE WE HAVE WHAT IS REFERRED TO AS A COMPUTER LAB SO
12 MAYBE AS MUCH AS A THIRD OF THE LIBRARY IS TAKEN OVER WITH
13 THE COMPUTER FACILITIES THERE WITH OUR READING COUNTS
14 ACTIVITIES AS WELL, WHICH LEAVES LITTLE ROOM FOR THE
15 CHILDREN AND THE DESKS AND THE CHAIRS TO SIT AND BROWSE
16 BOOKS

17 WE NEED TO HAVE OUR LIBRARY AT LEAST DOUBLED THE
18 SIZE IT IS NOW TO ACCOMMODATE THE APPROPRIATE
19 INSTRUCTIONAL STRATEGIES WITH HAVING THE MEDIA IN THAT
20 ROOM

21 WE NEED TO HAVE KINDERGARTEN CLASSES THAT NEED
22 MEET THE STANDARD TO AT LEAST HAVE RUNNING WATER WE NEED
23 PERHAPS A ROOF ON THE BUILDING SO WE DON'T HAVE THE LEAKS
24 YOU SEE

25 WE NEED THE WIRING WE DON'T HAVE CENTRAL

1 HEATING AND COOLING WE HAVE WINDOW UNITS AND THE
2 BATHROOMS IN NOR HALLS ARE HEATED OR COOLED
3 Q CAN YOU CONTINUE TO OPERATE UNDER A WAIVER FROM
4 FEDERAL REGULATIONS ON FIVE YEAR OLD KINDERGARTEN
5 INDEFINITELY?
6 A I DON'T KNOW THE RULES ON THAT YOU WOULD HAVE TO
7 CONSULT MY SUPERINTENDENT
8 Q WELL, HOW LONG HAS THE DISTRICT BEEN IN VIOLATION OF
9 FEDERAL GUIDELINES --
10 MRS GRAY OBJECTION, YOUR HONOR
11 Q OF KINDERGARTEN CHILDREN?
12 THE COURT EXCUSE ME ALL RIGHT GO AHEAD AND
13 STATE THE QUESTION
14 MR EPPS HOW LONG HAS SOUTH ELEMENTARY BEEN IN
15 VIOLATION OF FEDERAL GUIDELINES FOR FIVE YEAR OLD
16 KINDERGARTEN?
17 MRS GRAY YOUR HONOR, I OBJECT TO THAT BECAUSE
18 THERE HAS BEEN NO -- NO TESTIMONY THAT THERE IS ANY
19 VIOLATION OF ANY GUIDELINE THERE HAS BEEN TESTIMONY OF A
20 WAIVER, BUT I DON'T BELIEVE THAT THAT'S A VIOLATION OF
21 GUIDELINE --
22 THE COURT RIGHT
23 MRS GRAY -- AND I OBJECT
24 THE COURT THANK YOU CAN YOU DEAL WITH THAT? I
25 DIDN'T RECALL THE TESTIMONY ABOUT A FEDERAL VIOLATION

1 DO WHEN YOU GROW UP

2 YOU ASK MY CHILDREN, WHAT DO YOU WANT TO BE WHEN
3 YOU GROW UP? AND THEY STARE AT YOU THEY STARE BACK WE
4 NEED TO -- TO BE ABLE TO TAKE THESE CHILDREN OUT INTO THE
5 WORLD, WE NEED TO BE ABLE TO BRING PEOPLE INTO THEM THAT
6 CAN SAY LOOK AT ME

7 AND WE HAVE SOME SUCCESSFUL PEOPLE THAT HAVE
8 COME FROM OUR SCHOOL JUDGE LOCKEMY WAS A GRADUATE OF
9 SOUTH SCHOOL AND WE HAVE SOME DOCTORS WHO ARE AND THEY
10 COME AND MY TEACHER -- MY CHILDREN ARE AMAZED -- THAT
11 THESE ARE THE THINGS THAT WE NEED TO DO AT SOUTH SCHOOL

12 WE ARE DOING A GOOD JOB, BUT FOR A NINE YEAR OLD
13 TO KEEP A VISION ON HIS OWN IS ASKING SO MUCH I ALREADY
14 EXPECT MY CHILDREN TO BE THE PARENT TO THEIR YOUNGER
15 SIBLINGS TO GET THEMSELVES UP AND GET TO SCHOOL, TO
16 REMIND THEMSELVES TO DO THEIR HOMEWORK AND I AM NOT
17 GIVING THEM A VISION TO SUPPORT BEING MORE

18 Q WHAT WOULD YOU NEED IN ORDER TO GIVE YOUR CHILDREN
19 THAT VISION?

20 A I NEED TRANSPORTATION TO TAKE THEM PLACES I WOULD
21 NEED THE MATERIALS WITH VARIOUS EXPERIENCE, THE
22 AUDIOVISUAL AID THROUGH BRINGING IN PEOPLE OF INTEREST,
23 OFFERING TO PAY FOR THEIR TIME IF NEED BE I NEED TO BE
24 ABLE TO HIRE PEOPLE WHO CAN HELP ME IN THIS AREA

25 IT'S NOT MY AREA OF EXPERTISE BUT I DO KNOW

1 THAT WITHOUT A VISION THERE IS NO FUTURE

2 Q ARE YOU ABLE TO TAKE YOUR CHILDREN ON FIELD TRIPS?

3 A WE TAKE VERY FEW BECAUSE THE BUSES ARE OLD, AND FOR
4 US TO HIRE A COMMERCIAL BUS IS TERRIBLY EXPENSIVE, BUT WE
5 TRY TO DO THE FIRST -- THE KINDERGARTEN TO THE ZOO BECAUSE
6 ANIMAL HUSBANDRY AND ANIMAL LIFE AND THESE KIND OF THINGS
7 IS SO IMPORTANT TO THEIR LEARNING BECAUSE MOST OF THEIR
8 READING AND THEIR EXPERIENCES ARE AROUND ANIMALS

9 SO WE TRY TO GET THAT ONE IN THE KINDERGARTEN,
10 AND MY FIRST GRADE TO THE BEACH BECAUSE THEY DO A UNIT ON
11 THE SEA ON THAT STUDY

12 MY THIRD GRADE TOURS A WALKING TOUR OF DILLON
13 BEGINNING AT OUR SCHOOL, THEY WALK UP MAIN STREET AND GO
14 TO THE SHOPS AND POST OFFICE AND MUNICIPAL BUILDINGS TO
15 LEARN HOW THEY WORK THAT'S JUST ABOUT IT

16 Q WHY DON'T YOU TAKE YOUR CHILDREN AND, MRS STAFFORD,
17 AND GIVE THEM MORE LIFE EXPERIENCES TO OPEN UP THE WORLD
18 TO THEM THAN YOU CURRENTLY DO?

19 A I CAN'T AFFORD TO I CAN'T AFFORD TO DO THESE THINGS
20 AND MY PARENTS DON'T HAVE THE MEANS TO PAY FOR THEM
21 THEMSELVES AND WE -- AND NOT HAVING THE MONEY, NOT
22 HAVING THE ABILITY IT'S NOT THERE

23 MOREOVER, THE TIME WE ARE SPENDING EVERY
24 MINUTE OF EVERY DAY GETTING IN THOSE BASIC NEEDS OF
25 READING AND MATH AND THESE OTHER THINGS DO REQUIRE TIME

1 Q YOU NEED MORE TIME?

2 A WE NEED MORE TIME WE NEED MORE TIME WE NEED
3 EXTENDED SCHOOL DAYS WE NEED SUMMER SCHOOLS WE -- WE
4 NEED AFTERSCHOOL PROGRAMS THAT ARE RUN BY CERTIFIED
5 TEACHERS

6 Q DO YOU HAVE THOSE NOW?

7 A NO WE HAVE AFTERSCHOOL PROGRAM, YES, WE DO, AND
8 THIS IS -- THIS YEAR WE HAVE AN AFTERSCHOOL PROGRAM THAT
9 NOW IS PROVIDING AFTERSCHOOL FOR MY THIRD GRADERS THE
10 OTHER GRADES WERE INVOLVED AS WELL, BUT THERE HAVE BEEN
11 YEARS MY THIRD GRADERS WEREN'T INVOLVED BUT WE NEED IT
12 FOR ALL THE STUDENTS

13 MY DREAM HAS BEEN FOR AN EXTENDED YEAR WITH OUR
14 FIRST GRADERS BECAUSE THEY ARE -- THEY ARE EMERGENT
15 READERS WHEN SCHOOL IS OUT AND THERE IS AN ARTICLE BY
16 RICHARD ALLINGTON IN THE KAPLAN EDUCATIONAL JOURNAL THAT
17 TALKS ABOUT THE IMPORTANCE OF READING IN THE SUMMER AND
18 HOW MUCH IS LOST WHEN IT'S NOT REINFORCED OR THERE IS NOT
19 OPPORTUNITY

20 AND ONE OF MY TEACHER FRIENDS AND I HAVE
21 DREAMED LET'S TRY TO EXTEND THE DAY WE HAVE EVEN
22 MENTALLY PUT TOGETHER A PROGRAM, BUT TITLE ONE MONEY CAN'T
23 BE USED AFTER CERTAIN PERIODS OF TIME

24 Q TITLE ONE MONEY IS FEDERAL MONEY?

25 A YES

1 A YES IT DOES

2 Q AND SO THE CHILDREN WHO GO TO HEAD START, THE PARENTS
3 HAVE DECIDED TO SEND THEM TO HEAD START AND NOT TO SEND
4 THEM TO YOUR PROGRAM RIGHT?

5 A YES

6 Q WHEN YOU GET A CHILD IN FOUR YEAR OLD KINDERGARTEN
7 ARE THERE COMPUTERS IN THAT CLASSROOM?

8 A YES

9 Q AND WHEN DO YOU START TEACHING KEYBOARDING TO YOUR
10 STUDENTS AT SOUTH ELEMENTARY SCHOOL?

11 A IN FOUR YEAR OLD

12 Q AND SO THEY START IN FOUR YEAR OLD KINDERGARTEN,
13 RIGHT?

14 A YES

15 Q AND THEN THEY KEEP KEYBOARDING, I GUESS IN FIVE YEAR
16 OLD KINDERGARTEN, RIGHT? AND BY THE TIME THEY ARE IN THE
17 FIRST GRADE, THEY ARE PRETTY PROFICIENT AT IT, AREN'T
18 THEY?

19 A NO, BECAUSE THEY -- TO BE PROFICIENT YOU NEED TO
20 KNOW YOUR A B C 'S AND GETTING MY CHILDREN TO LEARN THE ,
21 A B C 'S IS VERY DIFFICULT GETTING THEM TO TYPE THEIR
22 NAME IN IS VERY DIFFICULT

23 WE ARE NOT TALKING ABOUT JUST TURNING THE
24 COMPUTER ON AND PUSHING ONE OR TWO BUTTONS THAT SOUNDS
25 MORE LIKE THE HAWTHORNE METHOD BUT TO BE COMPUTER

1 AN ENRICHING PROGRAM, AND THAT'S THE WAY WE CHOOSE TO USE
2 IT, AS A MOTIVATOR
3 Q RIGHT AND THE BOOKS ARE ON A READING LEVEL OF--
4 A YES, THEY CALL IT LEXILE (SIC) LEVEL
5 Q THEN YOU GET POINTS BASED UPON THE LEVEL OF THE BOOK?
6 A YES
7 Q AND THEN THE COMPUTERS THAT ARE IN THE LIBRARY -- HOW
8 MANY DO YOU HAVE IN THE LIBRARY?
9 A I BELIEVE THAT THERE ARE FOUR THAT ARE TIED TO THIS
10 PROGRAM
11 Q TO THE READING COUNTS PROGRAM?
12 A YES, COULD BE FIVE I'M NOT SURE
13 Q HOW MANY TOTAL COMPUTERS ARE THERE IN THE LIBRARY?
14 A PERHAPS 25
15 Q AND ARE THEY -- ARE THEY AVAILABLE FOR HOOKUP TO THE
16 INTERNET AND --
17 A YES
18 Q -- SO THAT THE CHILDREN CAN BE EXPOSED TO --
19 A YES
20 Q -- THE INFORMATION ON THE INTERNET?
21 A I RECEIVED SOME INFORMATION I THINK JUST LAST WEEK
22 AND TO DEAL WITH THAT
23 Q NOW, DURING THE COURSE -- EXCUSE ME -- OF YOUR
24 WORKING WITH THE TEACHERS THROUGHOUT THE CLASS YEAR
25 THERE'S REALLY NOT ANYTHING YOU ASK YOUR TEACHERS TO DO

1 THAT DID HE SIMPLY DISCARD THAT CHILD?

2 MRS GRAY YOUR HONOR, THIS REALLY IS HEARSAY NOW
3 YOUR HONOR I DIDN'T OBJECT TO BEGIN WITH, BUT
4 THE COURT RIGHT AND IT REALLY GETS INTO ANOTHER
5 DISTRICT THAT MIGHT NOT EVEN BE A PART OF THIS LAWSUIT I
6 THINK WHATEVER SHE IS DOING WITHIN HER DISTRICT IS -- OR
7 IN HER SCHOOL IS A MORE RELEVANT ISSUE I WOULD THINK
8 BY MR EPPS

9 Q WELL, LET'S GO TO YOUR SITUATION MRS STAFFORD
10 WHAT MADE YOUR SCHOOL SUCCESSFUL, AS I UNDERSTAND YOUR
11 TESTIMONY, AND I WILL SAY THIS FOR YOU SO YOU WON'T HAVE
12 TO SAY IT FOR YOURSELF, IS YOUR LEADERSHIP AND YOUR
13 KNOWLEDGE OF WHAT IT TAKES TO EDUCATE THESE CHILDREN,
14 NUMBER ONE CORRECT?

15 A IT SEEMS TO BE THE CASE

16 Q OKAY AND NUMBER TWO YOU HAD A STABLE STAFF?

17 A YES, I DID

18 Q WHO HAS BEEN THERE FOR AN AVERAGE OF TEN YEARS?

19 A YES

20 Q AND NUMBER THREE YOU HAD A DEDICATED STAFF?

21 A ABSOLUTELY

22 Q WHO WORKS BEYOND HOURS, WEEKENDS, EARLY MORNINGS
23 AFTERNOONS NIGHT?

24 A YES

25 Q AND THAT SAME STABLE STAFF WE HAVE BEEN TALKING

1 ABOUT?

2 A YES

3 Q AND YOU HAVE THESE TEACHERS WHO ARE DEDICATED AND
4 WILL PUT IN WHATEVER IT TAKES TO EDUCATE THOSE CHILDREN?

5 A YES

6 Q CORRECT?

7 A YES

8 Q NOW IF YOU HAVE A DISTRICT OR A SCHOOL WHERE YOU
9 DON'T HAVE THOSE TEACHERS WHO ARE WILLING TO DO THESE
10 THINGS, ARE THE CHILDREN LIKELY TO LEARN?

11 A NO

12 Q IF YOU HAVE A DISTRICT THAT HAS A HIGH TEACHER
13 TURNOVER RATE--

14 A NO THE REASON FOR THAT IS THAT THE TEACHERS HAVE TO
15 KNOW NOT ONLY THEIR CURRICULUM BUT THE CURRICULUM BEFORE
16 THEM AND AFTER THEM, AND THEY HAVE TO HAVE GOOD RAPPORT
17 WITH THE TEACHERS WHO TEACH THIS AND IF YOU ARE GOING
18 AND COMING, YOU LACK THAT INFORMATION AND YOU CAN T CONVEY
19 TO THE CHILDREN WHAT THEY NEED

20 MOREOVER THE CHILDREN GET A SENSE OF NOT BEING
21 IMPORTANT IF YOU ARE NOT THERE AND WHEN THERE IS A
22 CONSTANT TURNOVER CHILDREN LIKE REPETITION AND THEY
23 LEARN BETTER ROPE REPETITION AND REDUNDANCY, WE KNOW
24 THAT THEY LIKE TO BE SURROUNDED WITH FAMILIAR FACES A
25 CONSTANT TURNOVER DOES (SIC) NOT EFFECTIVE

1 A SOME OF THE RESULTS OR FEEDBACK THAT I RECEIVED WERE
2 INCREASED IN ACHIEVEMENT ENJOYMENT OF -- HOW MUCH THE
3 TEACHER ENJOYED TEACHING SO MUCH MORE NOW, DIFFERENT WAYS
4 OF -- THE APPRECIATION OF THE DIFFERENT WAYS OF LOOKING AT
5 SOMETHING

6 AND ALSO WE TRIED TO START THE BEGINNING OF THE
7 REFLECTIVE PROCESS SO THAT ONCE WE TEACH, IT'S JUST NOT
8 GONE WE LOOK AT IT TO SEE WHERE WE CAN GO FROM THERE

9 Q OKAY DO YOU BELIEVE IT'S IMPORTANT THAT TEACHERS
10 SUCH AS THOSE YOU WORKED WITH AT GORDON HAVE THE BENEFIT
11 OF A TEACHER SPECIALIST?

12 A I DO

13 Q DID YOU FIND THAT IT WAS IMPORTANT IN THE DISTRICTS
14 IN WHICH YOU WORKED, THOSE BEING LEE COUNTY, FLORENCE
15 THREE WHICH IS LAKE CITY

16 A FLORENCE FOUR

17 Q FLORENCE FOUR, ALL RIGHT, AND THEN IN DILLON TWO A
18 TEACHER SPECIALIST, DID YOU FIND IT IMPORTANT IN ALL THOSE
19 DISTRICTS?

20 A I DID THE DISTRICTS -- FROM MY OBSERVATION THEY
21 WERE POOR THEY WERE LIKE DILLON THEY WERE POOR AND
22 THEY DIDN'T HAVE THE RESOURCES TO BRING IN PEOPLE WHO WERE
23 TRAINED IN BEST PRACTICES, ESPECIALLY NOT CONTINUOUS,
24 ONGOING PROFESSIONAL DEVELOPMENT ON A DAILY BASIS JUST
25 CAN'T AFFORD THAT UNLESS YOU HAVE TEACHER SPECIALISTS

1 Q WELL, YOU LEARNED SOMEWHERE TO BE A TEACHER, DID YOU
2 NOT?

3 A I DID

4 Q WHERE DID YOU GET YOUR TRAINING AND YOUR EXPERTISE?

5 A IT BEGAN MRS STAFF -- THAT WAS MY BASIS AND THEN
6 DURING THE -- DURING MY TEACHER SPECIALIST JOB I -- I
7 THINK IT WAS THE 2000 YEAR WE WERE OFFERED THE
8 OPPORTUNITY TO BECOME A MEMBER OF -- OR PARTICIPATE IN THE
9 SOUTH CAROLINA READING INITIATIVE

10 Q WHO IS WE?

11 A TEACHER SPECIALISTS

12 Q TEACHER SPECIALISTS IN SOUTH CAROLINA WERE OFFERED

13 A THE ELEMENTARY TEACHERS SPECIALISTS WERE OFFERED THE
14 OPPORTUNITY TO BECOME A MEMBER OF THE SOUTH CAROLINA
15 READING INITIATIVE

16 Q OKAY AND WHO IS IN CHARGE OF THAT PROGRAM ON THE
17 STATE LEVEL?

18 A SUZETTE LEE

19 Q OKAY TELL US ABOUT THAT

20 A IT'S -- JUST HAPPENS TO BE THE MOST AMAZING THING I
21 HAVE EVER DONE FOR MYSELF PERSONALLY OR PROFESSIONALLY
22 IT CHANGED MY ENTIRE LIFE HOW I LOOK AT EDUCATION IT
23 REFUELED MY PASSION THAT I HAD THAT I THOUGHT I HAD LOST
24 IT GAVE ME A NEW FOCUS IT WAS A LIFE ALTERING
25 EXPERIENCE

1 Q OKAY WELL NOW, YOU -- WHEN DID YOU ATTEND THAT?

2 A IT BEGAN THE SUMMER OF 2000 AND OFFICIALLY ENDED IN
3 WAS -- I WAS CERTIFIED AS A LITERACY COACH THIS PAST MAY

4 Q ALL RIGHT ARE YOU COMPLETED? HAVE YOU COMPLETED
5 THAT SOUTH CAROLINA READING INITIATIVE?

6 A WELL, SINCE THE -- THE BELIEF OF THE READING
7 INITIATIVE IS THAT LEARNING NEVER ENDS AND YOU ARE
8 CONTINUALLY GROWING AND LEARNING ABOUT EDUCATION THEY
9 DEVELOP THIS CONTINUING CONTACT I'M PART OF THAT THIS
10 YEAR AS WELL

11 Q OKAY SO YOU FINISHED THE FORMAL TRAINING PROGRAM
12 UNDER -- DO YOU CALL IT S C R I ?

13 A S C R I , YES

14 Q OKAY NOW EXPLAIN TO US A LITTLE BIT ABOUT YOUR
15 TRAINING AT S C R I WE'VE HEARD SOME FROM MRS LEE WHEN
16 SHE WAS HERE EARLIER BUT IF YOU CAN TELL US FROM YOUR
17 PERSPECTIVE WHAT -- WHAT YOU DID

18 A IT WAS INTENSIVE TRAINING THE FIRST SUMMER WE WERE
19 IN COLUMBIA FOR THREE WEEKS, FIVE DAYS A WEEK, AT FORT
20 JACKSON EVERY DAY FROM EIGHT TO FOUR WE WERE DIVIDED
21 INTO COHORTS WE HAD A PROFESSOR WHO LED EACH COHORT
22 THERE WERE ABOUT 140 OF US TO BEGIN WITH I
23 THINK MAYBE ABOUT A HUNDRED ENDED UP FINISHING THIS PAST
24 MAY AND WE SPENT EVERY DAY AND INTO THE WEE HOURS OF THE
25 NIGHT EVERY NIGHT READING PROFESSIONAL LITERATURE SO THAT

1 WE ALL WOULD HAVE A COMMON TALK BASE AS WE STARTED TO GROW
2 AND LEARN

3 Q DID YOU READ ANY WORKS BY GLORIA LADSON-BILLINGS?

4 A YES, I DID DREAMKEEPERS

5 Q I'M SORRY?

6 A DREAMKEEPERS

7 Q ALL RIGHT AND WHAT DID YOU TAKE AWAY FROM THAT
8 BOOK?

9 A HOW IMPORTANT IT IS FOR TEACHERS TO UNDERSTAND THE
10 CULTURE OF THE CHILDREN THEY TEACH I MEAN, YOU ARE NOT
11 GOING TO REALLY BE ABLE TO REACH CHILDREN UNLESS YOU
12 UNDERSTAND AND VALUE THEIR CULTURE

13 Q OKAY NOW DID YOU WORK WITH CHILDREN WHILE YOU WERE
14 BEING TRAINED IN THE S C R I PROGRAM?

15 A YES DURING THE SUMMER WE TRAINED FOR THREE WEEKS
16 DURING THE SCHOOL YEAR WE HAD A MONTHLY MEETING COHORT
17 MEETING IN COLUMBIA AND A REGIONAL MEETING ONCE A MONTH
18 IN OUR AREA

19 AND SO DURING THAT -- DURING THIS TIME I WAS
20 ALSO WORKING AS A TEACHER SPECIALIST AND WORKING WITH
21 CHILDREN AT THE SAME TIME

22 Q WERE YOU USING SOME OF THE STRATEGIES AND SKILLS THAT
23 YOU WERE LEARNING ABOUT AT THE S C R I IN YOUR DAILY WORK
24 IN THE SCHOOLS?

25 A DEFINITELY, YES

1 Q NOW, WAS -- DO YOU FEEL THAT THAT STRAINING THROUGH

2 S C R I WAS BENEFICIAL?

3 A YES

4 Q WHAT DID IT DO FOR YOU?

5 A WELL AS I SAID, IT CHANGED MY LIFE I MEAN, IT --

6 IT GAVE ME THE KNOWLEDGE THAT I NEEDED TO HELP THE

7 CHILDREN THAT I DIDN'T KNOW HOW TO HELP BEFORE

8 Q WELL YOU WERE A -- WERE YOU A SUCCESSFUL TEACHER

9 BEFORE YOU WENT THROUGH THAT TRAINING? YOU WERE A TEACHER

10 SPECIAL?

11 A AT THE TIME I THOUGHT I WAS BUT NOW I LOOK BACK AND

12 WONDER IF I REALLY DID THOSE CHILDREN JUSTICE IF I

13 DIDN'T LET SOME OF THEM SLIDE BY THAT -- AND -- OR DID I

14 MAKE -- I MADE JUDGMENTS ON THEIR LEARNING ABILITIES WHERE

15 I SHOULDN'T HAVE

16 NOW THE CHILDREN THAT I WORK WITH, I WOULD SAY

17 -- IF I COULD LOOK BACK OVER THE PAST TWELVE YEARS IN MY

18 TEACHING AND THE CHILDREN THAT I HAD REFERRED FOR TESTING,

19 IF I HAD TO DO IT OVER AGAIN, 95 PERCENT OF THEM I

20 WOULDN'T HAVE REFERRED

21 Q WHY NOT?

22 A BECAUSE THEY DIDN'T HAVE A LEARNING DISABILITY JUST

23 BECAUSE THEY COULDN'T READ DID NOT MEAN THEY HAD A

24 LEARNING DISABILITY

25 Q IS THAT INFORMATION THAT YOU ACQUIRED THROUGH THE

1 S C R I ?

2 A YES

3 Q NOW WHO RECEIVES THE S C R I TRAINING CURRENTLY?

4 A CURRENTLY -- WELL, S C R I HAS CHANGED THEY'VE
5 REDONE THE PROGRAM UNDER DIFFERENT NAMES EACH TIME AFTER
6 THIS -- ONCE S C R I HAD STARTED THEN ANOTHER FORM
7 CALLED S C READS BEGAN, AND I THINK JUST LIKE S C R I ,
8 THAT WAS UNDER -- DISTRICTS APPLIED FOR GRANTS FOR THAT
9 MONEY TO PROVIDE THAT TRAINING, AND NOW THERE WERE --
10 DISTRICTS ARE APPLYING FOR -- TRYING TO APPLY FOR GRANT
11 MONEY THROUGH READING FIRST, WHICH IS ANOTHER FORM OF
12 S C R I , JUST UNDER A DIFFERENT NAME

13 Q IS DILLON TWO OR ANY OF THE SCHOOLS IN DILLON TWO
14 APPLYING FOR GRANTS INTO THAT PROGRAM?

15 A YES, SOUTH AND STEWART HEIGHTS ARE

16 Q THEY ARE BOTH APPLYING FOR THAT?

17 A YES

18 Q DO YOU KNOW WHETHER THEY HAVE GOTTEN THAT GRANT?

19 A NO, WE WON'T KNOW UNTIL JANUARY

20 Q WHO SHOULD BE PROVIDED WITH THIS KIND OF TRAINING?

21 A IT'S MY BELIEF THAT EVERY TEACHER IN THE STATE OF
22 SOUTH CAROLINA SHOULD HAVE THE SAME OPPORTUNITY TO GO TO
23 THE TRAINING THAT I HAD

24 Q WHY DO YOU SAY THAT?

25 A BECAUSE IN ORDER TO TEACH EVERY CHILD, A TEACHER HAS

1 TO HAVE A PROFESSIONAL KNOWLEDGE BASE THAT SHE NEEDS TO
2 MAKE INFORMED DECISIONS ABOUT READING AND READING
3 INSTRUCTION BASED ON THE NEEDS OF EACH INDIVIDUAL CHILD,
4 NOT A CLASS OF CHILDREN

5 Q WELL, WHY IS IT SO IMPORTANT THAT TEACHERS KNOW HOW
6 TO TEACH TO INDIVIDUAL CHILDREN?

7 A NOT ALL CHILDREN LEARN THE SAME CHILDREN COME FROM
8 DIFFERENT BACKGROUNDS, THEY BRING DIFFERENT EXPERIENCES TO
9 THE CLASSROOM AND A TEACHER HAS TO KNOW HOW TO FIGURE OUT
10 WHAT EACH CHILD KNOWS SO SHE WILL KNOW WHERE TO GO WITH
11 THAT CHILD YOU CAN'T TEACH A CHILD IF YOU DON'T
12 UNDERSTAND WHAT THEY KNOW

13 Q WHY NOT? IF YOU HAVE A BOOK AND A CLASSROOM, WHY
14 CAN'T YOU TAKE THAT BOOK AND TEACH THAT CHILD?

15 A WELL, UNLESS YOU KNOW THE LEVEL AT WHICH THE CHILD IS
16 READING, I MEAN, YOU CAN'T GIVE A CHILD A BOOK THAT'S TOO
17 HARD FOR THEM AND TEACH THEM TO READ BECAUSE IT WILL BE
18 LIKE PUTTING CHINESE IN FRONT OF THEM

19 Q ALL RIGHT WELL, WE ARE GOING TO GET BACK IN A
20 LITTLE BIT TO THIS CONCEPT OF TEACHING A CHILD TO READ
21 AND PARTICULARLY TEACHING A CHILD TO READ IN DILLON TWO,
22 BUT DO YOU BELIEVE BASED ON YOUR EXPERIENCE THAT THERE IS
23 A DIRECT CORRELATION BETWEEN THE QUALITY OF THE TEACHER
24 AND THE STUDENT'S PERFORMANCE?

25 A YES, I DO

1 TOGETHER ALTHOUGH NOT AT THE SAME SCHOOL WE WENT
2 THROUGH THE SAME TRAINING AT S C R I TOGETHER SHE'S A
3 TRAINED LITERACY COACH ALTHOUGH SHE HAD WHAT WAS THE
4 MOST -- GROUP OF THE MOST STRUGGLING KIDS, THOSE 14 KIDS
5 THAT MRS STAFFORD HELD BACK
6 Q THAT WAS HER CLASS?
7 A THAT WAS HER CLASS AND AUSTIN DIDN'T SCORE IN THAT
8 CLASS HE SCORED ABOVE THAT, BUT I ASKED THAT HE BE PUT
9 INTO THAT CLASS
10 Q IS HE ON THIS LIST --
11 A HE IS
12 Q -- THIS CHART THAT IS UP HERE WHICH IS PLAINTIFFS'
13 6120?
14 A HE IS HE'S THE ONE WITH THE STAR BESIDE HIS NAME
15 Q THAT AUSTIN IS YOUR CHILD?
16 A THAT'S MINE
17 Q OKAY NOW, HE HAD NOT BEEN THROUGH SECOND GRADE
18 BEFORE?
19 A NO
20 Q SOME OF THE OTHER CHILDREN HAD?
21 A YES
22 Q OKAY WELL, TELL US ABOUT YOUR OBSERVATION OF
23 AUSTIN'S READING ABILITIES AS HE WENT THROUGH THE THIRD
24 GRADE -- EXCUSE ME -- THE SECOND GRADE IN THIS CLASS WITH
25 THIS READING SPECIALIST TEACHER

1 A HE -- THE GROWTH WAS IMMEASURABLE I MEAN, I CAN
2 GIVE YOU AN EXAMPLE OF HIS READING LEVEL HE STARTED OUT
3 AT WHAT -- A LEVEL EIGHT, WHICH IS THE BEGINNING OF FIRST
4 GRADE BY THE END OF THE YEAR, HE WAS -- HE -- HIS
5 READING INSTRUCTIONAL LEVEL WAS LEVEL 24, WHICH IS ABOUT
6 THE MIDDLE TO THE END OF SECOND GRADE
7 HE GREW MORE THAN -- MORE THAN A WHOLE YEAR IN
8 HIS READING IN NINE MONTHS HE -- HE BEGAN WRITING THE
9 MOST AMAZING STORIES, STORIES THAT SHE -- SHE -- SANDY
10 LEARNED THROUGH S C R I , JUST LIKE I DID, THAT YOU HAVE
11 TO PAY ATTENTION TO THE CHILD, TO THEIR INTEREST, TO THEIR
12 NEEDS, AND BUILD ON THEIR STRENGTHS
13 AND SHE DID THAT WITH AUSTIN, AND AUSTIN GREW
14 IMMEASURABLY HE LOVED TO WRITE HE USED TO HATE TO
15 WRITE BECAUSE HE -- IT WAS DIFFICULT BUT SHE ENCOURAGED
16 HIM SHE TAUGHT HIM SHE HELPED HIM SHE PAID ATTENTION
17 TO HIS NEEDS
18 AND HE -- IN THE AFTERNOONS HE WOULD COME HOME
19 AND SAY MOM, I KNOW WHAT I'M GOING TO WRITE ABOUT IN
20 WRITER'S WORKSHOP TOMORROW HE WAS THINKING ABOUT IT
21 OUTSIDE OF SCHOOL AND THAT IS POWERFUL WHEN KIDS ARE
22 CONSIDERING WHAT THEY ARE GOING TO DO OUTSIDE OF SCHOOL
23 SCHOOL IS -- IT WASN'T JUST EIGHT TO THREE
24 Q OKAY DO YOU HAVE ANY OTHER CHILDREN COMING UP
25 THROUGH THE SCHOOL SYSTEM WILL BE AT SOUTH?

1 TO LOOK AT

2 Q ALL RIGHT WELL WE HAVE PUT UP ON THE SCREEN A BOOK
3 CALLED WE HAD A PICNIC THIS SUNDAY PAST WHAT CAN YOU
4 TELL US ABOUT THE USE OF THIS BOOK, OR BOOKS LIKE THIS, IN
5 A CLASSROOM, FOURTH GRADE CLASSROOM AT GORDON?

6 A THIS IS LIKE MY FAVORITE BOOK IT'S JUST -- IT
7 DEPICTS, YOU KNOW, AFRICAN AMERICAN FAMILIES IN, YOU KNOW,
8 FAMILY REUNIONS, IN PICNICS AND THINGS THAT OUR KIDS IN
9 DILLON KNOW ABOUT

10 I MEAN, I GAVE THESE KIDS A BOOK OF A LITTLE
11 WHITE CHILD ON A FERRY GOING ACROSS THE WATER, I WOULD
12 HAVE A TON OF BLANK LOOKS IN THE ROOM THEY CAN'T CONNECT
13 TO IT

14 AND TO UNDERSTAND AND TO GAIN COMPREHENSION AND
15 TO LEARN BETTER, YOU HAVE TO MAKE CONNECTIONS, CONNECTIONS
16 TO YOURSELF, CONNECTIONS TO THE WORLD, CONNECTIONS BETWEEN
17 TEXT

18 AND THAT'S HOW YOU INCREASE COMPREHENSION AND
19 INCREASE THE LIKELIHOOD THAT CHILDREN ARE GOING TO LEARN
20 AND LEARN, AND HAVE A -- GAIN A DEEPER UNDERSTANDING OF
21 WHAT THEY ARE STUDYING

22 Q DO YOU USE THIS BOOK?

23 A I SURE DO IT'S A GREAT BOOK FOR WRITING

24 Q FOR WRITING?

25 A UH-HUH, TEACHING WRITING

1 Q WHY?

2 A BECAUSE I'M WITH THE MINDSET THAT IF YOU WANT TO HAVE
3 A -- PLAY PIANO YOU GO TO A PIANO TEACHER IF YOU WANT
4 TO LEARN HOW TO COOK, YOU GO TO SOMEBODY WHO KNOWS HOW TO
5 COOK IF YOU WANT TO LEARN TO WRITE, YOU STAND ON THE
6 SHOULDERS OF PEOPLE WHO DO IT AND ARE PROFESSIONALS AT IT,
7 AND THOSE ARE PEOPLE WHO PUBLISH BOOKS

8 EVIDENTLY THEY ARE GOOD AT IT BECAUSE THEY HAVE
9 BOOKS PUBLISHED AND SO WE LEARN FROM THOSE THINGS AND
10 THAT'S HOW -- THAT'S HOW I TEACH WRITING

11 Q WHO OWNS THIS BOOK?

12 A IT'S MINE

13 Q WHO PAID FOR IT?

14 A I DID

15 Q DO YOU USE IT IN SCHOOL?

16 A ALL THE TIME

17 Q DO THE SCHOOLS IN DILLON DISTRICT TWO HAVE SUFFICIENT
18 NUMBERS OF THESE KINDS OF BOOKS TO HELP WITH THE
19 INSTRUCTION OF READING?

20 A NO

21 Q DO THEY HAVE SUFFICIENT NUMBERS OF LEVELED BOOKS?

22 A NO AND THAT'S NOT REALLY A KNOWLEDGE THAT THESE
23 KINDS OF BOOKS THAT ARE CULTURALLY RELEVANT ARE NEEDED I
24 MEAN, YOU -- AS I HAVE SAID, YOU CAN ONLY TEACH A CHILD
25 WHEN YOU KNOW WHAT THEY KNOW AND WHEN YOU VALUE WHAT THEY

1 THROUGH AND YOU CAN STEP DOWN THANK YOU, MA'AM

2 THE WITNESS THANK YOU

3 (WHEREUPON THE WITNESS LEFT THE STAND)

4 THE COURT ALL RIGHT BEFORE WE BREAK FOR THE
5 WEEKEND, FOLKS, MS HART, OR ANYBODY FROM -- MR MORRISON,
6 MR EPPS, FROM THE PLAINTIFFS' PERSPECTIVE IS THERE
7 ANYTHING ELSE THAT WE NEED TO TAKE CARE OF IN A
8 HOUSEKEEPING FASHION ANYTHING OF THAT NATURE?

9 MR MORRISON WELL, YOUR HONOR, DR LEVIN WILL BE
10 HERE ON MONDAY I HAVE GOT TO TALK TO HIM ABOUT WHETHER
11 HE CAN STAY OVER WE WERE TRYING TO CLOSE HIM OUT ON
12 MONDAY

13 THE COURT OKAY

14 MR MORRISON AND IN THAT CONTEXT, WE MAY OR MAY NOT
15 WANT TO START WITH MRS HUGGINS

16 THE COURT RIGHT

17 MR MORRISON BUT DR LEVIN NEEDS TO TESTIFY ON
18 MONDAY I WILL TALK TO HIM ABOUT STAYING OVER BUT WE
19 HAD TOLD THE OTHER SIDE THAT WE WOULD NEED TO INTERRUPT
20 FOR MR -- DR LEVIN --

21 THE COURT OKAY

22 MR MORRISON -- THE NORMAL FLOW OF THINGS WE
23 WERE HOPING THAT WE WOULDN'T HAVE TO INTERRUPT MRS
24 HUGGINS WE THOUGHT WE MIGHT HAVE TO INTERRUPT MRS
25 HARRIS, BUT WE DIDN'T GET TO MRS HARRIS

1 COMPETITIVE COLLEGES VERSUS NON-COMPETITIVE COLLEGES, HAVE
2 YOU FACTORED THAT IN?

3 A I'M FAMILIAR WITH STUDIES THAT DO THAT AND THEIR
4 CONCLUSIONS THE DIRECT WORK THAT I HAVE DONE HAS DEALT
5 WITH TEACHER TEST SCORES WHICH ARE HIGHLY CORRELATED WITH
6 THE SCHOOLS THAT THEY HAVE GONE TO AND THAT THEY COME FROM
7 AS THEY ENTER THE LABOR MARKET

8 Q AND DO YOU HAVE SPECIFIC KNOWLEDGE OF STUDIES
9 REGARDING COMPETITIVE VERSUS NON-COMPETITIVE SCHOOLS, THE
10 TEACHERS, THEIR SALARIES AND THEIR EFFECTIVENESS?

11 A YES I DO

12 Q AND SO YOU HAVE STUDIED THE AREA?

13 A YES

14 Q IN THE COURSE OF YOUR WORK, HAVE YOU ALSO EXAMINED,
15 DONE RESEARCH ON AND PUBLISHED IN THE AREA OF CONTINUING
16 PROFESSIONAL DEVELOPMENT FOR TEACHERS OR THE CONTINUING
17 GROWTH ENVIRONMENT THAT THEY HAVE?

18 A I'M CERTAINLY FAMILIAR WITH THE STUDIES THAT DO THAT
19 I HAVEN'T DONE A SPECIFIC STUDY ON THAT TOPIC

20 Q BUT YOU HAVE NOT PUBLISHED YOURSELF BUT YOU HAVE
21 EDUCATED YOURSELF ON WHAT PROFESSIONAL DEVELOPMENT IS
22 NECESSARY FOR EFFECTIVE TEACHING?

23 A YES

24 Q OKAY AND YOU HAVE READ -- HAVE YOU READ WIDELY IN
25 THAT AREA?

1 ITSELF I WAS GOING TO TESTIFY ON THE EDUCATION OF
2 CHILDREN IN THE PLAINTIFF DISTRICTS

3 AND MY OWN VIEW IS THAT THE STATE HAS ALL THE
4 RESOURCES AT ITS DISPOSAL, CERTAINLY LEGAL AND SUBSTANTIAL
5 FINANCIAL RESOURCES TO MAKE CERTAIN THAT THESE CHILDREN
6 GET AN ADEQUATE EDUCATION AND THEREFORE TO BURY MYSELF IN
7 THE VERY ACT THAT SEEMS TO BE AT LEAST PARTIALLY THE CAUSE
8 OF THE PRESENT SITUATION DIDN'T SEEM TO BE A VERY
9 WORTHWHILE INVESTMENT ON MY PART

10 BY MR MORRISON

11 Q AND THAT WAS FROM YOUR VIEWPOINT PERSONALLY IN
12 PREPARING FOR THE CASE?

13 A THAT'S CORRECT

14 Q OKAY NOW DOCTOR, WHAT I'D LIKE TO DO AT THIS POINT
15 IS FOCUS ON THIS FIRST AREA OF THE SOCIOECONOMIC
16 BACKGROUND AND WHAT IMPACT, IF ANY, THAT HAS ON A CHILD'S
17 LEARNING

18 AND AGAIN, LET'S JUST START WITH THE FUNDAMENTAL
19 LOGIC, A, DOES THAT HAVE AN IMPACT DOES SOCIOECONOMIC
20 BACKGROUNDS OR POVERTY OR AT-RISK SITUATIONS HAVE AN
21 IMPACT ON A CHILD'S LEARNING

22 A YES IT DOES HAVE AN IMPACT ON A CHILD'S LEARNING

23 Q OKAY AND WHAT IS THAT IMPACT?

24 A WELL, THE IMPACT IS TO PROVIDE LESS RICH EXPERIENCES
25 THAT LEAD TO HIGH LEARNING OUTCOMES TYPICALLY POVERTY IS

1 NOT ISOLATED IN ITSELF BUT IT'S ONLY ONE FACTOR IN
2 COMMUNITIES AND IN FAMILIES THAT ARE AFFECTED BY OTHER
3 TYPES OF CONDITIONS AS WELL

4 OFTEN THE FAMILIES ARE NOT INTACT THAT IS,
5 THERE'S A SINGLE PARENT, THE EDUCATION IS RELATIVELY LOW
6 ON THE PART OF THE PARENT, OFTEN THERE IS ANOTHER LANGUAGE
7 SPOKEN OR A DIALECT OF STANDARD ENGLISH SPOKEN

8 SO THESE CHARACTERISTICS TEND TO COME TOGETHER
9 AND WHAT THEY DO IS THEY CREATE A SITUATION IN WHICH THE
10 CHILD DOESN'T HAVE THE SAME EXPERIENCES THAT CHILDREN IN
11 THE SOCIOECONOMIC MAINSTREAM HAVE

12 FAMILIES FOR EXAMPLE, THAT EXPOSE THEIR
13 CHILDREN TO RELATIVELY FEW WORDS AND RELATIVELY LITTLE
14 LANGUAGE AND RELATIVELY LITTLE DECISION MAKING ARE
15 UNLIKELY TO HAVE CHILDREN WHO HAVE VERY LARGE VOCABULARIES
16 AND WHO USE LANGUAGE IN A VERY RICH WAY AND WHO ARE ABLE
17 TO DO SO CALLED HIGHER ORDERED THINKING AND USE OF
18 LANGUAGE

19 AND THE SAME IS TRUE WITH SOME OF THE OTHER
20 CONDITIONS THE POVERTY ITSELF MEANS THAT THE MATERIAL
21 CONDITIONS BY DEFINITION ARE POOR, THERE ARE FEWER
22 MATERIALS IN THE HOME, FEWER BOOKS, FEWER RICH EXPERIENCES
23 THAT THE CHILD IS EXPOSED TO

24 AND SINCE LEARNING COMES OUT OF EXPERIENCE, IF
25 YOU HAVE A POOR SET OF EXPERIENCES WITH REGARD TO

1 LEARNING, THEN THE OUTCOMES ARE PREDICTABLY GOING TO BE
2 POORER THAN WHEN YOU ARE EXPOSED TO A RICHER SET OF
3 LEARNING EXPERIENCES AND RESOURCES

4 Q NOW DOCTOR, THE AT-RISK SITUATION THAT YOU JUST
5 DESCRIBED, FACTORING IN ALL OF THE FACTORS, DOES THAT JUST
6 PERMANENTLY SET A CHILD BACK WHERE THERE IS ALWAYS GOING
7 TO BE A GAP BETWEEN THAT CHILD AND OTHER CHILDREN NOT FROM
8 THAT KIND OF SETTING EDUCATIONALLY?

9 A IT ONLY SETS BACK THE CHILD PERMANENTLY IF IN FACT
10 THE SCHOOLING EXPERIENCE IS ALSO INFERIOR

11 Q IF THE SCHOOLING EXPERIENCE IS NOT ALSO INFERIOR, IS
12 THAT CHILD SET BACK PERMANENTLY?

13 A NO WITH A VERY RICH SCHOOLING EXPERIENCE WE CAN
14 MAKE UP A LOT OF ANY KIND OF LAG IN DEVELOPMENT IN
15 LEARNING DEVELOPMENT

16 Q IN YOUR OPINION, IS THE STATE A STATE, RESPONSIBLE
17 FOR PROVIDING AN OPPORTUNITY FOR A CHILD FROM AN AT-RISK
18 SITUATION SUCH AS YOU DESCRIBED TO MAXIMIZE THEIR
19 EDUCATIONAL OPPORTUNITY TO BE A PRODUCTIVE CITIZEN?

20 A ABSOLUTELY AND I MIGHT ADD, I DON'T THINK THAT
21 THAT'S REALLY CONTROVERSIAL BECAUSE AS SOUTH CAROLINA
22 PARTICIPATES IN THE NO CHILD LEFT BEHIND LEGISLATION, AND
23 RECEIVES MONEY FROM THE FEDERAL GOVERNMENT AND IS
24 OBLIGATED TO FOLLOW SUIT, THAT IS TO PROVIDE SCHOOLS WITH
25 THE KIND OF RICH EXPERIENCE FOR THESE CHILDREN TO CLOSE

1 ARE COMING FROM THOSE AT-RISK SITUATIONS

2 A YES I SHOULD ALSO ADD THAT WE'VE COMPLETED A
3 RESEARCH PROJECT AND PRODUCED A PUBLICATION IN THE
4 U C L A LAW REVIEW IN 2002 WHICH ADDRESSES MANY SIMILAR
5 ISSUES ABOUT PARENTS AND PARTICULARLY THE ROLE OF PARENTS
6 IN WORKING WITH THE SCHOOLS TO MAKE SURE THAT THE JOB IS
7 DONE

8 BUT EVERYTHING THAT WE KNOW ABOUT PARENTS IS,
9 NUMBER ONE THEY WANT THEIR CHILDREN TO SUCCEED AND THEY
10 KNOW THAT EDUCATION AND GOOD EDUCATION IS AN IMPORTANT
11 CONDITION FOR SUCCESS

12 Q NOW, LET'S FOCUS ON THE COMMUNITIES, THESE
13 COMMUNITIES WHERE AT-RISK CHILDREN ARE AGGREGATED AND
14 THEREFORE SHOW UP AT A SCHOOL IN LARGE NUMBERS, ARE THOSE
15 -- IS IT POSSIBLE TO EDUCATE CHILDREN WITH A WHOLE
16 COMMUNITY OF AT-RISK CHILDREN?

17 A YES

18 Q OKAY AND WHY DO YOU SAY THAT?

19 A WELL, I THINK THAT THERE ARE EXISTENCE GROUPS THAT
20 IS, WE KNOW OF SCHOOLS IN SUCH COMMUNITIES THAT HAVE BEEN
21 ABLE TO GET THE JOB DONE I MIGHT ADD THAT THEY ARE NOT
22 JUST -- THAT WE ARE NOT TALKING ABOUT A FEW ISOLATED
23 EXAMPLES

24 THE ACHIEVEMENT COUNCIL IN WASHINGTON WHICH IS
25 DEDICATED TO THE EDUCATION OF CHILDREN IN AT-RISK

1 SITUATIONS DID A STUDY IT CAME OUT, I BELIEVE, ABOUT 18
2 MONTHS AGO, AND WHAT THEY DID IS THEY SIMPLY TOOK THE
3 STATE REPORTS ON ACHIEVEMENT AND LOOKED FOR SCHOOLS THAT
4 WERE, AS I RECALL 50 PERCENT OR MORE MINORITY AND OR LOW
5 INCOME AS EVIDENCED BY ELIGIBILITY FOR A FREE OR REDUCED
6 COST LUNCH

7 AND THEY TRIED TO FIND SCHOOLS WHERE THESE
8 STUDENTS WERE PERFORMING IN THE UPPER THIRD ON THE
9 NATIONAL NORMS AND MY RECOLLECTION IS THEY FOUND SOME
10 SOMEWHERE BETWEEN FOUR AND 5,000 SCHOOLS NATIONALLY THAT
11 MET THESE CRITERIA

12 SO THIS IS -- THIS IS HARDLY AN ISOLATED
13 INSTANCE IT APPEARS THAT STATES AND SCHOOL DISTRICTS AND
14 INDIVIDUAL SCHOOLS THAT COMMIT THEMSELVES TO THOSE KINDS
15 OF OUTCOMES ARE ABLE TO ACHIEVE THOSE KINDS OF OUTCOMES,
16 BUT I CAN ALSO TELL YOU SITUATIONS IN TERMS OF SCHOOLS
17 THAT I HAVE WORKED WITH VISITED AND SO ON, AND RATHER,
18 THE RATHER EXTRAORDINARY RESULTS THAT THEY HAVE BEEN ABLE
19 TO ACHIEVE WELL DOCUMENTED

20 Q DOCTOR AGAIN AT THIS BROAD BIG PICTURE LEVEL OF YOUR
21 OPINIONS, IN YOUR OPINION FROM AN EDUCATIONAL POLICY AND
22 EDUCATION ECONOMICS STANDPOINT, IS IT FAIR TO PROVIDE ONLY
23 THE SAME RESOURCES TO A COMMUNITY OF AT-RISK CHILDREN THAT
24 YOU ARE PROVIDING ELSEWHERE OR TO MEET THEIR NEEDS? DO YOU
25 HAVE TO PROVIDE MORE IN SOME CIRCUMSTANCES?

1 A WELL, I DON'T THINK IT IS FAIR TO PROVIDE JUST THE
2 SAME AMOUNT ANY MORE THAN WE THINK IT'S FAIR TO PROVIDE
3 JUST THE SAME AMOUNT FOR CHILDREN WHO HAVE PHYSICAL OR
4 LEARNING HANDICAPS THERE DOESN'T SEEM TO BE ANY
5 CONTROVERSY OVER THAT BECAUSE MANY OF THOSE CHILDREN ARE
6 DEVELOPMENTALLY DELAYED

7 AND MANY OF THESE CHILDREN ARE -- I'M BEGINNING
8 TO USE THE TERMS THAT ARE NORMALLY USED BY EDUCATORS ARE
9 ALSO DEVELOPMENTALLY DELAYED NOT SO MUCH BECAUSE OF
10 PHYSICAL OR MENTAL OR EMOTIONAL CHALLENGES BUT SIMPLY
11 BECAUSE BY CHANCE THEY WERE BORN INTO A SITUATION OF
12 POVERTY AND OF DISADVANTAGE

13 Q LET'S TALK ABOUT WHAT AN OPPORTUNITY MEANS TO YOU IN
14 TERMS OF THE RESEARCH AND THE EFFORT THAT YOU PUT IN OVER
15 THE PAST 40 YEARS OR NEARLY 40 YEARS IF CHILDREN ARE NOT
16 PROVIDED WITH THE KIND OF EDUCATIONAL OPPORTUNITY OR --
17 STRIKE THAT

18 IF A CHILD'S NEEDS ARE NOT BEING MET BY THE
19 RESOURCES OF THE STATE OR THE SYSTEM, IS AN OPPORTUNITY
20 BEING CREATED FOR THAT CHILD TO ACQUIRE A MINIMALLY
21 ADEQUATE EDUCATION?

22 A NO

23 Q OKAY WHY NOT?

24 A AGAIN, LEARNING GOES BACK TO EXPERIENCE THE
25 EXPERIENCES THAT WE OFFER OUR YOUNG AND IF THE

1 YOU ARE NOT LIMITED TO WHAT IS ON THESE WORK
2 SHEETS IN TERMS OF MEMORY YOU CAN GET CHILDREN INVOLVED
3 IN ALL FORMS OF LITERACY ACTIVITY BY BUILDING THAT INTO
4 THESE ACTIVITIES, THESE PROJECTS, GETTING THE CHILDREN TO
5 DO RESEARCH AT AN EARLY AGE, JUST THE WHOLE CONCEPT THAT
6 THEY CAN DO RESEARCH, THAT THEY CAN TRY TO ANSWER
7 QUESTIONS ABOUT THE WORLD THAT COME OUT OF THEIR CURIOSITY
8 AND BOTH GROUPS AND AS INDIVIDUALS

9 THESE ARE APPROACHES THAT COME OUT OF ENRICHMENT
10 AND OUT OF GIFTED AND TALENTED LEARNING BECAUSE THOSE ARE
11 THE THINGS THAT WE DO AND THOSE KINDS OF THINGS WORK
12 BASICALLY FOR ALL OF US INCLUDING ADULTS

13 I MYSELF HATE TO SIT IN AN AUDIENCE WHERE
14 SOMEONE IS LECTURING AT ME AND I HAVE TO MEMORIZE WHAT THE
15 PERSON HAS SAID, BUT I LOVE TO TAKE SOMETHING THAT I READ
16 ABOUT AND TRY TO FIND OUT MORE ABOUT IT AND OF COURSE
17 TODAY WE CAN USE THE INTERNET

18 THERE ARE TOOLS TO DO THIS TODAY SUCH THAT YOU
19 DON'T HAVE TO LEAVE THE CLASSROOM TO GET AN AWFUL LOT OF
20 LEARNING BASED ON THE KIND OF THINGS THAT WE ARE COMMITTED
21 TO IN THE PROCESS YOU PICK UP A LOT OF SKILLS THAT
22 NORMALLY ARE TAUGHT DIRECTLY IN SUCH A WAY THAT IT'S VERY
23 DIFFICULT OR TO KIDS TO LEARN THEM AS OBSTRUCTIONS

24 Q DOCTOR, WHAT KIND OF RESOURCES ARE NECESSARY IN YOUR
25 OPINION TO CREATE THE KIND OF FOCUS ON THE CHILD'S NEEDS

1 THAT YOU JUST TALKED ABOUT?

2 A PERSONNEL YOU NEED GOOD AND TALENTED TEACHERS TO DO
3 THESE A TEACHER DOES NOT NEED AN AWFUL LOT OF TRAINING
4 TO TAKE A CANNED CURRICULUM, TO HAND OUT THE WORKSHEETS,
5 THE EXERCISE SHEETS, TO STAND UP IN FRONT AND GO THROUGH A
6 SCRIPTED FORM OF CURRICULUM AND THEN SIMPLY TO SIT BACK
7 WHILE THE CHILDREN WORK ON THE WORKSHEETS

8 BUT IT REQUIRES TALENT TO BE ABLE TO PLAN A
9 CURRICULUM AND TO PLAN ACTIVITIES AND TO PLAN ASSESSMENT
10 AND TO IMPLEMENT THOSE PLANS IN THIS KIND OF SCHOOL AND
11 SO YOU NEED GOOD TEACHERS YOU NEED TALENTED TEACHERS

12 YOU NEED TEACHERS WHO ARE TRAINED WELL YOU
13 NEED TEACHERS WHO HAVE MASTERED THE FIELD IN WHICH THEY
14 ARE TEACHING YOU ALSO NEED STRONG LEADERSHIP AT NOT ONLY
15 THE SCHOOL SITE BUT IN THE LARGER COMMUNITY BECAUSE THERE
16 HAS TO BE A COMMITMENT TO THESE CHILDREN AND TO THESE
17 APPROACHES

18 Q DO THESE FIRST TWO ITEMS YOU MENTIONED, PERSONNEL,
19 BOTH PERSONNEL ITEMS, THAT IS, STRONG TEACHERS AND STRONG
20 LEADERSHIP COST MONEY?

21 A THEY DO

22 Q AND DO THEY COST MORE MONEY IN YOUR EXPERIENCE WHERE
23 YOU FIND AN AGGREGATION OF AT-RISK CHILDREN IN THE SCHOOL
24 SYSTEM?

25 A THEY DO

1 Q IF A STATE FAILS TO PROVIDE THE QUALITY OF RESOURCES
2 IN TERMS OF PERSONNEL THAT YOU HAVE JUST DESCRIBED FOR
3 AT-RISK CHILDREN, WHERE THE AT-RISK CHILDREN ARE
4 AGGREGATED, IS THE STATE PROVIDING AN OPPORTUNITY TO
5 ACQUIRE A MINIMALLY ADEQUATE EDUCATION TO THOSE CHILDREN?

6 A IT IS NOT

7 Q DOCTOR, I M GOING TO ASK YOU TO FOCUS ON A COUPLE OF
8 NUMBERS FOR ME I WANT YOU TO ASSUME THAT THE PERCENTAGE
9 OF STUDENTS ON FREE AND REDUCED LUNCH STATEWIDE IN SOUTH
10 CAROLINA IS 55 PERCENT OKAY?

11 A YES

12 Q AND ASSUME THAT THE PERCENTAGE OF STUDENTS WHO ARE ON
13 FREE AND REDUCED LUNCH FOR THE PLAINTIFF SCHOOL DISTRICTS
14 IS 86 PERCENT LANA, COULD YOU PUT UP EXHIBIT 5051 WHICH
15 IS TAKEN FROM DOCTOR HAWKINS AND PREVIOUSLY SUBMITTED INTO
16 EVIDENCE? THIS IS JUST A GRAPHIC REPRESENTATION OF THE
17 TWO DATA POINTS THAT I GAVE YOU

18 DR LEVIN BASED ON THOSE ASSUMED FACTS AND
19 THOSE JUST BY THEMSELVES, DO YOU HAVE AN OPINION AS TO
20 WHETHER THE EFFECTS OF POVERTY ARE AFFECTING THE LEARNING
21 OF THE STUDENTS IN THE PLAINTIFF DISTRICTS?

22 A WELL, MY OPINION IS THAT IT WOULD AFFECT THE LEARNING
23 IN THOSE DISTRICTS UNLESS THOSE DISTRICTS HAVE BROUGHT IN
24 POWERFUL INTERVENTIONS TO CHANGE THAT

25 Q OKAY AND LET'S ASSUME THAT POWERFUL INTERVENTIONS

1 HAVE NOT BEEN BROUGHT IN WHAT WOULD BE THE EXPECTED
2 EFFECTS?

3 A THE EXPECTED EFFECTS I THINK WOULD BE POOR
4 ACHIEVEMENT OUTCOMES, HIGH, EVENTUALLY HIGH DROPOUT RATES
5 IN THOSE COMMUNITIES AND INDEED IT DOESN'T REALLY MATTER
6 WHICH MEASURE OF EDUCATIONAL ATTAINMENT OR ACHIEVEMENT WE
7 USE I WOULD EXPECT THAT THE RESULTS WOULD BE INFERIOR IN
8 THOSE DISTRICTS TO THOSE THE STATE, VASTLY INFERIOR TO
9 THOSE IN WHICH DISTRICTS HAVE RELATIVELY LOW PROPORTIONS
10 OF KIDS ON FREE AND REDUCED COST LUNCH

11 Q NOW DR LEVIN, I'M GOING TO GIVE YOU SOME ADDITIONAL
12 DATA, THAT IS, THAT THE PERCENTAGE OF STUDENTS FOR
13 NONPLAINTIFF DISTRICTS IN SOUTH CAROLINA THAT ARE BLACK IS
14 44 2 PERCENT AND THE PERCENTAGE OF STUDENTS IN THE
15 PLAINTIFF DISTRICTS THAT ARE BLACK ARE 86 5 PERCENT AND
16 JUST AGGREGATE THAT TOGETHER THAT MEANS THAT THE
17 PLAINTIFF DISTRICTS ARE 86 5 PERCENT BLACK AND 86 5
18 PERCENT BLACK AND 88 PERCENT ARE ON FREE AND REDUCED LUNCH
19 IN THE PLAINTIFF DISTRICTS, OKAY?

20 A YES

21 Q BASED ON THIS AGGREGATION, DO YOU HAVE AN OPINION ON
22 THE EFFECT OF THESE SOCIOECONOMIC FACTORS ON THE LEARNING
23 OF THE STUDENTS IN THE PLAINTIFFS DISTRICTS ASSUMING THAT
24 THERE HAS NOT BEEN A STRONG OR DRAMATIC INTERVENTION?

25 MR BARNES YOUR HONOR, I OBJECT TO THAT TO THE

1 ISSUE RELATED TO RACE IN THERE I MEAN, TO THE EXTENT
2 THAT THE CORRELATION CAN BE MADE BETWEEN DEMOGRAPHICS,
3 THAT'S FINE, BUT THERE'S AN UNNECESSARY ELEMENT IN THERE
4 THAT SIMPLY IS IRRELEVANT TO YOUR HONOR'S EARLIER RULING

5 THE COURT RIGHT AND ONCE AGAIN, I WILL ALLOW THE
6 QUESTION SIMPLY FOR THE LIMITED PURPOSE THAT THE
7 CORRELATION OF RACE TO POVERTY HAS IN THOSE AREAS AS A
8 COLLINEAR EFFECT IN THAT REGARD

9 THIS IS AS WE HAVE SAID EARLIER NOT A RACIAL
10 DISCRIMINATION CASE FOR REASONS THAT ARE ALREADY IN THE
11 RECORD HOWEVER TO THE EXTENT THAT RACE AND POVERTY
12 CORRELATE TO EACH OTHER I WILL ALLOW HIM TO ANSWER THE
13 QUESTION THANK YOU

14 THE WITNESS I'LL GIVE AN UNUSUAL ANSWER BY STATING
15 I AGREE WITH MR BARNES THAT -- AND ALSO THE COURT, TO THE
16 DEGREE THAT RACE AND POVERTY ARE CLOSELY RELATED IN THE
17 STATE OF SOUTH CAROLINA, I WOULD HAVE THE SAME
18 EXPECTATIONS THAT THE PLAINTIFF DISTRICTS WOULD HAVE
19 POORER EDUCATIONAL OUTCOMES THAN THE STATE LEVEL

20 BY MR MORRISON

21 Q NOW, WHEN YOU SEE THE AGGREGATION, LET'S TALK ABOUT
22 SOME OF THE -- IN YOUR EXPERIENCE, WHEN YOU SEE AN
23 AGGREGATION OF 88 PERCENT FREE AND REDUCED LUNCH, 86 5
24 PERCENT MINORITY IN THAT KIND OF AN AGGREGATION, DO YOU
25 HAVE EXPERIENCE TO TELL WHAT YOU NORMALLY SEE IN THE

1 DISTRICTS BASED ON YOUR EXPERIENCE?

2 A WELL, I AM THE KIND OF PERSON WHO IS ALWAYS HOPING
3 AGAINST HOPE, SO WHEN YOU SAY EXPECT, I ALWAYS HOPE TO
4 COME INTO A COMMUNITY THAT'S SOLVED THAT PROBLEM, THAT HAS
5 RISEN ABOVE THIS AND HAS SIMPLY USED ALL OF THE TECHNIQUES
6 AND OPTIONS AVAILABLE TO GET SUPERIOR TEACHERS, SUPERIOR
7 LEADERSHIP, FOUND WAYS TO GET GOOD FACILITIES AND SO ON

8 Q DOES YOUR EXPERIENCE BEAR OUT YOUR HOPE?

9 A HOWEVER, THAT'S RIGHT TYPICALLY IN THOSE SITUATIONS
10 YOU FINDS IT IS DIFFICULT TO GET HIGHLY QUALIFIED TEACHERS
11 AND TO HOLD ON TO THEM NOW, I WANT TO BE VERY CAREFUL
12 HERE THERE ARE SOME VERY TALENTED TEACHERS IN THOSE
13 PLACES THEY ARE PERMITTED THEY HAVE A MISSION AND SO ON

14 BUT OFTEN THERE AREN'T ENOUGH AND YOU ARE
15 GOING TO HAVE TO GET TEACHERS FROM OUTSIDE OF THE AREA,
16 AND BECAUSE TEACHERS OUTSIDE OF THE AREA DON'T HAVE A
17 PARTICULAR TIE TO THE AREA AND THERE IS A DEFICIENCY OF
18 THE KINDS OF AMENITIES THAT THEY WOULD LIKE TO HAVE IN
19 THEIR LIVES AND THE TEACHING CHALLENGES ARE MUCH MORE
20 SEVERE THAN ONE FINDS IN PLACES WHERE THERE IS A LOT MORE
21 RESOURCE AND SUPPORT IN THE COMMUNITY IN THE HOME, IT'S
22 VERY DIFFICULT TO HOLD ON TO THE MOST TALENTED TEACHERS,
23 AND I WOULD EXPECT TO SEE A LOT OF TURNOVER, I WOULD
24 EXPECT TO SEE A FAIRLY SUBSTANTIAL NUMBER OF TEACHERS WHO
25 ARE NOT ADEQUATELY TALENTED TO MEET THE NEEDS OF THE

1 CHILDREN

2 I WOULD EXPECT ALSO THAT -- AGAIN, YOU HAVE SOME
3 VERY TALENTED LEADERSHIP BUT ON AVERAGE I WOULD SUSPECT
4 THAT IT'S LESS LIKELY TO BE IN THE CATEGORY WHERE IT'S
5 REALLY FAMILIAR WITH WHAT CAN BE DONE WITH THESE CHILDREN
6 AND IS ABLE TO WORK THROUGH PLANS AND COLLABORATION TO GET
7 THE JOB DONE AND QUITE FRANKLY EDUCATORS GO INTO IT --
8 THEY NEVER GO INTO IT TO FAIL THEY ALWAYS GO INTO IT TO
9 SUCCEED

10 THESE SCHOOLS ARE OFTEN CHARACTERIZED AS
11 FAILURES THERE ARE FEWER RESOURCES AVAILABLE OVERALL IN
12 THESE SCHOOLS AND SO AT SOME POINT YOU FIND PEOPLE
13 GETTING GROUND DOWN, ALSO LEADING TO TURNOVER AND CHURNING
14 AND TO NEW PEOPLE COMING IN

15 Q AT A HIGH LEVEL, COULD YOU ADDRESS THE ISSUE OF
16 PRINCIPALS AND LEADERSHIP IN ADDITION TO TEACHERS AND
17 INSTRUCTORS

18 A YEAH THE FIRST THING IS THAT THE PRINCIPALS WHOM
19 YOU HIRE FOR THESE SCHOOLS HAVE TO HAVE A MISSION THEY
20 HAVE TO BE COMMITTED TO A FUTURE FOR THESE CHILDREN THAT
21 IS DIFFERENT THAN IF WE DO NOT INTERVENE IN SPECIAL WAYS
22 AND THEY HAVE TO BE VERY KNOWLEDGEABLE THAN ABOUT HOW TO
23 GET THAT JOB DONE, ABOUT WHAT THE OPTIONS, ARE WHAT THE
24 POSSIBILITIES ARE

25 THEY HAVE TO GO OUT AND USE ALL OF THE PUBLIC

1 RESOURCES AROUND THEM TO SUPPORT THE SCHOOL, TO GET IN
2 TOUCH WITH THE SOCIAL WELFARE AGENCIES TO ASSIST FAMILIES
3 BECAUSE THAT'S GOING TO ASSIST THEIR CHILDREN

4 THEY HAVE GOT TO WORK VERY CLOSELY WITH THE
5 PARENT COMMUNITY TO BEGIN TO MAKE THE PARENTS AWARE OF THE
6 KINDS OF THINGS THAT PARENTS HAVE TO DO IN ORDER TO
7 PROVIDE THE SUPPORT THAT CHILDREN NEED

8 THEY HAVE GOT TO FIND WAYS OF REPLACING WHAT
9 PARENTS CAN'T DO BY MAKING IT AVAILABLE TO THE CHILDREN
10 AND I HAVE SOME SPECIFIC SUGGESTIONS OF THAT SORT
11 INCLUDING THE EXAMPLE THAT I JUST GAVE ON THE SUMMER
12 SCHOOL

13 BUT THAT REQUIRES A LOT OF TALENT IT REQUIRE AS
14 LOT OF AMBITION IT REQUIRES A LOT OF COMMITMENT TO THE
15 SCHOOLS ARE THOSE PEOPLE READILY AVAILABLE AT THE KIND
16 OF SALARIES THAT WE HAVE BEEN PAYING?

17 I THINK THAT THE ANSWER TO THAT IS NO AND THAT
18 WE HAVE TO LOOK AT WAYS OF PROVIDING THE INCENTIVES AND
19 THE SUPPORT FOR KINDS OF LEADERSHIP WE NEED TO GET THIS
20 JOB DONE

21 Q AND IN YOUR EXPERIENCE AGAIN, WHAT IS THE KIND OF
22 LEADERSHIP THAT YOU HAVE FOUND PREDOMINANTLY OR MORE
23 LIKELY THAN NOT IN THE DISTRICTS WHERE THERE IS 88 PERCENT
24 FREE AND REDUCED LUNCH AGGREGATED?

25 A WELL, MY EXPERIENCE HAS BEEN THAT YOU HAVE PEOPLE WHO

1 SYSTEM IS DOING AND WILL STAY THERE

2 SO IN GENERAL, EXPERIENCE IS VERY IMPORTANT FOR
3 AGAIN LEARNING I ALWAYS EQUATE EXPERIENCE WITH LEARNING
4 YOU NEED EXPERIENCE, YOU NEED -- THE RICHER THE EXPERIENCE
5 IS, THE MORE THAT YOU LEARN THE MORE INTENSE THE
6 EXPERIENCE IS TYPICALLY THE MORE THAT YOU LEARN

7 AND SO HAVING EXPERIENCE YOU LEARN HOW TO
8 ADDRESS THE NEEDS OF CHILDREN BUT THE PROBLEM IS THAT
9 VERY OFTEN IN THESE KINDS OF SCHOOLS THE EXPERIENCE MAY BE
10 DIFFERENT FOR SOME PEOPLE WHAT IT MEANS WHAT IT
11 TRANSLATES INTO, THAN FOR OTHERS

12 ON AVERAGE EXPERIENCE IS IMPORTANT YOU
13 WOULDN'T WANT JUST NOVICE TEACHERS COMING INTO A SCHOOL
14 SYSTEM AND STAYING FOR A COUPLE OF YEARS AND THEN -- THEN
15 LEAVING BECAUSE BASICALLY THEY ARE USING THE SCHOOL SYSTEM
16 TO GAIN THEIR EXPERIENCES AS NOVICES THEN THEY ARE TAKING
17 THAT WITH THEM SOMEWHERE ELSE

18 Q TURN WITH ME TO THE ISSUE OF TEACHER TURNOVER AND
19 WHAT YOU CALLED CHURNING A LITTLE WHILE AGO DOES THAT
20 MATTER IN TERMS OF THE OPPORTUNITY THAT'S PROVIDED TO AN
21 AT-RISK CHILD OR CHILD FROM AN AT-RISK SITUATION TO
22 ACQUIRE A MINIMALLY ADEQUATE EDUCATION? IS IT IMPORTANT?

23 A IN MY VIEW IT'S EXTREMELY IMPORTANT BECAUSE TO BUILD
24 A PRODUCTIVE SCHOOL COMMUNITY WHAT YOU NEED TO DO IS TO
25 GET CONSISTENCY ACROSS YOUR EDUCATIONAL OFFERINGS YOUR

1 PEOPLE WHO ARE APPROPRIATELY TRAINED FOR THE POSITIONS
2 THAT ARE AVAILABLE IN TEACHING BECAUSE THE STATES AND
3 DISTRICTS ADHERE TO A SINGLE SALARY SCHEDULE THAT DOES NOT
4 DIFFERENTIATE IN TERMS OF THE SCARCITY OF PARTICULAR KINDS
5 OF TALENT

6 AND OF COURSE, IT -- ONE OF THE NICE THINGS
7 ABOUT MARKETS IS THAT ON AVERAGE THEY WORK AND THEY THE
8 WORK PRETTY WELL SO THERE IS A DEEP CONCERN THAT WE DO
9 GET PEOPLE WHO ARE PROPERLY QUALIFIED IN THE FIELDS THAT
10 THEY ARE TEACHING

11 Q SPECIFICALLY WITH REGARD TO ADDRESSING THE NEEDS OF A
12 CHILD FROM AN AT-RISK SITUATION WHAT IS -- WHAT

13 SPECIFICALLY IS THERE ABOUT A TEACHER BEING OUT OF FIELD
14 WITH REGARD TO ADDRESSING THOSE NEEDS THAT CONCERNS YOU?

15 A WELL, I THINK THE FIRST THING IS THAT GENERALLY IN
16 STUDIES ON THAT SUBJECT, MULTIPLE STUDIES, THE MOST OUT OF
17 FIELD TEACHING IS FOUND IN DISTRICTS LIKE THE PLAINTIFFS
18 DISTRICTS SO THAT'S, OF COURSE, A DEEP CONCERN BUT I
19 THINK THAT THE SECOND IS THIS

20 THAT STUDIES OF CHILDREN COMING FROM HIGHER
21 SOCIOECONOMIC BACKGROUNDS FINDS THAT THEY ARE LESS
22 SUSCEPTIBLE TO BAD TEACHING THAN CHILDREN WHO COME FROM
23 THE BACKGROUND THAT ONE FINDS IN THE PLAINTIFF DISTRICTS

24 Q WHAT DOES THAT MEAN, LESS SUSCEPTIBLE TO BAD
25 TEACHING?

1 A WELL, WHAT WE TEND TO DO IS THE FOLLOWING I'M GOING
2 TO GIVE A PERSONAL EXAMPLE, IF YOU DON'T MIND

3 Q SURE

4 A MY DAUGHTER, MY YOUNGEST DAUGHTER -- JUST NOT TO
5 CONFUSE -- I HAVE SO MANY DAUGHTERS AND -- HAD AN AWFUL
6 MATHEMATICS TEACHER, AND IT TURNED OUT IN WAS IN PALO ALTO
7 WHICH IS ACTUALLY A UPPER SOCIOECONOMIC SCHOOL DISTRICT
8 FOR WHATEVER REASON, SHE HAD A TERRIBLE MATH TEACHER

9 AND IMMEDIATELY -- WHEN WE DISCOVERED THAT, WE
10 BEGAN TO DO THINGS WE GOT HER TUTORS WE GOT HER
11 MATERIALS WE WENT OVER HER HOMEWORK WITH HER EACH NIGHT
12 NOW, THOSE ARE EXAMPLES OF THE KINDS OF THINGS THAT POOR
13 FAMILIES LESS EDUCATED FAMILIES IN THESE KIND OF
14 SITUATIONS ARE LESS ABLE TO DO

15 AND TYPICALLY IN THESE POOR COMMUNITIES THERE
16 ARE FEWER OTHER COMMUNITY RESOURCES THAT ONE CAN DRAW UPON
17 TO MAKE THIS HAPPEN SO ULTIMATELY MY DAUGHTER DID OKAY
18 AND SHE FINISHED HIGH SCHOOL TAKING A P CALCULUS AND
19 WASN T HURT BY THAT EXPERIENCE

20 BUT IN THE CASE WHERE YOUR EXPOSURE, EXCUSE ME,
21 AND YOUR EXPERIENCE IN A PARTICULAR SUBJECT ARE GOING TO
22 BE LIMITED TO WHAT HAPPENS IN THE CLASSROOM, YOU ARE GOING
23 TO BE VERY, VERY SUSCEPTIBLE TO QUALITY OF INSTRUCTION

24 Q SO WOULD IT BE FAIR THEN TO SAY THAT IN YOUR OPINION
25 THE -- WELL, STRIKE THAT IN YOUR OPINION DOES A TEACHING

1 OUT OF FIELD CREATE A LARGER PROBLEM FOR CHILDREN FROM AN
2 AT-RISK SITUATION THAN OTHER CHILDREN NOT FROM SUCH A
3 SITUATION?

4 A YES, BUT I WOULD QUALIFY THAT BY SAYING IT'S BAD FOR
5 ALL CHILDREN

6 Q OKAY AND DOES TEACHER TURNOVER, HIGH TEACHER
7 TURNOVER CAUSE A LARGER PROBLEM FOR THE AT-RISK SITUATION
8 CHILD IN HAVING AN OPPORTUNITY TO ACQUIRE A MINIMALLY
9 ADEQUATE EDUCATION THAN IT DOES FOR OTHER CHILDREN?

10 A YES, I BELIEVE SO

11 Q AND DOES HIGH TEACHER INEXPERIENCE ALSO CREATE A
12 LARGER PROBLEM FOR AT-RISK SITUATION CHILDREN THAN IT DOES
13 FOR OTHER CHILDREN?

14 A YES

15 Q LET ME ASK YOU WITH REGARD TO THE PERSONNEL ISSUES
16 HERE, PARTICULARLY TEACHERS DO -- IN YOUR JUDGMENT, DO
17 ADVANCED DEGREES MATTER? THAT IS ABOVE AND BEYOND THE
18 BACHELOR'S DEGREE, DOES THAT MATTER WHEN APPROACHING THE
19 AT-RISK CHILD?

20 A I BELIEVE ADVANCED DEGREES MATTER IF THE ADVANCED
21 DEGREE BUILDS SKILLS IN THE AREA THAT THE TEACHER IS
22 TEACHING IN AND THAT MAY SOUND QUITE PECULIAR TO THE
23 UNINITIATED THEY WOULD SAY, WELL OF COURSE

24 BUT THE FACT OF THE MATTER IS THAT STATES AND
25 SCHOOL DISTRICTS OFTEN PROVIDE INCENTIVES FOR TEACHERS TO

1 ACQUIRE ADDITIONAL COURSES AND POINTS BEYOND THE

2 BACHELOR'S DEGREE AND THAT REWARD STRUCTURE IS NOT

3 CLOSELY TIED TO WHAT THE TEACHERS ARE ACTUALLY TEACHING

4 SO ONE WOULD HAVE TO LOOK VERY CAREFULLY AT WHAT

5 TEACHERS ARE STUDYING FOR THEIR ADVANCED DEGREES TO MAKE

6 SURE THAT THEY WERE PERTINENT TO THE ACTUAL TASKS AT HAND

7 Q IF THE ADVANCED DEGREE DOES DIRECTLY RELATE TO WHAT'S

8 HAPPENING IN THE CLASSROOM DOES THAT ADVANCED DEGREE

9 MATTER IN APPROACHING THE NEEDS OF AT-RISK CHILDREN VERSUS

10 OTHER CHILDREN?

11 A THE ANSWER IS YES AND WHERE WE GET INTO THIS FOR

12 THE ACCELERATED SCHOOLS WAS THAT MOST TEACHERS ARE NOT

13 FAMILIAR WITH GIFTED AND TALENTED APPROACHES TO TEACHING

14 AND LEARNING

15 AND SO BY TAKING THAT ADDITIONAL TRAINING, AND

16 IN SOME CASES NOT FOR CREDIT, BUT SIMPLY GETTING GOOD,

17 SOLID PROFESSIONAL DEVELOPMENT TRAINING IN THAT AREA, THEY

18 WERE ABLE TO IMPROVE THEIR PERFORMANCES

19 Q WELL, LET'S TURN -- THIS IS A GOOD TIME TO TURN TO

20 THE ISSUE OF PROFESSIONAL DEVELOPMENT THEN DOES THE

21 PROFESSIONAL DEVELOPMENT AFFORDED A TEACHER IMPACT THE

22 QUALITY OF OPPORTUNITY AFFORDED TO AN AT-RISK SITUATION

23 CHILD TO ACQUIRE A MINIMALLY ADEQUATE EDUCATION?

24 A THE ANSWER IS YES, IF IT'S DONE WELL

25 Q OKAY

1 A AND THE ANSWER IN THAT AREA REALLY HAS TO BE
2 QUALIFIED BECAUSE THERE'S A HUGE INDUSTRY FOR PROFESSIONAL
3 DEVELOPMENT WITHIN SCHOOL DISTRICTS AND OUTSIDE OF SCHOOL
4 DISTRICTS DONE IN A WAY THAT APPEARS TO BE LARGELY
5 INEFFECTUAL BUT WE DO KNOW THE CONDITIONS UNDER WHICH
6 PROFESSIONAL DEVELOPMENT DOES MAKE A DIFFERENCE

7 A LOT OF IT IS COMMON SENSE THE EXPERIENCES
8 MUST BE ONES THAT CAN THEN BE BROUGHT INTO CLASSROOMS
9 THERE MUST BE FOLLOW-THROUGH TO SEE IF TEACHERS ARE USING
10 WHAT THEY HAVE LEARNED IN AN APPROPRIATE WAY

11 IT MUST BE DEEPENED OVER TIME SO THAT WHAT THEY
12 LEARN INITIALLY MUST BE FOLLOWED UP BY, IN A SENSE MORE
13 ADVANCED WORK IN THE AREA AND AGAIN WITH SUPERVISION AND
14 FOLLOW UP AND IT MUST BE APPLIED IN THE WORK THAT THEY
15 ACTUALLY DO RATHER THAN BEING HELD IN THE FIELD BECAUSE
16 THEY TOOK A ONE DAY COURSE OR SOMETHING OF THAT SORT

17 Q DOCTOR IF THERE IS HIGH QUALITY PROFESSIONAL
18 DEVELOPMENT SUCH AS YOU JUST DESCRIBED, IS IT MORE
19 IMPORTANT OR LESS IMPORTANT TO THE TEACHERS GIVEN THE TASK
20 OF PROVIDING AN OPPORTUNITY TO ACQUIRE A MINIMALLY
21 ADEQUATE EDUCATION TO AT-RISK SITUATION CHILDREN?

22 A I'M SORRY MORE IMPORTANT OR LESS IMPORTANT THAN

23 Q THAN FOR OTHER CHILDREN IN OTHER WORDS IS IT MORE
24 IMPORTANT FOR THOSE TEACHERS?

25 A WELL, TO THE DEGREE THAT TEACHERS OF CHILDREN IN

1 AT-RISK SITUATIONS SEEM TO BE FARTHER FROM THE SKILLS THAT
2 THEY NEED IN COMPARISON WITH TEACHERS IN THE MAINSTREAM, I
3 WOULD SAY IT'S MORE IMPORTANT I WOULD SAY ALL KINDS OF
4 TRAINING, INCLUDING THE QUALITY OF THE TRAINING THAT THEY
5 RECEIVE AS UNDERGRADUATES, BECOMES MORE IMPORTANT

6 Q OKAY IS IT YOUR EXPERIENCE THAT TEACHERS WHO ARE
7 AGGREGATED IN A DISTRICT WHERE AT-RISK CHILDREN ARE
8 AGGREGATED TO BE EDUCATED HAVE MORE OR LESS OF THE TYPE OF
9 PROFESSIONAL DEVELOPMENT THAT THEY NEED?

10 A MY EXPERIENCE IS THAT THEY HAVE LESS

11 Q LET'S TURN TO THAT ISSUE OF THE UNDERGRADUATE
12 PREPARATION ARE YOU FAMILIAR WITH THE TERM SELECTIVE
13 COLLEGE OR COMPETITIVE COLLEGE NON-COMPETITIVE OR NON-
14 SELECTIVE COLLEGE?

15 A I AM

16 Q OKAY IS THAT -- DOES THAT FACT MATTER AS IT RELATES
17 TO PREPARING TEACHERS TO TEACH AT-RISK CHILDREN IN LARGE
18 GROUPS WHERE THEY ARE AGGREGATED SUCH AS THE PLAINTIFF
19 DISTRICTS?

20 A YES

21 Q OKAY AND TELL ME WHY IT DOES

22 A IN THE FIRST PLACE THE MORE SELECTIVE COLLEGES TAKE
23 STUDENT INTAKE THEMSELVES WITH STRONGER EDUCATIONAL
24 FOUNDATIONS AND SO BASICALLY THERE'S A SELECTION
25 PHENOMENON MEANING THAT THEY ARE GOING TO TURN OUT PEOPLE

1 WHO HAVE A LARGER EDUCATIONAL FOUNDATION

2 IN ADDITION, THEY ARE ABLE TO BUILD MORE
3 RIGOROUS COURSE WORK AND EXPERIENCES BECAUSE THEY CAN
4 BUILD ON THAT WHEREAS THE LESS SELECTIVE INSTITUTIONS ARE
5 OFTEN DOING WORK THAT -- IT'S NOT CALLED THIS, BUT IN MY
6 OPINION IT'S A REMEDIAL LEVEL

7 I HAVE DONE QUITE A LOT OF WORK ON REMEDIATION
8 IN HIGHER EDUCATION SO THAT THE QUALITY OF THE TRAINING
9 TENDS TO BE HIGHER FINALLY THERE IS AN ANCILLARY FINDING
10 IN THE LITERATURE WHICH IS THAT TEACHER TEST SCORES ARE
11 TIED TO STUDENT ACHIEVEMENT

12 THAT IS TEACHERS WHO HAVE HIGHER TEST SCORES
13 AND THOSE ARE MORE LIKELY, OF COURSE, TO BE FOUND IN THE
14 MORE SELECTIVE INSTITUTIONS

15 Q NOW, DR LEVIN, IS IT MORE IMPORTANT OR LESS
16 IMPORTANT FOR AN -- AN AT-RISK SITUATION CHILD IN AN
17 AGGREGATION SUCH AS THE PLAINTIFF DISTRICTS TO HAVE A
18 TEACHER FROM A COMPETITIVE COLLEGE THAN IT IS FOR OTHER
19 CHILDREN WHO ARE NOT IN THAT SITUATION OR NOT COMING FROM
20 THAT SITUATION?

21 A I THINK THE RESEARCH ON THAT SHOWS THAT IT IS AN
22 ADVANTAGE TO HAVE A TEACHER FROM A MORE COMPETITIVE
23 COLLEGE

24 Q AND IS IT MORE IMPORTANT FOR THE AT-RISK SITUATION
25 CHILD THAN FOR OTHERS?

1 A THAT I'M NOT SURE OF BECAUSE MOST OF THE RESEARCH HAS
2 BEEN DONE JUST FOR THE AT-RISK POPULATION

3 Q I SEE OKAY YOU DON'T HAVE A COMPARISON GROUP
4 BUT IT DOES SHOW THAT IT IS -- THE FACTOR HAS AN IMPACT
5 FOR THE AT-RISK CHILD?

6 A YES

7 Q OKAY I'M WITH YOU WITH REGARD TO THE ISSUES OF
8 TEACHERS, AND AS WE HAVE WORKED THROUGH THESE INDIVIDUAL
9 QUESTIONS, COULD I ASK YOU TO FOCUS ON THE ACCELERATED
10 SCHOOLS PROJECT JUST FOR A MINUTE AND SHARE WITH US THE
11 PROFILE OF THE SUCCESSFUL TEACHER AND THE SUCCESSFUL
12 ENVIRONMENT FOR THE TEACHER IN THE ACCELERATED SCHOOLS
13 PROGRAM AND I'M ASKING YOU SPECIFICALLY DO FOCUS ON THE
14 SUCCESSSES I KNOW THERE HAVE BEEN SUCCESSSES AND FAILURES
15 THERE

16 A RIGHT WHAT WE HAVE HAD SUCCESSSES IN THE KINDS OF
17 COMMUNITIES SIMILAR TO THE PLAINTIFF COMMUNITIES WHAT
18 ONE FINDS IS THAT FIRST OF ALL THERE IS STRONG LEADERSHIP
19 IN THE SCHOOL THAT IS -- THIS IS SOMETHING WE ARE
20 COMMITTED TO, AND FRANKLY, IF YOU AS A TEACHER ARE NOT
21 COMMITTED TO THIS, YOU'RE PROBABLY IN THE WRONG SCHOOL
22 SO THERE'S A MESSAGE THERE

23 Q AND THE LEADER COMMUNICATES THAT MESSAGE, ENCOURAGES
24 THE ONES WHO MAY NOT THINK THE KIDS CAN LEARN OR SUCCEED
25 TO MOVE UP?

1 Q NOW DOCTOR, ON THESE INPUTS THAT WE HAVE BEEN TALKING
2 ABOUT, LET ME ASK YOU TO AGGREGATE TOGETHER IN YOUR MIND
3 THE DATA THAT YOU HAVE JUST BEEN ASKED TO ASSUME REGARDING
4 THE SUBSTANDARD CERTIFICATES, THE PERCENTAGE OF TEACHER
5 WITH SUBSTANDARD CERTIFICATES, THE PERCENTAGE OF TEACHERS
6 ON CONTINUING CONTRACTS, THE PERCENTAGE OF TEACHERS WITH
7 B A 'S FROM NON-COMPETITIVE COLLEGES, THE COMPARISON OF
8 TEACHER SALARIES AND THE THREE YEAR AVERAGE TURNOVER RATE,
9 AGGREGATING THOSE TOGETHER WITH THE AND BASED ON ASSUMING
10 THAT ALL OF THIS IS ACCURATE, DO YOU HAVE AN OPINION AS TO
11 WHETHER THIS AGGREGATION OF DATA AFFECTS THE INPUTS ENOUGH
12 TO IMPACT THE OPPORTUNITY THAT A CHILD IS RECEIVING TO
13 ACQUIRE A MINIMALLY ADEQUATE EDUCATION IN THE PLAINTIFF
14 DISTRICTS?

15 A YES, I BELIEVE THAT THERE IS A VERY HIGH PROBABILITY
16 GIVEN THIS VERY CONSISTENT CONSTELLATION OF DISADVANTAGES
17 THAT THE PLAINTIFFS' DISTRICTS HAVE IN THESE CATEGORIES,
18 THAT THERE IS A NEGATIVE IMPACT ON THE EDUCATIONAL
19 OPPORTUNITIES AND ACCOMPLISHMENTS OF THE STUDENTS

20 Q AND IS THAT KIND OF IMPACT CONSISTENT WITH WHAT YOU
21 HAVE SEEN IN YOUR EXPERIENCE AND RESEARCH AND WRITING AND
22 TEACHING WHEN THESE CONSTELLATION OF EVENTS OCCUR, DO YOU
23 SEE AN IMPACT ON THE OPPORTUNITY THAT CHILDREN HAVE TO
24 ACQUIRE A MINIMALLY ADEQUATE EDUCATION?

25 A YES

1 Q DOCTOR, BASED ON THESE THINGS DO YOU HAVE AN OPINION
2 AS TO WHETHER OR NOT THE CHILDREN IN THE PLAINTIFF
3 DISTRICTS ARE IN FACT RECEIVING A MINIMALLY ADEQUATE
4 EDUCATION OR THE OPPORTUNITY TO ACQUIRE A MINIMALLY
5 ADEQUATE EDUCATION FROM THE STATE OF SOUTH CAROLINA?

6 A GIVEN THE STANDARD THAT SOUTH CAROLINA SETS IN MY
7 OPINION THIS IS AN INFERIOR SET OF OPPORTUNITIES TO
8 ACQUIRE THE LEVEL OF EDUCATION THAT SOUTH CAROLINA
9 EXPECTS

10 Q DR LEVIN, WHEN YOU TALK ABOUT THE LEVEL OF
11 OPPORTUNITY THAT SOUTH CAROLINA EXPECTS, WHAT ARE YOU
12 TALKING ABOUT?

13 A WELL, SOUTH CAROLINA HAS SET SOME STANDARDS FOR ITS
14 STUDENTS IN TERMS OF THE PACT SCORES AND IF WE WANT TO
15 BE INTERNALLY CONSISTENT WITH THOSE KIND OF STANDARDS, YOU
16 WOULD EXPECT TO HAVE AT LEAST SIMILAR OPPORTUNITIES TO
17 GAIN THOSE STANDARDS

18 NOW, I WOULD ARGUE ON THE BASIS OF MY PREVIOUS
19 TESTIMONY THAT IN FACT YOU NEED ENRICHED RESOURCES FOR
20 CHILDREN WHO COME FROM THESE POVERTY BACKGROUNDS IN ORDER
21 TO REACH THOSE STANDARDS

22 AND SO THIS IS WHAT I AM REFERRING TO JUST THE
23 INTERNAL CONSISTENCY WITHIN THE STATE OF SOUTH CAROLINA TO
24 MEET STANDARDS THAT IT -- EXPECTS STUDENTS TO MEET

25 Q DR LEVIN, LET'S TALK A LITTLE BIT ABOUT THE

1 MARKETPLACE AND IF WE COULD LET'S TALK ABOUT WHAT IT
2 TAKES TO BUILD A COMMUNITY OF SUCCESS WHERE CHILDREN,
3 AT-RISK CHILDREN, ARE AGGREGATED IN THE DISTRICT

4 DOES THE MARKETPLACE AFFECT THE RESOURCES THAT
5 ARE ATTRACTIVE TO A DISTRICT WITH AN AGGREGATION OF
6 AT-RISK CHILDREN?

7 A YES HISTORICALLY SCHOOL DISTRICTS WITH HIGH
8 CONCENTRATIONS OF POVERTY AND WITH THE LACK OF OTHER
9 AMENITIES THAT TEACHERS PREFER HAVE HAD MORE DIFFICULTY IN
10 ATTRACTING HIGHLY QUALIFIED TEACHERS THAN PLACES THAT TEND
11 TO BE MORE COSMOPOLITAN, THAT HAVE STUDENTS WHO COME FROM
12 FAMILIES WITH MORE MATERIAL RESOURCES AND MORE EDUCATION
13 AND SO ON

14 Q WHAT DO YOU DO TO CREATE A MARKET FOR PEOPLE TO BE
15 ATTRACTED TO THESE PLAINTIFF DISTRICTS, AND IN OUR CASE IN
16 POOR RURAL AREAS WITH HIGH CONCENTRATIONS OF FREE AND
17 REDUCED LUNCH CHILDREN?

18 A WELL, WHAT YOU WANT TO DO IS TO FIRST EXPLORE THE
19 KINDS OF CHARACTERISTICS OF THE JOB THAT WOULD ATTRACT
20 THEM --

21 Q OKAY

22 A -- TO THE -- TO THOSE PARTICULAR DISTRICTS SO THE
23 AREAS TO BEGIN, OF COURSE, ARE SALARIES AND BENEFITS
24 BEYOND THAT -- BY BENEFITS ALSO I MEAN SOMETHING BROADER
25 THAN JUST THE NORMAL STATE PROVISION OR STATE PACKAGE SO

1 WHERE THE FIRST LANGUAGE WAS NOT ENGLISH WOULD HAVE VERY
2 DIFFERENT NEEDS THAN ONE WHERE THE PEOPLE BASICALLY SPOKE
3 A STANDARD GROUND OF ENGLISH AND WERE NATIVE TO THE AREA
4 SO

5 Q WHAT ARE SOME THINGS THAT COMMUNITY WOULD NEED?

6 A THE LATTER COMMUNITY?

7 Q THE ONE WITH LARGE NUMBERS OF NOT -- OF IMMIGRANTS
8 WHO DON'T SPEAK ENGLISH AS A FIRST LANGUAGE

9 A YES A COMMUNITY LIKE THAT WOULD CLEARLY NEED VERY
10 STRONG BILINGUAL INPUTS IN TERMS OF TEACHERS AND AIDS AND
11 TUTORING, WOULD NEED TO HAVE PERSONNEL WHO UNDERSTOOD THE
12 CULTURE OF THE IMMIGRANTS BECAUSE BY UNDERSTANDING THE
13 CULTURE, YOU CAN BUILD EDUCATIONAL PROGRAMS THAT BASICALLY
14 CREATE A LINK OR A BRIDGE BETWEEN THE CULTURE AND BETWEEN
15 U S CULTURE, LANGUAGE AND EXPECTATIONS, AND SO YOU'D WANT
16 TO CERTAINLY BUILD IN INPUTS PARTICULARLY STAFFING, THAT
17 TAKE ACCOUNT OF THE CULTURE AND THE FIRST LANGUAGE OF THE
18 IMMIGRANT GROUPS

19 THAT WOULD BE QUITE DIFFERENT THAN A COMMUNITY
20 THAT DOESN'T HAVE THOSE GROUPS

21 Q OKAY WELL DR LEVIN, AS I UNDERSTAND YOUR TESTIMONY
22 YESTERDAY, IT'S YOUR OPINION THAT THE PLAINTIFF SCHOOL
23 DISTRICTS ARE NOT PROVIDING THEIR STUDENTS WITH THE
24 OPPORTUNITY FOR A MINIMALLY ADEQUATE EDUCATION, AND YOU
25 DEFINED WHAT IN YOUR OPINION THE MINIMALLY ADEQUATE

1 EDUCATION WOULD BE

2 SO WHAT I'M TRYING TO GET FROM YOU NOW IS WHAT
3 WOULD THESE PLAINTIFF SCHOOL DISTRICTS NEED IN PLACE IN
4 ORDER TO PROVIDE THEIR STUDENTS WITH THE OPPORTUNITY FOR A
5 MINIMALLY ADEQUATE EDUCATION?

6 A WELL YESTERDAY I -- I GAVE BROAD OUTLINES OF SOME OF
7 THE KINDS OF INPUTS THAT WE HAVE LEARNED FROM THE RESEARCH
8 AND FROM EXPERIENCE MAKE THE DIFFERENCE

9 Q OKAY

10 A AGAIN, THE PRECISE INPUTS, IF YOU WOULD LIKE TO HIRE
11 ME OR PEOPLE LIKE ME AS A CONSULTANT TO GO INTO THESE
12 COMMUNITIES AND TO WORK CLOSELY WITH THE SCHOOL PEOPLE IN
13 THESE COMMUNITIES TO COME OUT WITH SOMETHING MORE PRECISE,
14 I'D BE HAPPY TO DO THAT GIVEN THE TIME

15 Q OKAY WELL, GIVE ME THE LIST OF WHAT IT IS THAT YOU
16 KNOW BASED ON THE KNOWLEDGE THAT YOU HAVE

17 A YOU NEED VERY TALENTED TEACHERS, THAT IS WITH VERY
18 STRONG SKILLS IN TERMS OF BEING ABLE TO UNDERSTAND THE
19 NEEDS OF A GROUP OF STUDENTS AND BEING ABLE TO UNDERSTAND
20 THEIR STRENGTHS, THEIR CHALLENGES AND BEING ABLE TO BUILD
21 ENRICHMENT PROGRAMS THAT TIE INTO THOSE CHALLENGES

22 THESE ENRICHMENT PROGRAMS WOULD INCLUDE
23 PROJECTS, RESEARCH, CREATIVE ACTIVITIES THEY WOULD
24 INCLUDE ACTIVITIES THAT USE COMMUNICATION SKILLS ACROSS
25 THE SPECTRUM, A LOT OF WRITING, A LOT OF VERBAL

1 PRESENTATION, A LOT OF WORK WITH IDEAS INCLUDING DEBATES
2 AND DISCOURSES, A LOT OF CONNECTING DILEMMAS IN DAILY LIFE
3 TO DILEMMAS IN CLASSICAL LITERATURE THAT WE FIND, FOR
4 EXAMPLE, SHAKESPEARE, AND IT'S THE PLAYS OF SHAKESPEARE
5 ONE FINDS A GREAT NUMBER OF THE KINDS OF CONFLICTS AND
6 ISSUES THAT WE FACE ON A DAILY BASIS

7 IT WOULD BE A VERY RICH EDUCATION, AND QUITE
8 FRANKLY, YOU NEED VERY TALENTED TEACHERS TO PULL THAT
9 OFF YOU NEED TEACHERS WHO ARE HIGHLY PREPARED, TEACHERS
10 WITH VERY STRONG VERBAL, ANALYTIC SKILLS, TEACHERS WITH
11 CREATIVITY, SO I WOULD BEGIN THERE

12 Q OKAY AND -- I'M SORRY

13 A IT'S UP TO YOU IF YOU WANT ME TO CONTINUE, I WILL

14 Q WELL, I WAS GOING TO ASK YOU SOME SPECIFIC THINGS
15 ABOUT THE ITEMS YOU JUST LISTED

16 A SURE

17 Q AND WOULD THOSE TEACHERS HAVE ATTENDED COMPETITIVE
18 COLLEGES?

19 A AGAIN, I THINK WE HAVE TO CLARIFY -- THE QUESTION HAS
20 COME UP AGAIN AND AGAIN ON AVERAGE YOU CAN COME UP WITH
21 A PICTURE OF NEED THERE WILL ALWAYS BE EXCEPTIONS AS I
22 SAID YESTERDAY ANYTHING IS POSSIBLE

23 BUT WHAT THE AVERAGE TELLS YOU IS WHAT IS
24 PROBABLE AND YES, WHAT I WOULD LOOK FOR ON AVERAGE WOULD
25 BE TEACHERS WHO COME FROM COMPETITIVE COLLEGES

1 ADDRESS THE NEEDS OF THOSE STUDENTS PERHAPS IN

2 CONJUNCTION WITH OTHER AGENCIES WITHIN THE COMMUNITY

3 WE NEED TO HAVE A CAPACITY IN THE SCHOOL TO
4 PROVIDE PROFESSIONAL DEVELOPMENT, AND THAT CAN BE DONE IN
5 A NUMBER OF WAYS IN SOME DISTRICTS THAT CAN BE DONE BY
6 HAVING AN OUTSTANDING CADRE OF PEOPLE WHO AGAIN DON'T DO
7 THIS BY FORMULA OR RECIPE BUT WORK WITH THE SCHOOL TO
8 UNDERSTAND THE SCHOOL'S NEEDS AND THEN PROVIDE DEEP
9 TRAINING IN MEETING THOSE SCHOOLS' NEEDS FOLLOW UP TO
10 MAKE SURE THAT THE TEACHERS KNOW HOW TO DO THIS IN THE
11 CLASSROOM, ARE DOING IT EFFECTIVELY ASSISTANCE IF THE
12 TEACHERS NEED ASSISTANCE IN IMPLEMENTING WHAT THEY HAVE
13 LEARNED

14 THAT'S A DIFFERENT KIND OF PROFESSIONAL
15 DEVELOPMENT THAN THE TYPICAL PROFESSIONAL DEVELOPMENT THAT
16 WE HAVE SEEN IN THE PAST YES, SIR

17 Q CAN I ASK YOU A SPECIFIC QUESTION ABOUT THAT BEFORE
18 YOU MOVE ON? WOULD THOSE BE PEOPLE WHO WOULD ESSENTIALLY
19 LIVE WITHIN THE SCHOOL CONTEXT OR WOULD THOSE BE PEOPLE
20 WHO WOULD KIND OF COME AND GO? I MEAN WOULD THEY BE
21 EMPLOYEES OF THE SCHOOL ESSENTIALLY?

22 A WELL, YOU COULD DO THIS IN EITHER WAY, BUT AS I HAVE
23 MENTIONED, THEY COULD BE FROM THE DISTRICT BUT WITH AN
24 INTIMATE KNOWLEDGE OF THE SCHOOL, GOING TO THE SCHOOL ON A
25 REGULAR BASIS, COMMUNICATING WITH TEACHERS AND THE

1 AND ANY WAY THAT WE CAN MEET THOSE NEEDS IN ONE
2 WAY FREES UP RESOURCES THAT WE CAN USE TO MEET SOME OF THE
3 OTHER NEEDS OF THE CHILDREN

4 Q WE HAVE TALKED ABOUT SOME OF THE PROGRAMS THAT YOU
5 WOULD WANT TO SEE AND THE KINDS OF TEACHERS YOU WOULD WANT
6 TO SEE IN THOSE WE DIDN'T TALK SPECIFICALLY ABOUT
7 PRESCHOOL, BUT I BELIEVE THAT'S SOMETHING THAT YOU
8 MENTIONED

9 A UH-HUH

10 Q WHAT KIND OF PRESCHOOL PROGRAM WOULD YOU WANT TO SEE,
11 WHAT KIND OF TEACHERS WOULD TEACH IT, AND WHAT OTHER KIND
12 OF STAFF WOULD YOU WANT TO SEE INVOLVED IN THAT?

13 A WELL, IDEALLY WHAT WE WANT IS A PRESCHOOL THAT TAKES
14 CHILDREN WHERE THEY ARE AND BRINGS THEM TO SCHOOL
15 READINESS SO THAT WHEN THEY ARRIVE AT SCHOOL, WHETHER
16 KINDERGARTEN, HALF DAY OR FULL DAY -- I WOULD PREFER FULL
17 DAY, I WOULD PREFER KINDERGARTEN, BUT SOMETIMES KIDS DON'T
18 HAVE A FULL DAY KINDERGARTEN AVAILABLE, BUT WHEREVER THEY
19 START SCHOOL, THAT THEY ARE PREPARED TO SUCCEED AT THOSE
20 LEVELS

21 ONE OF THE REALLY SAD THINGS IS TO GO INTO AN
22 ELEMENTARY SCHOOL AND TO HEAR DISCUSSIONS ABOUT HOW MANY
23 KINDERGARTNERS REALLY NEED TO STAY BEHIND AND QUOTE MATURE
24 ANOTHER YEAR AND THAT IS THE BEGINNING OF A PATH THAT'S
25 LIKELY TO END UP IN OTHER GRADE DETAINMENTS AND IS LIKELY

1 A USUALLY NOT AGAIN, THERE ARE EXCEPTIONS THERE ARE
2 PRINCIPALS WHO TAKE THESE CHECKLISTS, BUT THEN WHO AUGMENT
3 THEM USUALLY THERE'S A RITUAL IN SOME DISTRICTS A
4 SUPERINTENDENT TELLS YOU THAT YOU HAVE TO HAVE SOME AREA
5 OF NEEDS IMPROVEMENT FOR EVERY TEACHER, AND SO THEY
6 MECHANICALLY AGREE ON SOME AREA OF NEEDS IMPROVEMENT

7 THE TEACHER HAS TO TAKE A COURSE IN READING OVER
8 THE SUMMER IT DOESN'T CHANGE MATTERS VERY MUCH SO
9 THERE ARE OFTEN MECHANICAL, BUT I HAVE SEEN PRINCIPALS WHO
10 JUST SAY NO, WE ARE GOING TO TAKE THIS VERY, VERY
11 SERIOUSLY

12 NOW, PRINCIPAL RUNS UP AGAINST A LOT OF BOTH
13 SUBTLE AND NOT SO SUBTLE PRESSURES IF HE OR SHE STARTS TO
14 PUT PRESSURE ON A TEACHER WHO HAS STRONG TIES WITH SCHOOL
15 BOARD MEMBERS, WITH ADMINISTRATORS IN THE SCHOOL DISTRICT,
16 WITH THE COMMUNITY TREMENDOUS AMOUNT OF PRESSURE AND
17 SO OFT, SOMETIMES FEELS IT'S NOT WORTH IT

18 IN OTHER CASES PEOPLE ARE MORE VULNERABLE
19 BECAUSE THEY DON'T HAVE THOSE SUPPORTS THEY CAN DO
20 SOMETHING ABOUT IT BUT THE SYSTEM, WORKING THROUGH ALL
21 THE RULES AND REGULATIONS AND THE COMPLIANCE, DOES NOT
22 ENSURE THAT EVERY TEACHER IS EFFECTIVE

23 Q NOW, LET'S TALK A LITTLE BIT FURTHER ABOUT THE --
24 SOMETHING THAT MR BARNES TALKED ABOUT WAS CONTENTIOUS
25 TEACHER DATA AND I WANT TO ASK YOU FROM AN OVERALL.

1 STATISTICAL STANDPOINT IS IT CONTENTIOUS TO TALK ABOUT A
2 BASKET OF TEACHER CHARACTERISTICS, INCLUDING EXPERIENCE,
3 CONTINUING CONTRACTS NONCOMPETITIVE COLLEGES, TEACHER
4 TURNOVER, TEACHER SALARIES AND BENEFITS

5 IS IT CONTENTIOUS TO TALK ABOUT THOSE ON A
6 STATISTICAL BASIS IN TERMS OF EVALUATING A TEACHER CORE
7 FOR A PARTICULAR LOCATION OR DISTRICT?

8 A TALKING ON A STATISTICAL BASIS, MOST OF -- MOST OF
9 THOSE WOULD NOT BE CONSIDERED CONTENTIOUS

10 Q THERE IS A CONSENSUS BUILT IN THE COMMUNITY THAT DOES
11 RESEARCH AROUND THOSE AREAS?

12 A YEAH IT'S A LITTLE MORE COMPLICATED IN AREAS OF
13 EXPERIENCE, OR, AS I SHOWED IN AREAS OF ADVANCED
14 DEGREES THE MERE FACT OF AN ADVANCED DEGREE IS NOT IN
15 ITSELF --

16 Q RIGHT

17 A -- THE KEY ISSUE IT'S WHERE -- WHAT KIND OF
18 ADVANCED DEGREE AND HOW DOES IT RELATE TO THE ROLE YOU
19 KNOW, A LOT OF THIS IS COMMON SENSE, BY THE WAY, SO I'M
20 NOT TRYING TO PRETEND THAT THIS IS SOME HIGH FLYING, YOU
21 KNOW, ACADEMIC THEORY

22 Q YES, SIR

23 A AND QUITE FRANKLY, I THINK THAT A LOT OF THE ISSUES
24 ARE JUST COMMON SENSE

25 Q BUT LIKE IN THAT AREA, IF THE ADVANCED DEGREE HAS TO

1 DO WITH THE CONTENT THAT'S BEING TAUGHT IN THE CLASSROOM,
2 IS THERE ANY CONTENTIOUSNESS AROUND WHETHER THAT'S --
3 THAT'S THE ADVANCED DEGREE THAT HAS VALUE?

4 A IF IT DEALS WITH THE SUBJECT MATTER BEING TAUGHT, I
5 WOULD SAY THAT THERE IS NO CONTENTIOUSNESS WHATSOEVER

6 Q SO AROUND THESE STATISTICAL AREAS THAT WE ARE TALKING
7 ABOUT IS THERE A -- AN ACADEMIC CONSENSUS, A RESEARCH
8 CONSENSUS THAT'S BUILT IN THE EDUCATION COMMUNITY?

9 A YES, I BELIEVE THERE IS

10 Q OKAY NOW, IS IT FAIR THEN TO EVALUATE THOSE FACTORS
11 IN EVALUATING THE INPUTS INTO A DISTRICT?

12 A I THINK IT IS FAIR, BUT I WOULD STATE THAT IF WE HAVE
13 AN EXTRAORDINARY GRADUATE OF A NONSELECTIVE OR
14 NONCOMPETITIVE INSTITUTION THAT HAS DONE AN OUTSTANDING
15 JOB DURING A PRACTICE TEACHING, THAT IS CONSIDERED A VERY
16 FINE GRADUATE OF THE PROGRAM, THAT THAT PERSON DEFINITELY
17 SHOULD BE CONSIDERED AS A TEACHER

18 AND WE THEN HAVE THE OPPORTUNITY IN THE
19 PROBATIONARY PERIOD TO OBSERVE HOW WELL THIS PERSON DOES
20 AND WE WANT TO GIVE THIS PERSON AS FULL A CHANCE OF MAKING
21 IT AS A PERSON FROM A MORE COMPETITIVE INSTITUTION

22 Q ALL RIGHT AND THAT'S THE -- WHAT YOU TALKED ABOUT
23 EARLIER IN TERMS OF THE INDIVIDUAL EXCEPTIONS TO THE
24 STATISTICAL EVALUATION?

25 A YES YES

1 Q THAT'S ALWAYS TRUE, RIGHT?

2 A ALWAYS TRUE

3 Q OKAY NOW, YOU CHATTED A LITTLE BIT ABOUT A LARGE
4 NUMBER OF THINGS THIS MORNING, AND I WANT TO TALK ABOUT
5 THIS IDEA OF COMPLIANCE VERSUS EFFECTIVENESS IN THE
6 CONTEXT -- IT SEEMED TO ME THAT -- WELL, I WON'T SAY
7 THAT PROBABLY DOESN'T MATTER WHAT SEEMS TO ME

8 BUT FROM YOUR STANDPOINT, IF A SCHOOL HAS SAY AN
9 EXTENDED SCHOOL DAY AND THAT'S COMPLIED WITH, DOES THAT
10 INDICATE THAT THE CHILD IS RECEIVING A MINIMALLY ADEQUATE
11 EDUCATIONAL OPPORTUNITY?

12 A YOU MEAN THE MECHANICAL FACT?

13 Q THE MECHANICAL FACT

14 A THE DAY HAS BEEN EXTENDED?

15 Q RIGHT

16 A NO NO

17 Q AND IS THE SAME TRUE FOR SUMMER PROGRAM, IF ONE
18 EXISTS?

19 A NO SIR, MAY I DISTINGUISH BETWEEN A NECESSARY AND A
20 SUFFICIENT CONDITION?

21 Q OKAY

22 A MANY OF THE FACTORS THAT CAN BE STATED IN TERMS OF
23 WHAT SCHOOLS NEED ARE IN THE AREA OF NECESSARY CONDITIONS

24 Q RIGHT

25 A I MENTIONED THE PHYSICAL FACILITIES

1 A YES

2 Q OKAY YOU HAVE BEEN DOWN THERE A YEAR?

3 A YES

4 Q OKAY SCIENCE YOU SAID SHOULD BE FINISHED BY
5 CHRISTMAS?

6 A YES

7 Q AND NOBODY STARTED ON SOCIAL STUDIES YET?

8 A NOT YET

9 Q OKAY ONCE YOU GET THAT CURRICULUM IN PLACE, IS IT
10 JUST A MATTER OF TIME BEFORE PERFORMANCE IMPROVES IN
11 ALLENDALE?

12 A IT'S KIND OF LIKE ONE LEG ON A THREE LEGGED STOOL
13 HAVING A CURRICULUM IN PLACE WILL GO A LONG WAY TO
14 INFORMING TEACHERS WHAT NEEDS TO BE TAUGHT, WHEN, AND HOW
15 WE ARE GOING TO MEASURE WHETHER IT'S BEEN TAUGHT

16 WHAT IT WILL NOT DO IS GIVE TEACHERS WHO HAVE
17 ONE WAY OF TEACHING SOMETHING ONE SKILL, ANOTHER WAY OF
18 TEACHING IT, SO IT WILL NOT HELP VERY MUCH WITH RETEACHING
19 OR COMING UP WITH NEW AND DIFFERENT WAYS TO RETEACH
20 INFORMATION THAT CHILDREN DIDN'T MASTER INITIALLY

21 Q WELL, HOW DID YOU PLAN TO APPROACH THE PROBLEMS IN
22 ALLENDALE WHEN YOU KIND OF CAME IN AT A HIGH LEVEL AND
23 YOU'RE THE NEW -- THE NEW SUPERINTENDENT? WHAT WAS YOUR
24 IDEA OF HOW TO SOLVE THE PROBLEMS?

25 A WELL, I THOUGHT THAT WE WERE GOING TO GET A

1 CURRICULUM, PUT IT IN PLACE THAT WE WERE GOING TO DO SOME
2 TESTING TO DETERMINE EXACTLY WHERE THE CHILDREN WERE, AND
3 WE WERE GOING TO PROVIDE INSTRUCTION BASED ON THEIR
4 INSTRUCTIONAL NEEDS THAT WOULD MOVE THEM ALONG THE
5 CONTINUUM

6 Q DID YOU -- DID THAT WORK? IS THAT HOW YOU DID IT?

7 A WELL IT'S A VERY GOOD PLAN WE RAN INTO SOME
8 PROBLEMS

9 Q OKAY

10 A AND WE HAVE RUN INTO PROBLEMS IN TERMS OF -- POSSIBLY
11 THE GREATEST CHALLENGE THAT WE FACE IS TEACHER TURNOVER
12 AND GETTING HIGH QUALITY TEACHERS, MAINTAINING THEM IF WE
13 ATTRACT THEM ATTRACTING THEM TO START WITH

14 SO A LOT OF THE STAFF DEVELOPMENT EFFORTS THAT
15 WE HAVE MADE IN TERMS OF TEACHING TEACHERS TO ASSESS
16 CHILDREN AND TO PLAN FOR THAT INSTRUCTION EACH YEAR HAS TO
17 BE REDONE WITH THE NEW SET OF TEACHERS WHO COME IN

18 Q THIS LAST YEAR -- WHAT'S A PACE TEACHER?

19 A OKAY A PACE TEACHER IS A TEACHER WHO HAS COME INTO
20 THE TEACHING FIELD, IF YOU WILL, VIA AN ALTERNATIVE
21 ROUTE THE IDEA IS THAT THE PERSON HAS THE CONTENT
22 KNOWLEDGE BUT HASN'T HAD THE TEACHING SKILLS, AND SO THEY
23 GO THROUGH THE PACE PROGRAM, THEY TAKE A CONTENT TEST,
24 THEY GO TO GET TEACHING SKILLS PERIODICALLY OVER A THREE
25 YEAR PERIOD AND THEY TAKE COURSE WORK TO HELP THEM GET IN,

1 EXHIBIT OR

2 MR MORRISON APOLOGIZE, YOUR HONOR THE YELLOW BAR
3 IS A NEW PIECE OF THAT
4 BY MR MORRISON

5 Q WHAT IF ANYTHING DOES THAT POVERTY INDEX TELL YOU
6 ABOUT THE NEEDS OF -- PARTICULAR NEEDS OF YOUR STUDENTS'
7 EDUCATIONAL

8 A IT TELLS ME THAT MY CHILDREN ARE COMING TO SCHOOL
9 WITH DEFICITS EXPERIENCE DEFICITS BASICALLY THAT IT IS
10 GOING TO TAKE MORE TO GET THEM WHERE THEY NEED TO BE IT
11 HAS REAL IMPLICATIONS FROM OUR EARLY CHILDHOOD PROGRAMS,
12 AND THOSE IMPLICATIONS STRETCH ALL THE WAY THROUGH TO
13 K-12

14 Q SUPERINTENDENT HARRIS, DO YOUR KIDS COME TO SCHOOL
15 WITH PHYSICAL NEEDS, HEALTH NEEDS AND SHELTER AND CLOTHING
16 TYPE NEEDS ALSO?

17 A YES MY CHILDREN COME WITH THOSE NEEDS, AND IN
18 ADDITION TO THOSE NEEDS A VERY SERIOUS NEED FOR LANGUAGE,
19 PEOPLE CONVERSATION GOOD ROLE MODELS GOOD SPEECH MODELS

20 Q SETTING ASIDE FOR THE MOMENT THE SPEECH MODELS WHICH
21 I AM GOING TO COME BACK TO, BUT LET'S JUST TALK ABOUT THE
22 NEEDS THAT COME OUT OF POVERTY THE FOOD SHELTER
23 CLOTHING TYPE NEEDS

24 A UH-HUH

25 Q WHAT DOES -- WHAT DO YOU -- WHAT'S NECESSARY FOR A

1 REFERRING TO

2 Q OKAY AND LET ME ASK YOU ABOUT THESE KIDS THAT ARE
3 ON FREE AND REDUCED LUNCH AND COMING OUT OF THE CONTEXT
4 THAT YOU DESCRIBED ARE THEY MOTIVATED OR EXCITED TO
5 LEARN WHEN THEY FIRST COME TO SCHOOL WHEN THEY ARE LITTLE
6 KIDS?

7 A THEY ARE SO EXCITED THEY LITERALLY RUN OFF OF THE
8 BUS THE FIRST DAY OF SCHOOL THE YOUNGER THEY ARE, THEY
9 JUST CAN'T WAIT IT'S AN EVENT TO BE LOOKED FORWARD TO
10 OLDER BROTHERS AND SISTERS GO OFF EVERY DAY TO SCHOOL
11 THEY ARE VERY EXCITED TO COME TO SCHOOL

12 Q AND DO THEY STAY EXCITED?

13 A NO

14 Q WHY NOT?

15 A AS THE SCHOOL WORK BECOMES MORE DIFFICULT, AS THE
16 CHILD BECOMES LESS SUCCESSFUL AND SCHOOL CEASES TO BE A
17 GREAT PLACE TO GO AND GET YOUR -- GET THAT FEELING OF SELF
18 ESTEEM THAT COMES FROM DOING WELL

19 ONCE THAT STARTS TO DIMINISH, AND IT DOES, THEN
20 THE CHILDREN ARE NOT AS HAPPY TO COME TO SCHOOL, ARE
21 CRANKY WHEN THEY GET THERE, AND SO WE HAVE ALL THE
22 PROBLEMS THAT GO ALONG WITH THAT

23 Q WELL, DO THE KIDS COME TO SCHOOL WITH THE KIND OF
24 READINESS THAT YOU HAVE SEEN IN OTHER EXPERIENCES? AND BY
25 THAT, I'M NOT ASKING YOU TO COMPARE THOSE OTHER

1 EXPERIENCES, BUT JUST TALK ABOUT YOUR KIDS

2 A ALLENDALE HAS AN INTERESTING SITUATION WITH COMING TO
3 SCHOOL READY THE LAST TIME WE GAVE THE C S A B TEST,
4 ALLENDALE STUDENTS SCORED I WANT TO SAY THE SECOND HIGHEST
5 READINESS SCORE IN THE STATE AND WE HAD BEEN GIVING THAT
6 TEST FOR A LONG TIME

7 WE HAVE KINDERGARTEN CLASSES AND THE TEST IS
8 NOT A VERY COMPLICATED TEST IT ASKS QUESTIONS LIKE
9 WHAT'S YOUR ADDRESS, WHERE IS YOUR ELBOW DO YOU KNOW THE
10 COLOR RED AND THOSE ARE THINGS THAT IN THE PAST HAVE
11 SERVED AS GOOD INDICATORS AS TO WHETHER A CHILD IS READY
12 WHEN THEY ARRIVE AT SCHOOL

13 BUT ONCE THE DISTRICT REALIZED THAT THOSE WERE
14 THE THINGS THAT WERE BEING USED TO MEASURE READINESS, THEN
15 OUR KINDERGARTEN TEACHERS WENT ABOUT THE BUSINESS OF
16 TEACHING COLORS, TEACHING BODY PARTS, TEACHING ADDRESSES

17 SO OUR CHILDREN SCORED READY ON THAT TEST
18 BECAUSE OF INFORMATION WE HAD TAUGHT THEM, BUT
19 EXPERIENCE-WISE THEY WERE NOT READY THEY COME TO SCHOOL
20 ABOUT A THOUSAND HOURS SHORT OF PRELITERACY SKILLS WE
21 ARE WORKING MADLY IN OUR PRESCHOOL PROGRAMS TO DO THAT, TO
22 TRY TO MAKE UP SOME OF THAT DEFICIT, BUT THEY STILL COME
23 WITH GREAT NEEDS

24 Q WHAT WOULD IT TAKE TO CLOSE THAT GAP, THAT THOUSAND
25 HOUR GAP THAT COMING OUT OF POVERTY BRINGS WITH THE CHILD?

1 A HIGH QUALITY, HIGH QUALITY EARLY CHILDHOOD PROGRAMS
2 THE SOONER, THE EARLIER, THE BETTER

3 Q AND ONCE THEY ARE IN SCHOOL WHAT WOULD HELP YOU
4 CLOSE THAT GAP?

5 A HIGH QUALITY TEACHERS MEANING TEACHERS WITH
6 EXCEPTIONAL SKILLS MEANING TEACHERS WHO RELATE WELL TO
7 THE CHILDREN, UNDERSTAND CHILD DEVELOPMENT, CAN PUT THINGS
8 IN A CONTEXT WITH -- CONTEXT WHERE CHILDREN CAN GRASP THEM
9 AND HOLD ON TO THEM

10 GOOD FACILITIES, APPROPRIATE RESOURCES, IF I HAD
11 THOSE THINGS, I WOULD GO -- I WOULD BE REALLY HAPPY

12 Q SUPERINTENDENT HARRIS LET'S GO BACK TO THAT ISSUE OF
13 LANGUAGE THAT YOU MENTIONED A MINUTE AGO AND HOW FAR
14 BEHIND THE KIDS ARE IN LANGUAGE DESCRIBE FOR US THE HOME
15 ENVIRONMENT AND WHY THEY ARE SO FAR BEHIND IN LANGUAGE

16 A YES ALLENDALE, BECAUSE OF ITS LOCATION HAS A GROUP
17 OF PARENTS THAT CATCH A BUS EARLY IN THE MORNING AND GO
18 OVER TO HILTON HEAD TO WORK THOSE PARENTS GET ON THE BUS
19 AT 7 00 IN THE MORNING AND THEY DON'T RETURN UNTIL LATE IN
20 THE AFTERNOON

21 THAT MEANS IN A LOT OF CASES YOUNG CHILDREN ARE
22 BEING TAKEN CARE OF BY OLDER SIBLINGS, SOMETIMES BEING
23 TAKEN CARE OF BY OLDER ADULTS THOSE SITUATIONS DON'T
24 LEND THEMSELVES TO STORY TELLING OR READING BOOKS OR
25 HAVING A LOT OF CONVERSATION

1 CHILDREN NEED THAT AS A FOUNDATION TO DO THE
2 PRELITERACY SKILLS THAT WE ARE RESPONSIBLE FOR ONCE THEY
3 GET TO SCHOOL SO MY CHILDREN HAVEN'T HEARD A LOT OF
4 GOOD, RICH LANGUAGE TO DRAW FROM
5 Q HAVE THEY HAD EXPERIENCES OUTSIDE OF THEIR HOME TO
6 ANY SIGNIFICANT DEGREE?
7 A NO THOSE EXPERIENCES WOULD BE LIMITED SIMPLY
8 BECAUSE THE COMMUNITY ITSELF IS LIMITED WE HAVE A VERY
9 SMALL LIBRARY TRANSPORTATION IN THE DISTRICT IS A
10 PROBLEM IF WE DON'T TRANSPORT CHILDREN BY BUS TO SCHOOL,
11 THEY DON'T GET INTO TOWN
12 WE DON'T HAVE CULTURAL ACTIVITIES WE DON'T
13 HAVE A LEISURE CENTER OR A RECREATIONAL CENTER THE
14 RECREATION DEPARTMENT USES OUR FACILITIES DURING THE
15 SUMMER, AND FOR SOME LEAD-TYPE ACTIVITIES, SO THE
16 COMMUNITY ITSELF IS LIMITED IN WHAT IT CAN PROVIDE TO ITS
17 CITIZENS
18 Q SUPERINTENDENT HARRIS, GLORIA LADSON-BILLINGS -- DR
19 LADSON-BILLINGS WAS HERE EARLIER SHE TALKED ABOUT
20 CULTURALLY RELEVANT PEDAGOGY ARE YOU FAMILIAR WITH THAT
21 TERM?
22 A YES
23 Q AND WERE YOU HERE FOR HER TESTIMONY?
24 A I HEARD HER MORNING TESTIMONY
25 Q OKAY DID IT MAKE -- DID THAT MAKE SENSE TO YOU

1 SERVE, OR IS IT -- OR IS THERE A LOTTERY OR HOW DO YOU --

2 GO AHEAD

3 A WITH LITTLE NEW STEPS WHICH IS OF COURSE THE PROGRAM
4 THAT GENERATES THE BIGGEST WAITING LIST, IF A CHILD
5 LEAVES, IT'S FIRST COME, FIRST SERVE FOR LITTLE NEW STEPS
6 AS LONG AS THEY MEET THE CRITERIA FOR THE PROGRAM

7 SO IF YOU ARE AT THE TOP OF THE LIST AND YOU
8 HAVE A THREE YEAR OLD CHILD AND A MOTHER DROPS OUT OF THE
9 PROGRAM, THEN YOUR CHILD WOULD BE THE FIRST TO BE
10 ENROLLED

11 Q HOW ABOUT MONTISORY AND 4-K?

12 A WE TEST THE CHILDREN, AND THE CHILDREN WITH THE
13 GREATEST NEED ARE THE CHILDREN THAT ARE SERVED BUT
14 BASICALLY ONCE WE GET UP TO 4-K AND FIVE, WE ARE SERVING
15 -- WE DON'T HAVE A VERY LARGE WAITING LIST

16 Q OKAY NOW IF YOU COULD SERVE ALL OF YOUR STUDENTS,
17 WOULD YOU DO IT?

18 A OH, YES

19 Q OKAY WHY DON'T YOU SERVE ALL OF THEM NOW?

20 A BECAUSE THE ONES THAT WE ARE SERVING AT LITTLE NEW
21 STEPS AND -- ARE FUNDED THROUGH GRANTS

22 Q UH-HUH

23 A AND WE DON'T HAVE THE RESOURCES TO DO THAT ON OUR
24 OWN SO -- AS TO FUNDING ISSUE

25 Q HOW MUCH DOES IT TAKE TO SET UP A MONTISORY CLASS?

1 YOU TALKED ABOUT FIRST STEPS FUNDED THE SETUP OF THE
2 MONTISORY

3 A WELL THE MATERIALS THEMSELVES RUN AROUND 20 TO
4 \$25,000, AND THEN YOU HAVE TO SPECIALLY TRAIN A TEACHER
5 OVER THE COURSE OF TIME

6 Q SO TO HIRE AND TRAIN THE TEACHERS AND SET UP THE
7 CLASSROOM WOULD BE 25 TO WHAT?

8 A DEPENDING ON THE EXPERIENCE OF THE TEACHER, OF
9 COURSE, AND LET'S SAY THE AVERAGE SALARY IN ALLENDALE
10 MIGHT BE \$32,000

11 Q UH-HUH

12 A SO IT WOULD COST THE \$32,000 FOR THE TEACHER PLUS AN
13 ADDITIONAL THIRD FOR HER BENEFITS AND FRINGE BENEFITS,
14 THEN PROBABLY ABOUT \$6,000 FOR THE MONTISORY TRAINING AND
15 THEN THE COST OF THE EQUIPMENT AND MATERIALS

16 Q AND THAT WAS 25?

17 A YES

18 Q SO IT'S WELL OVER \$50,000?

19 A ABSOLUTELY

20 Q IN YOUR DISTRICT IN ALLENDALE, WHY IS IT IMPORTANT TO
21 REACH THE CHILDREN AS EARLY AS POSSIBLE?

22 A WELL, THE SMART MONEY IS ON THE FACT THAT YOU DON'T
23 ALLOW THE ACHIEVEMENT GAP TO OPEN AND THAT WAY YOU DON'T
24 DEAL WITH TRYING TO CLOSE IT FURTHER DOWN THE ROAD WHEN
25 THERE IS MORE DISTANCE TO DEAL WITH, SO THAT'S WHY WE

1 FOCUS SO MUCH OF OUR ATTENTION ON EARLY CHILDHOOD
2 PROGRAMS

3 Q LET'S TALK NOW ABOUT THE POLITICAL SITUATION AND THE
4 EDUCATION SITUATION THERE IN ALLENDALE WHEN DID THE
5 STATE DEPARTMENT OF EDUCATION TAKE OVER ALLENDALE IN TERMS
6 OF --

7 A MAY--

8 Q -- DECISION MAKING?

9 A 1999

10 Q AND WHY DID THAT HAPPEN?

11 A AS I UNDERSTAND IT BECAUSE THAT PREDATES ME, ANY
12 TIME A SCHOOL IS NOT DOING WELL, AN EXTERNAL REVIEW TEAM
13 COMES IN TO REVIEW THE SCHOOL AND TO MAKE RECOMMENDATIONS
14 FOR IMPROVEMENT THE EXTERNAL REVIEW TEAM THEN RETURNS TO
15 SEE IF SUFFICIENT IMPROVEMENT HAS BEEN MADE

16 MY UNDERSTANDING IS THAT WHEN THE EXTERNAL
17 REVIEW TEAM CAME BACK FOR THE SECOND TIME, THEY WERE NOT
18 PLEASED OVER TIME WITH THE EFFORTS THAT HAD BEEN MADE AND
19 RECOMMENDED THAT THE STATE SUPERINTENDENT ASSUME
20 MANAGEMENT OF THE DISTRICT

21 Q NOW, IS THAT THE ONLY TIME THAT YOU KNOW OF IN THE
22 HISTORY OF SOUTH CAROLINA THAT THE STATE DEPARTMENT HAS
23 TAKEN OVER A DISTRICT FROM THE LOCAL SCHOOL BOARD?

24 A IT IS THE ONLY ONE I'M AWARE OF

25 Q NOW, JUST TO BE CLEAR, THE DISTRICT WAS TAKEN OVER BY

1 PERCENT, SO I FEEL WE LOST THAT

2 Q OKAY DO YOU THINK THE STATE TAKEOVER HAS HAD THE
3 RESULTS THAT THE COMMITTEE WAS HOPING FOR OR THAT THE
4 STATE WAS HOPING FOR IN TAKING OVER THE DISTRICT?

5 A I THINK IT HAS TAKEN FAR LONGER THAN ANYBODY EVER
6 THOUGHT IT WAS GOING TO TAKE

7 Q SO THE RESULTS -- THE RESULTS AND THE CHANGES HAVEN'T
8 TAKEN PLACE YET?

9 A NOT TO THE EXTENT THAT WOULD WARRANT HER LEAVING THE
10 DISTRICT

11 Q OKAY WHY HAS IT TAKEN LONGER TO TURN THE DISTRICT
12 AROUND THAN YOU EXPECTED OR THE STATE EXPECTED OR THE
13 COMMUNITY EXPECTED?

14 A I THINK IT'S BECAUSE WHAT IT TAKES TO TURN THE
15 DISTRICT AROUND IS A COMPILATION OF MANY THINGS I THINK
16 EVERYONE THOUGHT THAT IF ALL WE DID WAS GIVE SOMEONE A
17 CURRICULUM IT WOULD GET BETTER, OR IF ALL WE DID WAS TO
18 PROVIDE COMPUTER ENHANCEMENTS, THE SCORES WOULD GET
19 BETTER

20 TURNS OUT THAT THERE ARE A WHOLE LOT OF THINGS
21 THAT HAVE TO BE DONE IN ORDER FOR THOSE SCORES TO GET
22 BETTER, AND TO HAVE SYSTEMIC CHANGE AT THE LEVEL THAT SHE
23 HAS SET FORTH AS A BENCHMARK TAKES A LOT OF WORK

24 Q DOES IT TAKE A LOT OF RESOURCES TOO?

25 A THAT IS THE COMMON DENOMINATOR EVERYTHING THAT WE

1 NEED TO MAKE IT BETTER COSTS MONEY

2 Q LET'S LOOK AT MONEY

3 A OKAY

4 MR MORRISON YOUR HONOR I DON'T KNOW IF I'M GOING
5 GET THROUGH THIS BY 1, BUT I AM GLAD TO START

6 THE COURT WE'VE GOT A COUPLE OF MINUTES OR WE CAN
7 STOP EARLY WHATEVER SUITS YOU HOWEVER IT WOULD FIT
8 INTO THE SCHEME OF THINGS THAT YOU HAVE GOT OUTLINED WE
9 DON'T HAVE TO STOP RIGHT AT 1 IF WE GO A FEW MINUTES
10 PAST, IT'S NOT GOING TO HURT

11 MR MORRISON OKAY

12 BY MR MORRISON

13 Q LET'S TALK ABOUT MONEY, SUPERINTENDENT HARRIS
14 ALLENDALE RECEIVED \$10,536 PER STUDENT LAST YEAR RIGHT?

15 A THAT'S CORRECT

16 Q OKAY DON'T YOU RECEIVE MORE MONEY PER PUPIL THAN
17 ANY OTHER DISTRICT IN THE STATE AT THE PRESENT TIME?

18 A THAT'S CORRECT

19 Q OKAY HOW COULD YOU POSSIBLY SAY THAT YOU NEED MORE
20 RESOURCES? I MEAN, ISN'T ALLENDALE JUST A POSTER CHILD
21 FOR MONEY DOESN'T REALLY MATTER?

22 A NO, INDEED ALLENDALE IS A POSTER CHILD FOR THE FACT
23 THAT WE HAVE ACTIVELY GONE OUT AND SOUGHT GRANTS AND OTHER
24 SOURCES OF MONEY TO PROVIDE THE NEEDS OF CHILDREN THAT WE
25 COULD NOT PROVIDE FOR WITH THE GENERAL FUNDED BUDGET

1 ALL OF THAT MONEY THAT COMES IN COMES IN WITH
2 STRINGS ATTACHED OR FUNDING MANDATES AS TO HOW THAT MONEY
3 CAN BE SPENT AND WE HAVE SPENT THAT MONEY IN ACCORDANCE
4 WITH THOSE MANDATES

5 THAT MONEY CANNOT BE USED TO INCREASE THE
6 MINIMUM TEACHER'S SALARY IT CANNOT BE USED TO FIX A
7 BUILDING WE ARE LIMITED IN WHAT THOSE FUNDS CAN BE USED
8 FOR

9 Q WHEN YOU -- WHEN YOU TALK ABOUT STRINGS BEING
10 ATTACHED TO THE MONEY, CAN YOU USE THE MONEY YOU ARE
11 RECEIVING TO RAISE TEACHER SALARIES --

12 A NO

13 Q -- ACROSS THE BOARD?

14 A NO

15 Q OKAY WHY NOT?

16 A WELL, IF YOU GET A GRANT, BECAUSE OF RESTRAINTS
17 PLACED ON THE GRANT, TELL YOU EXACTLY AND SPECIFICALLY
18 WHAT YOU CAN PAY FOR AND THAT IS NOT ONE OF THEM

19 Q DOES MONEY MATTER IF YOU SPEND IT IN THE RIGHT
20 PLACES?

21 A ABSOLUTELY

22 Q OKAY AND IF YOU HAD NO STRINGS ATTACHED TO THE
23 DOLLARS COMING INTO ALLENDALE, WHERE WOULD YOU PLACE YOUR
24 HIGHEST PRIORITY AT THE PRESENT TIME?

25 A QUALIFIED STAFF, HIGHLY SKILLED STAFF, TEACHERS WITH

1 ADDITIONAL TRAINING AND EXPERTISE

2 Q LOOK WITH ME, IF YOU WOULD, AT PER PUPIL SPENDING ON
3 EXHIBIT 6168 THIS IS FOR THE FISCAL YEAR 2002 -- ON THE
4 GENERAL FUND MONEY WHAT I AM JUST GOING TO PUT UP FOR
5 YOU TO TAKE A LOOK AT IS THIS PER PUPIL EXPENDITURE,
6 FISCAL YEAR 2002 --

7 A YES

8 Q -- ANOTHER COPY OF THAT FOR THE WITNESS? GOT IT ON
9 THE SCREEN, BUT I AM GOING TO HAND YOU A COPY JUST HELP
10 ME WALK THROUGH THIS, IF YOU WOULD EXPLAIN THE FORMAT SO
11 WE KNOW WHAT WE ARE ALL TALKING ABOUT TOTAL EXPENDITURES
12 \$19,884 726 RIGHT?

13 A THAT'S RIGHT

14 Q AND THEN YOU TAKE OUT T S O S AND P S O S , THAT'S
15 CAPITAL PROJECTS AND DEBT SERVICE, RIGHT?

16 A YES

17 Q OKAY AND SO YOU HAVE TOTAL NET EXPENDITURES ALL --
18 ALL DISTRICT-WIDE \$18,966,676, RIGHT?

19 A THAT'S RIGHT

20 Q AND YOU DIVIDE BY THE A D M , 135, RIGHT?

21 A THAT'S RIGHT

22 Q THAT'S \$1,822 35--

23 THE COURT NO, SIR I BELIEVE THAT'S -- I BELIEVE
24 THAT'S--

25 BY MR MORRISON

1 Q PUPILS IT'S IS PUPILS, NOT CENTS POINT 35 IS WHAT
2 THREW ME OFF THERE, SUPERINTENDENT HARRIS THANK YOU,
3 YOUR HONOR BUT IT'S -- THE WAY YOU CALCULATE THE NUMBER
4 OF CHILDREN IS BASED ON THE NUMBER OF DAYS THAT THEY ARE
5 THERE, RIGHT?

6 A THAT'S RIGHT

7 Q AND SO SOMETIMES YOU COME UP WITH POINT 35 OF A
8 CHILD, BUT IT'S NOT REAL RIGHT?

9 A RIGHT

10 Q OKAY SO IT'S 1,822 35 A D M UNITS, ROUGHLY THAT'S
11 THE STUDENTS, NOT INCLUDING THREE AND FOUR YEAR OLDS,
12 THAT'S 114 STUDENTS RIGHT?

13 A THAT'S RIGHT

14 Q AND SO THE PER PUPIL EXPENDITURE IS \$10,404, RIGHT?

15 A THAT'S RIGHT

16 Q NOW, THEN WE HAVE A LIST OF THINGS THAT ARE -- THAT
17 HAVE STRINGS ATTACHED IS THAT WHAT IS NEXT?

18 A EXACTLY

19 Q EVEN START?

20 A YES

21 Q ADULT EDUCATION?

22 A YES

23 Q FIRST STEPS?

24 A YES

25 Q ETHICS?

1 A YES

2 Q ELEMENTARY GUIDANCE?

3 A THAT'S RIGHT

4 Q MATURE ADULT?

5 MR STEPP THIS IS NOT ON THE EXHIBIT THAT I'M
6 LOOKING AT

7 THE COURT MINE EITHER

8 MR MORRISON MY FAULT I DON'T HAVE -- I NEED
9 ANOTHER COPY OF THAT APOLOGIZE, YOUR HONOR

10 THE COURT THAT'S OKAY I TAKE IT YOU WERE WORKING
11 DOWN TO THE GENERAL FUND

12 MR MORRISON I WAS WORKING IT DOWN TO THE GENERAL
13 FUND

14 BY MR MORRISON

15 Q YOU PULL OUT EXPENDITURES THAT ARE FROM GRANTS,
16 RIGHT?

17 A YES

18 Q AND YOU GET TO A GENERAL FUND AMOUNT OF \$11,282 --
19 \$11 282,492 RIGHT?

20 A THAT'S RIGHT

21 Q AND YOU DIVIDE THAT BY YOUR STUDENTS, AND YOUR PER
22 PUPIL EXPENDITURE FROM THE GENERAL FUND IS \$6,191 18
23 RIGHT?

24 A THAT'S CORRECT

25 Q OKAY SO OF YOUR \$10,404 THAT'S YOUR PER PUPIL

1 OVERALL EXPENDITURE, WHEN YOU REMOVE THE GRANT MONEY, YOU
2 GET TO \$6,191 FROM THE GENERAL FUND, RIGHT?

3 A FROM THE GENERAL FUND, YES

4 Q OKAY AND YOUR AVERAGE TEACHER SALARY FOR '02, '03
5 IS THERE AT THE BOTTOM OF \$32,645?

6 A YES

7 Q OKAY NOW YOU SAID THAT IF YOU HAD DISCRETIONARY
8 MONEY TO SPEND, YOU WOULD SPEND IT ON GOOD TEACHERS AS
9 NUMBER ONE WHAT DOES IT -- WHAT WOULD YOU SPEND TO
10 ATTRACT GOOD TEACHERS?

11 A IN ORDER TO GET GOOD TEACHERS THE FIRST THING THAT I
12 WOULD HAVE TO DO IS TO RAISE THE SALARY WHEN YOU ARE
13 LOOKING FOR FIRST STRING TEACHERS AND YOU ARE TALKING
14 ABOUT A FREE MARKET SITUATION WHERE YOU HAVE A TEACHER
15 SHORTAGE, YOU GET WHAT YOU PAY FOR

16 AND SO IF YOU WANT TOP QUALITY TEACHERS, YOU ARE
17 GOING TO HAVE TO PAY A TOP QUALITY SALARY THAT WOULD BE
18 THE FIRST THING ARE YOU ASKING WHAT WOULD I DO IN
19 ADDITION TO PAYING THEM WELL?

20 Q WHAT WOULD YOU DO IN ADDITION TO PAYING THEM WELL?

21 A WELL IN ORDER TO COME TO ALLENDALE, THERE WOULD ALSO
22 HAVE TO BE SOME INDUCEMENTS IN TERMS OF -- THERE IS NO
23 HOUSING IN ALLENDALE, MIDDLE CLASS HOUSING FOR TEACHERS
24 WHO COME IN TO THE AREA HOUSES ARE EITHER FOR SALE OR
25 YOU -- OR LOW INCOME RENTAL PROPERTY

1 THING?

2 A YES

3 Q MAJORITY OF THE KIDS ARE FAILING?

4 A YES

5 Q AND THE IMPROVEMENT RATING MOVED TO UNSATISFACTORY
6 AND WHAT DOES THAT MEAN TO YOU?

7 A IT MEANS -- THE IMPROVEMENT RATING IS MEASURED ACROSS
8 TIME, SO THEY ARE TALKING ABOUT CHILDREN WHO -- THEY ARE
9 TRACKING A STUDENT'S PROGRESS OVER TIME SO A CHILD WHO
10 MAY HAVE BEEN IN BELOW BASIC TWO THE YEAR BEFORE MAY HAVE
11 SLIPPED TO BELOW BASIC ONE A STUDENT WHO WAS IN BASIC
12 MAY HAVE SLIPPED TO BELOW BASIC

13 SO WHEN THEY DID THAT CROSS TOWN THAT CROSS
14 TIME MATCH, THERE WAS A DECREASE IN PERFORMANCE AND SO
15 OUR IMPROVEMENT RATING IS UNSATISFACTORY, ALTHOUGH WE
16 BASICALLY STATE THE SAME SO WE MUST HAVE HAD AS MANY
17 CHILDREN COMING UP AS WE DID GOING DOWN NO PROGRESS IS
18 WHAT WE HAVE

19 Q WHY DO YOU THINK THERE WAS NO PROGRESS?

20 A WELL, THERE ARE SEVERAL THINGS THAT HAPPENED THAT
21 COME TO MIND FIRST OF ALL OUR KIDS ARE US GRANT RAN
22 OUT AND THAT GRANT--

23 Q I'M SORRY KIDS ARE US GRANT?

24 A YES

25 Q OKAY THAT WAS A -- WHAT--

1 A 21ST CENTURY GRANT

2 Q OKAY

3 A THAT ALLOWED US TO PROVIDE AFTERSCHOOL PROGRAMS FOR
4 ELEMENTARY SCHOOLS

5 Q OKAY

6 A NOW, THE WONDERFUL THING ABOUT BEING AGGRESSIVE ABOUT
7 GETTING THESE GRANTS IS YOU GET TO PROVIDE PROGRAMS THAT
8 NORMALLY YOU WOULD NOT HAVE THE FINANCES TO PROVIDE
9 UNFORTUNATELY, WHEN THEY RUN OUT, THERE IS NO MONEY TO
10 CONTINUE THOSE PROGRAMS SO I LOST THAT AFTERSCHOOL
11 TUTORIAL PROGRAM AND THAT SUMMER SCHOOL PROGRAM

12 AND SO I THINK THAT MAY HAVE AFFECTED THE TEST
13 SCORES IN ADDITION TO THAT, WE HAD A SITUATION WHERE IN
14 ONE FIFTH GRADE CLASS WE WERE UNABLE TO KEEP FIFTH GRADE
15 TEACHERS AS THE YEAR WENT ON WE HAD LONG TERM SUBS, WE
16 HAD TEACHERS TO QUIT WE WERE UNABLE TO REPLACE THEM

17 AND SO WHEN YOU ARE DEALING WITH A SMALL
18 POPULATION AND A SMALL CLASS, AN INDIVIDUAL TEACHER'S
19 ABSENCE OR PRESENCE REFLECTS VERY MUCH IN YOUR ABSOLUTE
20 RATING

21 Q AND IN THE IMPROVEMENT -- GO AHEAD

22 A AND I ALSO STARTED THAT YEAR WITH SEVEN LONG TERM
23 SUBS

24 Q SEVEN LONG TERM SUBS?

25 A YES

1 Q AND YOU THINK THAT IMPACTS THE TEST SCORES OF THE
2 KIDS?
3 A I DO AND I DO WANT TO BE CLEAR ABOUT THIS MANY OF
4 MY PACE TEACHERS AND MY TEACHERS THAT ARE COMING THROUGH
5 ALTERNATIVE CERTIFICATION ARE COMING INTO MY MATH AND
6 ENGLISH CLASSES, AND SO THAT'S A PROBLEM
7 Q OKAY SO EVEN WITH AN AGGREGATE OF OVER \$10 000 IN
8 PER PUPIL SPENDING THE DISTRICT DID NOT IMPROVE?
9 A DID NOT IMPROVE THAT'S CORRECT
10 Q EVEN WITH THAT EXTRA GRANT MONEY AND SO FORTH, CAN
11 YOU EVEN AFFORD TO PUT \$600 SUPPLEMENTS ONTO TEACHERS'
12 SALARIES?
13 A THAT'S ALL WE CAN PUT ON THAT IS THE SUPPLEMENT
14 THAT WE OFFERED A SIX -- I'M SORRY -- A \$600 SUPPLEMENT
15 ABOVE THE STATE MINIMUM THAT'S IT
16 Q THAT'S ALL ALLENDALE CAN OFFER?
17 A THAT'S IT
18 Q I WANT TO TAKE A LOOK AT THE PACT RESULTS IN
19 PLAINTIFFS' EXHIBIT 1320-E, THE 2001 REPORT CARD AND I
20 THINK THAT'S THE -- IF YOU JUST LOOK AT THE 2001 SCORES,
21 IF WE COULD -- I GUESS I WANT YOU TO PUT THAT ONE UP ON
22 THE SCREEN
23 (CONFERRING WITH STAFF)
24 MR MORRISON PACT SCORES THEMSELVES AND PUT THEM IN
25 THE RECORD

1 Q THE OTHERS ONES, THOUGH, WHO JUST GRADUATE

2 A THEY JUST GRADUATED FROM HIGH SCHOOL THAT WERE NOT
3 SUCCESSFUL IN FINDING A JOB ARE NOW UNEMPLOYED ALONG WITH
4 THE DROPOUT WHO IS UNEMPLOYED

5 Q RIGHT

6 A I WOULD SAY THAT IT LOOKS PRETTY MUCH THE SAME

7 Q OKAY IN TERMS OF THE GROUP THAT DOESN T GRADUATE --

8 A UH-HUH

9 Q -- AND I'M BACK JUST TO THAT NOT THE GRADUATES WHO
10 CAN'T FIND ANYTHING TO DO OR ARE UNEMPLOYED IN THE AREA
11 BUT THE KIDS WHO DON'T GRADUATE, IN TERMS OF THEIR
12 CONTRIBUTION TO COMMUNITY THAT YOU SEE, WHAT DO YOU
13 OBSERVE IF A CHILD DOESN'T GRADUATE?

14 A WELL, IT'S BEEN MY OBSERVATION THAT IF A CHILD
15 DOESN'T GRADUATE FROM HIGH SCHOOL AND HAS DROPPED OUT OF
16 HIGH SCHOOL, THEY ARE -- AND DON'T HAVE A JOB, THEY ARE
17 NOT CONTRIBUTING TO THE COMMUNITY, THEY ARE NOT TAKING
18 PART IN THE POLITICAL PROCESS THEY ARE NOT LIVING UP TO
19 WHAT THEY COULD BE

20 Q AND ON THE REVERSE SIDE OF THAT COIN IF YOU DO -- IF
21 YOU DO GIVE KIDS AN OPPORTUNITY FOR A MINIMALLY ADEQUATE
22 EDUCATION AND THEY DO ACHIEVE THAT, WHAT ARE THE OUTCOMES
23 ON THE OTHER SIDE OF THE COIN?

24 A BASICALLY THAT YOU HAVE A PERSON WHO UNDERSTANDS THE
25 POLITICAL SYSTEM, THE VALUE OF IT CAN THEREFORE TAKE PART

1 IN IT, HAS AN INTEREST IN IT, AND IS IN A BETTER POSITION
2 TO INFLUENCE THE COMMUNITY AND MAKE A BETTER LIFE FOR
3 THEMSELVES AND FOR THEIR FAMILY WOULD BE MY OPINION

4 Q ALL RIGHT NOW, WE HAVE LOOKED AT THE STUDENTS AND
5 THE OUTPUTS, IN THE AGGREGATE, JUST THIS WHOLE PACKAGE OF
6 OUTPUTS THAT WE HAVE BEEN TALKING ABOUT ARE THOSE
7 ACCEPTABLE INDICATORS THAT THE CHILDREN IN ALLENDALE, EACH
8 CHILD, IS RECEIVING THE OPPORTUNITY TO ACQUIRE A MINIMALLY
9 ADEQUATE EDUCATION?

10 A NO

11 Q OKAY LET'S TURN TO THE INPUT SIDE AGAIN, AND YOU
12 AND I BRIEFLY TALKED ABOUT THE INPUTS, BUT IN TERMS OF THE
13 STUDENT PERFORMANCE, WE SEE THAT, WHAT IS THE -- IN YOUR
14 JUDGMENT -- THE PRIMARY CONCERN THAT YOU HAVE REGARDING
15 WHY THESE OUTPUTS ARE THE WAY THEY ARE, WHY THE STUDENTS
16 AREN'T DOING BETTER?

17 A IN MY OPINION THE STUDENTS ARE NOT DOING BETTER
18 BECAUSE WE HAVE NOT BEEN ABLE TO PRESENT THEM A COMPLETE
19 PACKAGE OF INSTRUCTION AND THAT COMPLETE PACKAGE WOULD
20 INCLUDE A TEACHER WHO IS HIGHLY SKILLED, FACILITIES THAT
21 ARE ADEQUATE AND THAT ARE WIRED FOR TECHNOLOGY, THAT ARE
22 WIRED FOR YOUR ELECTRICAL NEEDS, THAT -- I LIKE THIS FROM
23 THIS MORNING -- THAT ARE WIRED LIKE THIS COURTROOM IS
24 MATERIALS THAT MEET THEIR SPECIFIC NEEDS, A
25 WEALTH OF MATERIALS MY CHILDREN NEEDS BOOKS LIKE YOU

1 WOULDN'T BELIEVE WE ARE GETTING THERE WITH THE
2 CURRICULUM, BUT HAVING THE CURRICULUM AND NOT BEING ABLE
3 TO DELIVER IT EFFICIENTLY DOESN'T HELP A LOT SO MY TAKE
4 ON THAT IS WE HAVEN'T BEEN ABLE TO PRESENT A COMPLETE
5 PACKAGE THAT WOULD ALLOW OUR CHILDREN TO BE SUCCESSFUL
6 Q LET ME FOCUS ON SOME ELEMENTS OF THE PACKAGE
7 A OKAY
8 Q LET ME SHOW YOU EXHIBIT 6152-C WHICH WE HAVE SEEN
9 BEFORE WITH OTHER WITNESSES IT'S A THREE YEAR AVERAGE
10 TEACHER TURNOVER RATE DR PODA DISCUSSED THIS WITH US
11 AND YOU AND I DISCUSSED TEACHER TURNOVER I DON'T WANT TO
12 GO BACK INTO IT IN GREAT DEPTH, BUT I DID WANT TO SHOW YOU
13 THIS DATA

14 IT SHOWS ALLENDALE THREE YEAR AVERAGE TEACHER
15 TURNOVER RATE AT 24 4 PERCENT IS THAT PERCENTAGE
16 ACCURATE?

17 A YES

18 Q ABOUT HOW MANY DO YOU LOSE EACH YEAR IN YOUR
19 EXPERIFNCE?

20 A USUALLY ABOUT 30

21 Q LET'S LOOK AT ANOTHER SLIDE, EXHIBIT NUMBER 6152-J
22 AND THIS IS THE PERCENTAGE OF NEW TEACHERS HIRED AND
23 THIS IS -- SHOWS ALLENDALE AT 19 7 PERCENT DOES THAT
24 LOOK ACCURATE TO YOU?

25 A YES

1 Q AND AGAIN YOU SEE THE STATE AVERAGES OVER THERE ON
2 THE LEFT IN TERMS OF YOUR -- YOUR EXPERIENCE WITH THE
3 TURNOVER, YOU MENTIONED YOU HAD PACE TEACHERS WHO DID NOT
4 PASS PRAXIS AND HAD TO BE REPLACED THAT'S ONE SOURCE OF
5 TURNOVER, RIGHT?

6 A YES

7 Q AND DOES -- I WANT TO ASK YOU IF SALARY PLAYS A ROLE
8 IN TURNOVER

9 A ABSOLUTELY

10 Q DO YOU LOSE TEACHERS TO HIGHER SALARIES?

11 A YES

12 Q OKAY AND WHY DOES THAT HAPPEN TO ALLENDALE?

13 A WELL, THE SALARY IS PART OF THE ISSUE TEACHERS WHO
14 COME TO WORK IN ALLENDALE FIND A VERY INTERESTING
15 SITUATION THEY ARE WORKING WITH CHILDREN WHO ARE
16 DIFFICULT TO TEACH THAT REQUIRE ADDITIONAL PLANNING AND
17 REQUIRE ADDITIONAL MATERIALS

18 THEY ARE IN A DISTRICT WHERE THERE IS A STAFF
19 DEVELOPMENT REQUIREMENT THAT EXTENDS PAST YOUR WORKDAY
20 AND YOU ARE PAID LESS MONEY, AND WE COME BACK AND ASK YOU
21 TO SERVE ON THE COMMITTEE THAT WRITES THE CURRICULUM AND
22 TEACH IN THE AFTERSCHOOL PROGRAM

23 AND AFTER YOU'RE WELL PAID -- A NEIGHBORING
24 DISTRICT THAT PAYS MORE MONEY SAYS COME AND WORK WITH ME,
25 AND THEY HAVE A VERY NICE, NEW SHINY BUILDING THEY ARE

1 PAYING MORE MONEY, THEY ONLY HAVE TO WORK A SEVEN AND A
2 HALF HOUR DAY AND THEY ARE IN THE DARLINGS OF THE
3 COMMUNITY, THAT'S HARD TO COMPLETE WITH

4 THE COURT MRS HARRIS, YOU SAID AFTER THEY ARE WELL
5 PAID DID YOU MEAN WELL TRAINED?

6 THE WITNESS WELL TRAINED

7 MR MORRISON THANK YOU THANK YOU, YOUR HONOR
8 BY MR MORRISON

9 Q WITH REGARD TO THE ISSUE OF TEACHER SALARY, ON
10 EXHIBIT 6168 WE SAW AN AVERAGE TEACHER SALARY OF \$32 645
11 THAT IS LOWER THAN THE STATE AVERAGE, RIGHT?

12 A IT IS

13 Q OKAY AND WHEN YOU HAVE THIS THESE TWO DATA POINTS
14 FROM 6152-J, THAT IS THE HIGH TEACHER TURNOVER, 24 4
15 PERCENT, AND THE PERCENTAGE OF NEW TEACHERS HIRED AT 19 7
16 PERCENT, CAN YOU -- DO YOU CONNECT THAT CAUSALLY FROM A --
17 DOES IT CAUSE STUDENT OUTCOMES I GUESS IS WHAT I'M ASKING
18 YOU THERE SPECIFICALLY IS DOES THIS KIND OF TURNOVER
19 IMPACT THE OPPORTUNITY FOR A CHILD TO RECEIVE A MINIMALLY
20 ADEQUATE EDUCATION?

21 A IT NEGATIVELY IMPACTS THAT WHOLE PROCESS

22 Q OKAY

23 THE COURT MR MORRISON IF YOU ARE LOOKING FOR A
24 STOPPING PLACE FOR A BREAK, THIS WOULD BE A GOOD ONE

25 MR MORRISON NO THAT'S GREAT THANK YOU YOUR

1 Q RIGHT

2 A NEGATIVELY AND IT EFFECTS IT NEGATIVELY BECAUSE
3 INEXPERIENCED TEACHERS DO THINGS MORE SLOWLY THAN
4 EXPERIENCED TEACHERS THEY HAVE FEWER BAGS, THEY HAVE
5 FEWER TRICKS IN THEIR BAG THEY HAVE FEWER WAYS THEY
6 ARE KIND OF LIKE ONE COOK CHEFS ONE RECIPE THAT YOU DO
7 WELL, AND THAT'S FINE THE FIRST DAY AND THAT'S FINE THE
8 SECOND DAY, BUT SOMEWHERE AROUND THE SECOND WEEK, YOU
9 START HOPING SOMEBODY WILL PREPARE SOMETHING DIFFERENT

10 WELL, THAT'S TRUE IN SCHOOLS TOO SO TEACHERS
11 NEED TO HAVE A VARIETY, AN ARRAY OF TEACHING STRATEGIES
12 AND TECHNIQUES FOR CHILDREN BECAUSE MY CHILDREN DON'T
13 LEARN THE SAME THE YOUNGER YOU ARE THE LESS EXPFRIENCE
14 YOU HAVE, AND THAT HAS MORE TO DO WITH EXPERIENCE THAN
15 AGE THE FEWER TRICKS YOU HAVE TO USE WITH THE CHILDREN

16 IF YOU HAVE NOT BEEN IN THE COMMUNITY LONG, THEN
17 YOU DON'T UNDERSTAND THE CULTURE YOU DON'T UNDERSTAND THE
18 CHILDREN YOU HAVEN'T BUILT A REPORE WITH PARENTS A
19 TEACHER HAS A LOT OF CLOUT WITH A PARENT -- IF YOU TAUGHT
20 TO CHILDREN TWO OF HER CHILDREN, CONSECUTIVE CHILDREN

21 SO IF YOU CAN'T MAINTAIN A TEACHER TO GET THAT
22 KIND OF STATUS IN THE COMMUNITY THAT KIND OF STATUS IN
23 THE SCHOOL, AND SHE IS NOT THERE LONG ENOUGH TO HONE HER
24 CRAFT WHERE SHE CAN BE REALLY EFFICIENT, THEN EVERY TIME
25 YOU BRING IN NEW TEACHERS, YOU START OVER AGAIN

1 TEACHER GRANTS TO FINANCE ADVANCE COURSE WORK, PRINCIPAL
2 EXECUTIVE INSTITUTE, THE NATIONAL BOARD CERTIFIED TEACHER
3 INCENTIVE, THE MENTOR PROGRAM, AND THE ADEPT PROGRAM, ARE
4 ANY OF THOSE SPECIFICALLY TAILORED TO THE ALLENDALE
5 DISTRICT WHERE YOU HAVE AN AGGREGATION OF AT-RISK PEOPLE
6 IN THE EXPERIENCES THAT YOU HAVE TOLD US ABOUT?

7 A NOT SPECIFICALLY TO ALLENDALE, NO

8 Q IS IT SPECIFICALLY TAILORED TO THE MOST CHALLENGING
9 DISTRICTS OR TO DISTRICTS LIKE YOURS AND LIKE THE
10 PLAINTIFF DISTRICTS?

11 A NO THIS IS A ONE SIZE FITS MOST, AND THE MOST
12 THAT'S MISSING WILL BE THE PLAINTIFFS' DISTRICTS

13 Q INCLUDING ALLENDALE?

14 A INCLUDING ALLENDALE

15 Q I WANT TO TALK TO YOU ABOUT A -- VACANCIES WHEN YOU
16 DO HAVE AN OPENING --

17 A YES

18 Q -- AND YOU ARE TRYING TO REPLACE TEACHERS THAT LEAVE
19 WHAT CHALLENGES DO YOU FACE SPECIFICALLY IN TRYING TO FILL
20 VACANCIES?

21 A WE HAVE LOTS OF CHALLENGES WHEN WE GO TO
22 RECRUITMENT FAIRS, WE ARE THERE EVERY DISTRICT IS THERE
23 WITH THEIR GOODIE BAG, AND INSIDE THE BAG IS EVERYTHING
24 THAT'S OFFERED THROUGH THE SCHOOL THAT WOULD ATTRACT A NEW
25 TEACHER, AND THEN WE ARE THERE WITH A MUCH SMALLER BAG

1 OUR PACKAGE IS NOT COMPETITIVE WITH THE OTHER
2 PACKAGES IN TERMS OF SALARIES AND BENEFITS AND COMMUNITY
3 AND THOSE THINGS THAT WOULD DRAW YOU TO A WORK PLACE WE
4 ARE ON THE INTERNET WE ARE TAKING ADVANTAGE OF
5 EVERYTHING THAT'S OUT THERE

6 BUT WHEN YOU COME DOWN TO THE FINAL ANALYSIS WE
7 ARE THE DISTRICT THAT HAS TO WAIT MOST TIMES TILL
8 EVERYBODY ELSE HAS HIRED AND THEN AN APPLICANT IS SURE
9 THEY ARE NOT GOING TO GET A POSITION IN AIKEN, THEY ARE
10 SURE, NOW THAT THEY ARE NOT GOING TO GET A POSITION IN
11 ORANGEBURG AND SCHOOL IS GETTING READY TO OPEN AND THEY
12 NEED A JOB, AND THEN THEY WILL CONSIDER US

13 SO OUR VACANCIES ARE FILLED MANY TIMES EVEN A
14 WEEK AFTER SCHOOL OPENS

15 Q AND YOU SAID YOU STARTED THIS YEAR WITH FIVE
16 VACANCIES?

17 A YES

18 Q AND I THINK YOU FILLED TWO OF THEM?

19 A YES

20 Q DO YOU -- I THINK -- DO YOU HAVE VACANCIES THAT HAVE
21 BEEN OPEN SO LONG PEOPLE FORGET THERE'S POSITIONS?

22 A YES

23 Q OKAY

24 A YES

25 Q LAST YEAR, NOT THIS YEAR, BUT LAST YEAR DID YOU OPEN

1 WITH SEVEN VACANCIES?

2 A SEVEN LONG TERM SUBS

3 Q HAVE YOU HAD VACANCIES OPEN FOR AS LONG AS TWO THREE
4 YEARS?

5 A YOU KNOW, THIS IS A FUNNY STORY, BUT IT'S A SAD
6 STORY WHEN WE STARTED TALKING ABOUT THE BUDGET CUTS AND
7 HOW WE WERE GOING TO CUT BUDGETS AND HOW WE WERE GOING TO
8 HAVE TO LAY OFF PEOPLE AND WHAT WERE WE GOING TO DO TO
9 ABSORB THESE CUTS, WHEN WE GOT DOWN TO LOOKING AT STAFF,
10 WHAT WE DID WAS THOSE POSITIONS THAT HAD NEVER BEEN
11 FILLED, THAT WE COULDN'T FILL, THAT WERE TAKEN UP WITH
12 LONG TERM SUBS, THOSE WERE THE BUDGET POSITIONS THAT WERE
13 CUT BECAUSE THERE ACTUALLY WERE NO FULL-TIME EMPLOYEES IN
14 THOSE SLOTS

15 Q WHEN YOU ARE FORCED TO HIRE TEACHERS THERE YOU ARE
16 THE LAST ONE AND THE VACANCIES ARE OPEN, THE KIDS ARE
17 COMING TO SCHOOL AND YOU ARE HIRING AT THE LAST WEEK, LAST
18 MINUTE, OR EVEN AFTER THE SCHOOL STARTS, WHAT KIND OF
19 SELECTIVITY CHOICES DO YOU HAVE AT THAT POINT?

20 A WE HAVE VERY NARROW CHOICES TO SELECT FROM AND
21 EVERY TIME YOU MAKE A CHOICE YOU ARE MAKING A CHOICE OF
22 THE APPLICANTS THAT PRESENT THEMSELVES

23 Q WHAT -- HOW WOULD YOU CHARACTERIZE THE APPLICANT POOL
24 FOR THE OPENINGS IN ALLENDALE DISTRICT?

25 A SLIM, VERY SLIM

1 A WELL, IT WAS REALLY SO DIFFICULT THAT THIS YEAR WE
2 MADE A CONSCIOUS DECISION THAT THE ONLY PEOPLE WE WOULD
3 HAVE WOULD BE THOSE PEOPLE WHO TAUGHT SPANISH BECAUSE
4 THOSE THAT TAUGHT SUBJECT AREA WERE NOT -- WERE NOT AS
5 EFFECTIVE IN SOME CASES AS PERHAPS THE LONG TERM SUBS
6 BECAUSE AT LEAST THEY COULD MAINTAIN DISCIPLINE IN THE
7 CLASSROOM

8 YOU COULD HAVE ALL THE CONTENT KNOWLEDGE IN THE
9 WORLD BUT IF YOU CAN'T GET CHILDREN TO BE STILL LONG
10 ENOUGH, TO PAY ATTENTION LONG ENOUGH TO RECEIVE THE
11 CONTENT KNOWLEDGE YOU STILL END UP WITH VERY POOR
12 RESULTS

13 Q WHY DID YOU ULTIMATELY IN THE YEAR THAT YOU DID, GO
14 AFTER FIVE TEACHERS FROM SPAIN?

15 A ACTUALLY THAT PREDATED ME A LITTLE BIT IT'S A
16 PROGRAM THAT THE STATE DEPARTMENT WAS SPEARHEADING THEY
17 WENT OVER AND GOT TEACHERS FROM SPAIN SO BECAUSE WE WERE
18 ALLENDALE, WE WERE KIND OF FIRST ON THE LIST AND SO THEY
19 SAID WHAT DO YOU NEED?

20 AND I THINK THEY SAID, WELL, SEND US SOME MATH,
21 SEND US SOME SCIENCE AND WE WILL TAKE A SPANISH TEACHER,
22 TOO AND SO THAT'S HOW I THINK THEY INITIALLY ENDED UP
23 WITH SO MANY OF THEM

24 Q YOU KNOW WE TALKING ABOUT ATTRACTING PEOPLE DO YOU
25 OFFER SIGNING BONUSES TO COME TO ALLENDALE?

1 A YES

2 Q OKAY YOU SAY THAT THIS -- ADVANCED DEGREES DO
3 AFFECT TEACHER QUALITY? HOW DO THEY?

4 A WELL, ONE OF THE THINGS THAT IT INDICATES IS THAT A
5 PERSON HAS DONE FURTHER STUDY, HAS HAD AN OPPORTUNITY TO
6 GO AND HEAR DIFFERENT OPINIONS VALID OPINIONS ON THEIR
7 SUBJECT AREA OR IN THEIR INSTRUCTIONAL AREA, AND IT
8 GENERALLY INDICATES A BROAD -- A BROADER BASE OF
9 UNDERSTANDING, MORE INFORMATION TO BRING TO THE TABLE
10 HOPEFULLY MORE STRATEGIES TO WORK WITH MY CHILDREN, A
11 BETTER WAY OF UNDERSTANDING AND GETTING TO WHAT I NEED
12 DONE

13 Q OKAY AND THAT ALSO IS NOT ALWAYS THE CASE DEPENDING
14 ON THE INDIVIDUAL, RIGHT?

15 A ABSOLUTELY AND I GUESS AFTER HEARING THE TESTIMONY
16 THIS MORNING, DEPENDING ON WHAT THE GRADUATE DEGREE IS IN

17 Q ALL RIGHT SUPERINTENDENT HARRIS, LET'S TAKE A LOOK
18 AT THE ISSUE TOGETHER OF CONTINUING CONTRACTS

19 A OKAY

20 Q YOU HAVE TEACHERS ON CONTINUING CONTRACT AND
21 NONCONTINUING CONTRACT LET'S LOOK AT 6152-F WHICH SHOWS
22 THE STATE AVERAGE OF PERCENTAGE OF CONTINUING CONTRACT
23 TEACHERS AT 84 4 PERCENT AND ALLENDALE AT 73 6 PERCENT

24 A UH-HUH

25 Q IS THAT 73 6 PERCENT OF CONTINUING CONTRACTS CORRECT

1 Q AND THEN WE TALKED ABOUT THAT 6,000 PLUS NUMBER BEING
2 THE NUMBER FROM THE -- THAT'S NOT RESTRICTED IN ANY WAY --

3 A RIGHT

4 Q THAT'S -- OKAY NOW THAT NUMBER, DOES THAT NUMBER
5 INCLUDE THAT \$6,000 NUMBER, AND PROBABLY OUGHT TO GET THE
6 EXHIBIT AND PUT IT UP THERE I M SORRY GIVE ME A
7 SECOND THE EXHIBIT THAT I'M ASKING YOU ABOUT IS EXHIBIT
8 6168

9 JUST SO THAT I'M REFERRING TO -- AND I WANT TO
10 FOCUS YOUR ATTENTION ON THE 2002 PER PUPIL EXPENDITURE
11 CALLED JUST GENERAL FUND SHOWING THE 6,191 PLUS DOLLARS

12 A OKAY

13 Q DO YOU SEE THAT?

14 A YES

15 Q AND I WANT TO KNOW WHETHER OR NOT THAT INCLUDES JUST
16 MONEY FROM THE STATE OF SOUTH CAROLINA OR DOES THAT ALSO
17 INCLUDE THE MONEY RAISED BY THE ALLENDALE TAXES THAT ARE
18 NOT PER CAPITAL ITEMS OR OPERATING ITEMS IN OTHER WORDS?

19 A IT INCLUDES THE ALLENDALE TAX MONEY

20 Q OKAY SO WHEN YOU SAY JUST THE GENERAL FUND, THAT
21 MEANS JUST THE ALLENDALE DISTRICT GENERAL FUND INCLUDING
22 THE STATE INFLOW OF MONEY, RIGHT?

23 A YES, THAT'S NOT RESTRICTED IT DOESN'T INCLUDE, FOR
24 EXAMPLE, SOME STATE FUNDS THAT WE RECEIVE THROUGH E I A ,
25 BUT THOSE FUNDS ARE RESTRICTED

1 Q OKAY SO THIS -- THIS INCLUDE -- BUT IT DOES INCLUDE
2 THE ALLENDALE REAL ESTATE TAXES?

3 A YES

4 Q OKAY JUST WANTED TO BE CLEAR ON THAT NOW AT THE
5 DISTRICT LEVEL IN TERMS OF LEADERSHIP IN THAT \$6,191 IS
6 THAT THE MONEY, INCLUDING THE ALLENDALE PIECE THAT YOU
7 HAVE THE DECISION MAKING AUTHORITY OR THE DISTRICT HAS
8 DECISION MAKING AUTHORITY ON HOW TO SPEND?

9 A I HAVE -- YES

10 Q NOW INCLUDED IN THAT THOSE DECISIONS THE ONES WHERE
11 YOU -- THE UNRESTRICTED MONEY, WHAT HAS TO BE ACCOMPLISHED
12 WITH THAT UNRESTRICTED MONEY IN A GENERAL SENSE? WHAT ARE
13 THE BIG CATEGORIES OF ITEMS THAT HAVE TO BE PAID FOR OUT
14 OF THAT UNRESTRICTED MONEY?

15 A WELL, ABSOLUTELY WE HAVE TO PAY THE STAFF THAT -- THE
16 ENTIRE STAFF FOR THE DISTRICT, MAINTENANCE ON THROUGH WE
17 HAVE TO PAY THE UTILITY BILLS AND DO THOSE OPERATIONAL
18 THINGS TO KEEP THE BUILDINGS AND SCHOOL RUNNING

19 Q SO THOSE ARE THE TWO BIG COSTS?

20 A YEAH

21 Q YOUR PHYSICAL PLANT AND YOUR STAFF SALARIES?

22 A YES

23 Q OKAY

24 A AND THEN IF WE -- THEN SUPPLIES AND THOSE KINDS OF
25 THINGS ALSO --

1 Q RIGHT

2 A -- COME FROM THAT MONEY

3 Q YOUR NORMAL MATERIALS, THE CONSUMABLE MATERIALS THAT
4 A DISTRICT USES THROUGHOUT THE YEAR

5 A YES

6 Q OKAY LET ME ASK YOU THIS IF -- IS IT POSSIBLE FOR
7 YOU TO MAKE JUST A DIFFERENT DECISION ABOUT THAT \$6,000
8 AND ALLOCATE 25 PERCENT MORE TO TEACHER SALARIES, SOME --
9 SOME LARGE CHUNK OF MONEY JUST TO DROP ON THE TEACHERS'
10 SALARIES, AND COULD YOU DO THAT AND STILL KEEP THE SCHOOLS
11 OPEN PAY THE ELECTRIC BILLS AND HAVE SUPPLIES?

12 A NO NO BETTER THAN 80 PERCENT OF THAT GENERAL FUND
13 BUDGET GOES TO PAYING THE SALARIES SO TO DROP 25 PERCENT
14 ON THERE WOULD BE MORE THAN A HUNDRED PERCENT OF THE
15 MONEY NO THAT'S NOT AN OPTION

16 Q LET ME ASK YOU THIS HAVE YOU TRIED TO MAXIMIZE THE
17 TEACHER SALARY SUPPLEMENT TO YOUR TEACHERS IN YOUR
18 DISTRICT? YOU PAY THEM AS MUCH AS YOU CAN OVER AND ABOVE
19 THE SALARY MINIMUMS?

20 A YES

21 Q AND WHAT IS THAT AMOUNT ON AVERAGE?

22 A \$600

23 Q IN TERMS OF LEADERSHIP DROPPING DOWN FROM THE
24 DISTRICT LEVEL -- WELL LET ME ASK YOU THIS AT THE
25 DISTRICT LEVEL, WHAT KIND OF A STAFF DO YOU HAVE?

1 MAINTENANCE, DELAYING MAINTENANCE, DELAYING MAINTENANCE
2 BECAUSE OF BUDGETARY RESTRAINTS I'M SURE

3 AND THEY HAVE JUST STARTED TO CRUMBLE AND
4 DISINTEGRATE RIGHT BEFORE OUR EYES BAD ROOFING, LEAKS,
5 WATER DAMAGE, PLUMBING PROBLEMS, ELECTRICAL PROBLEMS WE
6 HAVE EVEN HAD -- ONCE THE STATE DEPARTMENT CAME IN, THERE
7 WERE SOME LIFE AND SAFETY ISSUES THAT HAD TO BE ADDRESSED
8 IMMEDIATELY IN TERMS OF FIRE ALARMS AND BEING CONNECTED --
9 PORTABLES TO THE COMMUNICATION SYSTEMS IN THE SCHOOL

10 SO THERE ARE OLD BUILDINGS THEY ARE OLD
11 BUILDINGS THE MIDDLE SCHOOL, WHICH WAS ALSO OLD AND IT
12 SERVED AS THE HIGH SCHOOL FOR MANY YEARS UNTIL THE HIGH
13 SCHOOL WAS BUILT, WAS JUST IN DEPLORABLE CONDITIONS AS
14 WELL

15 SAME PROBLEMS ON THE COLDEST DAY OF THE YEAR
16 LAST YEAR, I HAD TO CLOSE SCHOOL TWO DAYS BECAUSE OF HEAT
17 FAILURE THOSE BOILERS JUST DIDN'T FIRE AND THEN WHEN
18 WE DID GET THEM TO FIRE, THE BUILDINGS WERE SO COLD IT
19 TOOK TIME FOR THE BUILDINGS TO HEAT UP SO THAT WE COULD
20 HAVE CHILDREN IN THE BUILDING

21 PROBLEMS WITH LIGHTING, QUALITY LIGHTING, OLD,
22 OLD CAFETERIA HOODS THE FIRE MARSHAL CAME IN AND TOLD US
23 THAT IF WE DIDN'T GET RID OF THOSE HOODS, WE WEREN'T
24 HAVING SCHOOL, AND SO WE HAD TO GO AHEAD AND UPDATE THE
25 HOODS AND UPDATE SOME OF THE KITCHEN EQUIPMENT AND THAT

1 Q ALL RIGHT IN ADDITION TO THOSE PROBLEMS THAT YOU
2 HAVE JUST OUTLINED THE PHYSICAL PROBLEMS, IS THERE A
3 SPACE PROBLEM IN YOUR DISTRICT?

4 A YES

5 Q AND IF SO COULD YOU DESCRIBE THAT FOR US

6 A YES WE HAVE PORTABLES AND WHAT I'M GOING TO DO IS
7 TALK ABOUT THE SPACE PROBLEM PRIOR TO ME TRYING TO MOVE
8 CHILDREN AROUND IN ORDER TO VACATE THAT BUILDING SO THAT
9 WE COULD GET THE CONSTRUCTION DONE AS QUICKLY AS
10 POSSIBLE BUT--

11 Q I'M SORRY WHICH -- WHAT BUILDING DID YOU VACATE?

12 A THE MIDDLE SCHOOL BUILDING

13 Q OKAY

14 A WE HAD PORTABLES AT THE MIDDLE SCHOOL BUILDING AND
15 THOSE PORTABLES HAD TO BE UP ROOTED AND MOVED TO THE HIGH
16 SCHOOL BUILDING AND SOME ADDITIONAL PORTABLES BROUGHT IN
17 TO ACCOMMODATE THE SEVENTH AND EIGHTH GRADERS THAT WENT TO
18 THE HIGH SCHOOL

19 OKAY WE MOVED THEM INTO WHAT USED TO BE THE
20 NINTH GRADE ACADFMY PORTION OF THE VOCATIONAL WING

21 Q UH-HUH

22 A ALLENDALE ELEMENTARY SCHOOL IS FULL TO THE GILLS WE
23 HAVE PORTABLES THERE AS WELL FAIRFAX ELEMENTARY SCHOOL
24 REALLY WAS A SCHOOL THAT WASN'T PARTICULARLY FULL IT S
25 FULL NOW BECAUSE I HAVE THE SIXTH GRADERS IN THERE, AND I

1 A IT WAS A VERY OLD BUILDING IT WAS BUILT IN THE
2 1950'S WE HAVE THE NEW WING THAT WAS BUILT IN 1970, AND
3 EVERYBODY REFERS TO IT AS THAT, THE NEW WING WE HAVE
4 ROOF LEAK, WATER PROBLEMS, DOOR PROBLEMS, PLUMBING
5 PROBLEMS

6 Q HOW IS YOUR LIBRARY?

7 A OH TOO SMALL WAY TOO SMALL AND DO YOU KNOW WHEN
8 YOU ARE TALKING ABOUT A LIBRARY NOW A DAYS YOU ARE
9 TALKING ABOUT SOME PLACE WHERE YOU CAN HOOK UP COMPUTERS
10 AND TECHNOLOGY AND THIS KIND OF THING

11 AND WHEN YOU'RE TALKING ABOUT A BUILDING THAT
12 OLD AND THE ELECTRICAL REQUIREMENTS AND THAT KIND OF
13 THING, YOU -- YOU REALLY ARE PUTTING A CHALLENGE TO AN OLD
14 BUILDING

15 Q ALL RIGHT AND HOW ABOUT YOUR OUTDOOR PLAYGROUND
16 EQUIPMENT?

17 A YEAH LET ME TALK ABOUT THAT WE HAD A SAFETY
18 AUDIT OUR INSURANCE CARRIER COMES AND DOES THE SAFETY
19 AUDITS AND THAT KIND OF THING, AND TOLD US THAT OUR

20 MR STEPP OBJECTION YOUR HONOR

21 THE COURT GET OVER THE HEARSAY OBJECTION, MR
22 MORRISON?

23 MR MORRISON I DON'T HAVE AN ARGUMENT AGAINST THAT
24 ONE

25 THE COURT I SUSTAIN THE OBJECTION

1 BY MR MORRISON

2 Q YOU CAN'T TELL US WHAT SOMEBODY ELSE TOLD YOU BUT
3 YOU CAN TELL US WHAT THE CONDITION OF THE -- WHETHER IT
4 WAS SAFE AND WHAT THE CONDITION WAS OF THE PLAYGROUND
5 EQUIPMENT

6 A THE PLAYGROUND EQUIPMENT WAS DEEMED UNSAFE AND HAD TO
7 BE REMOVED WE HAD A LITTLE PLAYGROUND EQUIPMENT TO START
8 WITH BUT ALL OF IT HAD TO BE REMOVED, AND WE WERE ABLE TO
9 REPLACE THAT PLAYGROUND EQUIPMENT WITH TWO BANKS OF
10 SWINGS THAT'S VERY DIFFICULT BECAUSE PLAYGROUND
11 EQUIPMENT IS SO EXPENSIVE

12 MR MORRISON YOUR HONOR SUPERINTENDENT HARRIS AND
13 I HAVE PUT TOGETHER SOME SELECTED SLIDES WE HAVE ALSO
14 SUBMITTED THE BIG NOTEBOOK OF SLIDES FOR THE RECORD, BUT
15 WE ARE JUST GOING TO GO THROUGH SOME SELECTED ONES

16 IF YOU WOULD TAKE A LOOK WITH ME AT THE FAIRFAX
17 ELEMENTARY FACILITY SLIDES, AND THESE HAVE BEEN CAPTIONED
18 FOR DISCUSSION AND THIS IS -- IT S

19 MR STEPP WHILE MR MORRISON LOOKS FOR THAT, AS
20 BEFORE WITH THESE CAPTIONS, I WOULD SIMPLY APPRECIATE THE
21 RECORD REFLECTING WHETHER THE WITNESS IS RESPONSIBLE FOR
22 THE CAPTIONS THAT ARE -- KEEP ME FROM HAVING TO POP UP ON
23 EVERY ONE

24 THE COURT ALL RIGHT MR MORRISON, CAN YOU ADDRESS
25 THAT?

1 MR MORRISON SURE

2 BY MR MORRISON

3 Q SUPERINTENDENT HARRIS, DID YOU GO THROUGH THESE
4 PICTURES WITH US? AND I KNOW YOU DIDN'T TYPE THE CAPTIONS
5 ON THERE BUT DID YOU IDENTIFY THE LOCATIONS AND WHAT WE
6 WERE LOOKING AT IN THE PICTURES?

7 A I DID

8 Q AND DID THOSE BECOME THE CAPTIONS?

9 A YES

10 Q OKAY

11 THE COURT THANK YOU

12 MR MORRISON THANK YOU

13 BY MR MORRISON

14 Q LOOK FIRST AT FAIRFAX ELEMENTARY, 1563-AM

15 A UH-HUH

16 Q WHAT IS THIS?

17 A THIS IS A SITUATION WHERE THIS 1950'S BUILDING DIDN'T
18 HAVE ENOUGH RECEPTACLES AND ELECTRICAL OUTLETS AND POWER
19 AROUND THE WALL TO ACCOMMODATE A BANK OF COMPUTERS, SO WE
20 HAVE DAISY CHAINED EVERYTHING TOGETHER TO PROVIDE POWER TO
21 THOSE COMPUTERS THAT IS NOT A GOOD THING AND THE FIRE
22 MARSHAL FROWNS ON IT

23 Q OKAY LOOK AT 1563-AN

24 A UH-HUH ROOF LEAK CAUSING INTERIOR DAMAGE

25 Q AND THE DARK SPOT UP THERE IS THE WATER DAMAGE?

1 A IT IS

2 Q OKAY AND LOOK AT THE PICTURE OF THE LIBRARY,

3 1563-AO

4 A THAT IS THE LIBRARY THAT SERVES RIGHT NOW ABOUT 500
5 STUDENTS

6 Q COULD YOU COMMENT ON THE NUMBER OF VOLUMES AND THE
7 SIZE OF THE LIBRARY AS IT RELATES TO SERVING THE 500
8 STUDENTS?

9 A IT'S UNDER -- IT'S UNDERBOOKED, IF YOU WILL YOU
10 KNOW, WE HAVE TALKED ABOUT THE FACT THAT IN A CLASSROOM,
11 AND CERTAINLY IT'S BEEN DISCUSSED THAT IN A CLASSROOM YOU
12 NEED 500 BOOKS PER CHILD

13 THAT PICTURE ACCURATELY REFLECTS THE SHELVING
14 AND THE AMOUNT OF BOOKS THAT ARE THERE, AND CLEARLY WE DO
15 NOT HAVE THE -- A SUFFICIENT NUMBER -- NUMBER OF BOOKS TO
16 SUPPORT THE PROGRAM

17 Q TURN TO 1563-AW WHAT IS THAT?

18 A THAT'S A DAMAGED DOOR ACTUALLY IT LOOKS LIKE --
19 IT'S AN OLD DOOR THAT ARE FALLING APART THE LOCKS DO NOT
20 WORK, SO THEY HAVE TO BE PADLOCKED

21 Q IS THAT A CONDITION THAT OCCURS MORE THAN JUST ON
22 THIS DOOR? IS THAT REPRESENTATIVE?

23 A WELL IT -- IT OCCURS ON DOORS WHERE -- THAT ARE IN --
24 INTERIOR DOORS THAT LEAD TO PLACES WHERE CHILDREN ARE
25 NOT WE CANNOT PADLOCK A DOOR THAT GOES -- THAT CHILDREN

1 USE TO GO IN AND OUT OF CLASSROOMS --

2 Q SURE

3 A -- OR IN AND OUT OF THE BUILDING, OKAY SO THERE ARE
4 SOME DOORS WITH PADLOCKS ON THEM BUT JUST SO THAT I'M
5 NOT IN TROUBLE WITH THE STATE FIRE MARSHAL THEY ARE NOT
6 ON DOORS THAT CHILDREN USE OR THAT IMPEDE ACCESS TO THE
7 BUILDING

8 Q UNDERSTOOD

9 A OKAY

10 Q TAKE A LOOK AT 1563-BE

11 A YES

12 Q CAN YOU TELL US WHAT WE ARE LOOKING AT THERE?

13 A WELL, YOU ARE LOOKING AT MORE PROBLEMS WITH THE ROOF
14 AND WATER DAMAGE WE ARE CONTINUALLY TRYING TO REPAIR
15 THAT ROOF, BUT WE ARE TRYING TO REPAIR IT IN SPOTS YOU
16 KNOW, INSTEAD OF REPLACING THE WHOLE ROOF WE REPAIR THE
17 LEAK BECAUSE THE FINANCES AREN'T THERE TO REPLACE IF
18 WHOLE -- WHOLE ROOF

19 Q NEXT ONE IS 1563-BF, AND THIS IS THE OLD PLAYGROUND

20 A THAT'S THE PLAYGROUND THAT USED TO BE THERE

21 Q OKAY AND DID YOU HAVE TO REMOVE THAT, THAT
22 EQUIPMENT?

23 A WE DID

24 Q OKAY WHAT DO YOU HAVE NOW?

25 A A BANK OF -- TWO BANKS OF SWINGS

1 Q AND THAT'S IT?

2 A THAT'S IT

3 Q OKAY DO YOU HAVE ANY PLANS TO RENOVATE THE FAIRFAX
4 ELEMENTARY SCHOOL?

5 A NO

6 Q DOES IT NEED RENOVATION?

7 A YES

8 Q DOES IT NEED REPLACEMENT?

9 A A BETTER SOLUTION ACTUALLY IN A DISTRICT AS SMALL
10 AS OURS, THE BEST SOLUTION WOULD BE TO BUILD A STATE OF
11 THE ART ELEMENTARY SCHOOL THAT WOULD HOUSE THE CHILDREN
12 FROM FAIRFAX AND THE CHILDREN FROM ALLENDALE, BUT THAT
13 WOULD REQUIRE A REFERENDUM AND OUR PEOPLE ARE ALREADY
14 PAYING MORE THAN THEY HAVE TO GIVE ON THAT ISSUE

15 SO THAT'S A -- THAT'S A -- CERTAINLY A DOWN THE
16 ROAD CONVERSATION RIGHT NOW WE ARE JUST TRYING TO GET
17 THE MIDDLE SCHOOL RENOVATED

18 Q OKAY LET'S TURN OUR ATTENTION TO THE ALLENDALE
19 FAIRFAX MIDDLE SCHOOL TELL ME ABOUT THE -- ABOUT THE
20 BUILDING IT S CURRENTLY BEING RENOVATED BUT TELL ME
21 ABOUT WHAT ITS CONDITION WAS OR IS AS IT'S BEING
22 RENOVATED

23 A OLD, DARK, BIG PROBLEMS WITH THE HEATING SYSTEM I
24 MENTIONED THE HEATING FAILURE ROOFING ISSUES
25 ELECTRICAL ISSUES PLUMBING ISSUES DAMAGE FROM WATER

1 REQUIRED ALL NEW EQUIPMENT IN THE KITCHEN

2 Q OKAY ARE YOU ADDING ANY NEW SPACE?

3 A YES

4 Q OKAY

5 A WE ARE ADDING A NEW WING THAT WILL INCLUDE COMPUTER
6 LABS AND SCIENCE CLASSROOMS AND SOME CLASSROOM SPACE

7 Q OKAY SO--

8 A AGAIN TOILETS

9 Q OKAY ARE THESE RENOVATIONS REALLY NECESSARY OR IS
10 THAT JUST AN EXTRA?

11 A NO, THESE ARE ABSOLUTELY NECESSARY

12 Q ARE THERE -- ARE THERE SOME PROBLEMS THAT WILL NOT BE
13 ADDRESSED BY THE RENOVATIONS?

14 A YES WE HAD A VERY BIG WISH LIST ON WHAT WE NEEDED
15 DONE AND WANTED DONE WITH THAT MONEY BUT WE ARE HAMPERED
16 BY THE AMOUNT OF MONEY WE HAVE AND THE AMOUNT OF MONEY
17 THAT CAN BE SPENT ON A RENOVATION

18 SO ALL OF THE RENOVATIONS THAT WOULD HAVE TAKEN
19 PLACE IN TERMS OF THE GYMNASIUM THE LOCKER ROOMS, THOSE
20 ARE NOW WHAT THEY CALLED ADD-ALLS TO THE PLAN IF THE
21 BIDS COME IN WAY UNDER AND THERE'S A LITTLE MONEY LEFT
22 OVER, THERE ARE SOME OTHER THINGS LIKE SOME -- IN THE GYM
23 AREA IN PARTICULAR THAT WILL BE ADDRESSED

24 Q ARE YOU ABLE TO CHANGE THE FLAT ROOF?

25 A NO

1 A THAT'S CORRECT
2 Q I SEE THE SIGN IS SPONSORED BY COCA COLA?
3 A THAT'S RIGHT
4 Q NOT UNUSUAL AT SCHOOLS THESE DAYS?
5 A NO
6 Q CONTROVERSIAL THOUGH, SOMETIMES, RIGHT?
7 A YES
8 Q 1570-AR IS THE -- COULD YOU JUST DESCRIBE WHAT WE ARE
9 LOOKING AT THERE, PLEASE
10 A YES, THAT'S THE FRONT OF THE BUILDING YOU ENTER
11 THROUGH THAT DOOR, YOU SEE THE SAFETY OFFICER'S CAR OUT
12 FRONT YOU NOTICE THE SIGNS IN FRONT? THAT'S STAFF
13 PARKING
14 Q OKAY LOOK AT 1570-BH AND TELL US WHAT WE ARE SEEING
15 IN THAT PICTURE PLEASE
16 A ROOF DAMAGE
17 Q ROOF DAMAGE?
18 A WATER COMING DOWN WHAT YOU HAVE, YOU HAVE WINDOWS
19 -- YOU HAVE WINDOWS THAT GO UP ABOUT HALF OF THE ROOM
20 ABOVE THOSE WINDOWS YOU HAVE GLASS BLOCK TILE THAT GLASS
21 BLOCK TILE THEN GOES UP TO A BAR THAT SUPPORTS IT ALL
22 AND SO WHEN YOU HAVE WATER DAMAGE, YOU HAVE
23 WATER THAT'S LEAKED DOWN AND THAT BAR THAT HOLDS THAT
24 GLASS TILE IN PLACE IS STARTING TO CORRODE AND SHIFT,
25 WHICH MAKES THAT AREA UNSTABLE

1 Q OKAY LOOK AT 1570-BY WHAT IS THIS?

2 A WELL, IN THIS ROOM WHAT WE HAD TRIED TO DO WAS TO
3 MAKE A COMPUTER LAB AND WE HAD PUT THE COMPUTERS AROUND
4 THE WALL, AND THAT'S WHAT YOU SEE WE DIDN'T HAVE WIRING
5 SUFFICIENT TO MAINTAIN THAT AND SO THOSE WIRES THAT YOU
6 SEE WAS OUR ATTEMPT TO PROVIDE POWER AND INTERNET AND
7 CONNECTION FOR THOSE COMPUTERS THAT IS AN ACTUAL DESK,
8 BY THE WAY YOU NOTICE THAT IT'S IN VERY BAD DISREPAIR

9 Q ALL RIGHT

10 A YOU WILL ALSO NOTICE ON THE FLOOR WE CARPETED THAT
11 ROOM WITH CARPET SQUARES ON TO THE CEMENT FLOOR

12 Q UH-HUH

13 A THAT DIDN'T HOLD WELL, AND SO AS THOSE CARPET SQUARES
14 CAME UP, THAT'S WHAT YOU SEE UP IN THE TOP

15 Q KIND OF IN THE CENTER OF THE PICTURE?

16 A YES

17 Q OKAY ALL RIGHT LET'S LOOK AT 1570-CV THIS ONE
18 IS CAPTIONED AS THE BOILER ROOM YOU WANT TO TELL US
19 ABOUT THAT ONE PLEASE

20 A YES THEY FAILED THEY ARE OLD WE HAD TO DO
21 SOMETHING ABOUT THAT AND SO I TALKED ABOUT IT AND

22 Q OKAY ALL RIGHT LET'S LOOK AT 1570-DA

23 A THAT'S IN THE OLD ART ROOM THAT'S WHERE THERE IS A
24 HOLE IN THE WALL

25 Q 1563-O

1 A THAT'S -- AGAIN WE HAVE A SITUATION WHERE THE
2 CLASSROOM IS LEAKING AND THE CEILING IS FALLING AND
3 CRUMBLING
4 Q OKAY 1563-S
5 A AGAIN, MORE LEAKS, MORE OLD PAINT CHIPPING
6 Q 15--
7 A THAT'S WHAT THE AQUA IS IN THE PICTURE IT'S THE OLD
8 PAINT UNDERNEATH THE NEW PAINT THAT WE HAD PLACED
9 Q YOU COULD SEE THE PAINT COMING OFF THE WALL AND OFF
10 THE CEILING?
11 A AND OFF THE CEILING
12 Q ALL RIGHT 1563-U
13 A YEAH, THAT -- THAT USED TO BE THE STAGE IT'S NOW A
14 CLASSROOM IT WAS A CLASSROOM LAST YEAR WHERE WE HAD
15 CHILDREN COME UP TO RECEIVE INSTRUCTION
16 Q AND THE REASON FOR THAT WAS YOU DIDN'T HAVE ADEQUATE
17 CLASSROOM SPACE?
18 A DID NOT
19 Q 1563-V
20 A YES
21 Q SAYS THIS IS A CHANGING ROOM?
22 A IT USED TO BE
23 Q OKAY
24 A YOU KNOW, WHEN YOU HAVE THOSE STAGES, AT THE END OF
25 EACH STAGE YOU HAVE A LITTLE CHANGING ROOM? WELL WE MADE

1 Q ALL RIGHT LET'S -- AS WE ARE WORKING THROUGH THIS,
2 TURN TO THE ALLENDALE FAIRFAX HIGH SCHOOL THAT IS THE
3 LAST BUILDING THAT WE ARE GOING TO COVER, AND WE WILL
4 COVER THE OTHER ELEMENTARY SCHOOL WITH THE PRINCIPAL IS
5 THIS YOUR NEWEST BUILDING?

6 A YES

7 Q OKAY WHAT PROBLEMS, IF ANY, DO YOU HAVE AT THE
8 ALLENDALE FAIRFAX HIGH SCHOOL?

9 A ALLENDALE FAIRFAX HIGH SCHOOL IS ACTUALLY IN TWO
10 PARTS THERE WAS ONE PART THAT WAS BUILT -- AND I DON'T
11 WANT TO GIVE THE DATE BECAUSE RIGHT NOW IT'S NOT COMING TO
12 ME, BUT I WANT TO SAY IT WAS IN THE 70 S -- BUT ANY WAY,
13 THERE WAS ONE PART THAT WAS BUILT THAT WAS USED STRICTLY
14 AS AN ALTERNATIVE -- I'M SORRY, AS A VOCATIONAL SCHOOL

15 Q UH-HUH

16 A AND THEN IN '89 THEY BUILT THE NEW HIGH SCHOOL PART
17 TO IT AND ATTACHED BOTH BUILDINGS SO MY PROBLEMS ON ONE
18 SIDE OF THE BUILDING WHICH IS 20 OR 30 YEARS OLDER THAN
19 THE OTHER SIDE ARE A LITTLE DIFFERENT BUT AGAIN DELAYED
20 MAINTENANCE HAS TAKEN ITS TOLL ON THE BUILDING HERE --
21 AND BIGGER KIDS HAVE TAKEN A TOLL ON THE BUILDING

22 HERE WE HAVE SOME WATER AND PLUMBING PROBLEMS,
23 WE HAVE ROOFING PROBLEMS WE HAVE THOSE PROBLEMS THAT GO
24 ALONG WITH HAVING AIR CONDITIONER UNITS IN THAT -- IN THE
25 CEILING WHERE THE WATER -- WHERE YOU HAVE CONDENSATION AND

1 THEN COMES DOWN AND DESTROYS THE TILE WE HAVE AREAS
2 WHERE THE SCHOOL IS SETTLING, AND SO YOU HAVE SOME
3 CRACKING IN SOME MOLDINGS AND THAT KIND OF THING
4 Q LET'S LOOK AT THE SAMPLING OF PHOTOGRAPHS FOR THE
5 ALLENDALE FAIRFAX HIGH SCHOOL THE FIRST ONE IS 16 --
6 1563-F, AND IT'S THE GYM ENTRY WAY WHAT DO WE SEE THERE?
7 A WATER DAMAGE
8 Q OKAY GO AHEAD
9 A AND THERE IS NO AIR CONDITIONING IN THE GYM, SO THAT
10 IS NOT A SITUATION WHERE IT'S CONDENSATION, BUT A LEAK
11 SOMEWHERE FROM THE ROOF
12 Q OKAY
13 A AND YOU WILL NOTICE THAT IT'S AROUND A LIGHT FIXTURE
14 WHICH MAKES IT A PARTICULAR CONCERN
15 Q OKAY YOU DON'T LIKE WATER AROUND ELECTRICITY?
16 A I DON'T
17 Q 1570-B, WHAT IS THIS?
18 A THIS IS SOME MORE PROBLEMS WITH THAT CEILING IN THE
19 -- THE ROOFING IN THE GYM, AND IT'S MORE PAINT PEELING
20 YOU CAN SEE THAT THAT LIGHT IS A CONCERN ALSO OF A
21 CONCERN FOR ME IS THE FACT THAT WE JUST PUT THE FIRE ALARM
22 SYSTEM IN THAT -- UPGRADED AND YOU WILL SEE THAT THAT'S
23 ONE OF THE FIRE ALARM SENSORS
24 Q OKAY LOOK AT 1563-H AND COMMENT ON THAT, PLEASE
25 A YOU GET A BETTER VIEW OF IT THAT'S STILL THE ROOF

1 ISSUE WITH THE GYM

2 Q 1570-S

3 A OKAY THAT'S AN AIR CONDITIONING UNIT THAT'S IN A
4 CLASSROOM THAT'S THE -- OVER IN THE VOCATIONAL WING AND
5 IT'S NOT FUNCTIONING PROPERLY DESPITE OUR BEST EFFORTS,
6 AND IT'S JUST OLD AND BEAT UP

7 Q 1570-AD

8 A OKAY TOILET STALLS, THE DOORS NEED TO BE REPAIRED
9 AND REPLACED THAT'S A REAL ISSUE FOR OUR FEMALE
10 STUDENTS

11 Q ALL RIGHT AND WHY HAVEN'T YOU REPAIRED AND REPLACED
12 THE STALL DOORS?

13 A ON THE LIST OF ALL THE THINGS THAT NEED TO BE DONE,
14 THAT WILL GET DONE BUT IT'S AFTER WE TICK DOWN A BIT

15 Q ALL RIGHT NEXT ONE IS 1570-W

16 A UH-HUH THAT'S A SINK THAT NEEDS TO BE REPLACED

17 Q 1563-I

18 A BOYS BATHROOM LEAK WATER DAMAGE TO THE CEILING

19 Q 1570-AE

20 A HERE WE ARE JUST SHOWING THE WEAR AND TEAR ON THE
21 CARPET, AND I DON'T HAVE THE MONEY TO REPLACE THE CARPET
22 I REALLY WANT YOU TO UNDERSTAND THAT WE ARE REALLY TRYING
23 TO DEAL WITH THE HEALTH AND SAFETY ISSUES FIRST AND SO
24 THOSE HAVE TO BE IN PLACE BEFORE WE CAN ADDRESS SOME OF
25 THESE OTHERS

1 Q OKAY SUPERINTENDENT HARRIS, ARE THESE, THESE FEW
2 PHOTOGRAPHS THAT WE WENT THROUGH WITH REGARD TO THE THREE
3 SCHOOLS, REPRESENTATIVE OF THE CONDITION OF THE FACILITIES
4 IN ALLENDALE THAT YOU ARE USING RIGHT NOW FOR CLASSROOM
5 INSTRUCTION?

6 A YES

7 Q OKAY AND ARE THOSE FACILITIES SAFE AND ADEQUATE FOR
8 INSTRUCTION OF CHILDREN IN YOUR JUDGMENT?

9 A NO

10 Q OKAY WHAT IMPACT -- NOW, WE HAVE TALKED ABOUT THE
11 TEACHING IMPACT, BUT WHAT IMPACT -- OR THE RECRUITING
12 IMPACT, BUT WHAT IMPACT DOES IT HAVE ON CHILDREN AND THE
13 OPPORTUNITY THEY HAVE TO LEARN THAT IS THE OPPORTUNITY
14 FOR A MINIMALLY ADEQUATE EDUCATION IN TERMS OF THIS CASE
15 HOW DO FACILITIES RELATE TO THAT KIND -- THAT OPPORTUNITY?

16 A RELATES IN TWO AREAS AS I SEE IT FIRST OF ALL, YOUR
17 ABILITY TO PROVIDE INSTRUCTION IS HAMPERED BY CORE WIRING,
18 YOUR ABILITY TO PROVIDE UP TO DATE TECHNOLOGY AND MAINTAIN
19 IT, AND ON -- AND SO WE ARE HAMPERED INSTRUCTIONALLY BY
20 THE BUILDING

21 BUT ON THE OTHER SIDE OF THAT, ON A MORE HUMAN
22 SIDE IN TERMS OF OUR CHILDREN WHERE THE SCHOOL PROVIDES
23 IN A LOT OF CASES THE SAFE, ORDERLY ENVIRONMENT THAT
24 SERVES AS A MODEL FOR THE REST OF THEIR LIVES IN SOME
25 CASES, WE ARE NOT ABLE TO PROVIDE THAT ENVIRONMENT THAT

1 TELLS A CHILD YOU ARE VALUED AND WHAT GOES ON HERE IS
2 IMPORTANT AND WE THINK WELL ENOUGH OF YOU AND YOUR NEEDS
3 TO PROVIDE YOU A SAFE, DRY IN OUR CASE, DRY WELL HEATED
4 ENVIRONMENT THAT'S ALMOST A HUMAN NEED, A VERY BASIC
5 HUMAN NEED

6 Q DO THE CONDITIONS THAT YOU AND I HAVE JUST GONE OVER
7 AND THAT YOU HAVE DESCRIBED FOR THE COURT RESULT IN EACH
8 CHILD IN ALLENDALE DISTRICT RECEIVING THE OPPORTUNITY TO
9 ACQUIRE A MINIMALLY ADEQUATE EDUCATION?

10 A NO

11 Q LET'S LOOK -- CHANGE THE SUBJECT HERE AND LOOK AT --
12 YOUR HONOR, YOU CAN SEE I M WORKING THROUGH MY MATRIX OVER
13 HERE I'M JUST GOING TO PUT A PICTURE UP HERE JUST TO
14 REMIND US THAT WE COVERED THE FACILITIES, AND I'M GOING TO
15 GO TO INPUTS ON INSTRUCTIONAL MATERIALS

16 WITH REGARD TO THE INSTRUCTIONAL MATERIALS AND
17 CHANGING THE SUBJECT TO THAT, THAT IS INSTRUCTIONAL
18 MATERIALS IN THE CLASSROOM, DO THE SCHOOLS IN ALLENDALE
19 HAVE ALL OF THE INSTRUCTIONAL MATERIALS YOU NEED?

20 A NO, WE DON'T HAVE ALL OF THE INSTRUCTIONAL MATERIALS
21 THAT WE NEED

22 Q OKAY NOW YOU -- YOU TALKED ABOUT LIBRARY
23 FACILITIES IN TERMS OF THE NUMBER OF VOLUMES AND BOOKS
24 DO YOU HAVE ANY -- ANY PROBLEMS WITH BOOKS OTHER THAN THE
25 LIBRARY FACILITIES THAT WE HAVE TALKED ABOUT?

1 A ABSOLUTELY

2 Q WHAT ARE THEY?

3 A WE HAVE PROBLEMS WITH THE FACT THAT WE DON'T HAVE
4 ENOUGH BOOKS IN THE CLASSROOMS, CLASSROOM SETS OF BOOKS
5 THAT WOULD KEEP CHILDREN INVOLVED AND SUPPORT THE
6 INSTRUCTIONAL PROCESS AND ACTUALLY BOOKS ARE A PROBLEM
7 EVEN IN THE COMMUNITY

8 I DON'T THINK PEOPLE GIVE MUCH THOUGHT TO THE
9 FACT THAT WHEN YOU ARE IN A COMMUNITY OF PEOPLE WHO ARE
10 NOT IMPOVERISHED, YOU CAN GO INTO ANY STORE AND FIND
11 READING MATERIAL FOR CHILDREN THAT'S NOT THE CASE IN
12 ALLENDALE

13 NOT ONLY ARE WE RESTRICTED IN THE AMOUNT OF
14 READING MATERIAL THAT WE HAVE IN THE SCHOOL THE COMMUNITY
15 IS RESTRICTED IN THE AMOUNT OF READING MATERIAL THAT WOULD
16 BENEFIT CHILDREN

17 IN ADDITION TO THE BOOKS THAT I NEED THAT S --
18 THAT SUPPLEMENT THE READING PROGRAM, THERE ARE BOOKS THAT
19 I NEED THAT WOULD SUPPLEMENT AN INSTRUCTIONAL PROGRAM
20 FOR EXAMPLE BOOKS ABOUT SCIENCE OR SCIENTIFIC CONCEPTS
21 THAT THEY ARE -- THAT THEY ARE DISCUSSING IN CLASS THAT GO
22 BEYOND THE TEXTBOOK, SO I AM WEAK IN THOSE AREAS IN
23 SCIENCE AND IN SOCIAL STUDIES

24 WHILE I'M TALKING ABOUT SCIENCE, IF I COULD, IN
25 MY HIGH SCHOOL I HAVE FIVE SCIENCE TEACHERS I HAVE FOUR

1 SCIENCE LABS THAT MEANS THAT ONE OF MY TEACHERS WHO IS
2 TEACHING A LABORATORY COURSE DOES NOT HAVE ACCESS TO A
3 SCIENCE LAB AND IS DOING THE VERY BEST THAT THEY CAN UNDER
4 THOSE CONDITIONS, BUT CERTAINLY NOT ADEQUATE CONDITIONS

5 IN ADDITION TO THAT, I HAVE -- I AM AWARE NOW
6 THAT I ALSO NEED A HOOD IN THOSE LABS WHEN WE WERE
7 LOOKING AT AND TRYING TO FIGURE OUT WHAT WAS WRONG IN THE
8 BUILDINGS, ONE OF THE THINGS THAT I HAD IN MY SCIENCE
9 CLASS WERE THOSE LITTLE SWITCHES FOR GAS, AND THE GAS WAS
10 NOT CONNECTED

11 AND I SAID WELL IS IT BROKEN? ARE WE NOT
12 USING IT BECAUSE IT'S BROKEN? HE SAID THAT'S NOT THE
13 PROBLEM YOU DON'T HAVE A HOOD THAT WOULD ALLOW THE
14 RELEASE OF THE GAS FROM THE FACILITIES, SO WE DISCONNECTED
15 THAT SO THAT IT'S NOT A SAFETY ISSUE

16 WELL GOOD, IT'S NOT A SAFETY ISSUE, BUT NOW IT'S
17 AN INSTRUCTIONAL ISSUE SO THOSE HOODS ARE IMPORTANT WE
18 COULD CERTAINLY USE AN -- THERE ARE MATERIALS THAT WE HAVE
19 RECEIVED THROUGH GRANTS, THROUGH TEACHER SPECIALISTS,
20 THROUGH DONATIONS THAT ARE IN PLACE AND ONE DAY SOMEBODY
21 IS GOING TO SEW ALL OF THOSE LITTLE PIECES TOGETHER AND WE
22 MIGHT EVEN HAVE A BLANKET, BUT RIGHT NOW THOSE ITEMS THAT
23 WE HAVE RECEIVED ARE FEW AND FAR BETWEEN AND DO NOT
24 NECESSARILY CONNECT WELL WITH THE INSTRUCTIONAL PROGRAMS
25 SO THAT THE WHOLE PROGRAM IS COVERED

1 A OKAY AND -- AND ALLENDALE ALIVE HAS GIVEN MONEY TO
2 SUPPORT MY ARTS PROGRAM AS WELL AND WITH THAT, WE HAVE
3 GOTTEN SOME THINGS LIKE STEEL DRUMS AND XYLOPHONES BUT
4 WHEN YOU ARE TALKING ABOUT CONSUMABLE MATERIALS WHICH FALL
5 TO THE SCHOOL DISTRICT TO PROVIDE THAT YOU PROVIDE EVERY
6 YEAR, IT BECOMES INCREASINGLY MORE DIFFICULT TO DO THAT
7 WITH BUDGET CUTS, AND NO, I DON'T HAVE IT

8 AND TO COMPLICATE THAT MATTER, YOU KNOW THE
9 LEAKY ROOF SITUATION THAT I HAVE? DO YOU KNOW WHAT WATER
10 DOES TO PAPER? IT'S A PROBLEM WE HAVE MOVED SUPPLIES,
11 WE HAVE BEGGED, BORROWED SUPPLIES

12 WE HAVE BEEN SUPPORTED THROUGH SOME EFFORTS, YOU
13 KNOW, WHERE YOU PUT THE BOX OUT AND PEOPLE DONATE SUPPLIES
14 AND THAT KIND OF THING, BUT IT'S AN ISSUE, OF COURSE

15 Q ALL RIGHT BUT DO YOU HAVE THE -- DO YOU HAVE THIS
16 KIND OF EYE WASH FOR YOUR LABS?

17 A SAFETY--

18 Q FOR -- THIS IS A SAFETY -- I'M SHOWING YOU A PICTURE
19 OF A --

20 A YES

21 Q -- A FOUNTAIN THAT SQUIRTS UP INTO THE FACE AND
22 CLEANS--

23 A WE DON'T HAVE THAT WE DON'T HAVE THAT, AND THAT WAS
24 THE OTHER THING THAT APPEARED ON -- IN MY WALK-THROUGH
25 WHEN I FOUND OUT I DIDN'T HAVE HOODS THEY ALSO TOLD ME,

1 BY THE WAY, YOU DON'T -- WE DON'T HAVE THE EYE WASH
2 FACILITY -- EQUIPMENT

3 WE DON'T HAVE ADEQUATE STORAGE SPACE FOR
4 CHEMICALS WE ARE REALLY STRUGGLING WITH OUR SCIENCE
5 PROGRAM WE DO HAVE MORE GLASSWARE THAN WE HAVE EVER HAD,
6 BUT WE STILL NEED GRADUATED BEAKERS AND CYLINDERS, SO
7 THAT'S AN ISSUE, TOO

8 Q ALL RIGHT NOW, WE HAVE DISCUSSED THESE
9 INSTRUCTIONAL AIDS AND MATERIALS IN A GENERAL SENSE
10 SUPERINTENDENT, AND LET ME ASK YOU THIS IS THE LACK OF
11 ADEQUATE INSTRUCTIONAL AIDS AND MATERIALS IMPACTING THE
12 OPPORTUNITY OF THE CHILDREN IN THE ALLENDALE DISTRICT TO
13 ACQUIRE A MINIMALLY ADEQUATE EDUCATION?

14 A YES

15 Q IN WHAT WAY?

16 A WELL, YOU NEED A VARIETY OF MATERIALS YOU NEED
17 SUPPORT MATERIALS IN ADDITION TO THE -- TO THE TEXTBOOKS
18 WE ARE MAKING PROGRESS IN PULLING SOME OF THESE ITEMS IN
19 AND CERTAINLY OVER THE LAST THREE YEARS WE HAVE THROUGH
20 GRANTS AND THROUGH COLLABORATION WITH THE SAVANNAH RIVER
21 PLANT AND WITH THE DEPARTMENT OF ED, WE HAVE MORE NOW THAN
22 WE HAVE EVER HAD BUT THE TRUTH IS IT IS STILL NOT ALL
23 THAT WE NEED WE ARE STILL LACKING SORELY IN THOSE AREAS
24 THAT I MENTIONED

25 Q WHEN YOU TALK ABOUT NOT ALL THAT YOU NEED, ARE YOU

1 LACKING INSTRUCTIONAL AIDS AND MATERIALS TO THE EXTENT
2 THAT THE CHILDREN ARE NOT RECEIVING THE OPPORTUNITY TO
3 ACQUIRE A MINIMALLY ADEQUATE EDUCATION?

4 A THAT'S CORRECT

5 Q OKAY IN THE CONTEXT OF SCIENCE IN PARTICULAR, IF
6 YOU DON'T HAVE THE GAS FOR THE BUNSEN BURNERS AND YOU
7 DON'T HAVE THE CHEMICAL EYE WASH SO THEY CAN USE
8 CHEMICALS, AND YOU ONLY HAVE FOUR SCIENCE LABS AND ONE
9 TEACHER IS TEACHING A SCIENCE CLASS WITHOUT THAT, WHAT IS
10 THE EFFECTIVENESS OF HAVING A LAB IF YOU CAN'T USE THE
11 CHEMICALS AND YOU CAN'T USE THE GAS?

12 A WELL, THE EFFECTIVENESS IS CERTAINLY -- IT'S
13 CERTAINLY AN ISSUE AND IT IMPACTS THE WHOLE SITUATION
14 NEGATIVELY BUT I CAN TELL YOU THAT WE ARE DOING THE BEST
15 WE KNOW HOW TO DO WITH THE SITUATION WE ARE GIVEN

16 Q I WANT TO TALK TO YOU ABOUT REMEDIAL PROGRAMS WE
17 HAVE LOOKED AT AND TALKED ABOUT STUDENT PERFORMANCE AND
18 THE FACT THAT IT'S VERY LOW IN ALLENDALE COUNTY AND I'D
19 LIKE TO TALK TO YOU ABOUT WHAT ALLENDALE IS DOING TO
20 ADDRESS THE NEEDS OF ITS HIGH NUMBERS OF LOW ACHIEVING
21 STUDENTS AND IF YOU COULD TALK ABOUT REMEDIATION

22 A OKAY WHAT WE HAVE PUT INTO PLACE WE PUT IN MAP
23 TESTING TO REPLACE THE BENCHMARK TESTING THAT THE STATE NO
24 LONGER DOES

25 Q MAP IS M-A-P, ALL CAPS?

1 REMEDIAL PROGRAMS THAT ARE THERE OR TO ADD ANY SHORT OF
2 BEING AWARDED A GRANT IN SOME OTHER AREA

3 Q ALL RIGHT AND DO YOU HAVE THE QUALITY OF
4 INSTRUCTION TAKING PLACE IN THOSE REMEDIAL PROGRAMS SO
5 THAT YOU ARE COMFORTABLE SAYING THAT THE CHILDREN ARE --
6 IN THE REMEDIAL PROGRAMS ARE BEING OFFERED THROUGH THOSE
7 PROGRAMS AN OPPORTUNITY TO ACQUIRE A MINIMALLY ADEQUATE
8 EDUCATION?

9 A I AM CONCERNED ABOUT THE QUALITY OF INSTRUCTION

10 Q OKAY AND THAT'S -- THOSE ARE THE SAME CONCERNS WE
11 HAVE COVERED BEFORE --

12 A YES

13 Q -- BECAUSE THE SAME PEOPLE ARE DOING IT?

14 A YES

15 Q OKAY WITH REGARD TO THE -- WELL WE HAVE COVERED
16 THE ISSUES OF ACADEMIC PROGRAMS I NEED TO ASK YOU A
17 QUESTION ABOUT VOCATIONAL PROGRAMS DO YOU HAVE
18 VOCATIONAL PROGRAMS IN ALLENDALE?

19 A WE DO WE HAVE HAD PROBLEMS

20 Q OKAY ABOUT HOW MANY STUDENTS ARE ENROLLED THERE?

21 A HOW MANY STUDENTS ARE ENROLLED IN HIGH SCHOOL?

22 Q IN VOCATIONAL

23 A I DON'T KNOW I -- I DON'T KNOW THAT NUMBER OFF THE
24 TOP OF MY HEAD SORRY

25 Q OKAY WHAT PROBLEMS HAVE YOU HAD IN THE VOCATIONAL

1 PROGRAMS?

2 A FIRST OF ALL, SEVERAL YEARS AGO WE OFFERED MASONRY,
3 AND OUR MASONRY INSTRUCTION -- INSTRUCTOR DIED AND WE WERE
4 UNABLE TO REPLACE HIM OR TO FIND ANOTHER INSTRUCTOR SO WE
5 WERE NOT ABLE TO CONTINUE WITH MASONRY

6 LAST YEAR WE HAD TO DROP THE COSMETOLOGY PROGRAM
7 BECAUSE WE DID NOT HAVE SUFFICIENT NUMBER OF COMPLETERS IN
8 THAT PROGRAM TO MAINTAIN IT WE DO OFFER BUILDING
9 CONSTRUCTION WE DO OFFER HEATING AND AIR CONDITIONING
10 REFRIGERATION THAT'S ONE UNIT

11 WE ALSO OFFER A BUSINESS PROGRAM BUT EVEN WHEN
12 YOU LOOK AT THE PROGRAMS I OFFER, IN TERMS OF WHAT'S BEING
13 OFFERED IN OTHER PLACES -- RIGHT BEFORE I LEFT CALHOUN
14 COUNTY, WE WERE ABLE TO GET--

15 MR STEPP YOUR HONOR, I WOULD OBJECT TO THE
16 COMPARISON BETWEEN CALHOUN AND ALLENDALE

17 THE COURT I SUSTAIN THAT OBJECTION THANK YOU
18 BY MR MORRISON:

19 Q WITHOUT MAKING A COMPARISON, CAN YOU JUST COMMENT ON
20 THE DIVERSITY OF PROGRAMS THAT YOU HAVE FOR KIDS WHO ARE
21 INTERESTED IN THE VOCATIONAL SIDE OF THE EDUCATION?

22 A ALL RIGHT WE OFFER A VERY NARROW PROGRAM IS WHAT I
23 WAS TRYING TO SAY AND WE ALSO HAVE DIFFICULTY GETTING
24 COMPLETERS THROUGH THOSE PROGRAMS THAT WE DO HAVE I
25 WOULD LIKE VERY MUCH IF WE OFFERED PROGRAMS THAT ARE MORE

1 IN KEEPING WITH THIS CENTURY THAN THE ONES THAT WE ARE
2 CURRENTLY TRYING DESPERATELY TO HOLD DID I MENTION AUTO
3 MECHANICS? WE ALSO OFFER AUTO MECHANICS

4 Q WHEN YOU SAY YOU D LIKE TO OFFER VOCATIONAL PROGRAMS
5 THAT ARE FOCUSED ON THIS CENTURY RATHER THAN THE PAST --

6 A YES

7 Q -- WHAT DO YOU MEAN BY THAT?

8 A TECHNOLOGY, SISCO ROUTER TYPE TRAINING, HEALTHCARE
9 OCCUPATIONS, THINGS THAT ARE MORE RELEVANT TO THE TIMES
10 THE CHILDREN WILL LIVE IN

11 Q IN THE VOCATIONAL SIDE OF THE EDUCATION BEING OFFERED
12 IN ALLENDALE WHAT'S THE SUCCESS RATE OF THE KIDS
13 COMPLETING THE COURSES?

14 A OUR SUCCESS RATE, MEANING COMPLETERS, HAVE NOT BEEN
15 GOOD, AND WE HAVE NOT MET THOSE STANDARDS EACH YEAR THEY
16 ISSUE A REPORT, AND WE HAVE BEEN EEKING (SIC) BY IN SOME
17 AND THEN LIKE I SAID, IN COSMETOLOGY IN PARTICULAR, WE DID
18 NOT MEET THE STANDARD AND SO WE HAD TO GIVE UP THE
19 PROGRAM

20 Q ARE THERE IN -- INCLUDING THE VOCATIONAL BUSINESS,
21 HOME ARTS PROGRAMS, ARE THERE ABOUT 300 STUDENTS ENROLLED
22 OR IS THAT JUST AN ESTIMATE?

23 A THAT'S AN ESTIMATE

24 Q WOULD THAT BE A FAIR ESTIMATE OR NOT?

25 A IT SEEMS A HIGH ESTIMATE

1 Q OKAY

2 A IT SEEMS A HIGH ESTIMATE SINCE THERE AREN'T PROBABLY
3 BUT ABOUT 400 KIDS IN THE HIGH SCHOOL

4 Q OKAY WELL, YOU SAID YOU WEREN'T CLEAR ON THAT --

5 A YES

6 Q -- SO I JUST WAS TRYING TO --

7 A SEE--

8 Q -- SEE IF THERE WAS SOMETHING -- GO AHEAD

9 A AND THAT NUMBER MAY BE INFLATED BY THE FACT THAT OUR
10 BUSINESS CLUSTER REQUIRES TECHNOLOGY CLASSES AND NOW
11 WITH THE REQUIREMENTS FOR HIGH SCHOOL, YOU AUTOMATICALLY
12 HAVE TO HAVE SO MANY TECHNOLOGY CLASSES

13 SO WE HAVE CHILDREN THAT ARE TAKING TECHNOLOGY
14 CLASSES FOR A HIGH SCHOOL DIPLOMA THAT ARE BEING COUNTED
15 EVIDENTLY IN OUR VOCATIONAL TRACK FOR BUSINESS

16 Q ALL RIGHT IF -- WHY IS THE SUCCESS RATE LOW IN THE
17 VOCATIONAL SIDE OF THE ALLENDALE DISTRICT OFFERINGS?

18 A OKAY LET ME SPEAK TO THE COSMETOLOGY ISSUE

19 Q OKAY

20 A YOU KNOW, IT'S MORE THAN THE PRACTICAL ASPECT OF
21 COSMETOLOGY NOW YOU HAVE TO BE ABLE TO PASS THE STATE
22 EXAM YOU HAVE TO KNOW A LITTLE CHEMISTRY YOU HAVE TO
23 KNOW A GOOD DEAL OF BIOLOGY, AND YOU HAVE TO BE ABLE TO
24 READ AND UNDERSTAND THAT TEST AND ANSWER THE QUESTIONS

25 SO WHEN YOU HAVE SITUATIONS LIKE THAT, OUR

1 CHILDREN HAVE NOT BEEN PERFORMING WELL ON THOSE KINDS OF
2 THINGS

3 Q CAN YOU COMMENT ON THE TEACHING AS IT RELATES TO THE
4 VOCATIONAL EDUCATION SIDE OF THE ALLENDALE DISTRICT?

5 A REFERRING TO THE QUALITY ISSUE?

6 Q RIGHT

7 A WE SUFFER WITH THE SAME QUALITY ISSUES WE CANNOT
8 REPLACE TEACHERS ONCE THEY LEAVE WHEN WE GET NEW
9 TEACHERS, AND WE JUST GOT A NEW HEATING AND AIR
10 CONDITIONING YOUNG MAN IN FROM THE BUSINESS SECTOR

11 IN MOST CASES THOSE PEOPLE ARE COMING IN FROM
12 THE BUSINESS SECTOR WITHOUT -- WITHOUT THE TEACHER
13 PREPARATION PORTION SO THEY STRUGGLE, AND THEY HAVE THE
14 OLDER CHILDREN, SO THEY HAVE OLDER CHILDREN TYPE PROBLEMS,
15 AND THEY REALLY DO NEED MORE IN TERMS OF THE TEACHER
16 EDUCATION PORTION

17 Q IN TERMS OF YOUR VOCATIONAL EDUCATION TEACHERS BEING
18 PREPARED TO REACH OR MEET THE NEEDS OF THE AT-RISK KIDS
19 THAT YOU HAVE IN YOUR DISTRICT, ARE THEY BY AND LARGE
20 PREPARED OR NOT TO REACH THOSE KIDS WITH THOSE NEEDS?

21 A THEY ARE BY AND LARGE NOT PREPARED THEY ARE
22 STRUGGLING

23 Q AND DO THEY HAVE THE SKILLS TO HAVE A SUCCESSFUL
24 INSTRUCTIONAL PROGRAM FOR THOSE CHILDREN?

25 A THEY PERSONALLY HAVE THE SKILLS TO DO WHATEVER THEY

1 THEIR CONTENT AREA IS YOU KNOW MY AUTO MECHANICS GUY
2 KNOWS EXACTLY HOW TO FIX CARS AND HE PROBABLY RELATES
3 BETTER THAN THE REST TO THE CHILDREN

4 MY NEW PERSON THAT I NOW HAVE IN HEATING AND AIR
5 CONDITIONING HAS ALL THE PROBLEMS THAT NEW TEACHERS HAVE,
6 BRAND NEW TEACHERS HAVE

7 Q IS THE SUCCESS RATE IN THE COURSES, THE VOCATIONAL
8 COURSES, IN THE AGGREGATE LOW BECAUSE OF THE QUALITY OF
9 INSTRUCTION THAT'S TAKING PLACE IN THE CLASSROOM?

10 A YES

11 Q DO YOU -- IS THE ALLENDALE DISTRICT IN YOUR JUDGMENT
12 OFFERING THE OPPORTUNITY TO ACQUIRE A -- MINIMALLY
13 ADEQUATE VOCATIONAL SKILLS IN THE VOCATIONAL EDUCATION
14 PROGRAM?

15 A NO

16 Q OKAY AND WHY DO YOU SAY THAT?

17 A BECAUSE WE DON'T HAVE ENOUGH COMPLETERS YOU KNOW,
18 IF YOU CAN GO THROUGH THE COURSE WORK AND THEN NOT SECURE
19 A JOB, THEN YOU ARE NOT CONSIDERED A COMPLETER AND SO WE
20 HAVE NOT HAD STUDENTS IN SUFFICIENT QUANTITIES TO GO
21 THROUGH THE PROGRAM AND BE EMPLOYABLE

22 Q SUPERINTENDENT HARRIS, WHAT DO YOU THINK THE PURPOSE
23 OF EDUCATION IS?

24 A WELL, I THINK THE PURPOSE OF EDUCATION IS TO ALLOW A
25 PERSON TO FULLY PARTICIPATE IN THE POLITICAL PROCESS BE

1 A NO

2 Q OKAY AND SO WHEN YOU USE THE PHRASE EVERYTHING THEY
3 NEED YOU ARE TALKING ABOUT MINIMALLY ADEQUATE, RIGHT?

4 A ABSOLUTELY

5 Q OKAY WHAT DO YOU NEED TO BE ABLE TO PROVIDE THE
6 KIDS THE MINIMALLY ADEQUATE EDUCATION OR THE OPPORTUNITY
7 TO REQUIRE A MINIMALLY ADEQUATE EDUCATION?

8 A THE FIRST THING I NEED IS HIGHLY SKILLED, HIGHLY
9 MOTIVATED TEACHERS WHO GO IN EVERY DAY PREPARED TO MAKE A
10 DIFFERENCE AND TAKE IT VERY PERSONALLY WHEN THAT HASN'T
11 HAPPENED I NEED FACILITIES THAT ARE DRY, THAT ARE WARM,
12 THAT ARE ADEQUATE TO SUPPORT MY INSTRUCTIONAL PROGRAM

13 I NEED MATERIALS THAT ARE DIVERSE AND THAT LEND
14 THEMSELVES TO MY CHILDREN THEY NEED TO SEE THEMSELVES IN
15 THOSE MATERIALS THEY NEED TO CONNECT WITH PRIOR
16 EXPERIENCE AND PRIOR KNOWLEDGE SO THEY CAN TAKE FULL
17 ADVANTAGE OF WHAT'S OFFERED

18 AND I NEED ADEQUATE RESOURCES TO MAKE SURE THAT
19 I CAN PURCHASE ALL OF THOSE THINGS NECESSARY TO MAKE THAT
20 HAPPEN

21 Q IF YOU HAD ADEQUATE RESOURCES WOULD YOU EXTEND THE
22 SCHOOL DAY AND THE SCHOOL YEAR?

23 A ABSOLUTELY

24 Q AND WHY WOULD YOU DO THAT PARTICULARLY?

25 A WELL ONE THING THAT -- THAT'S JUST SO IMPORTANT AND

1 THE MORE WE LOOK AT THE DATA, THE MORE IT -- IT'S CLEAR TO
2 ME THE SCHOOL YEAR IS DIVIDED IN 180 DAY CALENDAR, AND
3 THE IDEA IS THAT IN 180 DAYS YOU ARE GOING TO COVER THAT
4 INFORMATION

5 FOR EVERY DAY, FOR -- EVERY ITEM THAT YOU ARE
6 BEHIND REQUIRES EXTRA INSTRUCTION YOU CANNOT CATCH UP IN
7 180 DAYS BECAUSE 180 DAYS ARE DESIGNED TO DO THAT JUST
8 COVER THAT ONE YEAR'S WORTH OF INSTRUCTION

9 SO YES, I -- IF I HAD THE MONEY, I WOULD
10 INCREASE THE NUMBER OF DAYS IN SCHOOL I WOULD
11 RECONFIGURE THE WHOLE CALENDAR TO GIVE CHILDREN MORE TIME
12 IN A SCHOOL YEAR TO MAKE THAT UP

13 Q MRS HARRIS, IF YOU HAD THE RESOURCES THAT WE HAVE
14 JUST DISCUSSED, HIGH QUALITY TEACHERS IN THE CLASSROOM,
15 FACILITIES YOU NEED TO RECRUIT THE TEACHERS, THE RIGHT
16 INSTRUCTIONAL AIDS AND INSTRUCTIONAL FACILITIES AND YOU
17 OFFERED THE OPPORTUNITY TO CHILDREN IN ALLENDALE TO
18 ACQUIRE A MINIMALLY ADEQUATE EDUCATION, DO YOU THINK THEY
19 WOULD ACQUIRE THAT EDUCATION?

20 A WITHOUT A DOUBT

21 Q WOULD THEY SHOW THAT, THE ACQUISITION OF THAT
22 MINIMALLY ADEQUATE EDUCATION IN TEST SCORES?

23 A YES

24 Q DO YOU HAVE HOPE FOR ALLENDALE?

25 A YES

1 THERE?

2 A YES

3 Q OKAY IS THE PROFESSIONAL DEVELOPMENT THAT IS
4 PROVIDED IN ALLENDALE IN COMPLIANCE WITH ALL OF THESE
5 STANDARDS? HAVE YOU -- YOU'VE GOT THE WHOLE THING IN
6 FRONT OF YOU YEAH ALL RIGHT

7 A OKAY

8 Q JUST READ THROUGH THE WHOLE THING AND SEE IF THERE IS
9 ANY

10 A OKAY WHEN YOU LOOK AT NUMBER FOUR --

11 Q OKAY

12 A -- AND YOU SAY EFFECTIVE STAFF DEVELOPMENT,
13 PROFESSIONAL DEVELOPMENT PROVIDES ADEQUATE TIME FOR STAFF
14 AND MEMBERS TO LEARN AND WORK TOGETHER IN ACCOMPLISHING
15 THE ORGANIZATIONAL GOALS AND MISSION THAT'S --

16 (WHEREUPON THERE WAS A PAUSE)

17 A OKAY OUR STAFF DEVELOPMENT PROGRAM ENDEAVORS TO DO
18 ALL OF THESE THINGS WHERE WE HAVE DIFFICULTY WOULD BE
19 EFFECTIVE PROFESSIONAL DEVELOPMENT PROVIDES THREE PHASES
20 OF CHANGE IN THE PROCESS INITIATION, IMPLEMENTATION AND
21 INSTITUTIONALIZATION

22 WHEN YOU HAVE TURNOVER, WHEN YOU HAVE NEW
23 TEACHERS, WHEN YOU HAVE A REVOLVING DOOR ALMOST OF PEOPLE
24 COMING IN AND GOING OUT, GETTING TO INSTITUTIONALIZATION
25 OF ANY ANYTHING IS DIFFICULT

1 IS IT'S -- CAN THERE AND IS THERE -- ON
2 OCCASION, MANY OCCASIONS, A DISCONNECT BETWEEN RECEIVING
3 THE STAFF DEVELOPMENT AND THE APPLICATION OF THOSE SKILLS
4 IN THE CLASSROOM, YES

5 Q AND SUPERINTENDENT HARRIS, WHEN YOU -- I MEAN, YOU
6 ENDEAVORED TO BE IN COMPLIANCE ON ALL OF THE RULES AND
7 REGULATIONS, DON'T YOU?

8 A ABSOLUTELY

9 Q AND YOU SPEND -- DO YOU SPEND A LOT OF TIME MAKING
10 COMPLIANCE REPORTS AND CHECKING THE BOXES AND SO FORTH?

11 A YES

12 Q IS IT POSSIBLE FOR YOU TO BE IN COMPLIANCE AND NOT BE
13 DELIVERING AN OPPORTUNITY TO ACQUIRE A MINIMALLY ADEQUATE
14 EDUCATION?

15 A YES

16 Q OKAY HOW DOES THAT HAPPEN?

17 A AGAIN IT'S THE DIFFERENCE BETWEEN PRESENTING WHAT
18 YOU ARE ASKED TO PRESENT THE PERSON YOU'RE PRESENTING IT
19 TO, UNDERSTANDING IT, INTERNALIZING IT, AND THEN BEING
20 ABLE TO MOVE TO THE APPLICATION PHASE EFFECTIVELY WOULD BE
21 THE DIFFERENCE

22 Q MR STEPP ASKED YOU ON SEVERAL OCCASIONS ABOUT
23 CURRICULUM

24 A YES

25 Q AND AT ONE POINT I THINK YOU SAID THAT CURRICULUM WAS

1 UNDERSTAND AT FIRST

2 I HAD TO ASK THE CHILDREN TO SLOW DOWN
3 FREQUENTLY, LEAVING ENDINGS OFF THE WORDS CREATING
4 SENTENCES -- CREATING QUESTIONS OUT OF -- THAT ARE
5 ACTUALLY STATEMENTS SO YOU HAVE TO LISTEN TO THE FULL
6 CONTEXT OF WHAT THEY ARE SAYING TO TRULY UNDERSTAND WHAT
7 THEIR MEANING IS

8 NOT EXACTLY A FOREIGN LANGUAGE, BUT CERTAINLY
9 PIECES OF THE LANGUAGE THAT I WAS UNAWARE OF THEY USED
10 PHRASES THAT ARE LOCAL TO THE AREA FOR INSTANCE, A CHILD
11 WHO HAD BEEN IN TROUBLE ONCE SAID TO ME THAT IF I M IN
12 TROUBLE AGAIN, MY MAMA S GOING TO SEND ME UP THE ROAD

13 AND I THOUGHT, WHAT DO YOU MEAN THE PIGGLY
14 WIGGLY? WHY WOULD YOU WANT -- THAT -- I DIDN'T UNDERSTAND
15 WHAT IT MEANT TO BE SENT UP THE ROAD

16 Q WHAT DOES IT MEAN?

17 A IT MEANS THAT THE MAMA WOULD SEND HIM TO -- TO
18 COLUMBIA TO THE DEPARTMENT OF JUVENILE JUSTICE

19 Q OKAY SO THERE WERE OTHER PHRASES LIKE THAT THAT
20 MEANT SOMETHING TO THEM --

21 A TO THEM YES

22 Q -- BUT NOT TO YOU?

23 A BUT NOT TO ME, AND IT HAS TAKEN ME A WHILE TO COME TO
24 UNDERSTAND THOSE PHRASES

25 Q OKAY ARE THEY EXCITED ABOUT SCHOOL WHEN THEY ARRIVE

1 FOR KINDERGARTEN OR FIRST GRADE?

2 A OH WITHOUT A DOUBT LIKE ANY OTHER CHILD WOULD BE
3 EXCITED THIS IS A NEW AND WONDERFUL ADVENTURE FOR THEM
4 THEY ARE EXCITED TO BE ABLE TO COME TO SCHOOL AND LOOK AT
5 BOOKS AND LEARN HOW TO DO MATH

6 AND YOU GET THOSE KINDERGARTNERS WHO GET OFF THE
7 BUS WITH THEIR BOOK BAGS THAT NEARLY ARE AS LARGE AS THEY
8 ARE AND THEY'VE GOT THIS HUGE SMILE ON THEIR FACE, AND
9 THEY WILL TELL YOU I CAN WRITE MY NAME WHAT AN EXCITING
10 THING TO DO THEY HAVE SOME IDENTITY

11 BUT UNFORTUNATELY, BY THE TIME THEY GET TO THE
12 FIFTH GRADE, WE -- PERHAPS BY THEN THEY DIDN'T LEARN ALL
13 THAT THEY HAD EXPECTED TO LEARN OR THAT WE HAD EXPECTED
14 THEM TO LEARN AND THEY BECOME ANGRY AND THEY ARE SEVERAL
15 YEARS BEHIND, PERHAPS READING ON A SECOND OR THIRD GRADE
16 LEVEL, NOT ABLE TO COMPUTE MATH, YET THEY STILL WANT THEIR
17 -- THEY STILL WANT TO LEARN

18 AND WHAT I -- I HAVE SAID TO CHILDREN, WELL I
19 NEED YOU TO BE IN THIS PROGRAM SO YOU CAN LEARN TO READ,
20 BUT WITH PRIDE THEY SAY OH, BUT I CAN READ, BUT THEY
21 DON'T READ EFFECTIVELY AND THEY BECOME ANGRY BECAUSE THEY
22 KNOW THEY ARE NOT ACHIEVING ON THE LEVEL THAT OTHERS
23 ACHIEVED ON

24 Q WHY IS IT THAT THAT OCCURS IN ALLENDALE? IS THAT A
25 CONSEQUENCE OF THE SCHOOL OR THE ENVIRONMENT OR DO YOU

1 KNOW? WHY DO THEY NOT?

2 A I CERTAINLY HAVE AN OPINION, THOUGH I KNOW IT'S
3 ABSOLUTELY --

4 Q I--

5 A -- MY STRONG OPINION IS THAT IT HAS TO DO WITH THE
6 QUALITY OF THE INSTRUCTION, THE ENVIRONMENT IN WHICH THE
7 INSTRUCTION IS GIVEN, THE FACILITIES AND THE RESOURCES
8 THE QUALITY OF INSTRUCTION OVER A NUMBERS OF YEARS
9 THERE'S AN ENORMOUS AMOUNT OF RESEARCH THAT SAYS
10 THAT IF A CHILD HAS POOR INSTRUCTION OR A TEACHER WHO IS
11 UNABLE TO MEET HIS NEEDS ONE YEAR, THEY OBVIOUSLY FALL
12 BEHIND

13 BUT CERTAINLY IF THE CHILD HAS INSTRUCTION THAT
14 DOESN'T MEET HIS NEEDS OVER TWO YEARS, IT BECOMES THAT
15 MUCH MORE DIFFICULT FOR THAT CHILD TO SUCCEED, CERTAINLY
16 NOT SOMETHING WE CAN'T OVERCOME, BUT THAT MUCH MORE
17 DIFFICULT

18 Q WHAT ROLE DOES THE POVERTY OF A CHILD PLAY IN THIS
19 WHOLE PICTURE, THEIR ARRIVAL AT SCHOOL AND THEIR FALLING
20 BEHIND AS THE YEARS GO ON

21 A CHILDREN THAT COME FROM HOMES OF POVERTY TYPICALLY
22 COME WITH FEWER LANGUAGE SKILLS SO THEREFORE IT BECOMES
23 MORE DIFFICULT TO TEACH THEM AND YOU NEED TEACHERS THAT
24 HAVE AN UNUSUAL AMOUNT OF -- AN UNUSUALLY LARGE BAG OF
25 TRICKS THAT THEY CAN PULL FROM IN ORDER TO MEET THOSE

1 NEEDS OF THE CHILDREN

2 CHILDREN OF POVERTY OFTEN COME FROM HOMES AS I
3 ALLUDED TO EARLIER THAT ARE UNSTRUCTURED AND AS THEY
4 COME TO SCHOOL AND WE IMPOSE SCHOOL STRUCTURE ON THEIR
5 LIVES, THAT'S DIFFICULT FOR THEM AND THEY BUCK THE SYSTEM
6 SO TO SPEAK

7 AND SO AGAIN IT WOULD TAKE A TEACHER WHO HAS A
8 BAG FULL OF TRICKS THAT SHE CAN PULL FROM IN ORDER TO MEET
9 THAT CHILD'S NEED AGAIN, NOT INSURMOUNTABLE BUT
10 CERTAINLY TAKES SOMEONE HIGHLY SKILLED

11 Q WELL, THAT'S WHAT I WAS GOING TO ASK YOU GIVEN THE
12 TEACHER WITH THE BRIGHT BAG OF TRICKS AS YOU REFERRED TO
13 IT AND MATERIALS CAN STUDENTS IN ALLENDALE LEARN AND STAY
14 ON GRADE LEVEL?

15 A OF COURSE I THINK THEY CAN BUT IT DOES TAKE THOSE
16 CONDITIONS

17 Q OKAY DOES THE WEALTH OF A FAMILY DETERMINE THE
18 ABILITY OF A CHILD TO LEARN?

19 A ABSOLUTELY NOT I ALMOST LAUGHED BECAUSE IT DOESN'T
20 MAKE ANY DIFFERENCE WHETHER A FAMILY HAS MONEY OR NOT
21 DEPENDING ON WHEN THAT BABY IS BORN CERTAINLY CONDITIONS
22 AFTER THAT BABY IS BORN AND THE CONDITIONS OF THE SCHOOL
23 OR SCHOOL DISTRICT AND THE FOLLOWING EXPERIENCES MAY PLAY
24 A ROLE IN THAT

25 Q WELL, WHAT ROLE DO SCHOOL RESOURCES INCLUDING

1 TEACHERS AND MATERIALS AND ALL THOSE THINGS PLAY IN THE
2 ABILITY OF A CHILD BORN INTO A POOR HOME TO LEARN? WHAT
3 ROLE DOES THAT PLAY?

4 A EDUCATION IS CERTAINLY A HUMAN EXPERIENCE AND IT
5 TAKES THAT HUMANNESSESS THAT CONNECTION BETWEEN THE TEACHER,
6 THE CHILD AND THE WAY THE TEACHER IS ABLE TO USE IN HER
7 HUMAN WAY THE MATERIALS AND THE RESOURCES THAT ARE
8 PROVIDED IN THE CLASSROOM TO MAKE THAT CONNECTION FOR THE
9 CHILD

10 AND CHILDREN OF POVERTY NEED -- NEED THAT IN A
11 MORE -- IN A GREATER WAY THAN CHILDREN WHEN THEY COME WITH
12 SO MANY DEFICITS IT'S NOT NECESSARILY CHILDREN OF
13 POVERTY ANY CHILD WHO COMES WITH ENORMOUS DEFICITS WOULD
14 NEED A TEACHER THAT IS HIGHLY SKILLED

15 AND SO THE SCHOOLING AND THE TEACHERS MAKE A
16 TREMENDOUS DIFFERENCE BECAUSE THEY ARE THE HUMAN
17 CONNECTION THAT BINDS THAT CHILD TO THE LEARNING

18 Q OKAY WHAT KIND OF PARENTAL SUPPORT DO YOU RECEIVE
19 AT ALLENDALE ELEMENTARY SCHOOL?

20 A I BELIEVE THAT ALL THOSE PARENTS LOVE THEIR CHILDREN,
21 ALL THOSE PARENTS WANT WHAT THEY DESCRIBE AS THE BEST FOR
22 THEIR CHILDREN, BUT ARE THEY ABLE TO GIVE WHAT I WOULD
23 CALL THE BEST THAT ANY PARENT CAN GIVE? NO, THEY ARE NOT
24 ABLE TO

25 WE HAVE POOR INVOLVEMENT IN OUR SCHOOLS

1 IT'S A WELCOMING INVITATION WITH THE CHILD RATHER THAN
2 JUST TO SEE THE PRINCIPAL STANDING ON THE DOORSTEP
3 Q OKAY WELL, LET'S TALK SPECIFICALLY ABOUT ALLENDALE
4 ELEMENTARY I THINK YOU SAID YOU HAD -- HOW MANY
5 STUDENTS?
6 A WE HAVE 600 STUDENTS
7 Q AND WHAT GRADES DOES IT SERVE?
8 A WE HAVE PRE-K STARTING WITH THREE YEAR OLDS THROUGH
9 FIFTH GRADE
10 Q ALL RIGHT DID THERE USED TO BE AN ALLENDALE PRIMARY
11 AS WELL AS AN ALLENDALE ELEMENTARY?
12 A YES THE YEAR THAT I STARTED IN ALLENDALE COUNTY
13 THEY CLOSED THE -- WHAT WAS CALLED THE ALLENDALE
14 ELEMENTARY SCHOOL ALLENDALE ELEMENTARY SCHOOL AT THAT
15 TIME HOUSED FIFTH AND SIXTH GRADE WHEN I BECAME
16 PRINCIPAL AT THE NOW CALLED ALLENDALE ELEMENTARY WHICH WAS
17 ALLENDALE PRIMARY--
18 Q YOU MEAN IT WAS IN THE BUILDING OF THE OLD ALLENDALE
19 PRIMARY?
20 A YES, MA'AM
21 Q OKAY
22 A ALLENDALE PRIMARY HOUSED THE PRE-K THROUGH FOURTH
23 GRADE CHILDREN IN CLOSING THE OLD ALLENDALE ELEMENTARY,
24 WHICH IS NOW REFERRED TO AS THE BUILDING ON HIGHWAY 301,
25 WE'RE THE 301 BUILDING, THEY BROUGHT THE FIFTH GRADERS TO

1 A YES

2 Q AND YOU HAVE GOT 40 IN 4-K?

3 A RIGHT

4 Q ALL RIGHT IS EARLY CHILDHOOD EDUCATION IMPORTANT
5 FOR THE CHILDREN IN ALLENDALE COUNTY?

6 A EARLY CHILDHOOD EDUCATION IS IMPORTANT NO MATTER WHAT
7 CHILDREN YOU ARE DEALING WITH BUT IN PARTICULAR IN
8 ALLENDALE COUNTY BECAUSE OF THE DEFICITS AND THE NEEDS
9 THOSE CHILDREN COME TO SCHOOL WITH, EARLY CHILDHOOD
10 EDUCATION IS OF THE UTMOST IMPORTANCE

11 IF WE CAN HELP THOSE CHILDREN OVERCOME THOSE
12 LANGUAGE DEFICITS WITH WHICH THEY COME TO SCHOOL THEN THE
13 CHILDREN WILL BE ABLE TO -- THEY HAVE A MUCH GREATER
14 CHANCE OF SUCCESS LATER IN LIFE

15 Q OKAY ARE YOU SERVING ALL THE PRESCHOOL AGED
16 CHILDREN WHO SHOULD BE SERVED IN THOSE CLASSES?

17 A NO THERE ARE CHILDREN THAT ATTEND DAYCARE OR HEAD
18 START OR OTHER PROGRAMS, MANY CHURCH SPONSORED PROGRAMS
19 AND THOSE KINDS OF THINGS, THAT DON'T COME TO PUBLIC
20 SCHOOL

21 Q ALL RIGHT IN YOUR POSITION AS THE PRINCIPAL
22 SPECIALIST AT ALLENDALE ELEMENTARY AND YOUR OBSERVATION,
23 ARE THOSE CHILDREN WHO DO NOT COME TO THE PRESCHOOL PUBLIC
24 SCHOOL PROGRAMS, ARE THEY AS PREPARED FOR FIVE YEAR OLD
25 KINDERGARTEN OR FIRST GRADE AS THOSE WHO ARE ENROLLED IN

1 YOUR PRESCHOOL PROGRAMS?

2 A OUR PRESCHOOL PROGRAMS PUT A LOT OF EMPHASIS ON
3 LANGUAGE EXPERIENCE, HEARING LANGUAGE THAT CHILDREN MAY
4 NOT HEAR AT HOME AND IN PARTICIPATING IN THOSE LANGUAGE
5 EXPERIENCES SO THAT THE CHILDREN BECOME ACTIVELY INVOLVED
6 IN USING THE LANGUAGE SO THAT THAT BECOMES PART OF WHO
7 THEY ARE

8 THAT DOESN'T HAPPEN NECESSARILY WITH CHILDREN
9 THAT COME FROM OTHER PROGRAMS, SO THEY ARE NOT AS PREPARED
10 WHEN THEY ENTER OUR SCHOOL IF THEY COME FROM THE OTHER
11 PROGRAMS

12 Q DO YOU OBSERVE ANY DIFFERENCES IN THEIR ABILITY TO
13 PROGRESS FROM GRADE TO GRADE?

14 A CHILDREN WHO DON'T COME TO SCHOOL PREPARED HAVE MORE
15 DIFFICULTIES SO THOSE CHILDREN THAT WOULD COME FROM
16 OTHER PROGRAMS THAT DON'T PROVIDE THE HIGH QUALITY THAT WE
17 ARE HOPING TO PROVIDE IN OUR SCHOOL WOULD HAVE MORE
18 DIFFICULTY

19 Q ALL RIGHT IS THE STUDENT POPULATION AT ALLENDALE
20 ELEMENTARY INCREASING OR DECREASING?

21 A WE SEEM TO BE LOSING CHILDREN PERHAPS LOSING
22 CHILDREN TO OTHER SCHOOL DISTRICTS THEY MAY MOVE AND NOT
23 RETURN THEY MAY -- THE FAMILIES MAY CHOOSE TO SEND -- TO
24 PURCHASE PROPERTY -- WHILE THEY LIVE IN THE ALLENDALE
25 COMMUNITY, MAY CHOOSE TO PURCHASE PROPERTY IN OTHER SCHOOL

1 ELEMENTARY HOLD A STANDARD CERTIFICATION?

2 A NO THEY DON'T SOME OF THEM HOLD NONSTANDARD
3 CERTIFICATION

4 Q DO YOU HAVE ANY PACE TEACHERS?

5 A YES, WE HAVE TWO PACE TEACHERS

6 Q AND PACE VERY QUICKLY, TO REMIND US, WHAT PACE IS
7 PLEASE

8 A IT'S AN ALTERNATIVE CERTIFICATION FOR PEOPLE WHO HAVE
9 NOT GONE THROUGH TRADITIONAL EDUCATION PROGRAMS THEY MAY
10 HAVE GRADUATED WITH A DEGREE THAT'S NONEDUCATION AND ARE
11 GOING BACK TO TAKE EDUCATION COURSES BUT THEY MAY HAVE
12 STRENGTHS IN OTHER AREAS SUCH AS MATH OR SCIENCE BUT
13 WOULD LIKE TO BECOME TEACHERS SO THEY GO THROUGH AN
14 ALTERNATIVE CERTIFICATION PROCESS

15 Q HAVE YOU MADE ANY OBSERVATIONS AS TO HOW HAVING A
16 PACE TEACHER IN A CLASSROOM AFFECTS STUDENT PERFORMANCE?

17 A CERTAINLY OVER THE SEVERAL YEARS, THE TWO YEARS THAT
18 I HAVE BEEN THERE THIS BEGINNING THE THIRD, MY -- I HAVE
19 NEVER HAD PACE TEACHERS UNTIL I CAME TO ALLENDALE THERE
20 WERE NO PACE TEACHERS AT KNIGHTSVILLE SO I WAS
21 UNFAMILIAR WITH THE PROCESS, SO UNFAMILIAR WITH THAT KIND
22 OF CERTIFICATION

23 BUT I HAVE CERTAINLY BEEN DISAPPOINTED IN THE
24 QUALITY OF THE TEACHERS THAT HAVE COME THROUGH THE PACE
25 PROGRAM AND THEY HAVE NOT MET THE NEEDS OF OUR CHILDREN

1 THAT'S CERTAINLY NOT EVERY TEACHER THAT HAS GONE THROUGH
2 THE PACE PROGRAM, BUT MANY OF OUR TEACHERS THAT I HAVE HAD
3 EXPERIENCE WITH AT ALLENDALE DID NOT MEET MY EXPECTATIONS

4 Q AND HAVE YOU SEEN THAT SHOW UP IN PACT SCORES FROM
5 THE CHILDREN IN THEIR CLASSROOMS?

6 A YES MA'AM AGAIN PARDON THE ANALYSIS WHEN YOU
7 LOOK AT THE TEST SCORES OF CHILDREN IN THOSE CLASSROOMS OF
8 TEACHERS THAT HOLD ALTERNATIVE CERTIFICATION AND THOSE
9 TEACHERS THAT -- THOSE CHILDREN IN CLASSROOMS OF TEACHERS
10 THAT HOLD REGULAR OR STANDARD CERTIFICATION, THERE TEND TO
11 BE HIGHER SCORING CHILDREN IN THOSE CLASSROOMS THAT HAVE
12 STANDARD CERTIFICATION -- TEACHERS WITH STANDARD
13 CERTIFICATION

14 Q DO YOU HAVE ANY STAFF, CERTIFIED STAFF, WHO ARE OUT
15 OF FIELD?

16 A OUR LIBRARY MEDIA SPECIALIST IS NOT -- IS OUT OF
17 FIELD CERTIFIED

18 Q OKAY DO YOU HAVE ANY TEACHERS WITH TEMPORARY
19 CERTIFICATES?

20 A WE HAVE TWO TEACHERS WITH TEMPORARY CERTIFICATES
21 THEY HAVE BEEN UNABLE SO FAR TO PASS THE PRAXIS

22 Q DO YOU KNOW HOW MANY TIMES THEY HAVE TAKEN THE
23 PRAXIS?

24 A I ACTUALLY DO NOT KNOW EXACTLY HOW MANY TIMES BUT I
25 CERTAINLY KNOW IT'S SEVERAL IN CONVERSATIONS WITH THEM

1 LONG -- WHERE WE USED SUBSTITUTE TEACHERS IN CLASSROOMS TO
2 TEACH STUDENTS ALL YEAR FROM DAY ONE TILL THE END OF THE
3 SCHOOL YEAR

4 Q DID THEIR STUDENTS TAKE THE PACT EXAM?

5 A YES, MA'AM, THEY DID

6 Q DID YOU SEE ANY TREND IN TERMS OF THE PACT SCORES IN
7 THOSE CLASSROOMS WHERE -- BELONGED TO LONG-TERM SUBSTITUTE
8 TEACHER?

9 A SOME OF THOSE CLASSROOMS WERE KINDERGARTEN, AND
10 KINDERGARTEN DOES NOT TAKE PACT

11 Q THEY WOULD NOT HAVE TAKEN PACT ALL RIGHT

12 A ANOTHER CLASSROOM WAS SECOND GRADE AND THEY DIDN'T
13 TAKE PACT BUT WHILE I CAN'T ANSWER YOUR QUESTION IN
14 REGARDS TO PACT SCORES, I CERTAINLY CAN ANSWER YOUR
15 QUESTION IN TERMS OF STUDENT ACHIEVEMENT

16 Q LET'S TALK ABOUT IT IN THOSE TERMS, THEN WHAT
17 EFFECTS ON STUDENT ACHIEVEMENT DO YOU SEE WHEN YOU HAVE A
18 LONG-TERM SUBSTITUTE TEACHER IN A CLASSROOM?

19 A THOSE CHILDREN THAT WOULD SAY -- SAY OUR KINDERGARTEN
20 CLASSROOMS WHERE THEY HAVE CERTIFIED TEACHERS OR,
21 REGARDLESS OF WHETHER THEY'RE STANDARD OR NONSTANDARD
22 CERTIFICATION, ACHIEVED MORE THAN THOSE THAT HAVE HAD
23 SUBSTITUTE TEACHERS ALL YEAR

24 Q WHAT LEVEL OF EDUCATION DO LONG-TERM SUBSTITUTES
25 TYPICALLY HOLD?

1 A LONG-TERM SUBSTITUTES HOLD THE SAME KIND OF EDUCATION
2 DEGREE AS ANY SUBSTITUTE WOULD IN OUR DISTRICT IT'S A
3 HIGH SCHOOL EDUCATION THAT'S REQUIRED THEY ARE REQUIRED
4 TO PASS A PARTICULAR TEST OF THEIR SKILLS AND--

5 Q DO THEY NEED TO HAVE GONE TO COLLEGE?

6 A NO MA'AM

7 Q WELL LET'S TALK -- I THINK YOU SAID THAT YOU HAVE
8 CUT SOME TEACHING POSITIONS --

9 A YES

10 Q -- AT YOUR SCHOOL HAVE -- HAS THAT HAD ANY EFFECT
11 ON THE SIZE OF THE CLASSES, MEANING THE NUMBERS OF
12 CHILDREN IN INDIVIDUAL CLASSROOMS?

13 A YES, IT HAS INCREASED OUR TEST -- OUR CLASS SIZE
14 CONSIDERABLY IN SOME GRADES

15 Q DOES THAT CLASS SIZE PLAY A ROLE IN THE OPPORTUNITY A
16 CHILD HAS TO RECEIVE AN EDUCATION?

17 A IT -- IT IS MY BELIEF WHOLEHEARTEDLY, IF WE COULD
18 TEACH CHILDREN ONE TO ONE, ONE TEACHER TO ONE CHILD, IT
19 WOULD BE GREAT WE'D BE ABLE TO BE SUCCESSFUL OF
20 COURSE, THAT CAN'T HAPPEN

21 SO WHEN YOU INCREASE THE TEST -- THE CLASS SIZE
22 AND YOU HAVE ONE TEACHER FOR A GROUP OF 25 KIDS AS OPPOSED
23 TO ONE TEACHER FOR A GROUP OF 15 THAT MAKES A TREMENDOUS
24 DIFFERENCE

25 THE TIME THAT TEACHER IS ABLE TO SPEND WITH

1 BUT WHEN YOU HAVE TEACHER TURNOVER, IT BECOMES
2 THAT MUCH MORE DIFFICULT FOR THE DEVELOPMENT TO BECOME
3 SYSTEMIC AND SUSTAINED, WHICH IS WHAT STAFF DEVELOPMENT
4 NEEDS TO BE IN ORDER FOR IT TO EFFECT OUR CHILDREN IN THE
5 LONG TERM

6 Q WHAT ABOUT THE GENERAL QUALITY, JUST THE BASELINE
7 QUALITY OF THE TEACHERS THAT YOU HAVE? WOULD PROFESSIONAL
8 DEVELOPMENT ALONE BE ENOUGH TO GIVE THEM ALL THE SKILLS
9 THEY NEED TO TEACH EFFECTIVELY WITH THESE CHILDREN?

10 A PROFESSIONAL DEVELOPMENT HAS TO COME IN A VARIETY OF
11 PACKAGES ON A DAILY BASIS, WEEKLY BASIS, ON A MONTHLY
12 BASIS AND WE HAVE TEACHERS WHO OVER TIME OF OUR WORKING
13 WITH THEM, THE TEACHER SPECIALISTS THE FOLKS THAT COME IN
14 THAT ARE PAID CONSULTANTS THAT HELP US, FOR MYSELF, WE
15 HAVE TEACHERS THAT WEREN T ABLE TO ABSORB ALL OF THAT
16 INFORMATION AND DON'T ALWAYS APPLY THE INFORMATION THAT
17 HAS BEEN GIVEN THEM TO THE CLASSROOM

18 BUT STAFF DEVELOPMENT IS A PROCESS OF COMING TO
19 KNOW IT, TO UNDERSTAND IT TO OWN IT TO PUT IT INTO
20 PRACTICE AND WHEN FOLKS ARE FOR WHATEVER REASON UNABLE
21 TO ABSORB IT OWN IT AND PUT IT INTO PRACTICE, THEN THE
22 STAFF DEVELOPMENT ISN'T EFFECTIVE EVEN THOUGH YOU HAVE PUT
23 THE STAFF DEVELOPMENT INTO THE STRUCTURE OF YOUR
24 ORGANIZATION

25 Q OKAY HAVE YOU SEEN THAT OCCUR IN ALLENDALE

1 ELEMENTARY, WHERE THE TEACHERS ARE UNABLE TO ABSORB THE
2 TRAINING --

3 A YES

4 Q -- OFFERED?

5 A YES

6 Q OKAY DO YOU HAVE A SOUTH CAROLINA READS GRANT?

7 A YES WE DO

8 Q TELL US A LITTLE BIT ABOUT THAT PLEASE, AND YOUR
9 EXPERIENCE WITH THAT

10 A THE SOUTH CAROLINA READS GRANT WAS A FEDERAL GRANT
11 FED THROUGH OR CHanneled THROUGH THE STATE AND WHEN I
12 FIRST BECAME A PRINCIPAL SPECIALIST IN ALLENDALE, THAT
13 GRANT WAS JUST BEING -- BEING AWARDED TO OUR SCHOOL
14 PROBABLY THE FIRST SEMESTER THAT I WAS THERE
15 THERE WAS -- I DON'T THINK THE AWARD ACTUALLY CAME UNTIL
16 THE SECOND SEMESTER, WHICH IN TERMS OF -- IT'S A THREE
17 YEAR GRANT WITH THE THIRD YEAR ENDING THIS YEAR, THEREFORE
18 WE WERE ONE SEMESTER INTO THE THREE YEAR BEFORE THE AWARD
19 WAS GIVEN

20 THEN THE SECOND SEMESTER OF THAT FIRST YEAR WE
21 WERE TO BE -- SPEND THAT TIME PLANNING AND HIRING THE
22 PERSONNEL THAT THEN WOULD OPERATE THE GRANT WE DID HIRE
23 TOWARD THE END OF THAT SEMESTER A LITERACY COACH AND
24 PARENT LIAISON

25 Q THAT WAS THROUGH THE GRANT MONEY?

1 COMMUNICATION WILL USE -- WILL QUOTE SOME RESEARCHER AND A
2 NEW TEACHER WON'T UNDERSTAND WHAT WE ARE TALKING ABOUT
3 WE WILL USE PARTICULAR TERMS TO DESCRIBE AN ACTIVITY AND A
4 NEW TEACHER WON'T UNDERSTAND WHAT WE ARE TALKING ABOUT
5 AND SO IT TAKES A LOT OF TIME TO BE ABLE TO SPEED UP
6 AGAIN IT SLOWS US DOWN

7 Q IS THAT CONSISTENT WITH WHAT YOU HAVE SEEN IN TERMS
8 OF YOUR OTHER PROFESSIONAL DEVELOPMENT AND IN-SERVICE
9 TRAINING EFFORTS?

10 A IT CERTAINLY IS

11 Q WELL, LET S TURN NOW TO THE FACILITIES AT ALLENDALE
12 ELEMENTARY SCHOOL HOW MANY BUILDINGS DO YOU HAVE?

13 A WE REFER TO OUR BUILDINGS AS BUILDING ONE TWO AND
14 THREE BUT THERE IS ACTUALLY A FOURTH BUILDING, WHICH IS
15 OUR CAFETERIA SO -- WELL, IT ACTUALLY IS FOUR PERMANENT
16 BUILDINGS, BUT WE ALSO HAVE THREE MOBILE UNITS

17 Q OKAY HOW DOES HAVING SO MANY BUILDINGS AFFECT
18 STUDENT LEARNING, IF IT DOES?

19 A IT DOES AFFECT STUDENTS LEARNING WHEN CHILDREN HAVE
20 TO TRAVEL A LONG DISTANCE, AND IN OUR CASE IT IS UP TO
21 THREE BLOCKS, THE TRAVEL -- IF YOU WERE GOING TO TAKE YOUR
22 CHILDREN FROM THIS CLASSROOM TO THE CAFETERIA YOU HAVE TO
23 START THAT MANY MORE MINUTES EARLY, YOU HAVE TO END YOUR
24 INSTRUCTION THAT MANY MINUTES EARLIER TO TAKE THEM INTO
25 THE CAFETERIA OR TO THE GYM FOR P E OR TO THE MUSIC ROOM

1 FOR THAT OR TO THE LIBRARY YOU HAVE TO STOP SO YOU
2 HAVE LESS TIME ON TASK

3 WHEN YOU HAVE TO TAKE CHILDREN OUT OF THE
4 CLASSROOM TO GO TO THE RESTROOM, WHICH IN SOME BUILDINGS,
5 SPECIALLY FOR OUR PRESCHOOL CHILDREN AND OUR KINDERGARTEN
6 CHILDREN, THEY HAVE RESTROOMS IN THE CLASSROOM THAT
7 TAKES TIME AWAY FROM TIME THEY COULD BE ON TASK IN
8 LEARNING AND THAT INSTRUCTION

9 SO JUST THE FACT THAT WE HAVE FOUR BUILDINGS --
10 PLUS IT MAKES MY SUPERVISION THAT MUCH MORE DIFFICULT TO
11 HAVE TO WALK FROM ONE BUILDING HERE TO THE NEXT JUST THE
12 TIME IN TRAVELING, I'M -- PERHAPS COULD HAVE GOTTEN
13 ANOTHER OBSERVATION IN JUST IN TRAVEL TIME

14 Q HOW OLD ARE THESE BUILDINGS?

15 A VERY

16 Q DO YOU KNOW WHEN THEY WERE BUILT?

17 A I HONESTLY DON'T KNOW WHY -- AND MY IMPRESSION IS
18 THAT THEY WERE BUILT IN THE -- OOPS, THE 1930'S

19 Q OKAY HAVE THERE BEEN ANY STRUCTURAL RENOVATIONS TO
20 THESE BUILDINGS IN THE LAST FIVE YEARS TO YOUR KNOWLEDGE?

21 A NOT TO MY KNOWLEDGE

22 Q ARE ANY RENOVATIONS PLANNED?

23 A NO

24 Q DO THEY NEED TO BE RENOVATED?

25 A OH, MY GOODNESS IN MY OPINION I D GET RID OF ALL

1 OF THEM AND START ALL OVER WITH A BRAND NEW BUILDING WE
2 HAVE LEAKING PLUMBING WE HAVE INADEQUATE INFRASTRUCTURE
3 FOR THE TECHNOLOGY THAT'S NEEDED THESE DAYS WE HAVE
4 TEACHERS WHO WANT TO USE EXTENSION CORDS BECAUSE ITEMS
5 AREN'T IN THEIR CLASSROOMS THE WAY THEY WANT TO BE,
6 ALTHOUGH THE FIRE MARSHAL SAYS DON'T USE EXTENSION CORDS,
7 SO WE DON'T WHICH MAKES -- IMPEDES THEIR ABILITY TO USE
8 THE LIMITED RESOURCES WE HAVE

9 WE HAVE CEILINGS THAT ARE CAVING IN IN THE
10 LITERACY ROOM AND LEAKS IN THE CEILINGS AND -- I'D START
11 ALL OVER AND MAKE A NEW SCHOOL

12 Q WHAT ABOUT SIZE? DO YOU HAVE ENOUGH -- ENOUGH SPACE,
13 ENOUGH CLASSROOMS AND ARE THEY LARGE ENOUGH?

14 A CURRENTLY WE HAVE WITH THE NUMBER OF TEACHERS WE
15 HAVE, ENOUGH SPACE FOR ALL OF OUR CLASSROOMS, BUT THAT
16 WASN'T TRUE LAST YEAR WE DID HAVE A CLASS ON A STAGE
17 WE HAD A -- WE HAD SMALL REMEDIAL GROUPS OCCURRING IN THE
18 ANTEROOMS TO THE STAGE, WHICH MIGHT HAVE BEEN DRESSING
19 ROOMS AT ONE TIME OR LOCKER ROOMS AT ONE TIME

20 WE HAVE HAD TEACHERS THAT SHARE WE STILL DO
21 HAVE TEACHERS THAT SHARE A TRAILER ONE DAY ONE TEACHER'S
22 IN THERE, ANOTHER DAY ANOTHER TEACHER'S IN THERE ALSO IN
23 OUR KINDERGARTEN ROOMS, THEY ARE NOT -- IF YOU WERE TO
24 BUILD A NEW SCHOOL, YOU WOULD BUILD CLASSROOMS THAT ARE
25 CONSIDERABLY LARGER THAN WHAT WE HAVE

1 Q IS THIS YOUR SCHOOL?

2 A YES, THAT'S THE SIGN ABOVE OUR SCHOOL THAT'S THE
3 SIGN IN FRONT OF ALLENDALE ELEMENTARY SCHOOL

4 Q THIS IS ACTUALLY ALLENDALE ELEMENTARY SCHOOL, STILL
5 WITH THE ALLENDALE PRIMARY SCHOOL SIGN?

6 A YES

7 Q OKAY THAT IS -- WHAT SLIDE WAS THAT? I'M SORRY
8 THAT IS 1570-DQ ALL RIGHT THE NEXT SLIDE IS 1570-DR
9 CAN YOU TELL US WHAT THAT IS?

10 A THAT'S FRONT OF THE BUILDING WE REFER TO AS BUILDING
11 ONE THAT'S THE BUILDING THAT HOUSES THE MAIN OFFICE, THE
12 GUIDANCE OFFICE AND THE MOST OF THE FOURTH AND FIFTH
13 GRADE

14 Q ALL RIGHT 1570-DF

15 A THE -- THAT'S THE BUILDING THAT HOUSES OUR MONTISORY
16 CHILDREN IT HAS -- THE BRICK FACADE ON THE OUTSIDE IS
17 BULGING DUE TO A ROOF LEAK, AND THE CHILDREN ARE NOT
18 ALLOWED TO GO OUTSIDE OF THE BUILDING IN THAT PARTICULAR
19 AREA BECAUSE OF THE POTENTIAL OF THOSE BRICKS FALLING OFF

20 Q ALL RIGHT AND THESE TWO OVALS ON HERE, WHAT DOES
21 THAT INDICATE?

22 A THAT'S WHERE THE BULGE IS IN THE BRICK FACADE

23 Q OKAY THE NEXT SLIDE IS 1570-D2 IS THAT--

24 A THAT'S ANOTHER, AND I THINK YOU CAN SEE THE BULGE A
25 LITTLE BETTER THERE IT'S A BULGING FACADE ON BUILDING

1 THREE

2 Q ALL RIGHT AND NEXT SLIDE IS 1570-DU

3 A AGAIN IS BUILDING THREE AND THAT ILLUSTRATES THE
4 LEAKING WINDOWS, AND YOU CAN SEE THE WINDOW SILL AND THE
5 PAINT THAT'S PEELING AND THE ROTTEN WOOD THAT'S AROUND
6 THOSE WINDOWS

7 Q ALL RIGHT WE ARE GOING TO SKIP OVER SOME SLIDES
8 BECAUSE THEY ARE IN EVIDENCE AND THE COURT CAN LOOK AT
9 THEM BUT LET'S LOOK AT 1570-DX WHAT DO YOU SEE THERE
10 DR FRANCHINI?

11 A YOU CAN SEE THE ROTTEN WOOD AROUND THE WINDOW AIR
12 CONDITIONER AND YOU CAN SEE CRACKS IN THE MASONRY

13 Q ALL RIGHT LET'S GO ON TO SOME OF THESE SLIDES
14 PLEASE NEXT SLIDE IS -- 1570-EB CAN YOU COMMENT ON
15 THAT PLEASE, DR FRANCHINI

16 A THAT ACTUALLY IS THE TOP OF THE BOOKSHELF OF A
17 BOOKSHELF IN THE MEDIA CENTER WE DON'T PUT BOOKS ON THE
18 TOP OF THAT BOOKSHELF BECAUSE THE WINDOW LEAKS AND YOU CAN
19 SEE THE EVIDENCE OF THE -- OR YEAH, THE EVIDENCE OF THE
20 LEAK WHERE THE PAINT HAS PEELED OFF AND THE WINDOW SILL IS
21 ROTTING IN THE MEDIA CENTER

22 Q OKAY

23 A WE CAN'T PUT BOOKS THERE BECAUSE THEY WILL GET
24 DAMAGED

25 Q LET'S GO ON BACK, 1570-EC, AND LOOK AT 1570-ED,

1 PLEASE

2 A IT'S ONE OF SEVERAL HOLES IN THE BRICK THAT'S THE
3 HOLE THAT'S OUTSIDE OF BUILDING ONE, BUT WE ALSO HAVE
4 HOLES VERY MUCH LIKE THAT ON -- IN THE CAFETERIA BUILDING

5 Q AND THE NEXT SLIDE IS 1570-EE WHAT IS THAT?

6 A IT'S A DOOR HANDLE THAT GOES TO THE CAFETERIA THAT
7 YOU CAN SEE THROUGH THE DOOR HANDLE HAS RUSTED THROUGH AND
8 IS NO LONGER SECURE TO THE DOOR

9 Q IS THAT AN EXTERIOR DOOR?

10 A YES, MA'AM, IT'S AN EXTERIOR DOOR

11 Q ALL RIGHT LET'S SCROLL ON THROUGH THE NEXT SEVERAL
12 PICTURES 1570-EF E G , 1570-EH, 1570-EI WHAT IS
13 SIGNIFICANT ABOUT THIS PICTURE DR FRANCHINI?

14 A WELL A VARIETY OF THINGS LOOK SIGNIFICANT TO ME, BUT
15 IN PARTICULAR, YOU HAVE GOT WATER LEAKING THROUGH THE
16 LIGHT IN THE LIGHT FIXTURE AND YOU CAN SEE THE STAINS ON
17 THE PLASTIC COVERS TO THE LIGHTS

18 Q OKAY WHAT ELSE?

19 A YOU CAN SEE THEM IN BOTH ROWS OF LIGHTS

20 Q ALL RIGHT IS THIS A CLASSROOM?

21 A YES, MA'AM

22 Q 1570-EJ IF YOU WOULD COMMENT ABOUT THAT PICTURE,
23 PLEASE, DR FRANCHINI

24 A SURE, THAT'S OUR GYM, AND YOU CAN SEE THAT THERE ARE
25 CEILING TILES AND -- DAMAGED CEILING TILES IN THE GYM

1 BUT ADDITIONALLY YOU CAN SEE TO THE LEFT OF DOOR THAT GOES
2 TO THE OUTSIDE, AND YOU REALLY CAN'T SEE THE DOOR TO THE
3 RIGHT, BUT THERE IS AN EQUAL -- OR A DOOR THAT'S
4 SYMMETRICAL TO THAT ONE ON THE RIGHT HAND SIDE

5 BOTH THOSE DOORS GO TO THE OUTSIDE AND IN A
6 HEAVY RAIN, THERE -- THE WATER COMES IN UNDER THE DOOR
7 AND SEVERAL TIMES THE GYM HAS BEEN -- HAS BEEN FLOODED
8 THAT ALSO OCCURS IN THE CAFETERIA, THAT WATER COMES IN
9 UNDER THE DOORS AND FLOODS THE CAFETERIA AND THE GYM

10 Q OKAY AND INTEREST OF TIME WE'LL SCROLL ON
11 THROUGH -- 1570-EK 1570-EL WHAT DO YOU SEE THERE DR
12 FRANCHINI?

13 A MOLD AND MILDEW IS GROWING ON THE WALL IN THE
14 RESTROOM

15 Q OKAY 1570-EM

16 A DO YOU WANT ME TO COMMENT?

17 Q YES, PLEASE

18 A I'M SORRY THAT'S A STAIN THAT'S OUTSIDE OF A DOOR
19 IN THE SCHOOL, AND THAT STAIN IS PERMANENTLY THERE WE
20 HAVE HAD THE CUSTODIANS TRY TO CLEAN THAT ON SEVERAL
21 OCCASIONS, BUT IT ALSO HAS A VERY NOXIOUS ODOR

22 Q AT ALL TIMES?

23 A YES, MA'AM

24 Q OKAY 1570-EN, JUST TELL US ABOUT THIS FLOOR

25 A THAT'S THE FLOOR IN THE ART ROOM HAD CARPET IN IT

1 OFFICE IS GOING TO -- NOT STUCK THEIR NECK OUT TOO FAR
2 BECAUSE IT'S IN THE HOPES OF A PROMISE THAT MONEY WILL BE
3 GIVEN TO OUR DISTRICT THAT OUR DISTRICT WILL CURRENTLY PAY
4 OUR MONEY FOR WHAT I HAVE ORDERED WITH THE IDEA THAT
5 BEFORE THE YEAR'S END, THE MONEY FROM THE STATE WILL BE
6 THERE TO REIMBURSE

7 Q ARE YOU SAYING THAT THE SCHOOL DISTRICT HAS ALREADY
8 ORDERED MATERIALS FOR YOUR SCHOOL IN RELIANCE ON RECEIVING
9 THAT \$15 000 FROM THE STATE?

10 A YES, MA'AM THAT'S EXACTLY WHAT I'M SAYING

11 Q ALL RIGHT THEY HAVE NOT RECEIVED THAT 15,000?

12 A THAT'S RIGHT

13 Q ALL RIGHT WHAT HAVE YOU ORDERED? HOW ARE YOU USING
14 THAT MONEY THIS YEAR?

15 A APPROXIMATELY \$10,000 OF THAT MONEY HAS GONE TO ORDER
16 COMPUTERS TO REPLACE COMPUTERS IN OUR LAB THAT WERE NOT
17 WORKING, AND ANOTHER -- THE OTHER \$5,000 WENT TO
18 MATERIALS, CLASSROOM MATERIALS AND SUPPLIES

19 Q OKAY SUCH AS

20 A LET'S SEE WE BOUGHT LOTS OF -- LOTS OF THEM WENT
21 FOR CLASSROOM LIBRARIES, BOOKS IN THE CLASSROOM, SOME
22 SCIENCE MANIPULATIVES AND SOME MATH MANIPULATIVES
23 ANOTHER PORTION OF IT WENT TO KINDERGARTEN MANIPULATIVES
24 BECAUSE OUR YOUNG CHILDREN NEED LOTS OF HANDS-ON
25 EXPERIENCES, FOR PUZZLES AND BLOCKS AND THINGS FOR THE

1 HOUSEKEEPING CENTERS

2 Q DO YOU HAVE NOW WITH THE PURCHASE OF THOSE THINGS,
3 THE MATERIALS THAT YOU NEED TO INSTRUCT THE CHILDREN AT
4 ALLENDALE ELEMENTARY?

5 A NO, NOT AT ALL IT'S GOING TO TAKE AN ENORMOUS
AMOUNT OF MONEY TO GET THERE

7 DID YOU GET \$15,000 LAST YEAR?

8 A YES MA'AM

Q HOW DID YOU USE THAT?

MOST OF THAT MONEY WENT TO THE MEDIA CENTER TO MONEY,
11 BOOKS IN THE MEDIA CENTER, NOT CLASSROOM LIBRARIES, NOT
12 BOOKS IN THE CLASSROOMS, BUT ACTUALLY IN OUR MEDIA
CENTER OUR MEDIA CENTER WAS VERY OUTDATED WHEN I
14 ARRIVED

15 Q WELL, LET'S PULL UP THE PHOTOS THAT WE STARTED TO GET
INTO, PLAINTIFFS' EXHIBITS 6202, 03 AND 04 WHERE WERE
17 THESE PHOTOGRAPHS TAKEN DR FRANCHINI?

18 A THESE PHOTOGRAPHS WERE TAKEN IN OUR MEDIA CENTER

19 Q WAS THIS BEFORE OR AFTER YOU HAD PURCHASED BOOKS?

20 A WELL, THESE ARE CURRENT THESE WERE TAKEN PERHAPS
21 LAST WEEK YEAH, THESE WERE TAKEN LAST WEEK

22 Q AND HOW MUCH MONEY HAD YOU SPENT FOR BOOKS?

23 A WE SPENT APPROXIMATELY \$25 000 OVER THE LAST TWO
24 YEARS FOR BOOKS IN OUR MEDIA CENTER AND YOU STILL SEE
25 BIG BIG HOLES OR GAPS ON THE SHELVES WHERE YOU HAVE

1 SHELVES WITH EMPTY BOOKS, OF EMPTY SHELVES, NO BOOKS ON

2 THOSE SHELVES

3 Q WHAT IS THE AVERAGE AGE OF THE BOOKS IN THE MEDIA
4 CENTER?

5 A WHEN I FIRST WENT TO ALLENDALE ELEMENTARY, I WAS
6 TRULY APPALLED AT THE AVERAGE AGE OF OUR BOOKS AT THAT
7 TIME THE AVERAGE COPYRIGHT OF THE BOOKS IN OUR SCHOOL WERE
8 1968 OR '69

9 Q DID ALLENDALE ELEMENTARY SCHOOL LIBRARY HAVE BOOKS
10 THAT TALKED ABOUT SENDING A MAN TO THE MOON SOME DAY?

11 A SOME DAY THAT'S WHAT THE BOOK SAID CAN YOU
12 IMAGINE THAT? THAT SOME DAY A MAN WOULD BE ON THE MOON?
13 AND HOW CAN THE WORLD CAN YOU CHECK BOOKS OUT TO A CHILD
14 WHEN NOT ONLY HAVE WE HAD MANY MEN ON THE MOON, BUT WE
15 HAVE GOT FOLKS GOING TO MARS -- NOT FOLKS, BUT WE HAVE--

16 Q WE GONE A LITTLE BIT FURTHER THAN THE MOON

17 A WITHOUT A DOUBT

18 Q OKAY ALL RIGHT WELL, WHAT'S THE AVERAGE AGE OF
19 THE BOOKS IN THE MEDIA CENTER NOW AFTER YOU HAVE DONE--

20 A AFTER SPENDING \$25,000, THE AVERAGE AGE -- AVERAGE
21 COPYRIGHT AGE OF THE BOOKS IN OUR MEDIA CENTER IS 1975

22 Q DOES THAT INCLUDE REFERENCE BOOKS?

23 A OH, YES, MA'AM IT INCLUDES EVERYTHING

24 Q OKAY ALL RIGHT NOW, LET'S GET BACK TO THE MONEY
25 YOU GET AS THE PRINCIPAL SPECIALIST YOU SPENT IT ON

1 OVERSIGHT COMMITTEE

2 A THAT'S CORRECT

3 Q ALL RIGHT SO WHAT YOU JUST DESCRIBED AS HAVING
4 OCCURRED WAS DONE PURSUANT TO THAT SECTION AND PERHAPS
5 OTHER SECTIONS OF THE EDUCATION ACCOUNTABILITY ACT?

6 A THAT'S CORRECT IT'S VERY PRESCRIPT

7 Q ALL RIGHT NOW, SO ONCE WE HAVE THE LEGISLATIVE
8 PRONOUNCEMENT WHICH SETS FORTH LEARNING STANDARDS, WHAT
9 DOES THE DEPARTMENT OF EDUCATION OR THE BOARD OF EDUCATION
10 DO TO IMPLEMENT THESE LEARNING STANDARDS SET FORTH IN THE
11 LEGISLATION?

12 A THE CURRICULUM STANDARDS ARE SORT OF THE OVERARCHING
13 PIECES, THEY ARE STILL VERY BROAD AT THAT LEVEL WE
14 PUBLISH THOSE ON DISK WE DO HARD COPIES, THEY ARE SENT
15 TO SCHOOLS, AND IT IS -- THEN BECOMES THE DISTRICT AND THE
16 SCHOOLS' RESPONSIBILITY TO DEVELOP CURRICULUM THAT WILL
17 GIVE THE SCOPE AND SEQUENCE AND LAY OUT WHAT THE ACTUAL
18 LESSON PLANS WILL BE FOR THE IMPLEMENTATION OF THOSE
19 STANDARDS

20 THEY HAVE TO BREAK THEM DOWN THEY HAVE TO
21 FIGURE OUT, FOR INSTANCE, IF IT SAYS YOUNGSTERS WILL WRITE
22 FOR A VARIETY OF PURPOSES YOU HAVE TO FIGURE OUT HOW YOU
23 ARE GOING TO GET YOUNGSTERS TO LEARN TO DO THAT AND SO
24 IT BECOMES THE DEVELOPMENT OF CURRICULUM IN LOCAL
25 DISTRICTS

1 AND THE DECISION OF LESSON PLANS BY TEACHERS
2 THAT ACTUALLY BREAKS OUT HOW YOU GO ABOUT MAKING SURE THAT
3 WHEN WE TEST THAT AT THE END OF THE YEAR ON ASSESSMENTS
4 THAT YOUNGSTERS CAN WRITE FOR A VARIETY OF PURPOSES

5 SO IT BECOMES FROM THE VERY LARGE CURRICULUM
6 STANDARDS TO CURRICULUM AND UNDER THAT CURRICULUM BOTH THE
7 SCOPE AND THE SEQUENCE OF WHAT WILL BE TAUGHT AND THE
8 INDIVIDUAL LESSON PLANS AND THE RESOURCES THAT WILL BE
9 USED TO ALLOW TEACHERS TO DO THAT, ALL OF THE PROFESSIONAL
10 DEVELOPMENT PIECES THAT HAVE TO HAPPEN, ALL OF THAT GOES
11 INTO THE ACTUAL IMPLEMENTATION OF THE CURRICULUM AT THE
12 LOCAL SCHOOL LEVEL

13 Q ALL RIGHT

14 A FOR EACH CHILD

15 Q OKAY I HAVE WITH ME A NOTEBOOK AND IT APPEARS TO BE
16 THE CURRICULUM STANDARDS FOR ENGLISH, LANGUAGE ARTS MATH,
17 SCIENCE AND SOCIAL STUDIES AND WE HAVE INTRODUCED INTO
18 EVIDENCE

19 MR EPPS YOUR HONOR, WE HAVE INTRODUCED INTO
20 EVIDENCE ALREADY THE CURRICULUM STANDARDS I THINK BOTH
21 SIDES HAVE ACTUALLY INTRODUCED THEM

22 THE COURT OKAY

23 MR EPPS THESE ARE UPDATED VERSIONS OF -- I THINK
24 THEY ARE UPDATED, TO BE HONEST WITH YOU, ENGLISH LANGUAGE
25 ARTS IT HAS -- IT'S PLAINTIFFS' TRIAL NUMBER 5024 AND

1 THEN ULTIMATELY I ASSUME TO THE TEACHERS?

2 A THAT'S CORRECT

3 Q IS THAT CORRECT? HOW DO THE TEACHERS PREPARE
4 INSTRUCTION MATERIALS OR LESSONS TO MEET THESE STATE
5 MANDATED STANDARDS?

6 A IT'S, IT IS A VERY TIME CONSUMING PROCESS IT IS
7 SOMETHING THAT THEY MUST DO IN TRANSLATING A THIRD GRADE
8 STANDARD, TRANSLATING WHAT THAT STANDARD SAYS INTO A DAILY
9 LESSON PLAN, AND MAKING SURE THAT THE SCOPE AND SEQUENCE
10 OF THOSE LESSONS ACROSS THE YEAR COVER ALL OF THOSE
11 STANDARDS AND HAVE HIT ALL OF THE SUBSKILLS AND THE
12 PRECURSOR SKILLS THAT THEY WOULD NEED TO BE ABLE TO HAVE
13 THEIR STUDENTS DO, TO DO IN ORDER TO MEET THAT STANDARD
14 SO MANY OF THOSE STANDARDS CAN BE BROKEN DOWN
15 INTO MULTIPLE SUBSKILLS THAT HAVE TO BE DONE BEFORE THE
16 YOUNGSTER CAN SHOW MASTERY OF THE STANDARD AND THAT'S
17 WHAT LESSON PLANS DO AND THAT'S WHAT TEACHERS HAVE TO DO
18 ON A DAILY BASIS

19 WE TALK ABOUT THE WORK OF A FOURTH GRADE
20 TEACHER YOU ARE -- EACH NIGHT THEY HAVE GOT TO GO HOME
21 AND PREPARE FOR THE NEXT DAY, AN ENGLISH LESSON, A GRAMMAR
22 LESSON, A WRITING LESSON, A READING LESSON, A LEARNING
23 LESSON AND TIE THOSE ALL TOGETHER AROUND THE STANDARD THAT
24 THEY ARE ATTEMPTING TO TEACH

25 THEY HAVE GOT TO DO MATH AND SCIENCE AND SOCIAL

1 STUDIES AND HEALTH AND PROBABLY A LITTLE BUS SAFETY AND
2 CHARACTER EDUCATION SO THEY HAVE MAYBE TEN LESSON PLANS
3 THAT THEY HAVE TO PUT TOGETHER, MAKE STANDARD SPACE AND
4 MAKE SURE THAT THEY ARE READY TO PRESENT THE FOLLOWING
5 DAY, THAT ARE GOING TO ALLOW THEIR YOUNGSTERS TO
6 UNDERSTAND THE STANDARDS AND HOPEFULLY TO PERFORM WELL
7 WHEN THEY ARE ASSESSED DURING THE YEAR OR AT THE END OF
8 THE YEAR

9 Q NOW, DOES -- THERE IS STILL SOME DIFFICULTY I THINK,
10 TO A LAY PERSON WHO IS NOT IN EDUCATION IN DISTINGUISHING
11 BETWEEN A CURRICULUM AT THE SCHOOL LEVEL I THINK WE MADE
12 CLEAR WHAT THE DIFFERENCE IN THE CURRICULUM STANDARD IS
13 BUT A CURRICULUM AT A SCHOOL LEVEL WHEN COMPARED TO A
14 LESSON PLAN CAN YOU HELP US THERE, PLEASE?

15 MR STEPP YOUR HONOR, AGAIN, THIS IS THE AREA OF
16 DR LINDSEY'S EXPERTISE WHICH I PRESUME IS WHY SHE'S HERE
17 AS AN EXPERT WITNESS TO DISCUSS AND SHE YET HAS NOT BEEN
18 PROFFERED SO I WILL CONTINUE TO OBJECT

19 THE COURT ALL RIGHT MR EPPS? HOW MUCH MORE OF
20 THE QUALIFICATIONS DO WE NEED TO COVER BEFORE SHE'S GOING
21 TO BE TURNED OVER FOR MR STEPP'S VOIR DIRE IN THIS
22 REGARD?

23 MR EPPS WELL, I'M JUST ABOUT THROUGH AS A MATTER
24 OF FACT I'M GOING TO GO AHEAD AND REDUCE SOME OF THIS
25 MATERIAL AND PUT IT INTO CONTEXT BUT OTHER THAN THAT I

1 WANT HER TO ANSWER THIS QUESTION AND THEN GO BACK AND
2 REVIEW

3 THE COURT THE QUESTION YOU JUST ASKED I THINK IS
4 MORE OF A FACT THAN AN OPINION QUESTION AND I WILL ALLOW
5 THAT, BUT I CAN SEE WHERE IT'S LEADING TO AN OPINION
6 ULTIMATELY

7 THE DISTINCTION BETWEEN THE DIFFERENCE BETWEEN
8 LESSON PLANS AND CURRICULUM AND CURRICULUM GUIDES AND
9 CURRICULUM STANDARDS, OF COURSE, IS MORE OF A FACTUAL THAN
10 AN EXPERT OPINION QUESTION AND YOU CAN DEVELOP THAT

11 BUT I'M LOOKING OVER HER DISCLOSURE HERE WHICH
12 YOU ARE TRACKING IN SOME REGARD, I THINK, AS YOU ASK THESE
13 QUESTIONS AND I THINK IT DOES APPEAR THAT THOSE WILL BE
14 IN -- GO AHEAD

15 MR EPPS THANK YOU, YOUR HONOR

16 BY MR EPPS

17 Q LET'S BREAK DOWN THIS LAST BIT OF THE EDUCATIONAL
18 MATRIX AND THAT'S THE DISTINCTION BETWEEN A CURRICULUM OF
19 SCHOOL LEVEL AND A LESSON PLAN

20 A IF I WAS TO DO THAT IT WOULD BE IN A VERY FORMAL
21 FASHION THE CURRICULUM STANDARD WOULD BE LISTED AT THE
22 TOP OF A PIECE OF PAPER, YOUNGSTER WILL WRITE FOR A
23 VARIETY OF PURPOSES

24 THEN AS THE TEACHER BEGAN TO DO THAT THERE WOULD
25 BE A COLUMN THAT SAID THE SUBSKILLS THAT THEY WERE

1 ATTEMPTING TO TEACH AROUND THAT STANDARD, PROBABLY A
2 COLUMN FOR RESOURCES THAT WOULD IDENTIFY WHAT BOOKS OR
3 SOURCES THEY WERE GOING TO TAKE THAT FROM AND OUTLINE IN
4 ACTUALITY OF THE ACTIVITIES THAT THE TEACHER WOULD HOPE TO
5 ACCOMPLISH IN THE CLASSROOM THAT DAY THAT ARE TRACKED BACK
6 TO WHAT THEY ARE ATTEMPTING TO TEACH AND THEN A FINAL
7 COLUMN THAT WOULD HAVE SOME SORT OF ASSESSMENT OF WHAT
8 THEY HAVE DONE THAT DAY

9 THAT'S A MUCH MORE DETAILED LOOK AT WHAT HAPPENS
10 ON A DAY TO DAY BASIS BASED ON WHAT'S WRITTEN AT THE TOP
11 OF THE PAGE WHICH WOULD BE THE STANDARD

12 SO THE DIFFERENCE IS IS THAT THAT SETS THE GOAL
13 OF WHAT NEEDS TO BE DONE BY THE END OF THE YEAR AND A
14 LESSON PLAN THAT A TEACHER HAS TO DEVELOP OR A CURRICULUM
15 WOULD BE THE SERIES OF THOSE PAGES THAT SHOWED WHAT WAS
16 GOING TO HAPPEN FROM DAY TO DAY ACROSS THE COURSE OF THE
17 YEAR, SCOPE AND A SEQUENCE AND A DETAIL OF HOW THEY ARE
18 GOING TO, THE ROADMAP THEY ARE GOING TO TAKE IN ORDER TO
19 MAKE SURE THAT ALL OF THE CURRICULUM STANDARDS ARE MET BY
20 THE END OF THE YEAR

21 Q AT THE TEACHER LEVEL IS THE CURRICULUM THE TEACHER'S
22 ROADMAP?

23 A IT IS, THOSE -- THE CURRICULUM THAT THEY DEVELOP
24 WITHIN THE DISTRICTS OR THAT'S PROVIDED TO THEM FROM
25 WHATEVER AVENUE IS THE ROADMAP THAT THEY WILL FOLLOW AND

1 HAS THE DETAILS OF WHAT THEY NEED TO DO ON A DAILY BASIS
2 Q NOW, DO TEACHERS -- LET ME STRIKE THAT AND ASK NOW
3 HOW THE LESSON PLAN FITS INTO THIS YOU HAVE THIS ROADMAP
4 THAT A TEACHER IS GOING TO FOLLOW IS THE LESSON PLAN THE
5 DAY TO DAY TRUCK STOP?
6 A THAT IS CORRECT
7 Q WHERE YOU REFUEL?
8 A THAT IS EXACTLY RIGHT
9 Q AND GET READY FOR THE NEXT DAY?
10 A THAT'S EXACTLY RIGHT, MEASURE WHERE YOU ARE, WHAT YOU
11 MIGHT NEED TO TEACH OR RETEACH WHETHER YOUR YOUNGSTERS
12 ARE WITH YOU OR NOT, WHAT THE DIFFERENTIATION IS WITHIN
13 THE CLASSROOM, DO I NEED MULTIPLE LESSON PLANS, DO I, ON
14 THIS SAME TOPIC BECAUSE I HAVE GOT YOUNGSTERS WHO ARE WAY
15 BELOW OR THOSE THAT ARE ADVANCED SO YOU HAVE GOT TO, YOU
16 KNOW, SOMETIMES IT'S NOT A SINGLE LESSON PLAN FOR A
17 STANDARD BUT MULTIPLE LESSON PLANS DEPENDING ON THE
18 ABILITY LEVEL OF YOUNGSTERS WITHIN A CLASSROOM
19 Q ALL RIGHT DR PODA, DOES IT TAKE -- DR PODA EXCUSE
20 ME DR LINDSEY?
21 A CAN WE GET HER?
22 Q NO, NO, YOU ARE OURS DOES IT TAKE TEACHER SKILL AND
23 EXPERTISE TRAINING, TO BE ABLE TO DEVELOP DAILY LESSON
24 PLANS THAT TRACK THE CURRICULUM THAT THE STATE HAS --
25 EXCUSE ME -- THAT THE TEACHER HAS BEEN GIVEN OR HAS

1 HOUSEKEEPING, I PROMISED TO GET THOSE OTHER DOCUMENTS
2 IDENTIFIED, THE EARLIER CURRICULUM STANDARDS AND THE FIRST
3 ONES INTRODUCED

4 I HAVE THE PLAINTIFFS' EXHIBIT NUMBERS I THINK
5 THE DEFENSE INTRODUCED THE SAME ONES, THAT E L A STANDARD
6 FOR 2000 IS PLAINTIFFS' EXHIBIT 101 SOCIAL STUDIES
7 CURRICULUM FOR 2000 IS PLAINTIFFS' EXHIBIT 102, THE MATH
8 CURRICULUM FOR 2000 IS PLAINTIFFS' EXHIBIT 103 AND SCIENCE
9 IS FOR 2000 PLAINTIFFS' EXHIBIT 104 AND WE WOULD MOVE
10 THOSE INTO EVIDENCE ALSO

11 THE COURT THANK YOU ALL RIGHT THEY ARE ALL IN
12 EVIDENCE

13 (PLAINTIFFS' EXHIBITS NO 101 102 103 AND 104
14 MARKED FOR IDENTIFICATION)

15 MR EPPS THANK YOU, YOUR HONOR

16 THE COURT SO THE 2000 WILL BE IN EVIDENCE TWICE
17 THEN AS I UNDERSTAND IT THE CURRICULUM FOR MATH, SCIENCE
18 AND SOCIAL STUDIES IN ANY EVENT WE HAVE GOT THEM DULY
19 MARKED

20 MR EPPS THANK YOU YOUR HONOR

21 THE COURT OR AT LEAST WE WILL NOTE THEM THANK
22 YOU MR EPPS?

23 BY MR EPPS

24 Q DR LINDSEY, BEFORE WE GO AND DRILL DOWN DEEPER INTO
25 HOW THE CURRICULUM STANDARDS ARE DEVELOPED BY THE STATE

1 A THAT IS CORRECT

2 Q NOW, WE TALKED ABOUT HOW MANY TESTS WERE ADMINISTERED
3 IN SOUTH CAROLINA TESTS OF STUDENTS AND IF YOU WOULD
4 GO THROUGH THAT LIST VERY SLOWLY AND IF YOU WANT TO GO
5 TO THE BOARD, WRITE THEM OUT, THAT WOULD BE FINE BUT I
6 THINK WE CAN GO THROUGH THE LIST VERY SLOWLY IF YOU
7 WOULD

8 A WE BEGIN WITH ASSESSMENT OF KINDERGARTNERS AT THE K-5
9 PROGRAM AND THOSE ARE THE SOUTH CAROLINA READINESS
10 ASSESSMENTS AND THOSE ARE ADMINISTERED IN KINDERGARTEN TO
11 SHOW PREPARATION FOR GRADE ONE, AND IN FIRST GRADE THEY'RE
12 AGAIN ADMINISTERED TO INDICATE PREPARATION FOR GRADE TWO

13 WE DO A FULL SCALE ASSESSMENT IN GRADE TWO
14 USUALLY OF A NORM REFERENCE TEST TO EVALUATE ENTRY INTO
15 GIFTED AND TALENTED PROGRAMS IT'S A CENSUS TEST TO GIVE
16 US A MARKER WHERE YOUNGSTERS ARE AND WHO MIGHT NEED TO BE
17 LOOKED AT OR PLACEMENT IN GIFTED PROGRAMS

18 WE DO BEGINNING IN GRADE THREE GRADES THREE
19 THROUGH EIGHT WE GIVE THE PALMETTO ACHIEVEMENT CHALLENGE
20 TEST IN ENGLISH, LANGUAGE ARTS AND MATH AND NOW CURRENTLY
21 IN SCIENCE AND SOCIAL STUDIES IN FOUR CORE CONTENT AREAS

22 WE ALSO IN SOUTH CAROLINA REQUIRE THEM THE
23 E A A TO ADMINISTER A NORMED REFERENCE TEST WITH SAMPLING
24 OF STUDENTS AT THREE GRADE LEVELS AND THOSE GRADES LEVELS
25 ALTERNATE BUT THEY ARE AN ELEMENTARY GRADE, A MIDDLE

1 THE YOUNGSTER ARE INVOLVED IN TEACHING AND LEARNING OF
2 ALGEBRA ONE STANDARDS ARE GIVEN TO THE CHILD OBVIOUSLY TO
3 THE TEACHER AT THE BEGINNING OF THE YEAR

4 THE COURSE COVERS THOSE STANDARDS AND THE TEST
5 AT THE END OF THE COURSE ONLY SAMPLES FROM THOSE
6 STANDARDS IT'S BASED ON THOSE STANDARDS FAIRLY BROAD
7 SAMPLE BUT IT DOES TEST MASTERY OF THAT AND IT'S USED
8 AND MUST COUNT AS 20 PERCENT OF THE STUDENT'S FINAL GRADE
9 FOR THAT COURSE

10 Q SO THE END OF COURSE TEST THAT YOU TAKE IS STANDARDS
11 BASED AND COUNTS FOR 20 PERCENT OF THAT STUDENT'S FINAL
12 GRADE?

13 A THAT'S CORRECT

14 Q AND THIS YEAR WE ARE GOING TO DO ALGEBRA AND NEXT
15 YEAR WE ARE GOING TO DO I THINK IT WAS NEXT YEAR, PHYSICAL
16 SCIENCE BIOLOGY AND WHAT ELSE?

17 A ENGLISH ONE

18 Q ENGLISH ONE AND THEN WE ARE GOING TO EXPAND IT TO
19 WHAT OTHER CORE SUBJECTS?

20 A THERE IS ON THE BOOKS NOW AT LEAST ONE ADDITIONAL ONE
21 AND THAT WOULD BE U S HISTORY

22 Q IN YOUR OPINION WILL THE END OF COURSE EXAMINATIONS
23 MAKE IT MORE DIFFICULT FOR STUDENTS TO PASS AND FINISH
24 HIGH SCHOOL THAN IS THE CURRENT SITUATION?

25 A IT DOES ADD AN ADDITIONAL DIMENSION THAT WILL THAT

1 WILL MAKE IT MORE DIFFICULT TO PASS THOSE PARTICULAR
2 CONTENT AREAS

3 Q NOW I WANT TO TURN BACK, DR LINDSEY, AND DISCUSS IN
4 GREATER DETAIL HOW THESE CURRICULUM STANDARDS CAME IN TO
5 BE, ALL RIGHT? AND I WANT TO START OFF FIRST WITH THE
6 DISCUSSION ABOUT WHETHER PRIOR TO THE EDUCATION
7 ACCOUNTABILITY ACT SOUTH CAROLINA HAD IN PLACE CURRICULUM
8 STANDARDS DID THEY?

9 A THERE WAS DEVELOPMENT WORK THAT WAS BEING DONE WITH
10 THOSE THEY WERE CALLED CURRICULUM FRAMEWORKS AND HAD
11 BEEN IN DEVELOPMENT SINCE EARLY 1990'S THOSE WERE IN
12 GRADE CLUSTERS K-3 CURRICULUM FRAMEWORK PROCESS, A FOUR,
13 FIVE SIX, EIGHT AND THEN SOME DISCUSSION ABOUT THE
14 STANDARDS AT NINE THROUGH 12 IN DEVELOPMENT OF THOSE

15 SO THERE HAD BEEN PREVIOUS WORK, IT WAS
16 HAPPENING ALL AROUND THE COUNTRY, NATIONAL GOVERNORS'
17 ASSOCIATION CONFERENCE HAD SORT OF BEGUN THAT WORK
18 NATIONWIDE AND SOUTH CAROLINA WAS MIRRORING THAT WORK OF
19 DEVELOPING STANDARDS SO THAT WE COULD BETTER DETERMINE
20 WHAT WE WERE TEACHING OUR YOUNGSTERS AND WHAT THEY SHOULD
21 KNOW AND BE ABLE TO DO

22 Q ALL RIGHT SO YOU HAD A CURRICULUM IN PLACE CALLED
23 CURRICULUM FRAMEWORKS?

24 A THAT'S CORRECT

25 Q ALL RIGHT IF I CALL THAT FRAMEWORKS YOU WILL KNOW

1 TO SCHOOL DISTRICTS IN 1998 AS GRADE LEVEL STANDARDS
2 ADOPTED BY THE STATE BOARD AND SENT TO THE SCHOOL
3 DISTRICTS AS GRADE LEVEL STANDARDS

4 Q ALL RIGHT LET'S STOP HERE FOR A SECOND SO IN
5 DRAFTING THE CURRICULUM STANDARDS TO FULFILL THE
6 REQUIREMENTS OF THE EDUCATION ACCOUNTABILITY ACT THE
7 DEPARTMENT OF EDUCATION ESSENTIALLY USED THE FRAMEWORK
8 STANDARDS?

9 A THEY DID

10 Q AND THEN BROKE IT OUT BY GRADE LEVEL?

11 A THAT'S CORRECT

12 Q WELL, HOW DID THE FRAMEWORK STANDARDS THEN THAT HAVE
13 BEEN IN EXISTENCE SINCE THE EARLY 90'S AT LEAST IN SOME
14 AREAS HOW DID THE FRAMEWORK CURRICULUM STANDARDS COMPARE
15 WITH THE RIGOR OF THE DIFFICULTY OF THE CURRENT CURRICULUM
16 STANDARDS, OF ENACTED OR DRAFTED PURSUANT TO EDUCATION
17 ACCOUNTABILITY ACT?

18 A THE FORM AND THE FORMAT CHANGED, SOME OF THE LANGUAGE
19 CHANGED TO CHANGE THOSE INTO A DECISION ABOUT WHAT WAS A
20 KINDERGARTEN STANDARD FIRST SECOND AND THIRD, BUT THE
21 GENERAL CONTENT KNOWLEDGE WAS SUBSUMED IN THE CURRICULUM
22 FRAMEWORKS BEFORE

23 IT WAS A MATTER OF DECIDING WHAT WAS APPROPRIATE
24 FOR A GRADE ONE, GRADE TWO, GRADE THREE I DON'T THINK
25 THE RIGOR PROBABLY CHANGED A GREAT DEAL IT WAS THE SAME

1 SORT OF KNOWLEDGE THOSE SAME SORT OF STANDARDS
2 THEY WERE MATCHED TO WHAT WAS HAPPENING
3 NATIONALLY, SO I REALLY DON'T THINK THE RIGOR CHANGED
4 SIGNIFICANTLY THE FORM AND THE FORMAT CERTAINLY DID
5 Q SO YOUR BROKE IT OUT BY GRADE LEVEL?
6 A THAT'S CORRECT
7 Q INSTEAD OF SPANS BUT ESSENTIALLY THE DIFFICULTY OR
8 THE RIGOR OF THE REST REMAINED THE SAME?
9 A I WOULD SAY THAT THEY, IT WAS VERY LITTLE DIFFERENCE
10 IN THE RIGOR
11 Q AND AS A MATTER OF FACT, THE CURRICULUM STANDARDS
12 PASSED OR DRAFTED PURSUANT TO EDUCATION ACCOUNTABILITY ACT
13 WERE LARGELY BASED ON THE PRIOR WORK IN THE FRAMEWORK
14 STANDARDS?
15 A THAT'S CORRECT
16 Q LET'S TALK NOW ABOUT DRAFTING THE CURRICULUM
17 STANDARDS PASSED UNDER THE EDUCATION ACCOUNTABILITY ACT
18 WERE YOU INVOLVED IN THAT PROCESS?
19 A I WAS
20 Q WAS YOUR OFFICE IN CHARGE OF THAT PROCESS?
21 A THEY WERE
22 Q ALL RIGHT WERE YOU INTIMATELY INVOLVED IN DRAFTING
23 THE CURRICULUM STANDARDS AND ARE YOU INTIMATELY
24 KNOWLEDGEABLE ABOUT HOW THOSE STANDARDS CAME TOGETHER?
25 A I AM

1 BY MR EPPS

2 Q NOW WE HAVE GOT IT DR LINDSEY, AND THIS IS FROM
3 PLAINTIFFS' EXHIBIT 5024 TELL US IF YOU WILL WHO ARE THE
4 PEOPLE BEING ACKNOWLEDGED ON ROMAN NUMERAL THREE AT THE
5 FIRST OF THE DOCUMENT?

6 A THOSE ARE THE THAT'S THE TEAM THE ACTUAL OVERALL
7 TEAM THAT WORKED ON THE DRAFT OF THE 2002 DOCUMENTS IT
8 INCLUDES BOTH AGENCY, STAFF AND TEACHERS FROM ACROSS SOUTH
9 CAROLINA AND DISTRICT LEVEL INSTRUCTIONAL FOLKS WHO WERE
10 PART OF THE TEAM THAT PULLED TOGETHER THE CYCLICAL REVIEW
11 OF THE ENGLISH, LANGUAGE ARTS STANDARDS

12 Q PEOPLE TALK ABOUT THE RIGOR OF THE STANDARDS AND I
13 WANT TO EXPLORE THAT WITH YOU WHAT DID THE TEAM THE
14 TEACHER, THE TEAMS OF TEACHERS WHO DRAFTED FOR EXAMPLE THE
15 ENGLISH, LANGUAGE ARTS STANDARD HAVE IN MIND IN TERMS OF
16 THE DIFFICULTY OR THE RIGOR OF THE STATE STANDARDS?

17 A WHAT A YOUNGSTER AT EACH GRADE LEVEL NEEDS TO KNOW
18 AND BE ABLE TO DO THESE ARE THE, THIS IS THIRD GRADE
19 CURRICULUM, WHAT SHOULD A YOUNGSTER LEARN AT THIRD GRADE
20 AT FOURTH GRADE AT FIFTH GRADE THAT'S BASED ON OUR
21 ASSESSMENT AS EDUCATORS, AS CLASSROOM TEACHERS, ABOUT WHAT
22 A YOUNGSTER NEEDS TO KNOW TO BE ABLE TO DO IT'S THE
23 MEASURE OF FOURTH GRADE CURRICULUM

24 Q BY SOUTH CAROLINA TEACHERS?

25 A THAT'S CORRECT

1 Q AND WHAT WAS THE END RESULT TO BE? IF INDEED A
2 STUDENT WAS ABLE TO MEET THE STANDARDS OR DID MEET THE
3 STANDARDS AND MOVED THROUGH THE SCHOOL SYSTEM, WHAT GOAL
4 DID THEY HAVE IN MIND AT THE END OF THE SCHOOL CAREER?

5 A THEY WOULD GRADUATE WITH A HIGH SCHOOL DIPLOMA AND BE
6 ABLE TO TAKE THAT SET OF KEYS AND BE ABLE TO UNLOCK
7 WHATEVER DOORS COME NEXT FOR THEIR FUTURE THIS WAS THEIR
8 -- THIS IS THEIR TICKET THIS IS HOW THEY ACCESS AND
9 BEGIN THE SECOND STAGE OF THEIR LIFE AFTER THEY HAVE
10 COMPLETED THEIR K-12 EDUCATION

11 Q WAS THE IDEA TO HAVE AN ADEQUATE EDUCATION SO THAT
12 YOU COULD BE A HIGH SCHOOL GRADUATE AND HAVE AN
13 OPPORTUNITY TO BE A SUCCESSFUL CITIZEN?

14 A THAT IS ABSOLUTELY THE INTENT

15 Q SO THESE STANDARDS WERE NOT DRAFTED BY A NATIONAL
16 GROUP, THEY WERE DRAFTED BY TEACHERS WHO TAUGHT IN SOUTH
17 CAROLINA?

18 A THEY CERTAINLY HAD OTHER NATIONAL DOCUMENTS AGAINST
19 WHICH THEY COMPARED THAT BECAUSE YOU CERTAINLY WOULDN'T
20 WANT TO DEVELOP STANDARDS IN SOUTH CAROLINA THAT WERE
21 EASIER, THAT ASKED LESS OF OUR YOUNGSTERS THAN IS BEING
22 ASKED IN OTHER STATES AND ACROSS THE COUNTRY SO THEY
23 CERTAINLY HAD ACCESS TO SOME NATIONAL DOCUMENTS

24 BUT YOU WILL FIND IN THIS PROCESS NOW THAT THE
25 FEDERAL GOVERNMENT HAS REQUIRED EVERY STATE TO DEVELOP

1 GRADE LEVEL STANDARDS, REAL DIFFERENCES AMONG STATES IN
2 EXACTLY HOW THEY WANT THAT DONE IN THEIR PARTICULAR STATE

3 SO THERE IS A -- THERE IS A SOUTH CAROLINA
4 FLAVOR TO THIS, THAT IS THE PRODUCT OF SOUTH CAROLINA
5 EDUCATORS BEING THE AUTHOR, AUTHORS OF THIS DOCUMENT

6 (CONFERRING WITH STAFF)

7 Q DO YOU HAVE THAT IN FRONT OF YOU?

8 A I DO

9 Q READ, IF YOU WILL, THE FIRST SENTENCE AT THE TOP OF
10 THE PAGE ON PAGE ONE TITLE INTRODUCTION

11 A THE SOUTH CAROLINA ENGLISH, LANGUAGE ARTS CURRICULUM
12 STANDARDS REPRESENT WHAT STUDENTS ARE EXPECTED TO KNOW AND
13 BE ABLE TO DO AS READERS, WRITERS, COMMUNICATORS AND
14 RESEARCHERS FROM PRE-KINDERGARTEN THROUGH HIGH SCHOOL

15 Q ALL RIGHT AND LET'S READ THE LAST PARAGRAPH INTO
16 THE RECORD ON THE BOTTOM OF THE PAGE, PLEASE

17 A LANGUAGE ARTS INSTRUCTION IN SOUTH CAROLINA PROVIDES
18 ALL STUDENTS WITH THE OPPORTUNITY TO USE LANGUAGE IN A
19 LIFETIME OF LEARNING READING WRITING COMMUNICATION AND
20 RESEARCH ARE INTERTWINED THEREFORE THE SUCCESS OF
21 LANGUAGE ARTS INSTRUCTION RESTS UPON THE INTEGRATION OF
22 THE LANGUAGE ARTS WITH OTHER CONTENT AREAS THROUGH
23 INSTRUCTION AND IMMERSION IN A PRINT RICH ENVIRONMENT THAT
24 INCLUDES LITERATURE AND A VARIETY OF INFORMATIONAL TEXT
25 STUDENTS MAY BETTER UNDERSTAND AND APPRECIATE THE ENGLISH

1 LANGUAGE, ULTIMATELY BECOMING PROFICIENT COMMUNICATORS
2 THE ABILITY TO COMMUNICATE WELL IS THE FOUNDATION OF
3 FLEXIBLE LIFE-LONG LEARNING

4 Q ALL RIGHT I WANT TO ASK TWO QUESTIONS ABOUT THIS
5 IN DRAFTING THESE STANDARDS WAS IT EXPECTED THAT EVERY
6 CHILD IN SOUTH CAROLINA EXCEPT PERHAPS THE SEVERELY
7 MENTALLY DISABLED COULD LEARN AND MEET THE STATE
8 STANDARDS?

9 A THAT IS THE EXPECTATION I DON'T KNOW HOW MANY TIMES
10 THE WORD ALL IS USED IN THIS DOCUMENT BUT I WOULD VENTURE
11 TO SAY MANY, MANY TIMES

12 Q ALL RIGHT IT SAYS ABOUT WHAT STUDENTS ARE EXPECTED
13 TO KNOW AND BE ABLE TO DO AS READERS, WRITERS
14 COMMUNICATORS IF I'M GOING TOO FAST, TELL ME -- READERS,
15 WRITERS, COMMUNICATORS, RESEARCHERS FROM PRE-K THROUGH
16 HIGH SCHOOL PREKINDERGARTEN THROUGH HIGH SCHOOL

17 IN THE LAST SENTENCE IT SAYS THE ABILITY TO
18 COMMUNICATE WELL IS THE FOUNDATION TO FLEXIBLE LIFE-LONG
19 LEARNING NOW, DO YOU AGREE WITH THOSE STATEMENTS DR
20 LINDSEY?

21 A I DO AND PROBABLY WROTE PART OF THEM

22 Q PROBABLY WROTE PART OF THEM DO YOU BELIEVE THAT THE
23 STANDARDS IN SOUTH CAROLINA COULD AND SHOULD WITH ADEQUATE
24 INSTRUCTION, ADEQUATE TEACHING, ADEQUATE FACILITIES AND
25 ADEQUATE INSTRUCTIONAL MATERIALS BE ABLE TO MEET THE

1 THINK YOU SAID, WHAT WE'RE THE THIRD HIGHEST TESTING
2 STATE IN THE COUNTRY?

3 A WE'RE EQUAL TO OTHER STATES I'M NOT SURE ANYBODY
4 ELSE, I DON'T THINK WE

5 Q WE ARE NUMBER ONE?

6 A WE ARE TIED WITH ABOUT TWO OR THREE OTHERS --

7 Q ALL RIGHT

8 A -- AS MOST PROLIFIC TEST GIVERS

9 Q I'M NOT GOING TO ASK YOU WHY WE GIVE SO MANY TESTS IN
10 SOUTH CAROLINA BUT LET'S TALK ABOUT THE IMPACT OF THE
11 CURRICULUM STANDARDS AND THE EDUCATION ACCOUNTABILITY ACT
12 AND STUDENTS OKAY?

13 NOW, WHAT HAPPENS TO STUDENTS AS THEY GO THROUGH
14 THE PROCESS IF THEY ARE NOT BEING SUCCESSFUL IN EARLY
15 GRADES AND AS THIS BUILDS THROUGHOUT LATER GRADES?

16 A THE GAP WIDENS VERY OFTEN FOR YOUNGSTERS WHO HAVE
17 NOT HAD THE ADEQUATE RESOURCES, WHO HAVE NOT HAD THE
18 ADVANTAGE OF A GOOD TEACHER THAT IS ABLE TO PRESENT THESE
19 STANDARDS, THE GAP WIDENS

20 FOR THE KNOWLEDGE THAT THEY DO NOT HAVE VERY
21 OFTEN IT'S SAID AND I WOULD SUBSCRIBE TO THIS THAT YOU
22 CREATE DROPOUTS IN ELEMENTARY AND MIDDLE SCHOOL THEY JUST
23 WAIT AROUND LONG ENOUGH TILL THE LAW ALLOWS THEM TO
24 LEAVE

25 FORTUNATELY I THINK THE CUMULATIVE LACK OF THE

1 INFORMATION -- MOST OF US ALL OF US REALLY ARE NOT
2 GOING TO CONTINUE TO STAY IN SETTINGS WHERE WE DON'T FEEL
3 WELCOME, WHERE WE CAN'T FEEL SUCCESSFUL

4 AS SOON AS WE CAN GET OUT OF THOSE SITUATIONS WE
5 DO, ANY TIME IN LIFE AND THAT'S NOT ANY DIFFERENT THAN
6 WHAT STUDENTS BASICALLY ARE DOING WHEN THEY GO THROUGH A
7 SYSTEM, FEEL THAT THEY ARE GETTING FURTHER BEHIND, THEY'RE
8 EMBARRASSED BY WHAT THEY DON'T KNOW THEY SEEM OVERWHELMED
9 BY WHAT IT IS THAT THEY HAVE TO DO, AND AS THEY HIT THEIR
10 17TH BIRTHDAY MANY OF THEM LEAVE US BECAUSE THEY NO LONGER
11 WANT TO BE A PART OF THAT AND IT'S SOMETHING THAT THEY ARE
12 ALLOWED TO DO BY LAW AT THAT TIME

13 Q THERE'S A TERM CALLED HIGH STAKES TESTING I THINK
14 YOU HAVE USED IT?

15 A I HAVE

16 Q WHAT DO YOU MEAN BY THAT WORD?

17 A IT MEANS THAT THE CONSEQUENCES OF THE TESTS ARE USED
18 FOR VERY IMPORTANT DECISIONS FOR YOUNGSTERS NOT TO PASS
19 A PACT TEST, TO HAVE A BELOW BASIC SCORE ON PACT MEANS
20 THAT THEY HAVE TO BE LABELED AS BELOW BASIC THEY AND
21 THEIR PARENTS IF THEY ARE OLD ENOUGH, AT LEAST THEIR
22 PARENTS ALWAYS, ARE CALLED INTO THE SCHOOL IN THE FALL,
23 THEY SIT DOWN, THEY WRITE AN ACADEMIC PLAN PRESCRIPTION,
24 THOSE ARE, THAT STATES WHAT WILL HAPPEN, VERY OFTEN IT
25 COMMITS THE PARENT AND THE CHILD IN THAT SETTING TO GOING

1 THE COURT WELL, I THINK I CAN TAKE INTO ACCOUNT THE
2 LACK OF THAT PORTION OF THE FOUNDATION IN ASSESSING HER
3 ANSWER BECAUSE IT WILL BE LIMITED AS HE SAID TO THE
4 ANECDOTAL INFORMATION THAT SHE HAD RECEIVED FROM THESE
5 VARIOUS SOURCES THAT WE TALKED ABOUT AND SO I WILL ALLOW
6 HER TO GIVE THE ANSWER AND I WILL TAKE INTO ACCOUNT THE
7 FACT THAT SHE HAS NOT HAD A CHANCE TO OBSERVE THIS
8 PERSONALLY IN THE SCHOOL DISTRICTS IN EVALUATING AND
9 WEIGHTING THE ANSWER THAT'S A LONG WAY OF SAYING YOU CAN
10 ANSWER THE QUESTION

11 THE WITNESS I THINK I MIGHT BEST DO THAT THROUGH A
12 COUPLE OF EXAMPLES THAT -- WITH SERVICES THAT WE ARE NOW
13 PROVIDING THAT REALLY CAME FROM IDENTIFIED NEEDS FROM
14 INSTRUCTIONAL LEADERS' ROUND TABLE IN WHICH THEY SAID IN
15 ONE OF THOSE SESSIONS, SANDY, OUR TEACHERS DON'T
16 UNDERSTAND HOW THE WRITING IS GREATER, THEY DON'T
17 UNDERSTAND THE RHETORIC SO THEY DON'T KNOW WHAT IN THE
18 WRITING PORTION OF PACT IS GIVEN A ONE, TWO, THREE OR
19 FOUR

20 THEY -- THEY DON'T KNOW WHAT A FOUR LOOKS LIKE
21 THEY DON'T KNOW WHAT A TWO LOOKS LIKE AND THEY ARE NOT
22 GOING TO BE ABLE TO TEACH THEIR YOUNGSTERS BECAUSE THEY
23 DON T UNDERSTAND HOW IT'S EVALUATED

24 IT WAS THAT INPUT THAT CAUSED US TO DEVELOP WHAT
25 WE CALL THE MENTOR SOFTWARE WHICH TAKES ACTUAL STUDENT

1 RESPONSES FROM PREVIOUS PACT TESTS, ALL KINDS OF THEM,
2 KIDS THAT ANSWERED VERY BASIC ONE LEVELS TO FOUR LEVELS,
3 WE PUT JUST HUNDREDS AND HUNDREDS OF WRITTEN RESPONSES
4 THAT YOUNGSTERS HAD DONE TO VARIOUS PROMPTS INTO A
5 SOFTWARE PACKAGE THAT ALLOWED TEACHERS THEN TO CLICK
6 MULTIPLE ONES OF THOSE, READ IT READ WHAT THE STUDENT HAD
7 WRITTEN GIVE WHAT THEY WOULD SAY WOULD BE THEIR
8 ASSESSMENT OF THAT WRITING AND THEN CLICK AGAIN AND FIND
9 OUT WHAT THE ACTUAL GRADER GAVE IT AND THEY COULD DO THAT
10 IN EACH OF THE STRANDS, ORGANIZATION CONVENTIONS, THE
11 WHOLE KIND OF THING SO THAT WE COULD BEGIN TO TEACH THEM
12 THAT WAS A SPECIFIC REQUEST FROM DISTRICTS WITH
13 HIGH POVERTY AREAS WHO DID NOT HAVE THE DISTRICT STAFF
14 FOLKS TO TEACH THEM HOW TO USE A RUBRIC SO THAT'S A
15 DIRECT EXAMPLE OF A CRY OF HELP THAT CAME OUT
16 ANOTHER EXAMPLE WOULD BE THE IDENTIFICATION THEY
17 SAID AROUND, WE DON'T HAVE THE RESOURCES IN STAFF YOU
18 KNOW YOU KNOW WE WILL SIT AROUND INSTRUCTIONAL LEADERS'
19 ROUND TABLE AND ONE OF THE THINGS THAT WE DO IN THERE IS
20 TO SHARE SUCCESSFUL PRACTICES THAT ARE GOING ON
21 AND I WATCH MONTH AFTER MONTH AS SOME OF OUR
22 MORE AFFLUENT DISTRICTS TALK ABOUT WHAT THEY ARE DOING IN
23 THE CURRICULUM DEVELOPMENT, TALK ABOUT PROGRAMS THEY ARE
24 THINKING ABOUT BUYING, PROGRAMS THAT THEY ARE THINKING
25 ABOUT IMPLEMENTING AND WATCH THE HEADS OF THOSE

1 INSTRUCTIONAL FOLKS THAT COME FROM THE PLAINTIFF DISTRICTS
2 AND OTHER HIGH POVERTY DISTRICTS GOING I CAN'T EVEN BEGIN
3 TO THINK ABOUT THAT I'M SO FAR DOWN THAT ROAD I HAVE GOT
4 TO, I HAVE GOT TO DEAL WITH BASE SORTS OF THINGS

5 THEY SAID THAT, YOU KNOW, PLEASE JUST WRITE US A
6 CURRICULUM WE DON'T HAVE THE DISTRICT STAFF FOLKS, WE
7 DON'T HAVE THE TIME AS TEACHERS TO GET TOGETHER TO WRITE
8 CURRICULUM JUST WRITE ME A CURRICULUM DO ME AN ENGLISH
9 ONE PRESCRIPTIVE DAY IN AND DAY OUT, MEETS THE STANDARDS
10 CURRICULUM AND LET ME GIVE IT TO MY TEACHERS AND DIRECT
11 THEM TO TEACH IT

12 THAT S NOT A REQUEST I'M GOING TO GET FROM
13 DISTRICT -- LEXINGTON DISTRICT FIVE OR GREENVILLE COUNTY
14 THOSE ARE REQUESTS THAT COME FROM HIGH POVERTY DISTRICTS
15 BECAUSE THEY LACK THE RESOURCES TO DEVELOP THAT AND ARE
16 WORRIED, VERY WORRIED AND THIS COMES OUT IN THEIR
17 CONVERSATIONS THAT THEIR TEACHERS ARE NOT DELIVERING ON
18 GRADE LEVEL INSTRUCTION

19 THEY THINK THEY ARE BUT THEY ARE NOT BY THE
20 ASSESSMENT OF THESE INSTRUCTIONAL LEADERS WHO ARE VERY
21 FRUSTRATED THAT THEY SEE TEACHERS TEACHING CAUSE AND
22 EFFECT BUT TEACHING IT AT A THIRD GRADE LEVEL WHEN IN FACT
23 THEY ARE A FIFTH GRADE TEACHER

24 THOSE ARE VERY GENUINE CONCERNS THAT WE THEN
25 BRING BACK TO FIGURE OUT WITHIN OUR LIMITED RESOURCES AT

1 THE DEPARTMENT OF EDUCATION WHAT WE CAN DO TO ASSIST THEM
2 SO THAT THESE GAPS DON'T GET LARGER AND LARGER THOSE ARE
3 TWO EXAMPLES I REALLY CAN GO ON AND ON, BUT I WON'T

4 Q OKAY ARE THE TEACHERS IN THE PLAINTIFF SCHOOL
5 DISTRICTS AND HIGH POVERTY DISTRICTS LIKE THE PLAINTIFF
6 DISTRICTS ABLE TO MATCH UP WHAT THEY DELIVER IN THE
7 CURRICULUM WITH WHAT THE STATE REQUIRES THEM TO TEACH?

8 A I WOULD CERTAINLY SAY THAT SOME OF THEM ARE MY--
9 THE COURT REWORD THE WORD WAS COURTROOM

10 Q ARE THE TEACHERS IN THE PLAINTIFF DISTRICTS ABLE TO
11 TEACH WHAT THEY ARE REQUIRED TO TEACH BY THE CURRICULUM
12 STANDARDS IN THE CLASSROOM?

13 A I WOULD SAY TO YOU--

14 MR STEPP IF YOU JUST NOTE MY OBJECTION TO THAT
15 QUESTION

16 THE COURT YES

17 THE WITNESS I WOULD SAY TO YOU THAT CERTAINLY VERY
18 LIKELY THERE ARE SOME TEACHERS WITHIN THOSE DISTRICTS THAT
19 CAN DO THAT WHAT WORRIES ME IS WHEN I GO BACK TO THE
20 DATA THAT JANICE PODA HAS PRODUCED AND I LOOK AT YOUNG
21 TEACHERS WHO HAVE VERY LITTLE EXPERIENCE WHO HAVE
22 CERTIFICATES THAT HAVE COME THROUGH CRITICAL NEEDS
23 PROGRAMS, THAT HAVE SUBSTANDARD CERTIFICATES, ALL OF THOSE
24 ARE REAL SERIOUS DANGER SIGNS THAT YOU ARE, THAT YOU DON'T
25 HAVE A TEACHER THAT HAS THE ABILITY AND THEN THE FOURTH

1 CHARACTERISTICS CANNOT DELIVER THE CURRICULUM OR HAVE MORE
2 DIFFICULTY DELIVERING THE CURRICULUM AND THAT'S WHAT IS
3 NOT DISCLOSED

4 SHE CAN SAY IT'S NOT DELIVERED WHICH SHE HAS
5 BASED UPON HER ANECDOTAL EVIDENCE, BUT THAT'S AS FAR AS I
6 THINK SHE'S ABLE TO GO

7 THE COURT WELL, OF COURSE, DR PODA TESTIFIED TO
8 THAT VERY, THAT VERY FACT AND SO I DON'T THINK THAT THAT
9 IS NEW OR CATCHES ANYONE BY SURPRISE, EVEN THOUGH IT'S NOT
10 INCLUDED IN THE NOTICE

11 I THINK SHE CAN TESTIFY IF THAT CONFIRMS HER
12 UNDERSTANDING OF THE DATA AND IF THAT IS THE TYPE OF DATA
13 THAT WOULD BE CONSISTENT WITH EXPLAINING THE GAPS BETWEEN
14 THE CURRICULUM STANDARDS AND THE CURRICULUM DELIVERY

15 I WILL ALLOW HER TO DO THAT I DON'T THINK IT
16 NEEDS TO BE DEVELOPED MUCH BEYOND THAT POINT BECAUSE THE
17 POINT HAS ALREADY BEEN MADE BY DR PODA OKAY?

18 MR EPPS THANK YOU YOUR HONOR

19 **BY MR EPPS**

20 Q DID YOU HEAR THE JUDGE'S COMMENTS DR LINDSEY?

21 A YES, SIR

22 Q COULD YOU ANSWER HIS QUESTION?

23 A I WILL CERTAINLY ATTEMPT TO DO THAT

24 Q OKAY

25 A I HAVE SEEN THIS DATA BEFORE AND I HAVE -- I WOULD BE

1 VERY CONCERNED ABOUT THE ABILITY OF THE TEACHERS IN THESE
2 AREAS TO BE ABLE TO DELIVER THE CURRICULUM THIS VERY
3 DATA HAS BEEN THE TOPIC OF MORE THAN ONE WEEKLY STAFF
4 MEETING AS WE HAVE TALKED ABOUT FROM THE AGENCY POINT OF
5 VIEW HOW WE ARE GOING TO HANDLE THE ISSUES IN
6 UNDERPERFORMING DISTRICTS AND HIGH POVERTY DISTRICTS AND
7 WHAT WE DO ABOUT THE FACT THAT YOU HAVE A TURNOVER RATE
8 THAT'S NEARLY 30 PERCENT OF YOUR FACULTY EACH YEAR

9 SO THESE -- THIS IS DATA WHICH I'M FAMILIAR IT
10 IS DATA IN WHICH I HAVE EXPRESSED IN THOSE MEETINGS AND IN
11 OTHER SETTINGS CAUSES REAL CONCERNS IN BEING ABLE TO
12 DELIVER A CONSISTENT CURRICULUM TO THE CHILDREN IN THE
13 PLAINTIFF DISTRICTS

14 Q ALL RIGHT I HAVE TO ASK SOME FOLLOW-UP QUESTIONS,
15 DR LINDSEY WHY DOES TEACHER TURNOVER PREVENT A SCHOOL
16 FROM DELIVERING CURRICULUM WHICH MATCHES THE STATE
17 STANDARDS TO STUDENTS IN THAT SCHOOL?

18 MR STIPP ASKED AND ANSWERED IS ONE I MEAN I
19 THINK SHE JUST TESTIFIED ABOUT THAT A MOMENT AGO, BUT
20 AGAIN I WOULD JUST PERSIST IN MY OBJECTION

21 THE COURT THAT ONE HAS BEEN ASKED AND ANSWERED
22 SHE DID INDICATE THAT EVERY THREE YEARS THEY WERE IN
23 EFFECT HAVING TO START OVER WITH THE FACULTY IS A -- HAS A
24 DRAMATIC IMPACT I SUSTAIN THAT AS TO ASKED AND ANSWERED

25 MR EPPS I ASKED THE SAME QUESTION ABOUT

1 DID I REALIZE THAT I WAS TEACHING FIFTH GRADE HERE AND THE
2 REST OF SOUTH CAROLINA WAS TEACHING FIFTH GRADE HERE MY
3 YOUNGSTERS WOULD NEVER HAVE MADE IT IF I DIDN'T NOW
4 UNDERSTAND WHAT THE STANDARDS ARE

5 SO IF THEY DON'T HAVE INSTRUCTION, IF THE
6 TEACHER DOESN'T KNOW WHAT SHE IS DOING WRONG OR DOESN'T
7 HAVE AN UNDERSTANDING OF WHAT THE TRANSLATION FROM THE
8 STANDARD TO A LESSON TO AN ASSESSMENT IS, SHE CAN'T
9 DELIVER IT AND CERTAINLY THE YOUNGSTERS DON'T GET THE
10 OPPORTUNITY TO LEARN IT

11 THAT'S -- THAT'S THE WHOLE PREMISE THAT'S IT
12 THAT'S WHAT WE ARE TALKING ABOUT IS, IT'S KNOWING WHAT YOU
13 ARE SUPPOSED TO DO BEING ABLE TO DELIVER IT AND THEN
14 BEING ABLE TO DETERMINE THAT YOUR YOUNGSTERS ON GRADE
15 LEVEL UNDERSTAND THAT CONTENT

16 Q I THINK I HAVE ONE LAST QUESTION DR LINDSEY IN
17 THIS AREA AND THEN I THINK WE WILL PROBABLY MOVE ON TO
18 ANOTHER MATTER BUT THE THINGS WE TALKED ABOUT IN TERMS OF
19 THE DELIVERING THE CURRICULUM TO MATCH THE STATE STANDARDS
20 AND MAKE SURE THE CHILD IS LEARNING, ONE OF THE THINGS
21 THAT YOU MENTIONED WAS PROFESSIONAL DEVELOPMENT AND THE
22 EFFORTS THE STATE DEPARTMENT HAD MADE WITH RESPECT TO
23 DISTRICTS SUCH AS THE PLAINTIFF DISTRICTS, LOW WEALTH
24 DISTRICTS

25 NOW, CAN PROFESSIONAL DEVELOPMENT EFFORTS

1 CURRICULUM LINED UP TO STATE STANDARDS SO THAT THEIR
2 CHILDREN ARE RECEIVING A MINIMALLY ADEQUATE EDUCATIONAL
3 OPPORTUNITY?

4 A IT REALLY HURTS ME TO ANSWER THIS QUESTION THE
5 STATE DEPARTMENT OF EDUCATION IS NOT RESOURCED
6 APPROPRIATELY TO GIVE THE KIND OF SERVICE TO PLAINTIFF
7 SCHOOL DISTRICTS THAT THEY NEED IN ORDER TO DO THIS WELL

8 WE SERVE SOME DISTRICTS VERY WELL AS A MATTER
9 OF FACT, WE PROBABLY SEE PLENTY OF THE DEPARTMENT OF
10 EDUCATION DISTRICTS LIKE GREENVILLE OR LEXINGTON FIVE OR
11 RICHLAND TWO WHERE THEY HAVE THEIR OWN CONTENT AREA OF
12 CONSULTANTS, THEY HAVE THEIR OWN GRANT WRITERS, THEY HAVE
13 THEIR OWN STAFF WHO HANDLE YOU KNOW, CONTENT SPECIALISTS,
14 AND ALL OF THESE -- JUST A HUGE DISTRICT STAFF

15 THEY HAVE THAT AND OUR SERVICE FROM THE
16 DEPARTMENT OF EDUCATION COMBINED WITH THE DISTRICT
17 SERVICES THEY HAVE PROBABLY GIVE, THEY PROBABLY SAY THE
18 DEPARTMENT OF EDUCATION SERVES THEM WELL

19 UNFORTUNATELY WE ARE NOT RESOURCED AND STAFFED
20 TO PROVIDE THAT TO A SINGLE INSTRUCTIONAL PERSON WHO IS
21 THE INSTRUCTIONAL PERSON FOR THE DISTRICT AND SHE'S THE
22 ONLY OTHER PERHAPS PROFESSIONAL STAFF MEMBER IN THAT
23 DISTRICT OFFICE

24 EVERYTHING ARRIVES ON THAT -- THAT PERSON'S
25 DESK THEY HAVE THE TITLE ONE GRANT TO WRITE THE TITLE

1 Q DR LINDSEY, I WANT TO TALK TO YOU ABOUT PART OF YOUR
2 OPINION ABOUT UNDERFUNDED MANDATES AND JUST TELL US WHAT
3 YOU MEAN BY THAT, PLEASE

4 A THERE ARE ISSUES AND IN ESSENCE UNDER E A A AROUND A
5 SET OF TECHNICAL ASSISTANCE THAT UNDERPERFORMING SCHOOLS
6 THAT THOSE WHO RECEIVE A GRADE OF UNSATISFACTORY AND BELOW
7 BASIC SHOULD RECEIVE IT'S VERY PRESCRIPTIVE IN LAW AND
8 WORDS ARE LIKE MUST AND OTHER WORDS THAT SAY SHALL OR
9 MIGHT BE OR BELOW AVERAGE

10 THERE'S A LIST OF TECHNICAL ASSISTANCE SERVICES
11 THAT THE LAW PROVIDES FOR FOR THOSE TWO CATEGORIES OF
12 SCHOOLS, PARTICULARLY UNSATISFACTORY AND ALSO FOR BELOW
13 AVERAGE

14 AND WHILE WE HAVE RECEIVED FUNDING TO PUT SOME
15 OF THOSE PIECES IN PLACE, IT HAS BEEN AN INSUFFICIENT
16 ALLOCATION TO PROVIDE WHAT THE LAW SPECIFICALLY REQUIRES
17 SO THAT WAS THE ONE OF THE BASE PREMISES THAT HAD TO DO
18 SPECIFICALLY WITH E A A

19 THERE IS A LITANY AN ARRAY OF SERVICES THAT ARE
20 INCLUDED IN THOSE BEYOND THAT THERE IS THE GENERAL
21 APPROPRIATION FOR FUNDING IN SOUTH CAROLINA THAT HAS BEEN
22 ACTUALLY GOING BACKWARDS FOR THE LAST FEW YEARS IN
23 PARTICULARLY THE E A A BASE THAT IT'S OUR ABILITY TO
24 PROVIDE INSTRUCTIONAL ABILITY AND CUTS WERE TAKEN TO THAT
25 LINE ITEM, TEACHER PAY AND TRANSFER OF COSTS BACK TO LOCAL

1 DISTRICTS WHICH GREATLY IMPACT THE PLAINTIFF DISTRICTS
2 BECAUSE OF THEIR INABILITY TO MAKE UP FOR THOSE
3 DIFFERENCES IN LOCAL TAX BASE

4 ALL OF THOSE ARE ISSUES OF CONCERN STATE-WIDE
5 BUT -- THAT DOUBLE IMPACT HIGH POVERTY DISTRICTS SUCH AS
6 THE PLAINTIFF DISTRICTS

7 Q DID YOU AND SUPERINTENDENT TENNENBAUM MEET WITH
8 MEMBERS OF THE HOUSE LAST WEEK TO DISCUSS FINANCIAL
9 MATTERS IN EDUCATIONAL NEEDS?

10 A WE WERE INVITED BY THE SUBCOMMITTEE FOR EDUCATION TO
11 COME OVER TO MAKE A PRESENTATION JUST LAST WEEK AROUND
12 WHAT WE, WHAT ARE THE PRIORITIES AND WHAT ARE THE NEEDS
13 FOR NEXT YEAR IN WHICH INEZ PRESENTED THE ARRAY OF THINGS
14 THAT ARE THE ISSUES AND PRIORITIES FOR EDUCATION FOR NEXT
15 YEAR AND ONE OF THOSE WAS AN OUTLINE OF SOME OF THE FISCAL
16 RESOURCES THAT WE'LL BE SENDING FORWARD AND DID SEND
17 FORWARD ON FRIDAY OF LAST WEEK TO THE GOVERNOR OUTLINING
18 THE NEEDS OF EDUCATION

19 UNFORTUNATELY MOST OF THOSE LINE ITEMS THAT WERE
20 LISTED WERE SIMPLY TO TAKE US BACK TO WHERE WE WERE
21 BEFORE, TO PUT US BACK ON TRACK WITH AN E F A FUNDING
22 FORMULA WITH SALARIES FOR TEACHERS THERE WAS ABOUT A 19
23 MILLION DOLLAR REQUEST FOR INSTRUCTIONAL MATERIALS BECAUSE
24 OUR BASE IS NOW ABOUT 38 MILLION, WE DO INSTRUCTIONAL
25 MATERIALS ON A SIX YEAR CYCLE, AND OUR BASE IS NOW ERODED

1 FROM AS HIGH AS ABOUT 50 MILLION DOWN TO ABOUT 38
2 MILLION

3 AND SO AND THIS YEAR IS THE YEAR IN WHICH WE ARE
4 TO DO THE K-5 ENGLISH, LANGUAGE ARTS, READING, ENGLISH
5 LANGUAGE ARTS ADOPTION SO THERE IS A TREMENDOUS NEED FOR
6 INSTRUCTIONAL MATERIALS THAT I FEAR GREATLY WILL NOT BE
7 FUNDED

8 AND ANOTHER LIST OF UNFORTUNATELY NOT ADDITIONAL
9 NEW THINGS THAT WE WANT TO DO BUT GETTING US BACK TO WHERE
10 WE WERE PREVIOUS TO THE CUTS THAT HAVE TAKEN PLACE IN THE
11 LAST COUPLE OF YEARS AND THAT PRICE TAG WAS PROBABLY SIX
12 HUNDRED MILLION DOLLARS IT WAS NOT AN INSIGNIFICANT
13 AMOUNT WHATSOEVER

14 AND IN THAT DISCUSSION THE RESPONSE WAS PROBABLY
15 NOT NEWS TO ANYBODY IN THIS COURTROOM BUT IN ESSENCE THEY
16 SAID, YOU KNOW THAT THESE ARE DIFFICULT BUDGET TIMES,
17 THERE IS NOT THE WILL IN THE HOUSE AND THE SENATE TO DO
18 ANYTHING ABOUT RAISING TAXES THERE IS NOTHING THAT'S
19 BEING PLANNED AT THIS POINT IN TIME AND VERY -- A VERY
20 DISMAL SORT OF LOOK AT THE ECONOMY AND THE LIKELIHOOD THAT
21 WE WOULD BE SEEING NEW DOLLARS OR EVEN RETURNED DOLLARS
22 FROM PREVIOUS YEARS FOR PUBLIC EDUCATION

23 Q WERE YOU ASKING THE HOUSE MEMBERS WHO INVITED YOU TO
24 MEET WITH THEM FOR THE AMOUNT OF MONEY THAT YOU NEEDED TO
25 PROVIDE A MINIMALLY ADEQUATE EDUCATIONAL OPPORTUNITY TO

1 CHILDREN OR WERE YOU SIMPLY TRYING TO GET BACK TO WHERE
2 YOU SHOULD BE BY LAW?

3 A ONE OF THE THINGS THAT INEZ TENNENBAUM ALWAYS STARTS
4 HER PRESENTATION LIKE THAT IS THE PIECE AND THE
5 CONSTITUTION THAT SAYS WHAT HER RESPONSIBILITY IS AND A
6 PART OF THAT LINE SAYS I WILL PRESENT THE NEEDS FOR
7 CHILDREN IN SOUTH CAROLINA AND BRING FORWARD WHAT THE
8 NEEDS ARE TO PROVIDE AN EDUCATION FOR THE CHILDREN OF
9 SOUTH CAROLINA

10 AND SHE -- AND SHE DID THAT IN THE PRESENTATION
11 THE OTHER DAY BUT SHE DID SAY, HOWEVER, IN UNDERSTANDING
12 THE ECONOMIC SITUATION THAT WE ARE IN I M NOT REALLY
13 PRESENTING A BUDGET THAT MEETS THE NEEDS OF CHILDREN OF
14 SOUTH CAROLINA

15 WE HAVE LOST SO MUCH OVER THE LAST FEW YEARS
16 THAT THESE DOLLARS THAT I'M REPRESENTING, THAT I'M
17 PRESENTING TO YOU TODAY REALLY ARE ABOUT MAKING US, GOING
18 BACK AND COVERING SOME OF THE LOSSES THAT WE HAVE INCURRED
19 OVER THE LAST COUPLE OF YEARS, IN ERODING OF THE E F A
20 BASE AND ERODING OF SOME OF THE LINE ITEMS THAT HAVE TO DO
21 WITH THE FRINGE BENEFITS AND OTHER THINGS THAT HAVE BEEN
22 TRANSFERRED BACK TO THE LOCAL SCHOOL DISTRICT, IF WE WERE
23 TO MAKE THEM WHOLE AGAIN AT LEAST BACK TO THE STARTING
24 POINT, TALKING 170 MILLION I BELIEVE IS THE FIGURE THAT'S
25 IN THAT PARTICULAR LINE ITEM TECHNOLOGY WE HAVE

1 REQUIREMENTS UNDER E A A AND REQUIREMENTS NOW UNDER NO
2 CHILD LEFT BEHIND TO PRODUCE MASSIVE AMOUNTS OF DATA, WE
3 DID NOT RECEIVE THE TWO MILLION THAT'S REQUIRED EVEN TO
4 KEEP OUR BASIC STUDENT ACCOUNTING DATA INPUT SYSTEM THIS
5 YEAR

6 SO THOSE WERE THE THINGS THAT WERE IN THAT, THAT
7 SUM TOTAL OF ALMOST I'M NOT ADDING THAT UP I'M DOING AN
8 APPROXIMATION OF ABOUT SIX HUNDRED MILLION DOLLARS' WORTH
9 OF REQUEST

10 Q SO THAT MORE ACCURATELY REFLECTS WHAT YOU NEEDED TO
11 GET BACK TO WHERE YOU WERE THAN IT DOES WHAT THE
12 EDUCATIONAL NEEDS ARE IN SOUTH CAROLINA TO PROVIDE
13 CHILDREN WITH THE OPPORTUNITY FOR AN ADEQUATE EDUCATION?

14 A THOSE WOULD BE REPRESENTATIONS TO RECOVER SOME OF THE
15 LOSSES THAT WERE PREVIOUS COMMITMENTS TO PUBLIC SCHOOLS IN
16 SOUTH CAROLINA

17 Q AND THE RECEPTION YOU GOT FROM THE HOUSE MEMBERS WERE
18 AS YOU DESCRIBED?

19 A IT WAS THEIR -- THEY CERTAINLY WERE NOT RUDE IN
20 THEIR COMMENTS BUT THEY ESSENTIALLY STATED THAT IT WAS NOT
21 LIKELY THAT WE WOULD BE SEEING NEW FUNDING OR THAT THOSE
22 NEEDS COULD BE MET WITH THE CURRENT SCENARIO

23 Q OKAY NOW I WANT TO TALK TO YOU ABOUT SOME OF THE
24 OTHER UNFUNDED MANDATES AND YOU MENTIONED INSTRUCTIONAL
25 MATERIALS AND I WANT TO TALK TO YOU NOW ABOUT SOME OF THE

1 TIME

2 AND WITHOUT THESE THERE IS NO AVENUE, THERE IS
3 NO WAY TO PROVIDE THAT OR TO HAVE AN OPPORTUNITY FOR THEM
4 TO CATCH UP THAN TO STAY AT GRADE LEVEL THEY ARE
5 SERIOUSLY, SERIOUSLY AT RISK AT THAT POINT IN TIME

6 Q DO THEY HAVE A CHANCE OF CATCHING UP, DR LINDSEY,
7 UNLESS THEY RUN INTO THIS VERY HIGH QUALITY TEACHER THE
8 NEXT YEAR WITHOUT PROGRAMS TO HELP THEM SUCH AS THIS?

9 A THEY WOULD NOT

10 Q TEXTBOOKS WE HAVEN'T TALKED ABOUT TEXTBOOKS AND I
11 WANT TO TALK ABOUT TEXTBOOKS AS AN INSTRUCTIONAL TOOL
12 OKAY? TELL ME WHAT THE STATE'S NEEDS ARE IN TERMS OF
13 TEXTBOOKS AND WHAT THE REALITY IS IN TERMS OF WHAT IS
14 PROVIDED BY THE SOUTH CAROLINA LEGISLATURE

15 A TEXTBOOKS IN SOUTH CAROLINA, EVERY COURSE, EVERY
16 GRADE LEVEL, EVERY SUBJECT AREA IS SET OUT IN DOCUMENTS
17 AND HISTORICAL DATA OF WHAT WE HAVE DONE AND HOW MUCH WE
18 SPENT ON THOSE TEXTBOOKS WE HAVE THOSE IN SIX YEAR
19 CYCLES, BY THE WAY

20 IT USED TO BE FIVE YEARS ~ WE WEREN'T AFFORDING
21 THAT VERY WELL, SO WE MOVED THE TIME A BOOK WAS ADOPTED TO
22 A SIX YEAR SPAN RATHER THAN A FIVE YEAR SPAN SO THAT'S
23 ONE OF THE THINGS THAT HAPPENED BEFORE MY ARRIVAL AT THE
24 DEPARTMENT OF EDUCATION

25 BUT AT ANY RATE, SIX YEAR CYCLES SO THAT WE TAKE

1 "X" NUMBER OF BOOKS EVERY YEAR AND TRY TO GET THROUGH THE
2 ENTIRE LIST EVERY SIX YEARS SO WHAT HAPPENS IN REALITY
3 IS THAT WE BRING TEACHERS IN -- A GROUP OF EDUCATORS IN TO
4 HELP US PRIORITIZE THE LIST OF ADOPTIONS FOR 2004, 2005 IS
5 THE ONES THAT WE ARE LOOKING AT NOW

6 AND THEY PUT THOSE IN PRIORITY ORDER OF THE
7 THINGS THAT WE SHOULD ADOPT FIRST BECAUSE WE STARTED DOING
8 THAT PROCESS BECAUSE WE NEVER GET THROUGH THE LIST WE
9 DON'T HAVE ENOUGH MONEY TO BUY ONE SIXTH OF THE BOOKS EACH
10 YEAR

11 SO WE HAVE TO MOVE FORWARD INTO THE NEXT FISCAL
12 YEAR, THOSE UNFUNDED TEXTBOOKS WHICH COST, NOW I'M LOOKING
13 AT A LIST OF INSTRUCTIONAL MATERIALS WHERE THE OLDEST ARE
14 A 1994 I THINK THERE'S EVEN A 1993 COPYRIGHTED BOOK WHICH
15 PROBABLY MEANS OR ADOPTION YEAR OF A BOOK WHICH PROBABLY
16 MEANS THE COPYRIGHT YEAR WAS AT LEAST A YEAR OR TWO
17 PREVIOUS TO THAT

18 SO WE ARE LOOKING AT VERY, VERY OLD TEXT
19 MATERIALS THAT HAS A TWO-FOLD PROBLEM NOW YOU MIGHT
20 SAY IN HISTORY THAT DOESN'T MATTER SO MUCH YOU ARE
21 RIGHT PERHAPS THAT IS NOT HAVING A FIVE OR A SIX YEAR
22 OLD BOOK IN A HISTORY SITUATION

23 IT'S NOT A PROBLEM UNLESS YOU ARE TEACHING
24 GEOGRAPHY AND WE ALL KNOW WHAT HAPPENS WITH GEOGRAPHY
25 THESE DAYS SO AN ACCURATE TEXTBOOK THAT REPRESENTS THE

1 WORLD, REPRESENTS THE CULTURE MIGHT BE AN ISSUE THERE
2 BUT IN SCIENCE OR IN ECONOMICS OR IN COMPUTER
3 APPLICATIONS, IT'S ABSOLUTELY RIDICULOUS TO HAVE A TEN
4 YEAR OLD BOOK THAT YOU ARE DEALING WITH IT'S BETTER TO
5 HAVE NO MATERIAL AT ALL THAN TO HAVE ONE THAT'S NOT
6 APPROPRIATE AND THAT DOES NOT ALLOW YOUNGSTERS ACCESS TO
7 THE STANDARDS
8 THE OTHER ISSUE ABOUT THAT THAT GOES ALONG WITH
9 INSTRUCTIONAL MATERIALS AND HOW LONG THEY CAN LAST
10 REMEMBER, THESE ARE BEING USED BY CHILDREN THEY WEAR
11 OUT THEY ABSOLUTELY, THE LIFE OF AN ELEMENTARY BOOK TO
12 GO MUCH BEYOND FIVE OR SIX YEARS IS IS NOT--
13 Q GOOD?
14 A THEY DROP THEM IN PUDDLES, THEY DO VARIOUS OTHER
15 KINDS OF THINGS, SO IT BECOMES A FACTOR OF REPLACING THEM
16 AT SOME POINT IN TIME AND WE DO REPLACE THEM BY THE WAY
17 BUT SHOULD YOU BUY AN OLD BOOK OR SHOULD YOU GO ON AND
18 JUST BUY THE NEW BOOK SO IT'S BOTH A COMBINATION OF THE
19 USE AND THE CURRENT RELEVANCY OF MATERIALS
20 HAVING SAID ALL OF THAT, WE NEVER MAKE IT
21 THROUGH WE ALMOST ALWAYS HAVE TO PUSH SOMETHING
22 FORWARD I'M LOOKING RIGHT NOW -- I JUST REVIEWED THIS
23 WITH MY STAFF MEMBERS THE OTHER DAY ABOUT INSTRUCTIONAL
24 MATERIALS
25 WE REALLY ARE -- WE REALLY NEED TO MOVE IT TO

1 SEVEN YEAR OR AN EIGHT YEAR CYCLE WITH THE APPROPRIATION
2 WE ARE GETTING WE ARE NOWHERE GETTING THROUGH THE LIST
3 I'M VERY CONCERNED THIS YEAR BECAUSE IT APPEARS THAT THE
4 ADOPTION OF NEW ENGLISH LANGUAGE ARTS MATERIALS WILL BE
5 NEARLY A 30 MILLION DOLLAR NEED, ACTUALLY IT'S 43 AND I'M
6 ASKING TO PARE IT BACK DOWN WE CAN'T POSSIBLY DO THAT
7 30 MILLION

8 IF YOU HAVE AN APPROPRIATION OF ONLY OF 38, AND
9 YOU ALREADY HAVE ABOUT TEN MILLION YOU HAVE TO CARVE OUT
10 FOR THE MAINTENANCE OF PREVIOUS BOOKS BUYING THOSE THAT
11 HAVE BEEN DROPPED IN PUDDLES AND VARIOUS OTHER KINDS OF
12 THING YOU HAVE A TEN MILLION WE HAVE A THREE MILLION
13 CARVE OUT THAT WE HAVE TO DO TO REFURBISH THOSE SCIENCE
14 KITS THAT I REFERENCED EARLIER

15 SO I HAVE TO ALREADY TAKE OUT TEN MILLION OF THE
16 NOW 28 THREE MORE, I'M NOW AT 25, AND I HAVE A LIST THIS
17 LONG OF TEXTBOOKS THAT ARE DUE FOR ADOPTION THIS YEAR AND
18 ONE OF THEM COSTS 30 MILLION DOLLARS

19 SO IT LOOKS LIKE WE WON'T EVEN GET THROUGH ONE
20 ITEM THIS YEAR AND ALL OF THESE OTHER BOOKS WILL DROP DOWN
21 TO A YEAR LATER, A YEAR MORE OUT OF DATE IT A SERIOUS
22 ISSUE

23 AND IN THE ISSUES THAT WE HAVE TALKED ABOUT WITH
24 CURRICULUM DELIVERY, I THINK EVERYBODY IN SOUTH CAROLINA,
25 ANY PARENT YOU WOULD ASK, ANY BUSINESS PERSON YOU WOULD

1 ASK WOULD THINK THAT THE TEXT MATERIALS THE INSTRUCTIONAL
2 MATERIALS ARE THE SINGLE PIECE AT LEAST THAT YOU USE AS
3 THE BASE FOR DELIVERY OF THE CURRICULUM

4 IF THOSE MATERIALS ARE OLD AND OUTDATED OR
5 INSUFFICIENT, THEN YOU HAVE AN IMMEDIATE PROBLEM WITH
6 BEING ABLE TO DELIVER THE CURRICULUM TO YOUR STUDENTS

7 Q WELL IS THE TEXT AS I UNDERSTAND AT LEAST BASED ON
8 WHAT I HEARD YOU SAY ARE SELECTED BY A GROUP OF TEACHERS
9 IS THAT RIGHT?

10 A ACTUALLY WE, WHAT WE DO IS WE DO A CALL FOR ADOPTIONS
11 IN THE -- ACTUALLY ABOUT LATE SUMMER FOR THE BOOKS THAT
12 ARE GOING TO BE ADOPTED FOR THAT YEAR PUBLISHERS SUBMIT
13 WHAT THEY HAVE IN THAT AREA FOR THAT YEAR THERE COULD BE
14 TEN SUBMISSIONS OR IF IT'S A P EUROPEAN HISTORY, THERE
15 MAY ONLY BE TWO BOOKS OUT ON THE MARKET SO IT CAN GO
16 FROM HAVING QUITE A RANGE TO ONLY A FEW

17 THEN WE CONVENE TEACHER TEAMS THAT'S MADE UP BY
18 THE STATE BOARD REGULATION OF THE COMPOSITION COVERING THE
19 WHOLE STATE, COVERING THE GEOGRAPHIC AREAS AND THE
20 DEMOGRAPHICS OF THE STATE WE SELECT A TEAM THAT READS
21 ALL OF THOSE SUBMITTED BOOKS AND DETERMINES THEIR
22 ALIGNMENT TO THE STANDARDS

23 WE NOW DO THAT PIECE OF IT A VERY IMPORTANT
24 PIECE HOW CLOSELY THEY ARE ALIGNED TO THE STANDARDS AND
25 THEN RECOMMEND TO THE STATE BOARD TWO OR THREE OR FOUR OR

1 Q WELL, WITHOUT TEXTBOOKS AND SUPPLEMENTAL MATERIALS
2 THAT MATCH THE STATE STANDARDS HOW ARE THE TEACHERS TO
3 TEACH IN COMPLIANCE WITH THE STATE STANDARDS?

4 A I HAVE HAD THAT VERY IMPASSIONED, ALMOST DIRECT
5 QUESTION FROM TEACHERS HOW IN THE WORLD DO YOU EXPECT ME
6 TO COVER THESE STANDARDS IF I DO NOT HAVE THE
7 INSTRUCTIONAL MATERIALS TO DO THAT

8 AND UNFORTUNATELY MY ANSWER HAS TO BE THAT YOU
9 ARE STILL RESPONSIBLE FOR TEACHING THE STANDARDS, YOU HAVE
10 GOT TO FIND WAYS TO DO THAT SOME OF THEM DO AND SOME OF
11 THEM ARE NOT ABLE TO DO THAT

12 THAT'S THE PROFESSIONAL DEVELOPMENT WE DO,
13 THAT'S ALL THE PIECES THAT WE PROVIDE HELP BUT A SERIOUS
14 CONCERN ON THEIR PART IS JUST FEELING LIKE THEY ARE BEING
15 ASKED TO DO SOMETHING THEY DON'T HAVE THE RESOURCES TO DO,
16 HOW AM I SUPPOSED TO ACCOMPLISH THAT I DON'T EVEN HAVE IT
17 COVERED IN THE MATERIALS

18 Q WHAT APPROXIMATELY, DR LINDSEY, I HAVE NOT HEARD YOU
19 SAY IS THE ANNUAL SHORTFALL AND HAS BEEN THE ANNUAL
20 SHORTFALL, YOU TELL ME HOW MANY YEARS IN TERMS OF
21 INSTRUCTIONAL NEEDS IDENTIFIED BY THE STATE DEPARTMENT OF
22 EDUCATION THAT WERE NOT FUNDED BY THE SOUTH CAROLINA
23 LEGISLATURE

24 MR STEPP YOUR HONOR I WANT TO OBJECT UNLESS THE
25 QUESTION IS CLARIFIED I DON'T KNOW WHAI IS MEANT BY

1 INSTRUCTIONAL NEEDS, HOW THAT'S BEING DEFINED, WHETHER
2 THAT'S A BUDGET REQUEST OR WHETHER THAT'S GOING TO BE
3 SOMETHING ELSE

4 IN EITHER EVENT, I THINK DR LINDSEY WOULD HAVE
5 TO -- THERE HAS TO BE SOME FOUNDATION FOR DR LINDSEY'S
6 KNOWLEDGE OF WHAT THE QUOTE UNQUOTE INSTRUCTIONAL NEEDS
7 ARE HOWEVER, WHATEVER THE REFERENCE FOR THAT IS

8 THE COURT RIGHT COULD YOU CLEAR THAT UP? SHE
9 TALKED RECENTLY ABOUT THE TEXTBOOK SHORTAGES AND

10 MR EPPS THAT'S WHAT I HAD IN MIND YEAH, THIS WAS
11 ADDRESSED IN THE DEPOSITION IN SOME DETAIL
12 BY MR EPPS

13 Q DR LINDSEY WHEN I SAID INSTRUCTIONAL NEEDS WHAT I
14 MEANT BY THAT WAS THE TEXTBOOKS AND IF WE NEED THESE OTHER
15 SUPPLEMENTAL MATERIALS AS A PART OF THIS ANSWER, PLEASE
16 COVER THAT BUT WHAT I WAS FOCUSED ON WAS THE TEXTBOOK?

17 A SPECIFICALLY AROUND THE ADOPTED INSTRUCTIONAL
18 MATERIALS THAT DEFICIT HAS RANGED FROM ANYWHERE FROM 10
19 MILLION TO 15 MILLION DOLLARS PER YEAR

20 Q I WAS LOOKING, DR LINDSEY, BACK AT THE STANDARDS,
21 THE CURRICULUM STANDARDS, AND WE HAVE DISCUSSED HOW THESE
22 STANDARDS BECOME MORE DIFFICULT OR THE LEVEL OF LEARNING,
23 REQUIRED LEARNING INCREASES AS THE CHILD PASSES THROUGH
24 THE EDUCATIONAL SYSTEM

25 IN OTHER WORDS, AS YOU MOVE THROUGH THE SYSTEM

1 IN TERMS OF ITS GRADUATION RATE?

2 A IN THE LATEST DATA THAT IS TAKEN FROM N C E S , I
3 BELIEVE WE ARE LAST

4 Q LAST, 50TH?

5 A 50TH

6 Q NOW, IS THAT AN OBVIOUS INDICATION TO YOU ABOUT THE
7 PROGRESS THAT WE ARE MAKING IN SOUTH CAROLINA?

8 A IT WOULD -- YOU LOOK AT THOSE AS INDIVIDUAL TESTS
9 BUT WHEN YOU LOOK AT THEM COLLECTIVELY WE ARE OBVIOUSLY
10 NOT MAKING THE PROGRESS IN THE STATE THAT WE NEED TO BE
11 MAKING AND THAT IS GRAPHICALLY SHOWN IN THE DEFICITS
12 THAT S HAPPENING IN THE PLAINTIFF DISTRICTS

13 AS A STATE WE ARE NOT MAKING ACCEPTABLE
14 IMPROVEMENT AND CERTAINLY WE ARE NOT MAKING THAT
15 IMPROVEMENT IN OUR HIGHEST POVERTY DISTRICTS

16 Q I WANT TO PULL UP NOW, IF I CAN, 62118 ALL RIGHT
17 THIS IS A COMPOSITE OF THE 2003 S A T SCORES WHICH SHOWS
18 THE STATE AVERAGE AND THEN THE PLAINTIFF DISTRICTS AND I
19 WANT YOU TO LOOK DOWN THESE SCORES, DR LINDSEY

20 DOES THAT GIVE YOU AN INDICATION AS TO THE
21 QUALITY OR THE -- WHETHER THE STUDENTS IN THE PLAINTIFF
22 DISTRICTS ARE RECEIVING THE OPPORTUNITY TO ACQUIRE A
23 MINIMALLY ADEQUATE EDUCATION?

24 A IN THE BEST CASE THERE ARE MORE THAN A HUNDRED AND --
25 A HUNDRED POINTS BELOW THE STATE AVERAGE

1 Q IS THAT?

2 A THAT INDICATES THAT WE ARE NOT PROVIDING THE
3 OPPORTUNITY FOR ENOUGH OF THOSE YOUNGSTERS TO BE ABLE TO
4 SCORE WELL ENOUGH TO CHOOSE A COLLEGE EDUCATION AS A PART
5 OF THEIR ONGOING EDUCATION

6 Q ALL RIGHT LET'S LOOK AT THE 2000 A C T SCORES
7 THAT S 6211-B AND I WANT YOU TO LOOK AT THOSE AND
8 SOUTH CAROLINA WE HAVE ESTABLISHED, IS 49TH IN THE
9 COUNTRY IN TERMS OF ITS S A T SCORES AND 49TH IN THE
10 COUNTRY IN TERMS OF A C T SCORES

11 NOW, WOULD YOU COMPARE THE PLAINTIFF DISTRICTS
12 EVEN WHEN COMPARED TO THE REST OF THE STATE, WHAT DO THESE
13 NUMBERS SHOW YOU ABOUT THE OPPORTUNITY BEING OFFERED
14 STUDENTS IN THE PLAINTIFF DISTRICTS TO ACQUIRE A MINIMALLY
15 ADEQUATE EDUCATION?

16 A IT IS NOT THERE THOSE NUMBERS INDICATE SIGNIFICANT
17 DEFICITS

18 Q AND I WANT YOU NOW TO TURN TO 6211-C WHICH IS THE
19 GRADUATION RATES IN THE PLAINTIFF DISTRICTS AND WE ARE
20 50TH OUT OF 50 ON THIS MEASURE LOOK AT THESE GRADUATION
21 RATES AND TELL ME IF YOU WILL, WHAT DOES THIS TELL YOU, IF
22 ANYTHING, ABOUT WHETHER STUDENTS IN THE PLAINTIFF
23 DISTRICTS ARE RECEIVING THE OPPORTUNITY TO ACQUIRE A
24 MINIMALLY ADEQUATE EDUCATION?

25 A I THINK WE WOULD ALL -- OUR EYES ALL GO TO LEE COUNTY

1 WHERE ONLY 33 PERCENT OF THE YOUNGSTERS GRADUATE FROM HIGH
2 SCHOOL THOSE ARE -- THOSE INDICATE A SERIOUS CREATION OF
3 A BODY OF PEOPLE IN SOUTH CAROLINA WHO ARE NOT GOING TO
4 HAVE THE REQUISITE SKILLS TO ENTER THE WORK FORCE OR TO BE
5 PRODUCTIVE CITIZENS TO HAVE A QUALITY OF LIFE THAT WOULD
6 BE WHAT SOUTH CAROLINA WOULD WANT CITIZENS TO HAVE

7 Q THAT'S TWO THIRDS OF THE HIGH SCHOOL PARTICIPANTS IN
8 THE LEE COUNTY SCHOOLS HAVE NOT FINISHED?

9 A THAT'S WHAT THAT WOULD INDICATE

10 Q AND IF YOU DON'T FINISH HIGH SCHOOL, DO YOU HAVE A
11 CHANCE, A REAL CHANCE OF BEING A PRODUCTIVE CITIZEN?

12 A THERE IS STUDY AFTER STUDY THAT WOULD INDICATE THAT
13 THE HIGH SCHOOL GRADUATION IS NO LONGER THE ENTRY INTO
14 PRODUCTIVE WORK, THAT IT'S NOW HIGH SCHOOL GRADUATION AND
15 TWO YEARS OF COLLEGE YOU DON'T EVEN HAVE BUT 33 PERCENT
16 OF THEM HAVING EVEN THAT BASE MINIMUM THAT IS OUR
17 RESPONSIBILITY IN THE K-12 PROGRAM TO PROVIDE

18 Q ALL RIGHT IF YOU GO AND LOOK AT OTHER COUNTIES
19 FAIRLY CLOSE TO LEE, YOU HAVE GOT FLORENCE FOUR AT 34
20 PERCENT, SAME COMMENTS WITH RESPECT TO FLORENCE FOUR?

21 A THAT'S CORRECT

22 Q ALLENDALE AT 40 PERCENT, JASPER AT 39 PERCENT?

23 A AND ALL OF THAT IN THE CONTEXT OF SOUTH CAROLINA
24 WHICH HAS A VERY DISMAL RATE

25 Q WELL, WHAT DO THE GRADUATION RATES SUM TOTAL, WHEN

1 YOU LOOK ACROSS THE GRADUATION RATES FOR THE PLAINTIFF
2 DISTRICTS, TELL YOU ABOUT WHETHER THE STUDENTS IN THE
3 PLAINTIFF DISTRICTS ARE RECEIVING THE OPPORTUNITY TO
4 ACQUIRE A MINIMALLY ADEQUATE EDUCATION?

5 A THERE, THE DATA INDICATES THAT THEY ARE NOT

6 THE COURT MR EPPS, EXCUSE ME

7 MR STEPP THERE IS NO SOURCE OF THIS DATA ON 6211-C
8 AND I WANTED TO INQUIRE WHAT THE SOURCE DOCUMENT IS

9 MR EPPS YOUR HONOR THEY ALL COME FROM THE
10 COURT'S EXHIBITS AND WE WILL GET THE COURT'S EXHIBITS
11 NUMBERS IF THEY WERE --

12 (CONFERRING WITH STAFF)

13 BY MR EPPS

14 Q THIS IS SOUTH CAROLINA, THE E I A -- I THOUGHT ALL
15 THE OPENING STUFF WAS MADE THE COURT'S EXHIBIT SO THAT'S
16 WHAT I WAS ASSUMING

17 MR STEPP NOT IN EVIDENCE I OBJECT AND MOVE TO
18 STRIKE IT IT -- MAYBE IT IS WHERE I CAN -- MY ONLY
19 QUESTION IS WHAT CAN I GO LOOK AT TO VERIFY THIS?

20 THE COURT OKAY WELL BEFORE YOU HAVE TO
21 CROSS-EXAMINE HIM WE WILL GET THAT INFORMATION TO YOU

22 MR STEPP OKAY

23 MR EPPS IT WAS USED IN THE OPENING STATEMENT WE
24 MADE ALL THOSE, HE MADE ALL THOSE A COURT'S EXHIBIT,
25 REQUIRED US TO PUT THEM INTO EVIDENCE SO THAT'S WHY THEY

1 RETENTION, PROFESSIONAL DEVELOPMENT IN SUPPORT, AND IT
2 TALKS ABOUT SOME OF THE SAME ISSUES, MANY OF THE SAME
3 ISSUES WE TALKED ABOUT PREVIOUSLY AND WE -- YOU ADDRESSED
4 YESTERDAY

5 AND I WOULD JUST ASK YOU IF YOU AGREE WITH THE
6 FINDINGS OF YOUR COMMITTEE AND THE TASK FORCE REPORT?

7 A I DO, AND I WOULD GO BACK TO THAT FIRST BULLET
8 SECTION TO STUDENTS ARE ABLE TO MEET HIGH STANDARDS ONE
9 OF THE THINGS THAT I THINK WE CAN BE PROUD OF IN SOUTH
10 CAROLINA IS THAT WE'VE BEGUN THAT PROCESS EDUCATORS TOOK
11 THAT TASK ON -- TASK ON FROM THE EDUCATION ACCOUNTABILITY
12 ACT TO DEVELOP THOSE STANDARDS, TO ALIGN THE CURRICULUM
13 TO SAY ONCE AND FOR ALL WE HAVE NOT DONE THIS BEFORE

14 IT'S MY -- AS I HAVE SAID BEFORE, MY FAVORITE
15 PART OF THE LEGISLATION IS THAT WE CONCENTRATED AS A STATE
16 ABOUT GETTING THE STANDARDS AND PUTTING THEM IN PLACE OR
17 ALIGNING IT, BEGINNING THE PROCESS OF TRAINING TEACHERS SO
18 THAT THEY KNEW HOW TO DO THAT

19 THAT'S A VERY GOOD THING THAT'S A STEP ALONG
20 THE JOURNEY BY ITSELF IT'S NOT SUFFICIENT YOU CAN HAVE
21 VERY GOOD STANDARDS YOU CAN HAVE THEM ALIGNED YOU CAN
22 BEGIN THE PROCESS OF GETTING RESOURCES

23 BUT IF YOU DON'T HAVE A QUALIFIED TEACHER AND IF
24 YOU DON'T HAVE SOME OF THE OTHER CONTINGENT RESOURCES TO
25 PUT THOSE IN PLACE -- IF I'M A TEACHER IN FRONT OF THAT

1 FOURTH GRADE CLASSROOM IN THAT HIGH RISK DISTRICT --
2 DISTRICT THAT WE TALKED ABOUT A FEW MINUTES AGO WITH A
3 PERFECTLY GOOD LESSON PLAN BUT I HAVE TWO YOUNGSTERS THAT
4 ARE MAINSTREAM, ONE OF THEM'S AUTISTIC, I HAVE ANOTHER
5 YOUNGSTER, ANOTHER SET OF YOUNGSTERS WHO HAVE BEHAVIOR
6 DISORDERS OF SOME NATURE I HAVE TWO OR THREE THAT ARE
7 THREE YEARS BELOW GRADE LEVEL, AND I HAVE ANOTHER COUPLE
8 WHO ARE WITH ALL OF THAT

9 WITH A PERFECTLY GOOD ALIGNED CURRICULUM I HAVE
10 GOT TO BE A VERY STRONG TEACHER TO BE ABLE TO MAKE
11 ANYTHING PRODUCTIVE HAPPEN FOR THE MAJORITY OF THOSE
12 STUDENTS ON ANY SINGLE DAY AND I HAVE TO PERFORM LIKE THAT
13 EVERY DAY IN ORDER TO HAVE THAT HAPPEN

14 SO THE OTHER PIECES THAT YOU SEE LISTED HERE,
15 THE STANDARDS ARE CERTAINLY A PART OF IT, IDENTIFYING THAT
16 AND KNOWING WHAT WE NEED TO TEACH IS IMPORTANT WE HAVE
17 DONE THAT

18 I THINK EDUCATORS HAVE KEPT THEIR COMMITMENT TO
19 E A A I AM NOT SURE THAT THE FUNDING THAT'S ALSO
20 COMMITTED IN E A A HAS BEEN DONE TO HELP US WITH THAT
21 PROCESS PART ONE HAS BEEN DONE MOST OF US ARE WAITING
22 FOR PART TWO

23 THE TEACHER RECRUITMENT PIECE, THE ABILITY TO
24 KEEP GOOD, STRONG TEACHERS IN THE CLASSROOM, TO ENTICE
25 ADDITIONAL FOLKS TO COME AND JOIN THE TEACHING PROFESSION,

1 IT'S JUST SOMETHING THAT WE -- WE HAVE TO WORK VERY HARD
2 ON

3 AND THEN THE OTHER THINGS THAT ARE LISTED HERE
4 ARE PART OF THE WHOLE PACKAGE I JUST WANTED TO MAKE A
5 POINT THAT WE ARE NOT THERE YET BY HAVING AN ALIGNED,
6 STRONG, WONDERFUL STANDARDS BASED CURRICULUM

7 IT WILL JUST GET US PART OF THE WAY IT
8 WON'T -- IT WON'T TAKE US TO THE FORM -- TO THE REFORM
9 THAT WE NEED AND THAT'S A STARK CONTRAST IN THE HAVE AND
10 HAVE-NOT DISTRICTS IN THIS STATE

11 Q SO THE PAPER'S A GOOD START?

12 A OH, YES

13 Q BUT YOU NEED THE TOOLS TO IMPLEMENT IT?

14 A ABSOLUTELY

15 Q IN THAT CONTEXT AND IN THE CONTEXT OF ACCOUNTABILITY,
16 ON 3970 IT HAS THE SECTION, THE BULLET POINT, USE OF HIGH
17 STAKES TESTS AND THE NEED FOR SUSTAINED AND EQUITABLE
18 INVESTMENTS IN LOW PERFORMING SCHOOLS

19 NOW, I WANT YOU TO TAKE A MOMENT AND READ
20 THROUGH THAT, AND READ -- I WANT YOU TO READ FROM THAT
21 SECTION UNTIL THE END OF ITS PARAGRAPH AND TO MOVE ON TO
22 SUBSECTION ROMAN NUMERAL NUMBER THREE SO READ THAT INTO
23 THE RECORD, IF YOU WOULD

24 A USE OF HIGH STAKES TESTS AND THE NEED FOR SUSTAINED
25 AND EQUITABLE INVESTMENTS IN LOW PERFORMING SCHOOLS USE

1 DEMONSTRATION OF WHAT I -- OF WHAT I WOULD SAY WHEN USED
2 IN THIS WAY, STANDARDIZED TESTING AND TESTING CAN BE BOTH
3 UNFAIR AND COUNTERPRODUCTIVE

4 WHAT HAPPENS TO A YOUNGSTER WHO IS IN A THREE
5 THROUGH EIGHT SETTING, HE'S IN A MIDDLE SCHOOL SETTING,
6 PERHAPS HE OR SHE HAS BEEN RETAINED A NUMBER OF TIMES,
7 THEY ARE NOT RECEIVING HELP AND SERVICE FROM THE SCHOOL,
8 THEY ARE NOT SEEING PROGRESS

9 THEY ARE HEADED TOWARD A HIGH SCHOOL SETTING
10 WHERE THEY CAN'T PASS AN EXIT EXAM THEY ARE NOT CURRENTLY
11 PERFORMING AT BASIC LEVEL, MUCH LESS PROFICIENT LEVEL, ON
12 ENGLISH, LANGUAGE ARTS MATH SCIENCE AND SOCIAL STUDIES

13 AND THEN THEY GET TO THE HIGH SCHOOL LEVEL WHERE
14 THEY ARE GOING TO BE REQUIRED TO TAKE AN EXIT EXAM MAYBE
15 WE KEEP THEM LONG ENOUGH TO TAKE THAT EXIT EXAM IT COMES
16 BACK THAT THEY HAVE NOT PASSED IT

17 WHAT WE ARE DOING BY STANDARDIZED TESTING
18 WITHOUT PROVIDING SOME WAY OUT WITHOUT PROVIDING SOME
19 SORT OF SERVICE SO THAT THEY CAN MAKE UP WHAT THEY DON'T
20 KNOW IS JUST TO SIMPLY RESTATE THE OBVIOUS TO THAT CHILD
21 UNTIL WE DRIVE THEM OUT OF SCHOOL

22 I THINK THE DROPOUT RATES WILL INCREASE AND OUR
23 GRADUATION RATES WILL BE EVEN LESS THAN THE VERY, VERY
24 GRIM STATISTICS WE LOOKED AT YESTERDAY AND THEN WHAT ARE
25 WE SUPPOSED TO DO WITH THOSE YOUNGSTERS?

1 WE FIND IN -- YOU KNOW THOSE YOUNGSTERS IN THE
2 RURAL COMMUNITIES OF THE PLAINTIFF DISTRICTS THAT WE ARE
3 TALKING ABOUT WHO DO NOT HAVE THE REQUISITE SKILLS TO GET
4 A GOOD JOB OR A GOOD PAYING JOB ARE GOING TO STAY IN THOSE
5 COMMUNITIES WHERE ELSE WILL THEY GO?

6 THEY DON'T HAVE A TICKET THAT WOULD ALLOW THEM
7 TO BE EMPLOYABLE SOMEWHERE ELSE SO THEY BECOME THE NEXT
8 GENERATION IN HAMPTON TWO AND IN ALLENDALE AND CONTINUE
9 THE CYCLE AGAIN THAT PUTS US IN WORSE SHAPE THAN WE ARE
10 NOW THOSE ARE THE FOLKS WHO STAY THEY DON'T HAVE ANY
11 RESOURCES, THEY DON'T HAVE ANY SKILLS TO GO ANYWHERE
12 ELSE

13 AND SO IT BECOMES SORT OF A SELF-FULFILLING
14 PROPHECY BECAUSE OF WHAT THEY DO NOT HAVE GIVE THEM A
15 CHANCE TO GET OUT GIVE THEM AN OPPORTUNITY I DON'T
16 KNOW HOW MANY TIMES YOUNGSTERS IN THIS STATE WHO ARE HIGH
17 POVERTY WHO HAVE BEEN GIVEN THOSE OPPORTUNITIES AND HAVE
18 SHOWN THAT THEY CAN CATCH UP, I DON'T KNOW HOW MANY TIMES
19 THEY HAVE TO DEMONSTRATE TO US THAT THEY CAN DO THAT
20 BEFORE WE RECOGNIZE THAT IT'S SOMETHING THAT WE SHOULD DO
21 FOR ALL OF THEM NOT JUST IN THOSE RARE CASES WHERE THE
22 COMMUNITY HAS CONVERGED AND THE COMMUNITY HAS PROVIDED THE
23 RESOURCES FOR THE -- NOW, CAN THEY DO IT ABSOLUTELY ARE
24 WE DOING IT IN THESE PLAINTIFF DISTRICTS AND IN OTHER HIGH
25 POVERTY DISTRICTS? NO, WE ARE NOT

1 HOWEVER, THE LARGE CIRCLE IN THE MIDDLE THAT
2 INCLUDES THE PROFESSIONAL DEVELOPMENT OF TEACHERS SO THAT
3 THEY UNDERSTAND THOSE STANDARDS, ALIGNED CURRICULUM,
4 TEXTBOOKS THAT ARE ADOPTED THAT ALIGN TO THE STANDARDS
5 THAT HAVE BEEN DONE, SOME SAMPLE TESTING ITEMS SO THAT
6 YOUNGSTERS KNOW WHAT IT'S GOING TO LOOK LIKE WHEN THEY SEE
7 IT IN A TEST AND PERHAPS SOME BENCHMARKING SORTS OF
8 ASSESSMENTS THAT TEACHERS CAN USE IN THE MIDDLE ARE SOME
9 OF THOSE PIECES WE HAVE SPENT ALMOST FIVE YEARS PUTTING IN
10 PLACE SO THAT THERE IS SOME REALITY TO STANDARD TRANSLATED
11 TO LESSONS WITH THE KNOWLEDGE OF A TEACHER THAT KNOWS WHAT
12 THEY ARE DOING ABOUT THAT AND THEN MOVING ACROSS TO
13 ASSESSING IT AND KNOWING THAT THAT YOUNGSTER HAS HAD THE
14 OPPORTUNITY TO LEARN IT

15 Q RIGHT BUT THAT'S THE WAY IT IS IN SOUTH CAROLINA
16 NOW, RIGHT? I MEAN, STANDARDS BASED INSTRUCTION IS WHAT
17 IT IS REQUIRED UNDER THE CURRENT EDUCATION SYSTEM IN SOUTH
18 CAROLINA?

19 A E A A VERY CLEARLY STATES THAT

20 Q AND AS YOU HAVE MENTIONED, WE GOT STANDARDS NOT JUST
21 IN THESE CORE CURRICULA THAT WE MENTIONED ALL THE TIME
22 BUT ACTUALLY IN EVERYTHING FROM THE ARTS TO PHYSICAL
23 EDUCATION TO OTHER THINGS AS WELL?

24 A THAT IS CORRECT

25 Q SO IT REALLY DOESN'T MATTER WHAT YOU WERE TEACHING IN

1 TALK ABOUT WHERE THAT COMES FROM

2 Q WELL LET ME PUT -- I'M HAPPY FOR YOU -- I'M GOING TO
3 ASK YOU TO TALK ABOUT THAT LET ME PUT UP ON THE SCREEN,
4 THOUGH, AS CONTEXT FOR, THIS POWERPOINT -- START SLIDE
5 ONE YEAH DR LINDSEY, THIS IS A COPY OF A POWERPOINT
6 THAT YOU HAVE PRESENTED ACROSS THE STATE, AS I UNDERSTAND
7 IT?

8 A ACTUALLY I BELIEVE THIS IS THE ONE THAT IS ON THE
9 WEBSITE THAT -- I DON'T KNOW THAT I HAVE PRESENTED THIS
10 ONE BUT MY COLLEAGUES HAVE

11 Q OKAY IN ANY EVENT, YOU ARE FAMILIAR WITH THAT?

12 A I AM

13 Q OKAY LET'S LOOK AT SLIDE 32 WHICH IS AN INTERNAL
14 NUMBERING SYSTEM THAT WE HAVE GIVEN IT FOR REFERENCE
15 FIRST THIS SAYS IN THE THIRD BULLET POINT, THE PACT
16 PERFORMANCE STANDARDS ARE AMONG THE MOST STRINGENT IN THE
17 NATION

18 TELL ME MORE ABOUT WHAT THAT MEANS WHEN YOU
19 SAY THAT THE PERFORMANCE STANDARDS ARE STRINGENT WHAT
20 DOES THAT MEAN?

21 A THAT'S WHERE I NEED TO EXPLAIN WHERE THAT TERMINOLOGY
22 COMES FROM BECAUSE THAT'S -- THAT TERMINOLOGY WE PUT IN
23 HERE TO MAKE THIS VERY POINT THE PACT PERFORMANCE OF
24 PROFICIENT IS SET IN AN APPROPRIATE LEVEL IT REPRESENTS
25 GRADE LEVEL UNDERSTANDING OF THE STANDARDS

1 THE STRINGENCY COMES IN IN THE COMPARISON TO
2 OTHER STATES ACROSS THE NATION, SO THAT'S WHERE THIS NEEDS
3 CLARIFICATION, AND I'D RATHER DO THAT IN REVERSE, RATHER
4 THAN TALKING ABOUT WHAT SOUTH CAROLINA DID, I'D RATHER
5 TALK ABOUT WHAT THE NATIONAL ASSESSMENT OF EDUCATIONAL
6 PROGRESS IS AND DOES NAEP--

7 Q WELL CAN I ASK YOU--

8 MR EPPS WAIT A MINUTE, YOUR HONOR

9 MR STEPP IT'S NOT RESPONSIVE TO MY QUESTION, YOUR
10 HONOR SHE'S TRYING TO MAKE A SPEECH THAT'S NOT
11 RESPONSIVE--

12 THE COURT I AM NOT SURE WHETHER IT IS OR NOT YOU
13 ASKED HER TO TALK ABOUT THE PACT PERFORMANCE STANDARDS
14 AMONG THE MOST STRINGENT IN THE NATION I WOULD TAKE THAT
15 MEANS IN ORDER TO ANSWER THAT QUESTION, SHE HAS TO TELL
16 YOU NOT ONLY ABOUT SOUTH CAROLINA, BUT SOMETHING ABOUT THE
17 NATION AS WELL

18 MR STEPP ALL RIGHT SIR

19 BY MR STEPP

20 Q GO AHEAD

21 A THE NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS IS A
22 NATIONAL TEST IT IS REQUIRED UNDER -- IT WAS A VOLUNTARY
23 TEST FOR A NUMBER OF YEARS IN MANY STATES AND SOUTH
24 CAROLINA WAS ONE OF THOSE STATES, WAS INCLUDED WE
25 PARTICIPATED VOLUNTARILY IN NAEP

1 BUT NOW UNDER NO CHILD LEFT BEHIND IT IS
2 REQUIRED THAT NAEP, THE NATIONAL ASSESSMENT OF EDUCATIONAL
3 PROGRESS, SAMPLE IN EVERY STATE THEIR STATE TEST, THEIR
4 STANDARDS THEY HAVE TO DO -- THEY HAVE TO BE INVOLVED IN
5 NAEP

6 NAEP PULLS STANDARDS IN THE CREATION OF THE TEST
7 THAT IT GIVES A SAMPLING OF STANDARDS ACROSS THE COUNTRY
8 THEY IDENTIFIED WHAT WAS FOURTH GRADE KNOWLEDGE
9 NATIONALLY

10 THIS IS WHAT YOUNGSTERS MOST EVERYWHERE ARE
11 BEING EXPECTED TO KNOW IN FOURTH GRADE, AND THEY
12 ESTABLISHED THOSE SAME CUT POINTS THAT WE USE IN SOUTH
13 CAROLINA TO SAY WHETHER WHEN WE -- WHEN WE TAKE THAT TEST
14 IN SOUTH CAROLINA WHETHER OUR YOUNGSTERS -- WHERE THEY
15 ARE AS THEY MATCH THOSE NATIONAL STANDARDS AT BELOW BASIC,
16 BASIC, PROFICIENT OR ADVANCED

17 SO THAT'S THE NATIONAL PICTURE THAT'S -- THEY
18 PUT THEIR TEST TOGETHER MUCH LIKE WE DID IN SOUTH CAROLINA
19 TO BE A SAMPLING OF WHAT YOUNGSTERS SHOULD KNOW AND BE
20 ABLE TO DO AND TO BE THAT NATIONAL MEASURE OF WHAT -- OF
21 WHAT NEEDS TO BE HAPPENING FOR YOUNGSTERS

22 WE MATCHED OUR DEFINITION OF PROFICIENT TO NAEP
23 BECAUSE IT MAKES NO SENSE IN SOUTH CAROLINA FOR US TO SAY
24 SOMETHING IS PROFICIENT IF THAT YOUNGSTER HAS TO MOVE TO
25 NORTH CAROLINA OR THE MID WEST OR UPSTATE NEW YORK AND

1 THEY ARE NOT PROFICIENT

2 SO A DEFINITION SHOULD HAVE SOME MEANING IT
3 SHOULD MEAN PROFICIENT WHEREVER YOU TAKE THAT SET OF
4 SKILLS THAT'S THE VALUE OF NAEP AND THAT IS WHAT HAS
5 HAPPENED

6 OUR PERFORMANCE STANDARDS IN SOUTH CAROLINA, OUR
7 DEFINITIONS OF BASIC, BELOW BASIC BASIC PROFICIENT AND
8 ADVANCED -- ACTUALLY OUR BASIC SCORE ALMOST EXACTLY
9 MATCHES NAEP OUR PROFICIENT SCORE AND OUR ADVANCED SCORE
10 ARE ACTUALLY SLIGHTLY BELOW THE NAEP STANDARDS NOT MUCH,
11 BUT THEY ARE

12 WE HAD E A A THAT HAD CAUSED US TO DO THIS WE
13 HAVE LANGUAGE IN E A A THAT SAID THEY MUST MATCH NATIONAL
14 STANDARDS, WE ARE GOING TO GIVE A NORM REFERENCE TEST TO
15 MAKE SURE THAT THEY DO BUT THAT'S APPROPRIATELY SET

16 THE WORDS MOST STRINGENT COME INTO PLAY WHEN YOU
17 DO THAT MEASURE ACROSS ALL STATES AND WHAT WE ARE
18 FINDING IS THAT MANY, MANY STATES HAVE NOT DONE WHAT SOUTH
19 CAROLINA HAS DONE AND THAT IS TO PEG WHAT THEY CALL
20 PROFICIENT TO SOME SORT OF NATIONAL STANDARD

21 WE ARE ONLY ONE OF ABOUT EIGHT STATES THAT HAS
22 GENUINELY SAID PROFICIENT HERE WOULD BE PROFICIENT
23 ANYWHERE ELSE IN SOME STATES THEIR DEFINITION OF
24 PROFICIENT BARELY MAKES IT ON THE BASIC LEVEL OF NAEP

25 SO THAT LANGUAGE DOESN'T HAVE TO DO WITH OUR

1 DEFINITION OF WHAT A YOUNGSTER SHOULD KNOW AND BE ABLE TO
2 DO AT FOURTH GRADE IN SOUTH CAROLINA, BUT RATHER IS A
3 COMPARATIVE MEASURE AGAINST THE NATION WHERE THEY HAVEN'T
4 USED THAT SAME PHILOSOPHY THAT WE USED IN SOUTH CAROLINA
5 ABOUT WHAT PROFICIENT SHOULD MEAN I'M FINISHED

6 Q OKAY CAN I ASK YOU NOW TO LOOK AT SLIDE 34
7 PLEASE AND I THINK THIS IS WHAT YOU WERE JUST
8 DISCUSSING WHICH I SIMPLY WANTED TO PUT UP WHILE YOU DID
9 IT BUT THIS IS -- IS LABELED THE EQUIVALENT PROFICIENT
10 STATE STANDARDS, GRADE FOUR READING 2002 NOW, IS THIS
11 THE NAEP COMPARISON THAT YOU WERE JUST TALKING ABOUT?

12 A THIS IS BASED ON NAEP COMPARISONS AND YOU SEE THE
13 BAR AS INDICATING PROFICIENT STATE STANDARDS IS WHAT YOU
14 SEE THERE AND THEN THE SCATTERPLOT OF STATES AS THEY
15 FALL THERE AREN'T 50 STATES THERE BECAUSE MANY OF THEM
16 YOU COULDN'T EVEN PLOT THEY ARE SO FAR OFF OF THIS
17 DEFINITION

18 Q OKAY SO AS YOU SAY, THIS IS AN EFFORT IN AN
19 OBJECTIVE WAY TO COMPARE THE SOUTH CAROLINA STANDARDS FOR
20 PROFICIENCY WITH OTHER STATES' STANDARDS FOR PROFICIENCY
21 CORRECT?

22 A IT ACTUALLY WAS-- NAEP, AS I JUST SAID, WAS INCLUDED
23 IN NO CHILD LEFT BEHIND AS A REQUIREMENT FOR EVERY STATE
24 TO DO ACTUALLY FOLKS WANTED IT TO BE THE TEST AND THE
25 DEFINITION OF PROFICIENCY

1 SUBGROUPS WITHIN A DISTRICT RIGHT? AND IT SAYS CAUTION
2 SHOULD BE EXERCISED IN THE INTERPRETATION OF DIFFERENCES
3 IN THE PERFORMANCE OF VARIOUS SUBGROUPS E G MALE VERSUS
4 FEMALE WITHIN THE TOTAL POPULATION AT ANY GRADE

5 WHILE DATA FOR VARIOUS SUBGROUPS CAN PROVIDE
6 INFORMATION AS TO WHICH OF THE SUBGROUPS AS A WHOLE MAY BE
7 MOST IN NEED OF ADDITIONAL INSTRUCTION, THE DATA CANNOT
8 AND SHOULD NOT BE USED AS A BASIS FOR MAKING CAUSE AND
9 EFFECT STATEMENTS ABOUT THE EFFECTIVENESS OF INSTRUCTION
10 OFFERED TO DIFFERENT GROUPS DO YOU AGREE WITH THAT
11 STATEMENT, DOCTOR?

12 A THAT IS A GENERALIZED STATEMENT THAT WE MADE THAT
13 IS A CAUTIONARY STATEMENT ABOUT THE USE OF ANY SINGLE
14 SCORE AS AN INDICATION OF WHAT A YOUNGSTER NEEDS OR WHAT
15 YOU MIGHT WANT TO DO IN PROGRAM FOR THAT CHILD AS ONE
16 PIECE OF INFORMATION

17 Q YEAH AND BEYOND THAT, SPECIFICALLY THE CAUTION IS
18 ABOUT MAKING CAUSE AND EFFECT STATEMENTS ABOUT THE
19 EFFECTIVENESS OF INSTRUCTION OFFERED TO DIFFERENT GROUPS,
20 CORRECT?

21 A THE PIECE IN THAT THAT WE ARE GETTING AT IS THAT YOU
22 COULD HAVE TEACHERS DOING AN EXTREMELY GOOD JOB IN A VERY
23 LOW PERFORMING SCHOOL DISTRICT, PROVIDING WHAT THEY KNOW
24 TO DO AND HANDLING THOSE, BUT THE ISSUES OF THE YOUNGSTERS
25 -- YOU KNOW, TO SAY THAT THAT'S AN INEFFECTIVE SCHOOL OR

1 INEFFECTIVE TEACHING MAY NOT INDEED BE A TRUE STATEMENT
2 IT MAY JUST NOT BE SUFFICIENT TO HELP THOSE YOUNGSTERS
3 PERFORM AT VERY HIGH LEVELS

4 Q RIGHT AND SO WHEN -- BY THE DEPARTMENT'S OWN
5 PUBLISHED POSITION, ONE SHOULD NOT LOOK AT PACT DATA AND
6 DRAW CONCLUSIONS ABOUT THE EFFECTIVENESS OF INSTRUCTION?

7 A ONE SHOULD NOT USE IT AS THE SOLE CRITERIA

8 Q WELL, THAT'S NOT WHAT IT SAYS, DR LINDSEY IT SAYS
9 ONE SHOULD NOT DRAW CAUSE -- OR MAKE STATEMENTS ABOUT THE
10 CAUSE AND EFFECT BETWEEN EFFECTIVE INSTRUCTION AND PACT
11 SCORES I MEAN THAT'S WHAT IT SAYS DOES IT NOT?

12 A WELL, AND SINCE I HELPED TO WRITE IT, I THINK
13 PROBABLY I CAN GIVE YOU SOME INDICATION OF WHAT THE
14 GENESIS OF THAT INFORMATION IS

15 Q WELL, RIGHT NOW I'M JUST TRYING TO GET YOU TO
16 ACKNOWLEDGE THAT'S WHAT IT SAYS

17 A YOU JUST READ IT I MEAN --

18 Q OKAY I READ IT CORRECTLY?

19 A -- I'M PRETTY SURE THAT'S WHAT IT SAYS

20 Q OKAY

21 A YOU READ IT CORRECTLY

22 Q YOU DON'T CONSIDER THAT TO BE AN AMBIGUOUS STATEMENT
23 DO YOU, DOCTOR?

24 MR EPPS EXCUSE ME SLOW DOWN A MINUTE HE ASKED
25 THE QUESTION SHE STARTS TO ANSWER HE INTERRUPTS

1 GOING BACK AND FORTH

2 THE COURT I WILL LET HER COMPLETE HER ANSWER SHE
3 WANTS TO -- IT'S -- HE ASKED HER EXACTLY WHAT IT SAID AND
4 SHE'S SAID THAT SHE ANSWERED THAT QUESTION IT SAYS WHAT IT
5 SAYS AND SHE'S ASKED TO EXPLAIN THAT AND I WILL LET HER
6 EXPLAIN IT THE RATIONALE BEHIND IT THANK YOU YOU CAN
7 GO AHEAD AND EXPLAIN THE ANSWER DR LINDSEY

8 THE WITNESS THE SUBCATEGORY THERE IS COMPARISONS
9 AMONG STUDENT SUBGROUPS WE ARE VERY SENSITIVE ANY
10 CYCLITRICIANS (SIC) ANY FOLKS WHO PUT TOGETHER A TEST ARE
11 VERY SENSITIVE TO WHAT YOU CAN AND CANNOT DO BASED ON
12 SINGLE DAY IN TIME TEST PERFORMANCE OF YOUNGSTERS AND WE
13 DON'T WANT INACCURATE JUDGMENTS MADE WITHOUT THE USE OF
14 ADDITIONAL INFORMATION

15 THERE HAS JUST BEEN SO MUCH ABUSE S A T IS A
16 PRIME EXAMPLE ABOUT WHETHER OR NOT IT IS A MEASURE OF HOW
17 EFFECTIVE A SCHOOL IS OR HOW EFFECTIVE A PROGRAM IS
18 THOSE ARE THE ISSUES THAT -- AND THERE ARE SOMETIMES
19 CORRELATING RELATIONSHIPS THAT WE WANT TO MAKE SURE THAT
20 FOLKS DON'T TALK ABOUT AS CAUSAL RELATIONSHIPS, AND SO
21 THOSE ARE THE ISSUES THAT ARE THE GENESIS OF PUTTING THESE
22 CAUTIONS, MANY OF THEM IN HERE ABOUT USE OF SINGLE POINT
23 IN TIME MEASURES OF YOUNGSTERS' PERFORMANCE

24 BY MR STEPP-

25 Q OKAY THE VERY SAME SORT OF CAUTIONS ARE -- ALSO

1 TENNENBAUM OR DESIGNATED WITH ANY TITLE TO SPEAK AROUND
2 THAT I DO THE STATEMENTS THAT I HAVE MADE BASED AROUND
3 RESPONSIBILITIES THAT I HOLD AND THE DATA AND INFORMATION
4 THAT IS PROVIDED AND GENERALLY THE CONSENSUS OF THE
5 THINKING AND THE PROCESSES AND THE SERVICES THAT WE ARE
6 PROVIDING TO SCHOOL DISTRICTS

7 THOSE ARE -- I HAVEN'T SAID ANY CONTRARY OPINION
8 TO THAT, BUT I AM NOT HERE -- I WAS NOT SENT BY ANYONE OR
9 ANY SPECIFIC BODY HERE TO DO THIS, TO DO THIS TESTIMONY

10 Q OKAY THAT'S THE ONLY QUESTION I HAVE FOR YOU
11 THANK YOU

12 THE COURT THANK YOU, MR SANDIFER MR EPPS,
13 REDIRECT?

14 REDIRECT EXAMINATION BY MR EPPS

15 Q I LOVE BEING IN TRIAL WHEN EVERYBODY IS WHISPERING IN
16 YOUR EAR BUT LET ME SEE, DR LINDSEY THE FIRST THING
17 THAT MR STEPP SHOWED YOU WAS THIS FINANCIAL DATA MILES
18 TO GO

19 A YES, SIR

20 Q AND THEN HE COMPARED THAT TO A CHART TABLE 92 FROM
21 THE RANKINGS BOOK 2000, 2001 AND LET'S JUST GO BACK AND
22 LOOK AT THIS FOR A SECOND, IF YOU WILL AND I UNDERSTAND
23 THAT YOU ARE NOT THE FINANCIAL EXPERT IN THIS LAWSUIT
24 BUT IF YOU LOOK AT THE ENTRY AND THE MILES TO GO ON BATES
25 NUMBER 3956, IT TALKS ABOUT FEWER STATE AND LOCAL DOLLARS

1 TO SPEND ON EACH STUDENT DO YOU HAVE THAT EXHIBIT?
2 A I DO
3 Q LOOK ON 3956
4 A I HAVE IT
5 Q ALL RIGHT IT TALKS ABOUT FEWER STATE AND LOCAL
6 DOLLARS IF YOU LOOK IN THE LAST PARAGRAPH 313 FEWER
7 STATE AND LOCAL DOLLARS TO SPEND ON EACH STUDENT?
8 A THAT'S CORRECT
9 Q ALL RIGHT NOW AND IF YOU LOOK AT THE MATERIAL
10 TABLE 92 FROM THE RANKINGS BOOK, DEFENDANTS' EXHIBIT 2909,
11 IT INCLUDES REVENUE FROM ALL SOURCES, FEDERAL, STATE AND
12 LOCAL?
13 A THAT IS CORRECT, AND THAT'S THE POINT THAT I WAS
14 MAKING EARLIER IN THE TESTIMONY ABOUT TAKING FEDERAL
15 DOLLARS OUT OF THIS BECAUSE IF YOU ARE GOING TO DO AN
16 APPLES TO APPLES COMPARISON YOU REALLY NEED TO DO THAT
17 FEDERAL DOLLARS TYPICALLY ARE WITH THE STIPULATION THAT
18 THEY SUPPLEMENT, NOT SUPPLANT STATE AND LOCAL DOLLARS
19 SO I M GLAD YOU POINTED THAT OUT I DIDN'T HAVE
20 THE DATA FOR WHAT THE EDUCATION TRUST HAD USED IN THIS
21 BUT
22 Q WELL, FINANCIAL MATTERS ARE REALLY NOT YOUR AREA ANY
23 WAY HE JUST WANTED TO SHOW YOU THAT, SO I JUST WANTED TO
24 TRY TO STRAIGHTEN OUT TO MAKE SURE WE WERE INDEED
25 COMPARING APPLES TO ORANGES, BUT THERE IS THE DISTINCTION,

1 IS THERE NOT?

2 A THERE IS A SIGNIFICANT DISTINCTION

3 Q ANOTHER DISTINCTION WOULD BE IF YOU HAVE FEDERAL
4 DOLLARS, DO THEY COME WITH PURSE STRINGS ATTACHED?

5 A FEDERAL DOLLARS ARE ALWAYS VERY CATEGORY SPECIFIC,
6 YOU KNOW NO CHILD LEFT BEHIND, YOU KNOW YOU ARE IN
7 TROUBLE WHEN THE TABLE OF CONTENTS IS 27 PAGES LONG THEY
8 ALWAYS COME IN VERY SPECIFIC STIPULATIONS OF WHAT YOU MUST
9 DO CAN DO, WHAT WILL HAPPEN TO YOU IF YOU DON'T DO KIND
10 OF LANGUAGE, AND THAT'S FAIRLY TYPICAL OF FEDERAL DOLLARS,
11 AND IT'S FAIRLY TYPICAL ANY TIME YOU HAVE CATEGORY
12 SPECIFIC DOLLARS

13 I THINK YOU PROBABLY HEARD TESTIMONY AROUND THE
14 LIMITATIONS THAT THAT CREATES IN DISTRICTS WHEN YOU HAVE A
15 POT OF MONEY FOR A SPECIFIC PURPOSE YET YOU HAVE A NEED
16 OVER HERE THAT THAT CAN'T BE APPLIED TO

17 IT BECOMES MUCH MORE COMPLICATED TO PROVIDE FOR
18 THE NEEDS OF YOUR CHILDREN WHEN YOU HAVE THESE POTS OF
19 MONEY THAT HAVE VERY SPECIFIC, RIGOROUS REGULATIONS THAT
20 GO ALONG WITH THEM

21 Q WELL, WE ARE NOT GOING TO TURN THE MONEY AWAY CAN
22 WE USE FEDERAL DOLLARS, FOR EXAMPLE, TO INCREASE TEACHERS'
23 SALARIES?

24 A THAT WOULD NOT BE A PERMISSIBLE USE IN MOST CASES

25 MR STEPP YOUR HONOR, I OBJECT I MEAN, SHE'S

1 ARE IN DIFFERENT PARAGRAPHS WITH DIFFERENT BULLET POINTS
2 BECAUSE THEY ARE TALKING ABOUT DIFFERENT INFORMATION, AND
3 SO -- AND I UNDERSTAND THAT, AND SO I THINK IT'S A PROPER
4 AREA FOR HER TO -- CERTAINLY SHE CAN COMMENT SHE'S
5 FAMILIAR WITH GRANTS AND SHE KNOWS ABOUT THOSE THINGS AND
6 CAN CERTAINLY TESTIFY AS TO WHETHER OR NOT YOU CAN PAY
7 TEACHER SALARY OUT OF IT

8 MR EPPS THANK YOU, YOUR HONOR

9 BY MR EPPS

10 Q I'M SORRY, DR LINDSEY

11 A DOLLARS MAY BE USED, FOR INSTANCE OUT OF TITLE ONE
12 PROGRAMS FOR TEACHER SALARIES THEN IT'S VERY CLEARLY
13 SPECIFIED MUST GO TO THAT SPECIFIC LINE ITEM, CAN'T BE IN
14 EXCESS OF WHAT YOU HAVE SO YOU CAN'T -- YOU CAN'T LUMP
15 THAT MONEY OVER AND DECIDE YOU'RE GOING TO GIVE ALL YOUR
16 TEACHERS A RAISE OR USE IT TO REDUCE CLASS SIZE, FOR
17 INSTANCE, IF THAT'S NOT THE SPECIFICATION OF THE DOLLARS

18 SO THOUGH YOU MIGHT HAVE A VERY SIGNIFICANT
19 TREMENDOUS NEED THAT YOU HAVE IDENTIFIED IN YOUR DISTRICT,
20 IT'S ALMOST ALWAYS THE CASE THAT FEDERAL DOLLARS CAN'T
21 SOLVE THAT NEED FOR YOU THEY ARE RESTRICTED BY THE
22 REGULATIONS THAT ALLOWED YOU TO HAVE THEM, TO DRAW THEM
23 DOWN FROM THE FEDERAL GOVERNMENT

24 Q OKAY NOW, YOU MADE A COMMENT WHEN YOU TALKED ABOUT
25 THE STANDARDS BASED INSTRUCTION AS HE WAS GOING FROM --

1 Q WELL, WHAT DID YOU MEAN BY THAT, DR LINDSEY?

2 A WHEN WE DEVELOPED THE CURRICULUM STANDARDS, THAT
3 THOSE STANDARDS IN THE CONTENT AREAS THAT WE INCLUDED IN
4 THE PRE-K THROUGH TWELVE DOCUMENTS MATCHED WHAT WAS
5 REQUIRED IN E A A AND MATCHED CLOSELY WITH WHAT WAS
6 REQUIRED IN THE ABBEVILLE CASE

7 Q ALL RIGHT SO NOW THE QUESTION IS WHETHER THE
8 STUDENTS ARE BEING GIVEN THE EDUCATIONAL OPPORTUNITY TO
9 MATCH THE STANDARDS

10 A THAT'S -- WHEN WE TALKED ABOUT SORT OF THE PART ONE
11 AND PART TWO, HAVE WE ESTABLISHED THOSE STANDARDS, HAVE
12 WE -- HAVE THE EDUCATORS AND FOLKS PUT IN PLACE THOSE
13 THINGS THAT ARE REQUIRED IN E A A AROUND THE STANDARDS
14 AND ASSESSMENTS?

15 I THINK THE ANSWER TO THAT IS YES I BELIEVE I
16 HAVE TESTIFIED AT LENGTH ON THE OTHER PART ABOUT THE
17 RESOURCES, THE CONSEQUENCES NOW THAT YOU KNOW THIS, WHAT
18 E A A CALLS FOR IN SERVICES TO THOSE DISTRICTS AND THAT
19 THAT HAS BEEN UNDERFUNDED AS WELL AS SOME OTHER CATEGORIES
20 OF UNDERFUNDING

21 AND IT WAS MY TESTIMONY THAT E A A IN ITSELF
22 EVEN FULLY IMPLEMENTED DOESN'T MEET ALL OF OUR NEEDS IN
23 SOUTH CAROLINA AS A MATTER OF FACT WE REALLY NEEDED TO
24 TALK ABOUT -- AND I'M SURE GENRE HAS -- BASED STUDENTS
25 COST

1 AND THERE ARE A NUMBER OF FUNDING SOURCES THAT
2 COME IN FOR US TO PROVIDE FOR CHILDREN E A A IS JUST
3 ONE OF THOSE, AND SINGLY, OF COURSE, DOES NOT PROVIDE
4 EITHER THE PARAMETERS OR THE MONEY FOR US TO DO WHAT WE
5 ARE CHARGED TO DO AT THE STATE LEVEL AND AT THE LOCAL
6 LEVEL IN SOUTH CAROLINA

7 Q SO ON PAPER WE HAVE COVERED THE ABBEVILLE DECISION
8 THROUGH THE CURRICULUM STANDARDS AND THROUGH THE EDUCATION
9 ACCOUNTABILITY ACT?

10 A WE HAVE

11 Q BUT IN REALITY AS TO WHETHER THE CHILDREN ARE HAVING
12 OR RECEIVING THE OPPORTUNITY TO MEET THOSE STANDARDS AND
13 TO OBTAIN A MINIMALLY ADEQUATE EDUCATIONAL OPPORTUNITY,
14 THE REALITY IS WHAT?

15 A THE OVERWHELMING DATA WOULD INDICATE THAT THAT IS NOT
16 THE CASE

17 Q NOW, JUST IF YOU LOOK AT ONE OF THE ISSUES, AND WE
18 TOUCHED ON THAT A LITTLE BIT, AND THAT WAS, YOU KNOW
19 WHEIHER THE SOUTH CAROLINA DEPARTMENT OF EDUCATION HAS A
20 TASK FORCE OR A PROGRAM OR GROUP THAT'S LOOKING AT THE
21 TEACHER CERTIFICATION PROGRESS

22 NOW YOU KNOW WHEN WHERE, HOW THE PLAINTIFF
23 SCHOOL DISTRICTS WILL GET THE TYPE OF TEACHERS THAT IT
24 NEEDS IN THOSE DISTRICTS TO GIVE THE CHILDREN THE
25 OPPORTUNITY TO LEARN IS UNKNOWN

1 A THAT IS CORRECT

2 Q AND WOULD YOU AGREE THAT UNLESS APPROPRIATE RESOURCES
3 ARE PROVIDED FOR THESE SCHOOL DISTRICTS TO GET THE QUALITY
4 OF TEACHERS--

5 MR STEPP YOUR HONOR, I OBJECT I DON'T THINK I
6 NEED TO HEAR THE WHOLE QUESTION TO KNOW IT'S LEADING WHEN
7 IT STARTS WOULD YOU AGREE

8 THE COURT WELL I THINK IT HAS BEEN ASKED AND
9 ANSWERED

10 MR STEPP THAT, TOO

11 MR EPPS WELL, IT HAS, YOUR HONOR, BUT SINCE HE
12 ASKED THE QUESTION, I JUST WANT TO FOLLOW UP AND MAKE SURE
13 THIS IS A KEY -- A KEY POINT

14 BY MR EPPS

15 Q CAN THE PLAINTIFF SCHOOL DISTRICTS PROVIDE CHILDREN
16 THE OPPORTUNITY FOR A MINIMALLY ADEQUATE EDUCATION AS
17 DEFINED BY THE EDUCATION ACCOUNTABILITY ACT OR AS
18 IMPLEMENTED BY THE STATE CURRICULUM STANDARDS WITHOUT
19 QUALITY OF TEACHERS THAT IT NEEDS?

20 A THE KEY LINK THE KEY PIECE TO YOUNGSTERS'
21 OPPORTUNITY TO LEARN IS THE QUALITY OF THE TEACHER THAT'S
22 IN THE CLASSROOM ALONG WITH THE OTHER THINGS THAT WE
23 TALKED ABOUT, THE RESOURCES, THE APPROPRIATE CLASS SIZES
24 THE APPROPRIATE REMEDIAL SERVICES

25 BUT A KEY PIECE OF THAT IS TEACHERS AND WE

1 HAVE LOOKED AT THAT DATA AND IT INDICATES THAT THAT'S NOT
2 -- THAT'S NOT HAPPENING NOT GOING TO HAPPEN IN THOSE
3 DISTRICTS UNLESS SOMETHING CHANGES SERIOUSLY ABOUT BOTH
4 THE NUMBER AND QUALITY OF TEACHERS THAT ARE HIGHLY
5 QUALIFIED IN THOSE DISTRICTS
6 Q ALL RIGHT MR STEPP ASKED YOU SOME QUESTIONS ABOUT
7 USING A TEST LIKE THE PACT TEST, AND OF COURSE, PULLED OUT
8 THE B S A P TEST WHICH HAS SOME OF THE LANGUAGE I WOULD
9 ASSUME THIS IS PRETTY STANDARD LANGUAGE AND WHATEVER THE
10 DEPARTMENT PUBLISHES?
11 A YOU WOULD SEE THIS IN VIRTUALLY ANY NATIONAL OR LOCAL
12 TEST EVERYBODY ALWAYS PUTS CAUTIONS IN THERE INCLUDING
13 COLLEGE BOARDS WHEN THEY ISSUE S A T RESULTS
14 Q ALL RIGHT AND THAT IS JUST TO MAKE SURE THAT THEY
15 DON'T USE A SINGLE CRITERIA TO MAKE BROAD JUDGMENTS?
16 A UNFORTUNATELY WE--
17 MR STEPP YOUR HONOR, NOW THAT'S LEADING I MEAN,
18 THAT REALLY PUTTING A SPIN ON IT THAT I M NOT SURE IS
19 CONSISTENT WITH WHAT SHE SAID I MEAN, IF HE WANTS TO
20 REITERATE HER TESTIMONY, AT LEAST BE ACCURATE HE SAYS
21 JUST TO SAY THIS
22 THE COURT HER TESTIMONY WAS SOMEWHAT BROADER THAN
23 THAT AS I RECALL
24 MR STEPP EXACTLY
25 MR EPPS WELL, I THOUGHT THAT'S WHAT SHE SAID I

1 A THAT HAS BEEN A -- THE CRUX OF MUCH OF OUR WORK IN
2 PRESENTING GAP INFORMATION AND USING TEST SCORE
3 INFORMATION TO INDICATE WHO IS BEING SERVED IN SOUTH
4 CAROLINA, WHO MAY NEED ADDITIONAL RESOURCES THAT'S A
5 PART OF NO CHILD LEFT BEHIND

6 MANY STATES THAT -- WE HAVE DONE THAT FOR A
7 NUMBER OF YEARS MANY STATES HAVE NOT BREAKING IT DOWN
8 AND GIVING YOURSELF AN HONEST PICTURE OF WHERE YOU ARE IS
9 THE PURPOSE OF THAT

10 THE FLIP SIDE OF THAT IS ONE THAT I HAVE SAID
11 CONSTANTLY CORRELATIONS DON'T INDICATE CAUSES CAUSES
12 COME FROM SOMEWHERE ELSE, AND THAT'S WHAT I THINK THIS
13 TRIAL IS ABOUT IS TALKING ABOUT WHAT WE NEED TO DO

14 Q RIGHT AND YOU SAID THERE WAS A CORRELATION BETWEEN
15 SOCIOECONOMIC STATUS AND STUDENT PERFORMANCE, BUT IT WAS
16 NOT CAUSATIVE WOULD YOU EXPLAIN THAT, PLEASE?

17 MR STEPP YOUR HONOR, I DO NOT BELIEVE SHE DID SAY
18 THAT AS A MATTER OF FACT

19 THE COURT NO, SHE JUST SAID THAT GENERAL
20 CORRELATION DOES NOT MEAN CAUSATION

21 MR EPPS OKAY WELL, LET ME -- PERHAPS I READ --
22 HEARD IT IN THE WRONG CONTEXT I THOUGHT THAT'S WHERE YOU
23 WERE TALKING

24 BY MR EPPS

25 Q BUT IN TERMS OF SOCIOECONOMIC STATUS IS THERE A

1 OPPORTUNITY TO DO AND BECAUSE THEY ARE IN POVERTY, THEY
2 SHOULD NOT BE DENIED THE OPPORTUNITY, OR BECAUSE THEY ARE
3 IN DISTRICTS THAT ARE HIGH POVERTY AND MAY NOT HAVE THE
4 RESOURCES, THEY SHOULD NOT BE DENIED THE OPPORTUNITY TO
5 TELL US WHAT THEY KNOW OR TO REALIZE THEIR DREAMS OR TO BE
6 THOSE -- LIKE THOSE FOURTH GRADERS I DESCRIBED WHO SAID
7 WHAT THEY WANTED TO BE WHEN THEY GREW UP AND ACTUALLY HAVE
8 THE OPPORTUNITY TO DO THAT

9 Q AND IF GIVEN THE OPPORTUNITY CAN STUDENTS FROM LOW
10 SOCIOECONOMIC BACKGROUNDS PERFORM JUST AS WELL AS MIDDLE
11 CLASS OR UPPER CLASS STUDENTS?

12 A ABSOLUTELY

13 Q ALL RIGHT NOW, THE LAST QUESTION -- I THINK THE
14 LAST QUESTION I WANT TO ASK YOU IS HE ASKED YOU SOME
15 QUESTIONS ABOUT USING THE PACT DATA OR SUBSEQUENTLY THE
16 B S A P DATA TO MAKE JUDGMENTS I WANT TO MAKE SURE THAT
17 YOU ARE NOT USING THIS DATA INCORRECTLY BECAUSE IT SAYS
18 DON'T MAKE BROAD JUDGMENTS OR STATEMENTS ABOUT THE
19 TEACHERS, SCHOOL BASED ON THIS SINGLE TEST AND MRS
20 LANDRESS, COULD WE PULL UP 6224 AND LET'S FOCUS ON THE
21 PACT SCORES THE BOTTOM OF THE PAGE

22 DR LINDSEY, LET'S GO THROUGH THESE -- TO THESE
23 PACT SCORES AND WE ARE LOOKING AT BELOW BASIC SCORES
24 HERE FOR ALLENDALE IT'S 49 5 PERCENT THESE ARE 2003
25 SCORES

1 DILLON TWO IT'S 38 3 PERCENT FLORENCE FOUR IS
2 48 5 PERCENT HAMPTON TWO IS 59 4 PERCENT JASPER IS
3 54 5 PERCENT LEE IS 51 PERCENT MARION SEVEN, 52
4 PERCENT ORANGEBURG THREE, 44 PERCENT

5 AND WE WILL DO THE SAME THING WITH MATH 2003
6 ALLENDALE 57 PERCENT DILLON TWO, 42 PERCENT FLORENCE
7 FOUR, 50 PERCENT HAMPTON TWO 54 PERCENT JASPER 53
8 PERCENT LEE 51 PERCENT MARION SEVEN, 54 PERCENT
9 ORANGEBURG THREE, 44 7 PERCENT

10 NOW, WE LOOK AT THESE PACT SCORES -- WE ARE NOT
11 TALKING PROFICIENT WE ARE TALKING BELOW BASIC OKAY?

12 A THAT S CORRECT

13 Q NOW, IF YOU CONSIDER THIS IN THE CONTEXT OF THE OTHER
14 INFORMATION THAT YOU HAVE AVAILABLE TO YOU, THE OTHER TEST
15 DATA, FOR EXAMPLE, AND THAT WOULD INCLUDE THE S A T
16 SCORES WHICH SHOULD NOT BE CONSIDERED STANDING ALONE, THE
17 A C T SCORES, THE SAME THING, SHOULD NOT BE CONSIDERED
18 STANDING ALONE, THE GRADUATION RATES, THE EXIT EXAM
19 RESULTS

20 WHEN YOU LOOK AT THE TEACHER CHARACTERISTICS
21 WHEN YOU LOOK AT THIS WHOLE PACKAGE OF INFORMATION
22 AVAILABLE TO YOU ON THE PLAINTIFF DISTRICTS, DO YOU HAVE
23 ANY RELUCTANCE IN SAYING THE STUDENTS IN THE PLAINTIFF
24 DISTRICTS ARE NOT BEING PROVIDED WITH AN ADEQUATE
25 EDUCATIONAL -- EXCUSE ME -- WITH THE OPPORTUNITY TO

1 ACQUIRE A MINIMALLY ADEQUATE EDUCATION?

2 A I HAVE NO PROBLEM IN STATING THAT I USE TEST SCORES
3 BECAUSE E A A REQUIRES US TO USE TEST SCORES THAT'S
4 VERY SPECIFIC IN THE LAW AS TO THE REPORTING OF THOSE
5 ISSUING OF REPORT CARDS THAT DETAILS THAT INFORMATION

6 IT'S THE PIECE THAT I'M REQUIRED BY LAW TO USE,
7 BUT IT'S NOT THE ONLY DATA AS YOU HAVE INDICATED THAT WE
8 HAVE THERE IS TREMENDOUS ANECDOTAL DATA FROM TEACHERS,
9 THERE IS THE OTHER DATA THAT YOU HAVE JUST INDICATED FROM
10 OTHER SOURCES

11 THERE ARE THE GRADES OF CHILDREN IN -- ON TESTS
12 THAT TEACHERS HAVE MADE THERE S THE NUMBERS OF
13 YOUNGSTERS WHO ARE BEING RETAINED THERE'S THE EVIDENCE
14 OF THE LACK OF FOUR YEAR OLD PROGRAM SLOTS FOR OUR STATE

15 THERE'S -- IT RANGES THE WHOLE RANGE I
16 WOULDN'T HAVE TO RELY ON PIECE OF DATA A SINGLE PIECE OF
17 DATA ALL OF IT SHOWS THE SAME, VERY SAD MESSAGE FOR MANY
18 OF THE -- FOR THE PLAINTIFF DISTRICTS AND ACTUALLY FOR
19 OTHER HIGH POVERTY DISTRICTS IN OUR STATE

20 IT -- AGAIN I SAID TO YOU THAT I DID NOT SLEEP
21 WELL LAST NIGHT BECAUSE OF THIS VERY SLIDE AND THE FACES
22 OF THE CHILDREN THAT THIS REPRESENTS THERE ARE LARGE
23 NUMBERS OF YOUNGSTERS WHO ARE BELOW BASIC, WHO HAVE NOT
24 ANY CHANCE OF MASTERY OF GRADE LEVEL STANDARDS, OF MOVING
25 THROUGH THE GRADE LEVELS AND REALIZING THE DREAMS THAT

1 THEY HAVE FOR THEIR FUTURES

2 Q AND FIRST PART OF THAT DREAM OR A CRITICAL PART OF
3 THAT DREAM -- EXCUSE ME -- WOULD BE A HIGH SCHOOL DIPLOMA?

4 A THAT PROVIDES THE SET OF KEYS THAT THEY PUT IN THEIR
5 POCKET AND THEY TAKE TO MOVE ON TO THE NEXT STAGE OF THEIR
6 LIFE

7 Q THANK YOU DR LINDSEY

8 THE COURT MR STEPP, I DON'T WANT TO INHIBIT YOUR
9 RE-CROSS, AND YOU CAN TAKE AS MUCH TIME AS YOU NEED IF
10 YOU CAN HANDLE IT IN A FEW MINUTES, WE WILL DO IT BEFORE
11 WE GO TO LUNCH

12 MR STEPP I CAN HANDLE IT IN NO MINUTES I DON'T
13 HAVE ANY OTHER QUESTIONS

14 THE COURT GOOD MR SANDIFER?

15 MR SANDIFER NO FURTHER QUESTIONS

16 MR EPPS I APOLOGIZE I DID NOT KNOW

17 THE COURT NO, I WAS WATCHING I COULD HAVE STOPPED
18 YOU AT ANY TIME, BUT I WAS GOING TO TRY TO FINISH DR
19 LINDSEY'S TESTIMONY BEFORE WE BROKE IF WE COULD DO IT AND
20 WE COULD DO IT THANK YOU DR LINDSEY YOU CAN STEP
21 DOWN

22 (OFF THE RECORD DISCUSSION)

23 THE COURT WE WILL STOP NOW FOR LUNCH AND COME BACK
24 IN AN HOUR AND 15 MINUTES FOLKS HOWEVER LONG THAT IS,
25 YOU ALL WILL HAVE TO CALCULATE IT THANK YOU WE WILL BE

1 A NOT THAT I CAN REMEMBER THAT THE FIRE MARSHAL TALKED
2 ABOUT WE HAVE HAD LOTS OF PROBLEMS WITH LOCKS NOT
3 WORKING PROPERLY AND THAT KIND OF THING, AND ALL OF THOSE
4 HAVE BEEN REFERRED TO MAINTENANCE DEPARTMENT AND AS FAR
5 AS I AM CONCERNED, ALL THE LOCKS HAVE BEEN TAKEN CARE OF
6 Q AND I BELIEVE THERE WERE ALSO SOME PROBLEMS WITH SOME
7 DOORS BEING TOO HEAVY FOR THE CHILDREN IS THAT CORRECT?
8 A THE FIRE MARSHAL DID NOT CITE US FOR THAT
9 Q OKAY HAVE THE PROBLEMS WITH THE WEIGHT OF THE DOORS
10 BEEN REMEDIED? DO YOU HAVE NEW DOORS?
11 A DO WE HAVE ANY DOORS?
12 Q DO YOU HAVE NEW DOORS? HAVE THEY BEEN REMEDIED IN
13 ANY WAY?
14 A OKAY NO, THE DOORS ARE STILL VERY HEAVY AND
15 DIFFICULT FOR SOME OF OUR YOUNGSTERS TO OPEN
16 Q OKAY NOW DR FRANCHINI, IS IT YOUR USUAL PRACTICE
17 WHEN YOU HAVE PROBLEMS LIKE THAT, TO REFER THEM TO THE
18 MAINTENANCE DEPARTMENT?
19 A THE USUAL PRACTICE IN OUR DISTRICT IS TO REFER ALL
20 MAINTENANCE ITEMS TO THE DISTRICT -- TO THE DISTRICT LEVEL
21 OR TO ASK OUR CUSTODIAL STAFF TO HANDLE THEM NOW, THE
22 CUSTODIAL STAFF OBVIOUSLY IS TRAINED TO HANDLE CUSTODIAL
23 ISSUES AS OPPOSED TO MAINTENANCE ITEMS EVERY ONCE IN A
24 WHILE
25 BUT YOU KNOW SOMEONE COMES ALONG THAT HAS SOME

1 FIND THAT INFORMATION OUT AND TO MAKE YOUR CASE TO THE
2 DISTRICT SO TO SPEAK, ABOUT PRIORITY ITEMS THAT YOU HAVE
3 OR NEED AT BARNWELL ELEMENTARY -- EXCUSE ME --

4 A I'M AT ALLENDALE

5 Q -- ALLENDALE ELEMENTARY

6 A NO, I DON'T THINK THAT'S IMPORTANT THAT I NEED TO
7 KNOW ALL THE MONIES THAT COME INTO THE DISTRICT I DO
8 THINK IT'S IMPORTANT THAT I'M AWARE OF WHAT MONIES ARE
9 ALLOCATED TO OUR SCHOOL AND THOSE -- AND THEN TO BE
10 PHYSICALLY RESPONSIBLE FOR THOSE MONIES THAT ARE GIVEN TO
11 OUR SCHOOL

12 CERTAINLY THAT'S UP TO SOMEONE ELSE IN ANOTHER
13 POSITION THAN I AM TO MAKE THOSE DECISIONS ABOUT
14 DISTRICT-WIDE FUNDS THAT COME IN AND SOME OF THE TIMES
15 I'M NOT AWARE OF IT

16 NOW, AT THE SAME TIME SHOULD I BECOME AWARE OF
17 IT AND WOULD WANT TO MAKE MY CASE OF CERTAIN THINGS, AND I
18 HAVE DONE THAT, REGARDLESS OF THE KNOWLEDGE OF HOW MUCH
19 MONEY IS THERE, AND OFTEN TIMES THE ANSWER FROM THE
20 SUPERINTENDENT OR FROM THOSE FOLKS THAT ARE IN CONTROL OF
21 THAT MONEY IS THERE JUST IS NOT MONEY AVAILABLE FOR MANY
22 OF THE ITEMS THAT I REQUESTED

23 Q DR FRANCHINI, IT'S YOUR OPINION THAT YOU -- THAT YOU
24 SIMPLY NEED A NEW SCHOOL BASICALLY FOR ALLENDALE
25 ELEMENTARY?

1 A THAT WOULD BE MY OPINION, BUT I CERTAINLY AM NOT AN
2 ARCHITECTURAL OR ENGINEER OF ANY SORT BUT I THINK THAT
3 GIVEN THE FACT THAT WE HAVE FOUR SEPARATE BUILDINGS, IT IS
4 NOT EFFECTIVE INSTRUCTIONALLY TO HANDLE 600 CHILDREN IN
5 FOUR SEPARATE BUILDINGS SPANNING THE LENGTH OF ALMOST
6 THREE BLOCKS

7 JUST SO IF I WERE TO WALK FROM THE FRONT OFFICE
8 TO THE BACK BUILDING TO MONITOR WHAT WAS GOING ON WITH OUR
9 MONTISORY PROGRAM, YOU KNOW, TAKES SEVERAL MINUTES JUST TO
10 WALK THERE

11 TO DO THAT ON SEVERAL TIMES DURING THE DAY,
12 OBVIOUSLY YOU ARE LOSING TIME AND ENERGY AND
13 EFFECTIVENESS, AND IT'S -- SOMEWHAT LEAVES ME SOME
14 CONCERNS IN TERMS OF SOME SAFETY ISSUES TO HAVE TO WALK
15 THAT FAR OR FOR CHILDREN TO HAVE TO WALK THAT FAR FROM ONE
16 BUILDING TO THE NEXT

17 CERTAINLY IMPACTS DRAMATICALLY ON OUR
18 INSTRUCTIONAL PROGRAM TO HAVE THAT MANY BUILDINGS AND THAT
19 FAR TO GO

20 Q DR FRANCHINI A NEW SCHOOL IS A COSTLY SOLUTION,
21 ISN'T IT, IN TERMS OF DOLLARS, FINANCIALLY A VERY COSTLY
22 SOLUTION?

23 A YES

24 Q HAVE YOU EVER INVESTIGATED OR RESEARCHED ANY OTHER
25 LESS COSTLY SOLUTIONS FOR YOUR SCHOOLS IN TERMS OF SPACE

1 OF ARCHITECTURE OR THE SAVANNAH COLLEGE OF ARTS AND
2 DESIGN, WHICH IS CLOSER TO YOU THAT THEIR STUDENTS
3 INVESTIGATE THAT, PERHAPS, AS A SCHOOL-WIDE PROJECT?

4 A NO, I HAVEN'T DONE THAT

5 Q DR FRANCHINI, ARE SOME OF THE PROBLEMS AT YOUR
6 SCHOOL AS I UNDERSTAND THEM SORT OF DEFERRED MAINTENANCE
7 PROBLEMS, WALLS THAT NEED PAINT AND THOSE KINDS OF THINGS?

8 A YOU ASKED ME IF SOME WERE? YES, INDEED SOME ARE

9 Q OKAY

10 A BUT MANY OF THE OTHER ISSUES THAT COME ABOUT IN TERMS
11 OF MAINTENANCE ARE MUCH GREATER THAN PAINT ON THE WALLS
12 AND I WOULD AGREE THAT PAINT ON THE WALLS COMES FAR DOWN
13 THE LIST AND WE DO HAVE ROOMS THAT I REQUESTED TO BE
14 PAINTED AND THEY HAVE NOT YET BEEN PAINTED BUT WE HAVE
15 FAR GREATER ISSUES THAN PAINT ON THE WALL

16 Q OKAY WELL AND ARE SOME OF YOUR PROBLEMS, AS I
17 UNDERSTAND IT AT YOUR SCHOOLS ARE SIMPLY MAINTENANCE
18 ISSUES, YOU KNOW, MAYBE FLOORS THAT NEED TO BE MORE
19 CLEANED MORE THOROUGHLY AND THOSE KINDS OF THINGS?

20 A AGAIN, SOME ARE BUT CERTAINLY NOT THE VAST MAJORITY
21 OF THOSE ISSUES THAT TAKE AWAY FROM INSTRUCTIONAL TIME
22 WE HAVE A CEILING IN THE LITERACY ROOM THAT'S GOT PLASTER
23 FALLING OFF MY UNDERSTANDING IS THAT THAT'S FROM A ROOF
24 LEAK

25 WE HAVE SEVERE LEAKS IN THE MEDIA CENTER WHERE

1 BOOKS HAVE BECOME DAMAGED BECAUSE OF LEAKS WE HAVE
2 ROTTING WINDOWS THAT END UP WITH LEAKS WE HAVE DOORS ON
3 TRAILERS THAT ARE DIFFICULT TO OPEN WE HAVE TRAILERS
4 WHERE THE ROOFS LEAK AND THE LIGHT FIXTURES COULD DROP AT
5 ANY MOMENT

6 SO THOSE ISSUES ARE NOT LIMITED BY ANY MEANS TO
7 MERE MAINTENANCE OR ROUTINE MAINTENANCE THOSE ARE THINGS
8 THAT TAKE MONEY AND INVESTMENT, TIME AND ENERGY TO FIX

9 Q WELL DR FRANCHINI, IT'S TRUE, ISN'T IT THAT A CLEAN
10 AND FRESHLY PAINTED SCHOOL IS A MORE INVITING SCHOOL,
11 ISN'T IT?

12 A CERTAINLY IT'S A MORE INVITING SCHOOL, BUT THAT'S NOT
13 THE ISSUE AT ALLENDALE ELEMENTARY INVITING -- WE CAN DO
14 WITH A LITTLE BIT OF PAINT AND SOME, YOU KNOW, PERHAPS
15 SOME HALLWAY DECORATIONS BUT YOU CAN'T WITH A LITTLE BIT
16 OF PAINT REPAIR DARKENED HALLWAYS WHERE THE LIGHTING IS
17 INADEQUATE, YOU CAN'T REPAIR CEILINGS THAT HAVE SUSTAINED
18 YEARS OF LEAKING

19 WITH A LITTLE BIT OF ROUTINE MAINTENANCE YOU'RE
20 NOT -- IT'S GOING TO TAKE TREMENDOUS AMOUNT OF DIVERTING
21 OF THE WATER THAT LEAKS INTO THE CAFETERIA AND THE
22 CAFETERIA FLOOR AND INTO THE GYM ON THE -- IN THE GYM
23 FLOOR WHEN WE HAVE RAIN STORMS THAT'S NOT GOING TO TAKE
24 SOMEBODY, COME IN WITH A LITTLE BIT OF PAINT AND JUST TO
25 MAKE IT A LITTLE MORE WELCOMING

1 TO A NEW LUNCHROOM PROCEDURE, A NEW BREAKFAST PROCEDURE, A
2 NEW LOADING AND UNLOADING OF BUS PROCEDURE, ESPECIALLY FOR
3 THREES AND FOURS AND FIVES IS A VERY DIFFICULT
4 TRANSITION

5 THE FACILITY HAS BEEN CONSISTENT SO FAR THIS
6 YEAR, ALTHOUGH THAT IS THE FACILITY THAT HAS THE BULGING
7 FACADE ON IT AND SO THERE HAS BEEN SOME CONCERN, AND WE
8 HAVE HAD STRUCTURAL ENGINEERS IN THERE EXAMINING THE
9 BUILDING AND SOME OF THAT CAUSED A DISRUPTION

10 THERE IS A PORTION OF THAT -- OUTSIDE OF THE
11 BUILDING WHERE THE CHILDREN CAN'T WALK BY BECAUSE OF THE
12 BULGING FACADE AND SO WE'VE HAD A LOT OF DIFFICULTY WITH
13 THE INSTRUCTIONAL PROGRAM IN THE MONTISORY CLASS

14 Q SO IS IT YOUR TESTIMONY THEN IT'S NOT -- THAT IT'S
15 NOT BEEN EFFECTIVE FOR ALLENDALE ELEMENTARY?

16 A SIR, NOT TO PUT IT IN THAT WAY NOT TO SAY THAT THE
17 MONTISORY PROGRAM CANNOT BE EFFECTIVE IN ALLENDALE WE
18 HAVE HAD A LOT OF DIFFICULTY THAT HAS CAUSED THE MONTISORY
19 PROGRAM AT THIS POINT NOT TO MEET MY EXPECTATIONS OF WHAT
20 IT COULD BE GIVEN THE RIGHT CONDITIONS

21 BUT WE HAVE HAD A LOT OF ISSUES THAT HAVE COME
22 UP THAT HAVE CREATED CONDITIONS THAT ARE MAKING THE
23 MONTISORY PROGRAM -- MAKING US NOT BE ABLE TO IMPLEMENT
24 THE MONTISORY PROGRAM IN THE WAY THAT WE WOULD LIKE TO

25 Q DO YOU HAVE EXPERIENCE AS A EITHER TEACHER OR

1 SOMETIMES RESISTANCE ON BEHALF OF TEACHERS TO EMBRACE

2 THEM HAS THAT EXISTED AT YOUR SCHOOL?

3 A WE HAVE TEACHERS WHO ABSORB THE INFORMATION THAT
4 TEACHER SPECIALISTS PROVIDE AT DIFFERENT LEVELS ALL OF
5 THE REASONS FOR WHY SOME PEOPLE ABSORB THAT INFORMATION
6 MORE THAN OTHERS DO, I DON'T HAVE CAUSAL INFORMATION ABOUT
7 THAT

8 Q WELL IS IT NOT IMPORTANT TO YOU TO GO TO THAT
9 TEACHER AND SAY, WHY AREN T YOU -- WHY AREN'T YOU
10 UTILIZING THE INFORMATION YOU LEARNED FROM THIS TEACHER
11 SPECIALIST? TO ME THAT SEEMS LIKE A VERY EASY QUESTION
12 BUT YOU DON'T HAVE THAT KIND OF CONVERSATION?

13 A SURE, I HAVE THOSE KINDS OF CONVERSATIONS

14 Q AND SO FROM THAT DO YOU NOT TAKE AWAY INFORMATION
15 PERHAPS ABOUT A LACK OF EFFECTIVENESS OF A TEACHER
16 SPECIALIST IN -- WITH A GIVEN GROUP OF TEACHERS?

17 A THE WAY YOU HAVE FORMED THAT QUESTIONS MEANS THAT
18 IT'S THE LACK OF THE EFFECTIVENESS OF THE TEACHER
19 SPECIALIST IMPLYING THAT IT'S THE TEACHER SPECIALIST THAT
20 ALWAYS WOULD HAVE THE ISSUE

21 GIVEN ANY SITUATION IT'S A COMBINATION OF ALL
22 OF THOSE FACTORS, NOT THE TEACHER SPECIALIST THAT PERHAPS
23 ISN'T AS EFFECTIVE IT MIGHT BE THAT THE TEACHER ISN'T
24 ABSORBING THE INFORMATION

25 IT COULD BE A COMBINATION OF OTHER FACTORS THAT

1 ARE GOING ON, WITH THE EXPERIENCE OF THE TEACHER, THE
2 EXPERIENCE OF THE TEACHER EFFECTIVENESS -- OF THE --
3 EXCUSE ME -- OF THE TEACHER SPECIALIST AND THE CONDITIONS
4 IN THE CLASSROOM MIGHT EFFECT THE EFFECTIVENESS OF THAT
5 RELATIONSHIP

6 Q BUT YOU -- YOU ANALYZE THAT STRUCTURE OF HOW YOUR
7 VARIOUS FOLKS INTERACT WITH YOUR OTHER TEACHERS AND
8 YOU'RE COMFORTABLE THAT YOU -- THAT YOU HAVE THE BEST
9 SET-UP WITH THAT GROUP OF FACULTY THAT YOU CAN?

10 A I'M COMFORTABLE WITH THE INFORMATION THAT I HAD AT
11 THE END OF LAST SCHOOL YEAR THAT WE DID A GOOD JOB OF
12 PLACING THEM FOR THIS YEAR NOW AS MY EXPERIENCE WITH
13 THE TEACHERS AND THE TEACHER ASSISTANTS AND THE TEACHER
14 SPECIALISTS BECOMES GREATER, I GET MORE INFORMATION AND
15 THEN PERHAPS THE DECISIONS THAT WERE MADE GIVEN THE
16 INFORMATION AT THAT TIME MIGHT BE DIFFERENT AT SOME FUTURE
17 TIME BECAUSE OF ADDITIONAL INFORMATION

18 CERTAINLY AT THE END OF LAST YEAR AS WE WERE
19 MAKING DECISIONS ABOUT WHICH TEACHER SHOULD BE AT WHICH
20 GRADE LEVEL, WHICH ASSISTANTS SHOULD BE WORKING WITH
21 CERTAIN TEACHERS, TO THE BEST OF OUR ABILITY AT THAT TIME
22 WE MADE DECISIONS

23 NOW AM I TELLING YOU THAT I AM CONFIDENT THAT
24 EVERYONE IS WORKING IN THE HIGHEST -- TO THE HIGHEST
25 DEGREE AND THAT -- THEIR STRONGEST CAPACITY? I'M NOT

1 OFFER ADVICE ABOUT THINGS THAT COULD BE BETTER OR
2 DIFFERENTLY?

3 A I PROVIDE WRITTEN FEEDBACK MOST OF THE TIME WHEN I AM
4 IN CLASSROOMS THERE ARE TIMES WHEN I'M IN CLASSROOMS
5 THAT I DON'T PROVIDE EITHER VERBAL OR WRITTEN FEEDBACK

6 Q AND WHY NOT?

7 A PERHAPS TIME IS AN ISSUE

8 Q DO YOU READ EDUCATIONAL LITERATURE?

9 A YES, SIR

10 Q DO YOU EVER, WHEN YOU ARE READING SOME EDUCATIONAL
11 LITERATURE, SAY HMM I SAW MR SMITH DOING THAT IN HIS
12 CLASSROOM AND MAYBE PHOTOCOPY THAT PAGE AND SLIDE IT IN
13 HIS BOX?

14 A SURE AND THAT IS WHAT -- I WOULD CONSIDER THAT
15 INFORMAL STAFF DEVELOPMENT

16 Q DO YOU EVER ASK TO GO MODEL LESSONS FOR TEACHERS?

17 A I DON'T MODEL LESSONS

18 Q WHY NOT?

19 A WE HAVE TEACHER SPECIALISTS THAT HAVE -- THAT WILL
20 MODEL LESSONS FOR ME PRIMARILY AS A MATTER OF TIME AND
21 EFFORT, THAT TAKES A PLAN THEY ARE CLOSER TO THOSE
22 TEACHERS, AND THEIR RELATIONSHIPS WITH THOSE TEACHERS ARE
23 PROBABLY STRONGER, AND SO THEY TYPICALLY WOULD DO THE
24 DEMONSTRATION LESSONS

25 Q OKAY DO YOU EVER GO TO THEM AND ASK THEM TO DO

1 IF I COULD THIS MORNING, SPECIFICALLY ON ANY KIND OF
2 INSTRUCTIONAL EFFORTS THAT ARE MADE IN ALLENDALE
3 ELEMENTARY SCHOOL SPECIFICALLY FOR PURPOSES OF
4 REMEDIATION

5 AND I -- WE -- SOME OF THESE THINGS, I KNOW
6 SPECIFICALLY THE ORCHARD I BELIEVE YOU SAID WAS A
7 REMEDIATION PROGRAM DOES ALLENDALE ELEMENTARY HAVE A
8 HOMEWORK CENTER OR AN AFTERSCHOOL PROGRAM?

9 A NOT THIS YEAR IT WAS DUE TO BUDGET CUTS WE HAD CUT
10 TO CUT THE HOMEWORK CENTER -- DUE TO BUDGET CUTS

11 Q ARE THERE ANY OTHER EFFORTS THAT ALLENDALE ELEMENTARY
12 IS MAKING BY WAY OF REMEDIATION THAT WE DIDN'T TALK ABOUT
13 YESTERDAY?

14 A PRIMARILY THE MODE OF REMEDIATION THAT WE USE IS
15 SMALL GROUPS WITHIN THE CLASSROOM WHERE THE CLASSROOM
16 TEACHER IS RESPONSIBLE FOR TEACHING DIFFERENTIATED GROUPS
17 WITHIN HER CLASSROOM

18 Q OKAY IN YOUR DEPOSITION YOU DISCUSSED SOMETHING
19 CALLED A MODIFIED BLOCK SCHEDULING IS THAT A -- SOME
20 TYPE OF PROGRAMMATIC CHANGE DESIGNED FOR PURPOSES OF
21 REMEDIATION?

22 A IT'S A WAY OF GROUPING STUDENTS SO THAT THE TEACHER
23 HAS A SMALLER -- THE REGULAR CLASSROOM TEACHER HAS A
24 SMALLER GROUP OF STUDENTS THAT -- TO WHICH SHE TEACHES
25 READING DURING THAT TIME SO IT'S NOT DESIGNED

1 Q OKAY AND AS I UNDERSTAND FROM MRS HARRIS YOU
2 STILL DON'T HAVE A CURRICULUM IN ALLENDALE, CORRECT?

3 A IT IS IN PROCESS

4 Q IT IS IN PROCESS AND HAS YOUR SCHOOL BEEN USING THE
5 DRAFT CURRICULUM DOCUMENTS THIS YEAR?

6 A YES

7 Q OKAY WITH REGARD TO THE PACT SCORES, DR FRANCHINI,
8 ARE YOU SURPRISED AT YOUR PACT SCORES GIVEN THE FACT THAT
9 YOU HAVEN'T REALLY HAD A CURRICULUM IN PLACE AT ALLENDALE
10 ELEMENTARY?

11 A WHAT I NEED TO DO IS TO GO BACK TO YOUR FIRST
12 QUESTION WHEN I SAID -- YOU ASKED ME IF WE WERE USING
13 THE DRAFT WE DON'T HAVE A DRAFT COPY OF WHAT THEY ARE
14 WORKING ON WE HAVEN'T GOTTEN TO THAT PLACE WE HAVE HAD
15 IN -- FROM MANY YEARS PAST CURRICULUM GUIDES AND SO WE
16 HAVE BEEN USING THOSE CURRICULUM GUIDES FOR THE YEARS
17 PAST

18 DO THE SCORES SURPRISE ME BECAUSE OF LACK OF
19 CURRICULUM GUIDE? NO WE USE A PACING GUIDE AND WE TAKE
20 THOSE STANDARDS AND WE LOOK AT EACH STANDARDS AND WE
21 ANALYZED THE STANDARDS, AND WE HAVE A PACING GUIDE THAT
22 SAYS TEACH THIS GROUP OF SKILLS DURING THESE WEEKS AND
23 TEACH THESE GROUP OF SKILLS DURING THESE WEEKS

24 AND OUR TEACHERS FOR THE MOST PART FOLLOW THAT
25 GUIDE, SO I DON'T BELIEVE THE PACT SCORES ARE A REFLECTION

1 OF A LACK OF CURRICULUM GUIDES

2 Q AND IS THAT CURRICULUM GUIDE ALIGNED TO THE STATE
3 STANDARDS?

4 A WE HAVEN'T SEEN IT YET IT'S NOT FINISHED, SO I'M
5 ASSUMING IT WILL BE

6 Q WELL, WHATEVER YOU HAVE BEEN USING, IS THAT ALIGNED
7 TO THE STATE STANDARDS?

8 A TO THE STATE STANDARDS THAT WERE AVAILABLE AT THE
9 TIME IT WAS WRITTEN

10 Q DR FRANCHINI, YOU HAVE INDICATED THAT YOU -- SINCE
11 YOU HAVE BEEN IN ALLENDALE ELEMENTARY SCHOOL YOU HAVE
12 SEEN QUALITATIVE CHANGES IN YOUR SCHOOL?

13 A YES I HAVE

14 Q BUT YOU ARE DISAPPOINTED IN THE QUANTITATIVE CHANGES
15 THAT HAS OCCURRED?

16 A YES

17 Q HAVE OCCURRED

18 A YES, SIR

19 Q HAVE YOU, SINCE YOU HAD YOUR DEPOSITION TAKEN, SEEN
20 ANY ADDITIONAL QUANTITATIVE CHANGES IN YOUR SCHOOL BY WAY
21 OF BENCHMARK TESTING RESULTS?

22 A WE DID BENCHMARK TESTING LAST YEAR FOR THE FIRST
23 TIME, AND BENCHMARK TESTING DOES NOT -- IT'S LIKE
24 DIAGNOSTIC TENSION -- EXCUSE ME -- TESTING SO ACTUALLY
25 SEE, YOU OUGHT TO SEE IMPROVEMENT THROUGHOUT THE YEAR

1 GRANDMOTHER, BUT YOU ARE TALKING ABOUT GENERATIONS OF
2 POVERTY AND GENERATIONS OF EXPECTING BEHAVIORS AND WAYS
3 THAT MAY DIFFER FROM A PERSON WHO IS NOT BROUGHT UP IN
4 ALLENDALE FOR INSTANCE
5 Q AND I THINK YOU TESTIFIED THAT YOU NEED A TEACHER WHO
6 UNDERSTANDS THAT AND IS SKILLED IN HANDLING THAT?
7 A OH, YES YOU DO, AND THOSE ARE DIFFICULT TEACHERS TO
8 COME BY
9 Q ALL RIGHT HAVE YOU BEEN IN OTHER SCHOOLS WHERE
10 STUDENT BEHAVIOR HAS BEEN A DISRUPTION TO THE INSTRUCTION?
11 A OH, YES, I HAVE
12 Q IS THAT -- CAN YOU SAY THAT'S TRUE OF EVERY SCHOOL
13 YOU HAVE EVER BEEN IN?
14 A WHERE STUDENT BEHAVIOR HAS BEEN A DISRUPTION? YES
15 Q EVERY SCHOOL?
16 A EVERY SCHOOL THAT I HAVE EVER BEEN IN
17 Q ALL RIGHT WELL, LET'S TALK NOW ABOUT YOUR TESTIMONY
18 YESTERDAY AND MR BARNES WAS QUESTIONING YOU ABOUT WHAT
19 IS AVAILABLE AT ALLENDALE ELEMENTARY SCHOOL
20 A UH-HUH
21 Q I THINK YESTERDAY YOU TALKED ABOUT THE BOTTOM LINE
22 BEING THE STUDENTS ARE THEY GETTING IT, AND IF THEY ARE
23 NOT, WHY NOT DO YOU REMEMBER THAT? WHAT IS THE SHORT
24 ANSWER TO THAT QUESTION? ARE THEY GETTING IT?
25 A NO

1 Q NO?

2 A I'M SO SORRY

3 Q OKAY

4 A BUT NO, THEY ARE NOT

5 Q ALL RIGHT WELL, MR BARNES TOOK SOME TIME YESTERDAY
6 TO GO THROUGH ON THESE FLIP CHARTS THROUGH NUMBERS AND
7 KINDS OF TEACHERS AND OTHER STAFF MEMBERS, THINGS HE
8 CALLED INFORMAL PROFESSIONAL DEVELOPMENT, MATERIALS AND
9 PROGRAM

10 AND HE ALSO SPENT SOME TIME ASKING YOU WHY YOU
11 DID NOT ELIMINATE SOME POSITIONS OR PROGRAMS AND MOVE
12 MONEY AROUND TO BE MORE EFFECTIVE IN YOUR USE OF WHAT'S
13 AVAILABLE TO YOU YOU RECALL THAT?

14 A YES MA'AM

15 Q WELL I WANT TO GO THROUGH SOME OF THOSE NUMBERS
16 NOW AND LET'S START AGAIN WITH YOUR BOTTOM LINE FOR
17 STUDENTS OF ALL THE THINGS THAT YOU DISCUSSED WITH MR
18 BARNES YESTERDAY THE TEACHERS OTHER STAFF MATERIALS
19 PROFESSIONAL DEVELOPMENT, PROGRAMS OF ALL OF THOSE
20 THINGS, WHICH IS THE MOST IMPORTANT WHEN IT COMES TO
21 DELIVERING INSTRUCTION AND DELIVERING THE CURRICULUM TO
22 THE STUDENT?

23 A THE DELIVERER, WHICH IS THE CLASSROOM TEACHER --

24 Q TEACHER?

25 A -- IS WITHOUT A DOUBT THE MOST IMPORTANT TOOL

1 Q ALL RIGHT

2 A MOST IMPORTANT RESOURCE

3 Q WELL, LET'S LOOK AT THOSE NUMBERS AND THOSE KINDS OF
4 POSITIONS THAT YOU HAVE AT ALLENDALE ELEMENTARY FIRST OF
5 ALL, DO YOU BELIEVE YOU HAVE PLACED THE STAFF THAT YOU
6 HAVE IN POSITIONS OR ASSIGNMENTS THAT MAKE THE HIGHEST AND
7 BEST USE OF THEIR QUALIFICATIONS AND TALENTS?

8 A YES I DO

9 Q HAVE YOU DONE ALL YOU CAN TO PLACE THEM WHERE YOU
10 BELIEVE THEY SHOULD BE TO SERVE THE STUDENTS IN THE BEST
11 FASHION THAT YOU CAN DEVISE?

12 A ABSOLUTELY AND THAT TAKES A LOT OF EFFORT TO MAKE
13 THOSE DECISIONS AND UNDERSTAND WHERE THOSE TEACHERS ARE
14 COMING FROM AND THEIR STRENGTHS AND THEIR WEAKNESSES AND,
15 YOU KNOW, THEY'RE AS HUMAN AS THE REST OF US ARE

16 AND SO TO TRULY UNDERSTAND THE TEACHERS AND PUT
17 THEM IN WORKING CONDITIONS ON TEAMS THAT WILL WORK
18 TOGETHER TO MEET THE NEEDS OF THOSE KIDS, TO MEET THE
19 NEEDS OF OUR STUDENTS, A LOT OF EFFORT HAS GONE INTO THAT

20 Q OKAY ARE YOU OVERSTAFFED?

21 A OH NO

22 Q ARE YOU UNDERSTAFFED?

23 A OH IN MY OPINION WE ARE UNDERSTAFFED I MEAN FIRST
24 OF ALL, WE HAVE GOT LONG-TERM SUBS I MEAN

25 Q OKAY WELL LET'S TALK SPECIFICALLY ABOUT THESE

1 THINGS WE HAVE PUT TOGETHER A VELCRO BOARD WITH LADY
2 ICONS THAT -- I UNDERSTAND MOST OF YOUR TEACHERS AND MOST
3 OF YOUR STAFF ARE FEMALE?
4 A MOST OF THEM THOUGH NOT ALL
5 Q OKAY WELL, DOES THE LACK -- FIRST OF ALL, DOES THE
6 LACK OF MALE TEACHERS IN THE ELEMENTARY SCHOOL HAVE ANY
7 IMPACT ON THE STUDENTS THERE?
8 A I THINK THE LACK OF MALE TEACHERS IN ELEMENTARY
9 SCHOOLS IN GENERAL PLAYS A PART IN THE -- IN OUR AS A
10 COUNTRY RAISING OUR CHILDREN
11 Q OKAY AND YOU DON'T HAVE VERY MANY MALE STAFF
12 MEMBERS?
13 A NO I DON T AND WHEN YOU HAVE A PREDOMINANTLY
14 AFRICAN AMERICAN COMMUNITY, I THINK THAT MALE INFLUENCES,
15 THAT'S ALSO -- PERHAPS EVEN MORE IMPORTANT THAN IN THE
16 GENERAL POPULATION
17 Q OKAY LET'S LOOK AT WHAT YOU HAVE ON THIS BOARD WE
18 HAVE GOT SOME WHITE ICONS, WHITE BACKGROUND ICONS
19 DESIGNATING FOLKS THAT WERE LISTED ON ONE OF THESE FLIP
20 CHARTS I THINK IT WAS ONE OF THE FIRST ONES AS
21 TEACHERS WE JUST TRANSLATED THESE NUMBERS INTO THESE
22 ICONS, OKAY?
23 A OKAY
24 Q AND THAT'S THE WHITE BACKGROUND ALL RIGHT THE
25 MONTISORY CLASS, CLASSES, YOU HAVE GOT TWO?

1 A YES

2 Q TWO MONTISORY TEACHERS AND THEN YOU HAVE GOT TWO
3 FOUR YEAR OLD KINDERGARTEN TEACHERS?

4 A YES

5 Q TWO CLASSES YOU HAVE GOT FOUR FIVE YEAR OLD
6 KINDERGARTEN CLASSES?

7 A CORRECT

8 Q AND FOUR FIVE YEAR OLD TEACHERS?

9 A YES

10 Q ALL RIGHT ARE YOU SERVING AS MANY -- I GUESS YOU
11 CAN'T BE -- SERVING AS MANY THREE YEAR OLDS AND FOUR YEAR
12 OLDS AS YOU ARE FIVE YEAR OLDS?

13 A NO WELL, NO, WE ARE SERVING MORE FIVES THAN WE ARE
14 IN THOSE OTHER CLASSES

15 Q OKAY YOU HAVE GOT ABOUT 20 FIVE YEAR OLDS IN EACH
16 OF THOSE 5-K PROGRAMS, CLASSROOMS, RIGHT?

17 A YES, AND WE ALSO HAVE FIVES IN THE MONTISORY
18 CLASSROOMS

19 Q ALL RIGHT BUT YOU -- HOW MANY DO YOU HAVE? YOU
20 DON'T HAVE 20 FIVE YEAR OLDS IN EACH MONTISORY CLASSROOM
21 DO YOU?

22 A NO THE EXACT NUMBER I DON'T KNOW, BUT

23 Q OKAY WELL, SOMETHING LESS THAN THAT BUT YOU
24 CLEARLY GOT MORE FIVE YEAR OLDS IN YOUR SCHOOL THAN YOU DO
25 THREE AND FOUR YEAR OLDS?

1 A OH YES, SIR

2 Q OKAY WOULD IT BE BENEFICIAL TO THEIR ACADEMIC
3 PERFORMANCE AS THEY MOVE THROUGH ALLENDALE ELEMENTARY
4 SCHOOL FOR THESE CHILDREN AS THREE YEAR OLDS AND FOUR YEAR
5 OLDS TO HAVE BEEN IN EITHER YOUR MONTISORY PROGRAM OR YOUR
6 FOUR YEAR OLD KINDERGARTEN BEFORE THEY GOT INTO THE FIVE
7 YEAR OLD CLASS?

8 A YES THERE'S A LOT OF RESEARCH THAT SAYS THAT EARLY
9 CHILDHOOD VERY EARLY CHILDHOOD EDUCATION PLAYS A HUGE
10 ROLE IN THEIR LATER SUCCESS IN SCHOOL, AND THE MORE
11 STRUCTURED SCHOOL, ACADEMIC KIND OF ENVIRONMENT THAT'S
12 DEVELOPMENTALLY APPROPRIATE, PLAYS A LARGE ROLE IN WHETHER
13 OR NOT CHILDREN ARE SUCCESSFUL AND SO IF YOU COULD HAVE
14 SMALLER CLASSROOMS IN THE YOUNGER GRADES THAT WOULD BE
15 EVEN BETTER

16 Q OKAY WELL TO GET SMALLER CLASSROOMS AND MORE
17 CLASSROOMS TO SERVE MORE THREE YEAR OLDS AND FOUR YEAR
18 OLDS WOULD YOU NEED ADDITIONAL TEACHERS?

19 A YES, CERTAINLY WOULD BECAUSE WE ARE NOT ABLE TO
20 SERVE ALL OF OUR THREE AND FOUR YEAR OLD CHILDREN

21 Q OKAY

22 MS HART YOUR HONOR, I'M GOING TO HAVE TO ASK FOR
23 SOME HELP FROM MY TABLE, MY BACK-UP LAWYERS I'M NOT
24 QUITE TALL ENOUGH TO DO THIS SO I NEED A TALL ONE

25 MR MORRISON MS HART'S FOUND MY HIGHEST AND BEST

1 USE
2 BY MS HART
3 Q OKAY WELL, WE ARE GOING TO PUT SOME QUESTION MARKS
4 UP THERE ON BOTH MONTISORY LINE TO DESIGNATE ADDITIONAL
5 TEACHERS THAT YOU COULD USE THERE AND ON THE 4-K LINE TO
6 DESIGNATE ADDITIONAL TEACHERS THAT YOU COULD USE THERE IF
7 YOU WANTED TO SERVE MORE THREE AND FOUR YEAR OLDS
8 A OKAY
9 Q OKAY? I DON'T KNOW IF FOUR MORE CLASSES WOULD DO IT
10 OR MORE THAN THAT BUT WOULD THAT BE A REASONABLE START?
11 A IT WOULD BE A REASONABLE START, SURE
12 Q OKAY WELL, LET'S SKIP DOWN BELOW THIS WHITE LINE
13 ABOVE THE WHITE LINE WE HAVE GOT REGULAR CLASSROOMS
14 CORRECT?
15 A YES, MA'AM
16 Q BELOW THIS WHITE LINE WE HAVE GOT OTHER THINGS THAT
17 MR BARNES CLASSIFIED IN THIS MANNER AND CALLED IT SPECIAL
18 TEACHERS AND I THINK WE YESTERDAY TALKED ABOUT THOSE
19 BEING THE ART MUSIC PHYSICAL EDUCATION AND MEDIA
20 SPECIALIST?
21 A TO BE QUITE HONEST WITH YOU, I CAN'T READ THOSE
22 Q OKAY WELL, I JUST READ THEM
23 A OKAY THANK YOU
24 Q ALL RIGHT THEN SPEECH, YOU HAVE THREE?
25 A YES

1 Q AND THEY ARE CLINICIANS?
2 A YES
3 Q THEY ARE NOT CLASSROOM TEACHERS?
4 A NO THEY ARE NOT
5 Q FOR PROFOUNDLY HANDICAPPED YOU HAVE ONE TEACHER?
6 A YES
7 Q CORRECT? NOW EXPLAIN FOR US, PLEASE, WHAT
8 PROFOUNDLY HANDICAPPED CLASS IS ALL ABOUT
9 A PROFOUNDLY HANDICAPPED STUDENTS ARE STUDENTS WHO --
10 WHOSE MEASURED ABILITY MIGHT BE AT THE TWO YEAR OLD LEVEL
11 REGARDLESS OF THEIR AGE SO WE COULD BE SERVING CHILDREN
12 -- AND WE BY LAW CAN SERVE CHILDREN BETWEEN THE AGES OF
13 THREE AND 21 IN THAT CLASSROOM, BUT THEY ARE
14 DEVELOPMENTALLY LESS THAN APPROXIMATELY A TWO YEAR OLD
15 IN OUR CLASSROOM IN OUR PROFOUNDLY HANDICAPPED
16 CLASS, WE HAVE -- ALL OF OUR CHILDREN ARE WHEELCHAIR
17 BOUND MOST OF THEM ARE TUBE FED AND MEDICALLY FRAGILE
18 Q ALL RIGHT WELL IN THIS CLASSROOM YOU HAVE THREE
19 PINK LADIES DESIGNATING THE THREE TEACHING ASSISTANTS THAT
20 YOU ALSO IDENTIFIED YESTERDAY
21 A YES
22 Q THAT ARE ASSIGNED TO THAT CLASSROOM?
23 A YES
24 Q WHY DO YOU HAVE SO MANY TEACHING ASSISTANTS THERE?
25 A THE REASON WE HAVE THAT MANY TEACHING ASSISTANTS IS

1 TO ADDRESS THE PHYSICAL NEEDS OF THOSE CHILDREN AND THEN
2 BECAUSE OF THEIR MEDICAL FRAGILITY AND TRANSPORTATION,
3 THEIR WHEELCHAIR IS WHAT I'M TALKING ABOUT, AND THE NEED
4 TO FEED THE CHILDREN IF THEY ARE TUBE FED OR IF -- SOME OF
5 THEM ARE FED BY MOUTH, BUT NONE OF THEM CAN DO ANY OF THAT
6 HOUSEKEEPING, PERSONAL CARE ITEMS BY THEMSELVES

7 SO IT TAKES THOSE MANY -- THOSE MANY -- THAT
8 MANY PEOPLE TO CARE FOR THOSE CHILDREN IN ADDITION TO
9 CARRYING OUT THE SKILLS AND OBJECTIVES THAT ARE OUTLINED
10 IN THEIR INDIVIDUALIZED EDUCATION PLAN

11 Q OKAY HOW MANY CHILDREN ARE IN THIS CLASS?

12 A I BELIEVE THERE ARE -- EXCUSE ME -- I BELIEVE THERE
13 ARE EIGHT

14 Q EIGHT? AND FOUR ADULTS IN THERE?

15 A YES

16 Q OKAY BUT THEY -- THEY HAVE THOSE DISABILITIES THAT
17 YOU JUST DESCRIBED FOR US?

18 A YES MA'AM

19 Q ALL RIGHT

20 A THEY'RE WHAT YOU WOULD CONSIDER PROFOUNDLY DISABLED

21 Q OKAY THEN YOU HAVE A RESOURCE ROOM --

22 A YES

23 Q -- WITH ONE TEACHER?

24 A CORRECT

25 Q AND NO AIDE?

1 A CORRECT

2 Q NOW TELL US WHAT THAT IS PLEASE

3 A SHE'S A SPECIALLY -- SHE'S A -- SHE S CERTIFIED IN
4 THE AREA OF SPECIAL EDUCATION AND SERVES CHILDREN IN SMALL
5 GROUPS BY STATE LAW SHE CAN SERVE UP TO 33 CHILDREN IN
6 AN UNDUPLICATED COUNT OF 33, WHICH MEANS THAT A CHILD
7 MIGHT COME TO HER CLASSROOM MORE THAN ONE TIME DEPENDING
8 UPON WHAT'S WRITTEN IN HIS OR HER INDIVIDUALIZED EDUCATION
9 PLAN SO THAT IN

10 Q INDIVIDUALIZED EDUCATION PLAN IS THAT WHAT YOU
11 CALLED EARLIER THE I E P ?

12 A YES MA'AM

13 Q I'M SORRY GO AHEAD

14 A OKAY SO SHE CAN SERVE UP TO 33 CHILDREN WITH AN
15 UNDUPLICATED COUNT OF THAT SO SHE ACTUALLY MAY HAVE SPACE
16 FOR MORE TEACHING INSTRUCTIONAL TIME THAN JUST THE 33
17 KIDS

18 Q OKAY THERE ARE 33 CHILDREN WHO COME FROM THESE
19 OTHER CLASSROOMS --

20 A YES MA'AM

21 Q -- TO HER ROOM?

22 A YES

23 Q OKAY SHE'S NOT A REGULAR CLASSROOM--

24 A NO SHE'S NOT

25 Q OKAY THEN YOU'VE GOT A SELF CONTAINED CLASSROOM --

1 A YES

2 Q -- WITH ONE TEACHER AND ONE AIDE WHAT IS THAT?

3 A FIRST OF ALL WE DON'T HAVE A -- WE HAVE A

4 DELIGHTFUL, WONDERFULLY WONDERFUL HUMAN BEING IN THERE,

5 BUT SHE'S NOT A CERTIFIED TEACHER

6 Q THIS --

7 A THAT'S RIGHT

8 Q -- WHITE BACKGROUND?

9 A SHE ONE OF OUR LONG TERM SUBS

10 Q ALL RIGHT WELL YOU GOT SOMEBODY IN THAT --

11 A YES

12 Q -- SEAT

13 A YES

14 Q ALL RIGHT WELL TELL US ABOUT THE SELF CONTAINED

15 A OUR SELF CONTAINED CLASS OF STUDENTS THAT BY VIRTUE

16 OF THEIR INDIVIDUALIZED EDUCATION PLAN HAVE BEEN DEEMED

17 THAT HAVE HANDICAPS SEVERE ENOUGH THAT THEIR EDUCATION

18 CANNOT BE ACCOMPLISHED IN THE REGULAR CLASSROOM, SO THEY

19 ARE PULLED OUT THROUGHOUT -- FOR THE MOST PART ALL DAY

20 LONG AND SERVED IN THAT CLASSROOM

21 Q OKAY

22 A PRIMARILY WE HAVE CHILDREN WHO ARE IDENTIFIED WITH

23 LEARNING DISABILITIES AND EDUCABLY MENTALLY HANDICAPPED

24 HANDICAPPING CONDITIONS

25 Q AND THEY PRETTY WELL STAY IN THAT CLASSROOM ALL DAY?

1 A PRETTY MUCH SO, YES, MA'AM
2 Q THAT'S WHY IT'S CALLED SELF CONTAINED?
3 A THAT'S RIGHT
4 Q ALL RIGHT HOW MANY CHILDREN ARE THERE?
5 A TWELVE
6 Q ALL RIGHT WITH THIS LONG TERM SUBSTITUTE AND THAT
7 AIDE?
8 A CORRECT
9 Q THEN YOU HAVE A GUIDANCE PERSON?
10 A YES
11 Q AND THE BOTTOM LINE IS A -- IT'S LABELED G&T FOR
12 GIFTED AND TALENTED DO YOU HAVE A GIFTED AND TALENTED
13 PERSON?
14 A NO, MA'AM DUE TO BUDGET CUTS, WE DON'T HAVE A
15 GIFTED AND TALENTED TEACHER
16 Q DO YOU HAVE CHILDREN WHO ARE QUALIFIED FOR GIFTED AND
17 TALENTED INSTRUCTION?
18 A YES WE HAD STUDENTS THAT WERE IDENTIFIED LAST
19 YEAR WE HAD 15 STUDENTS IDENTIFIED AS NEEDING GIFTED AND
20 TALENTED SERVICES LAST YEAR
21 Q SO YOU DON'T HAVE ANY SERVICES FOR THEM?
22 A WE DON'T HAVE ANY SERVICES FOR THEM OTHER THAN WHAT'S
23 PROVIDED IN THE REGULAR CLASSROOM IN THOSE DIFFERENTIATED
24 SMALL GROUPS
25 Q ALL RIGHT

1 A MAKING IT THAT MUCH MORE DIFFICULT FOR THE REGULAR
2 CLASSROOM TEACHER
3 Q ALL RIGHT SO WE ARE GOING TO PUT ANOTHER QUESTION
4 MARK DOWN THERE FOR MISSING BUT NEEDED I SUPPOSE IS
5 THAT
6 A THAT'S NEEDED
7 Q IS THAT A NEEDED POSITION AS FAR AS YOU ARE
8 CONCERNED?
9 A YES, MA AM, BECAUSE WE'VE GOT TO SERVE THE NEEDS OF
10 ALL OF OUR CHILDREN, NOT JUST THOSE IN NEED OF
11 REMEDIATION, BUT THOSE WHO ARE IN NEED OF GIFTED AND
12 TALENTED INSTRUCTION
13 Q THOSE ARE CHILDREN WHO YOU MIGHT EXPECT TO SCORE AT
14 PROFICIENT AND ADVANCED ON THE PACT EXAM?
15 A THEY CERTAINLY ARE
16 Q ALL RIGHT DO YOU HAVE 15 -- I MEAN, ARE THOSE
17 CHILDREN SCORING AT PROFICIENT ADVANCED?
18 A UNFORTUNATELY THEY ARE NOT THEIR TEST SCORES DON'T
19 SHOW THAT THEY ARE SCORING WHERE WE WOULD BELIEVE THAT
20 THEY SHOULD BE
21 Q ALL RIGHT WELL NOW, WITH RESPECT TO THESE
22 POSITIONS, ARE THEY DISCRETIONARY POSITIONS THAT YOU CAN
23 ELIMINATE IF YOU DECIDED TO?
24 A NO ALL OF THOSE POSITIONS ARE POSITIONS THAT FALL
25 UNDER THE GUIDELINES OF SPECIAL EDUCATION SO ALL OF

1 THOSE ARE POSITIONS THAT ARE MANDATED IN ONE WAY OR
2 ANOTHER -- BE HONEST WITH YOU, I M NOT SURE HOW WE ARE NOT
3 SERVING GIFTED AND TALENTED
4 Q OKAY SO THEY ARE REQUIRED BY LAW?
5 A THE GIFTED AND TALENTED
6 Q WELL THESE -- THESE ARE THE POSITIONS?
7 A YES
8 Q ART, MUSIC, PHYSICAL EDUCATION MEDIA SPECIALIST?
9 A YES MA'AM
10 Q THE -- NOW, FROM SPEECH DOWN TO SELF CONTAINED, THOSE
11 ARE SPECIAL NEEDS CLASSROOMS, ARE THEY--
12 A YES THOSE ARE SPECIAL NEEDS CLASSROOMS
13 Q AND THEY ARE REQUIRED BY LAW?
14 A YES
15 Q ARE YOU SUPPOSED TO HAVE A GUIDANCE COUNSELOR?
16 A YES
17 Q YOU ARE SUPPOSED TO HAVE A GIFTED AND TALENTED?
18 A YES
19 Q SO DOES THIS GROUP OF TEACHERS HANDLE STANDARD
20 ELEMENTARY SCHOOL CLASSROOMS WHERE THEY HAVE TO TEACH AND
21 DELIVER THE CURRICULUM TO THE STUDENTS IN ENGLISH,
22 LANGUAGE ARTS, MATH, SCIENCE, SOCIAL STUDIES ON A DAILY
23 BASIS?
24 A NOT ON A DAILY BASIS, NO CERTAINLY THEY CAN ASSIST
25 AND ENHANCE BUT YOU SEE, THE ART AND THE MUSIC AND THE

1 P E AND THE MEDIA SPECIALISTS ALL HAVE THEIR OWN
2 STANDARDS THAT ARE DIFFERENT FROM THE REGULAR CURRICULAR
3 STANDARDS
4 Q WELL, DO YOU CONSIDER THOSE POSITIONS IMPORTANT TO
5 THE MISSION OF ALLENDALE ELEMENTARY?
6 A SURE, BECAUSE IF YOU'RE GOING TO EDUCATE THE WHOLE
7 CHILD, THEN YOU HAVE GOT TO MAKE SURE THAT YOU HAVE GOT
8 THE CHILD BEING EDUCATED IN THE FINE ARTS BECAUSE THAT'S
9 -- CERTAINLY IS A PART OF THE QUALITY OF LIFE AND THE --
10 BRINGS THE JOY TO SOME OF OUR LIVES, NOT ONLY THE ABILITY
11 TO READ AND WRITE BUT THE ABILITY TO APPRECIATE THE
12 AESTHETIC VALUES OF OUR COMMUNITY
13 Q SO IN ADDITION TO THE FACT THAT THESE POSITIONS ARE
14 ESSENTIALLY MANDATED BY LAW ARE THESE POSITIONS THAT YOU
15 WOULD ELIMINATE IF YOU COULD?
16 A NO, MA'AM I WOULD NOT ELIMINATE THOSE POSITIONS
17 Q OKAY WELL LET'S TALK ABOUT THESE POSITION ABOVE
18 THE WHITE LINE THESE ARE WHAT I WOULD CALL THE REGULAR
19 CLASSROOM TEACHFRS OKAY?
20 A OKAY
21 Q NOW THEY ARE THE ONES OR ARE THEY THE ONES WHO ARE
22 CHARGED WITH DELIVERING THE CURRICULUM STANDARDS TO THE
23 STUDENTS IN ENGLISH, LANGUAGE ARTS, MATH, SCIENCE AND
24 SOCIAL STUDIES?
25 A YES

1 Q LET'S TALK SPECIFICALLY ABOUT THEM HOW MANY HAVE
2 SUBSTANDARD TEACHING CERTIFICATES? AND BY THAT I MEAN A
3 TEMPORARY CERTIFICATE, AN OUT OF FIELD -- THESE ARE
4 DEFINITIONS THAT DR PODA HAD TALKED ABOUT EARLIER IN HER
5 TESTIMONY I'M JUST FOLLOWING HER LIST

6 TEMPORARY CERTIFICATION, OUT OF FIELD PERMITS,
7 PACE OR CRITICAL NEEDS CERTIFICATION, WARRANTS OR GRADED
8 CERTIFICATE HOW MANY OF THOSE?

9 A I WILL HAVE TO SPEND A MOMENT COUNTING

10 Q TAKE A MINUTE WHAT WE ARE GOING TO DO IS AS YOU DO
11 THAT, WE ARE GOING TO MARK THOSE PEOPLE SO IF YOU COULD
12 TELL US WHAT GRADE THEY ARE IN

13 A OKAY

14 (CONFERRING WITH STAFF)

15 A NO ONE IN MONTISORY AND NO ONE IN 4-K

16 Q ALL RIGHT

17 A NO ONE IN 5-K

18 Q ALL RIGHT

19 A FIRST GRADE HAS ONE

20 Q OKAY WELL, LET'S -- WE WILL PUT A BLUE LADY UP
21 THERE TO DESIGNATE A SUBSTANDARD CERTIFICATE TEACHER

22 A LET ME GO THROUGH IN MY MIND WHO THEY ARE MAKE SURE
23 I HAVEN'T LEFT SOMEBODY OUT FIRST OKAY AND WE DO HAVE
24 FOLKS THAT ARE INDUCTION TEACHERS OR

25 Q OKAY WELL, WE'LL GET TO THAT IN A MINUTE, OKAY?

1 A SECOND GRADE WE HAVE TWO THAT ARE -- THAT WOULD GO --
2 COME IN THAT CATEGORY
3 Q THEY DON T HOLD A REGULAR STANDARD PROFESSIONAL
4 TEACHING CERTIFICATE?
5 A THAT'S CORRECT
6 Q ALL RIGHT WHAT ABOUT THIRD GRADE?
7 A NONE OF THEM
8 Q ALL RIGHT FOURTH GRADE?
9 A NONE
10 Q OKAY AND FIFTH?
11 A ONE
12 Q ALL RIGHT LET S JUST QUICKLY COVER THESE TEACHERS
13 THESE SPECIAL TEACHERS WHO SUPPORT THE CLASSROOM
14 TEACHERS
15 A ONE OF THOSE
16 Q ONE OF THE -- MEDIA SPECIALISTS?
17 A YES, MA'AM
18 Q OKAY IS SUBSTANDARD CERTIFICATE?
19 A YES
20 Q HOW ABOUT IN SPEECH OR THESE OTHER SPECIAL NEEDS
21 CLASSES?
22 A NOW, YOU KNOW, THE SELF CONTAINED --
23 Q RIGHT WE'RE GOING TO GET--
24 A SHE'S A LONG TERM SUB
25 Q RIGHT WELL, OH

1 A NO, THOSE ARE ALL --
2 Q OKAY
3 A -- REGULAR CERTIFICATES
4 Q ALL RIGHT WELL, LET'S GO THEN TO ANOTHER CATEGORY
5 AND LET'S -- IF YOU COULD TELL US HOW MANY LONG TERM
6 SUBSTITUTES YOU HAVE
7 A WE HAVE TWO
8 Q ALL RIGHT AND WHERE ARE THEY?
9 A ONE IN THE SELF CONTAINED CLASS AND ONE IN THE FOURTH
10 GRADE
11 Q OKAY WELL, THESE ARE GREEN LADIES
12 A OKAY
13 Q ALL RIGHT SELF CONTAINED AND WHICH?
14 A FOURTH GRADE
15 Q FOURTH GRADE NOW ARE THESE -- ARE THESE LONG TERM
16 SUBSTITUTES ACTUALLY TEACHERS?
17 A THEY ARE NOT CERTIFIED TEACHERS THEY ARE
18 SUBSTITUTES
19 Q WHAT KIND OF EDUCATION OR TRAINING DO THEY HAVE?
20 A SUBSTITUTES IN OUR DISTRICT ARE USUALLY PEOPLE THAT
21 HAVE HIGH SCHOOL DIPLOMAS
22 Q OKAY DO THEY -- WOULD YOU CLASSIFY THEM AS
23 TEACHERS?
24 A NO, THEY ARE LONG TERM SUBSTITUTES
25 Q OKAY THEY ARE A SUBSTITUTE FOR A TEACHER?

1 A THAT'S RIGHT
2 Q OKAY BUT THEY ARE NOT A REPLACEMENT?
3 A NO, MA'AM THEY ARE NOT A REPLACEMENT THEY ARE
4 SUBSTITUTE TEACHERS
5 Q OKAY WELL LET'S TALK ABOUT EXPERIENCED TEACHERS
6 AND TEACHERS WHO LACK EXPERIENCE HOW MANY OF THESE
7 TEACHERS ARE UP ON THIS BOARD HAVE LESS THAN FIVE YEARS'
8 TEACHING EXPERIENCE?
9 A OH, I COULD MAKE A MISTAKE
10 Q OKAY WELL LET'S DO THE BEST YOU CAN
11 A OKAY
12 Q WE ARE GOING TO MAKE THESE LADIES TAN
13 A ALL RIGHT ONE IN 4-K
14 Q ONE IN 4-K ALL RIGHT
15 MR BARNES YOUR HONOR AND I JUST WANT THE RECORD
16 TO BE CLEAR I DON'T WANT HER SPECULATING IF SHE
17 DOESN'T KNOW I ASK THAT SHE NOT GUESS
18 THE COURT WELL--
19 THE WITNESS I WILL DO THE BEST I CAN WITHOUT GIVING
20 A LOT OF
21 BY MS. HART:
22 Q TELL US THE ONES YOU ARE SURE OF
23 A I WILL TELL YOU THE ONES I M SURE OF
24 Q ALL RIGHT
25 A ONE IN 5-K

1 Q ALL RIGHT OKAY
2 A TWO IN FIRST GRADE NONE IN SECOND GRADE
3 Q ALL RIGHT THIRD GRADE?
4 A TWO IN THIRD GRADE
5 Q HOW ABOUT IN FOURTH GRADE?
6 A NONE
7 Q OKAY AND FIFTH GRADE?
8 A AND FIFTH GRADE, THREE NO, I M SORRY FOUR EXCUSE
9 ME TWO IT'S ONLY TWO
10 Q ALL RIGHT OKAY GOOD THANK YOU NOW, LET'S TALK
11 ABOUT THE PINK LADIES UP HERE, THE AIDES AND THE OTHER
12 PEOPLE THAT MR BARNES REFERRED TO YESTERDAY AS PART OF
13 YOUR INSTRUCTIONAL STAFF, OKAY? WHAT DO TEACHING AIDES OR
14 TEACHING ASSISTANTS DO?
15 A BY DEFINITION THEY ASSIST THE TEACHER, SO THEY FALL
16 UNDER THE DIRECTION OF THE TEACHER AND THEY COULD DO A
17 VARIETY OF THINGS SUCH AS ASSIST THE TEACHER WITH
18 INSTRUCTION OR RUNNING OFF PAPERS OR DOING OTHER CLERICAL
19 KINDS OF ACTIVITIES THAT WOULD THEN FREE UP THE TEACHER TO
20 DO THE INSTRUCTION
21 Q ALL RIGHT ARE SOME OF THESE AIDES THAT HOLD THESE
22 POSITIONS AT ALLENDALE ELEMENTARY SCHOOL, ARE SOME OF THEM
23 MANDATED BY LAW?
24 A YES THE MONTISORY TEACHING ASSISTANTS OF 4-K AND THE
25 5-K

1 Q OKAY SO COULD YOU ELIMINATE THOSE POSITIONS IF YOU
2 CHOSE?
3 A NO, I COULDN'T
4 Q ALL RIGHT AND HOW ABOUT DOWN HERE IN THE SPECIAL
5 NEEDS CATEGORIES?
6 A OKAY YOU ARE RIGHT ABOUT THE SPECIAL NEEDS I JUST
7 WAS LOOKING ABOVE THEM
8 Q RIGHT
9 A YEAH ALL OF THE ONES -- THE SELF CONTAINED IS
10 MANDATED NOW I DON'T KNOW THAT ALL THREE OF THE ONES IN
11 THE PROFOUNDLY HANDICAPPED ARE MANDATED BUT CERTAINLY
12 TEACHING ASSISTANTS IN THAT CLASS ARE MANDATED
13 Q ALL RIGHT OKAY ARE THESE TEACHING ASSISTANTS
14 CERTIFIED TEACHERS?
15 A NO MA'AM NO, MA'AM AND ALL OF THOSE PEOPLE
16 WITHOUT A DOUBT ARE VERY DEDICATED, WARM AND CARING
17 PEOPLE, BUT THEY DON'T HAVE THE SKILLS THAT A REGULAR
18 CLASSROOM TEACHER WOULD HAVE
19 THEY DON'T HAVE THE EDUCATIONAL LEVEL THE
20 REGULAR CLASSROOM TEACHER MIGHT HAVE THEIR SKILLS ARE
21 LESS THAN WHAT YOU WOULD EXPECT FROM A REGULAR CLASSROOM
22 TEACHER
23 Q DO TEACHING ASSISTANTS ACTUALLY TEACH?
24 A ANY INSTRUCTION THAT A TEACH -- THAT A TEACHER'S
25 ASSISTANT WOULD DO WOULD COME UNDER THE SUPERVISION OF A

1 REGULAR CLASSROOM TEACHER PRIMARILY THEY WOULD DO
2 FOLLOW-UP KINDS OF ACTIVITIES AFTER THE INITIAL
3 INSTRUCTION HAD BEEN ALREADY GIVEN BY THE TEACHER, THEY
4 COULD DO ENHANCING ACTIVITIES BUT THEIR JOB IS NOT TO
5 PROVIDE THAT INITIAL QUALITY INSTRUCTION THEIR JOB IS TO
6 ASSIST THE TEACHER

7 Q OKAY ALL RIGHT WELL, I HAD PLANNED TO REMOVE
8 THOSE PINK LADIES, BUT I THINK WE WILL JUST LEAVE THEM UP
9 THERE THEY ARE DESIGNATED THEY ARE NOT TEACHERS?

10 A THEY ARE NOT TEACHERS

11 Q MR BARNES ALSO ASKED YOU ABOUT SOME OTHER POSITIONS
12 THAT HE PUT UNDER THE INSTRUCTIONAL STAFF, AND -- WELL,
13 IT'S ON THIS PAGE HERE SAID WE HAD 31 ADDITIONAL
14 INSTRUCTIONAL STAFF OKAY SO WE HAVE ALREADY TALKED
15 ABOUT THE AIDES, ALL OF THESE NUMBER NOT BEING TEACHERS
16 NOT ACTUALLY TEACHING AM I RIGHT?

17 A REPEAT THAT QUESTION

18 Q OKAY DO THE TEACHING ASSISTANTS DO THE TEACHING?

19 A NO, THEY DON'T DO THE TEACHING

20 Q ALL RIGHT THEN SOME OTHER PEOPLE ON THIS LIST FROM
21 YESTERDAY, YOU HAVE A LITERACY COACH?

22 A YES

23 Q YOU HAVE SIX TEACHER SPECIALISTS, AND A POSITION FOR
24 A CURRICULUM SPECIALIST BUT THAT'S VACANT?

25 A CORRECT

1 Q OKAY TWO READING RECOVERY TEACHERS AND ONE READING
2 180 --
3 A CORRECT
4 Q -- TEACHER? ALL RIGHT DO THOSE PEOPLE PROVIDE
5 IMPORTANT SERVICES TO SUPPORT YOUR CLASSROOM TEACHERS?
6 A THEY CERTAINLY DO PROVIDE SUPPORTIVE SERVICES AND
7 THE LITERACY COACH AND TEACHER SPECIALIST BY JOB
8 DESCRIPTION DON'T PROVIDE -- OR PROVIDE VERY MINIMAL
9 INSTRUCTION, DIRECT INSTRUCTION THEY ARE -- THEIR JOB
10 DEFINITION IS TO ENHANCE, TO ASSIST THE TEACHER IN HER
11 PROFESSIONAL GROWTH
12 Q OKAY ARE ANY OF THOSE PEOPLE IN CHARGE OF OR
13 RESPONSIBLE FOR THE PRIMARY DELIVERY OF THE CURRICULUM TO
14 THE STUDENTS IN ENGLISH LANGUAGE ARTS, MATH, SOCIAL
15 STUDIES OR SCIENCE IN A REGULAR ELEMENTARY CLASSROOM ON A
16 DAY TO DAY BASIS?
17 A THE READ 180 TEACHER IS
18 Q OKAY DOES SHE HAVE A CLASSROOM OF HER OWN WITH AN
19 ASSIGNED GROUP OF STUDENTS EVERY DAY?
20 A SHE HAS A SPACE OF HER OWN AND SHE HAS CHILDREN WHO
21 ARE SCHEDULED IN AND OUT OF THAT, BUT SHE DOES NOT HAVE A
22 HOMEROOM CLASS
23 Q DOES SHE TEACH ANYTHING BESIDES READING?
24 A NO, THAT'S THE ONLY THING SHE TEACHES
25 Q ALL RIGHT SO SHE IS NOT DELIVERING THE CURRICULUM

1 IN MATH --

2 A NO

3 Q -- SOCIAL STUDIES AND SCIENCE LIKE THE OTHER --

4 A NOT AT ALL, THAT S CORRECT

5 Q -- CLASSROOM TEACHERS OKAY AND NOW, THERE WAS
6 SOME OTHER FOLKS -- WHEN WE LOOK AT THIS BOARD NOW -- MR
7 BARNES YESTERDAY TALKED ABOUT HAVING I THINK IT WAS 43,
8 YEAH, 43 TEACHERS

9 WHEN WE LOOK AT THE BOARD WITH THE TEACHERS WITH
10 THE WHITE BACKGROUND THAT ARE SERVING AND DELIVERING THE
11 CURRICULUM EVERY DAY IN THE CLASSROOM TO THE CHILDREN WHO
12 DON'T HAVE SUBSTANDARD CERTIFICATES, WHO DON'T HAVE -- WHO
13 HAVE SOME EXPERIENCE WHO ARE NOT LONG TERM SUBS AND WHO
14 AREN T DOING SUPPORT-TYPE WORK FOR THE CLASSROOM TEACHERS
15 WE DON'T HAVE 43? HOW MANY DO WE HAVE?

16 A (COUNTING) 19 DID I COUNT

17 Q 19? 19 TEACHERS WITH STANDARD CERTIFICATION SERVING
18 IN THE CLASSROOM, DELIVERING THE CURRICULUM EVERY DAY TO
19 THE ELEMENTARY CLASS?

20 A YES, MA'AM

21 Q ALL RIGHT NOW THERE WAS SOME OTHER FOLKS LISTED
22 HERE AS PEOPLE IN THE SCHOOL WHO ARE HELPING THE
23 STUDENTS I THINK YESTERDAY YOU LISTED YOU --

24 A YES

25 Q -- THE PRINCIPAL YOU HAVE AN ASSISTANT PRINCIPAL

1 NOW THIS PERSON, IS HE -- DOES HE HOLD A STANDARD
2 CERTIFICATION?
3 A HE HAS A STANDARD CERTIFICATION BUT NOT IN
4 ELEMENTARY
5 Q SO IS HE AN OUT OF FIELD?
6 A YES, HE IS AN OUT OF FIELD
7 Q OKAY THEN YOU HAVE A NURSE SECRETARY, A
8 RECEPTIONIST A FINANCIAL SECRETARY, SIX CUSTODIANS?
9 A YES
10 Q AND SIX FOLKS WORKING IN THE LUNCHROOM?
11 A YES
12 Q DO THEY PROVIDE IMPORTANT SERVICES TO HELP SUPPORT--
13 A YES THEY DO PROVIDE THEIR SERVICES ARE VERY
14 IMPORTANT
15 Q OKAY DO THEY HAVE A FRONT LINE RESPONSIBILITY OF
16 DELIVERING THE CURRICULUM TO THE STUDENTS IN THE CLASSROOM
17 EACH AND EVERY DAY?
18 A THOSE FOLKS DO NOT PROVIDE DIRECT INSTRUCTION TO
19 STUDENTS
20 Q OKAY DO YOU NEED THEM?
21 A YES, WE NEED THEM AND THEY ARE -- YOU CAN'T RUN A
22 SCHOOL WITHOUT THOSE FOLKS AND THOSE FOLKS SERVE A
23 TREMENDOUSLY IMPORTANT PURPOSE, BUT THEY DON'T PROVIDE THE
24 DIRECT INSTRUCTION
25 Q ALL RIGHT I WANTED TO GO BACK I FORGOT SOMETHING

1 ON THIS OTHER LIST WHEN WE WERE TALKING ABOUT READING
2 RECOVERY PEOPLE, TEACHING SPECIALISTS AND THOSE KIND OF
3 THINGS, ARE ANY OF THESE PEOPLE PAID BY GRANT MONEY THAT'S
4 RESTRICTED AS TO ITS USE?
5 A THE LITERACY COACH IS
6 Q LITERACY COACH? AND--
7 A AND THE READ 180 READ 180 IS
8 Q OKAY
9 A AND READING RECOVERY READING RECOVERY IS ALSO
10 Q ALL RIGHT AND THE TEACHER SPECIALISTS ARE PAID BY
11 THE STATE?
12 A YES
13 Q SO IF YOU WANTED TO ELIMINATE THESE POSITIONS AND
14 REDEPLOY THE MONEY THAT IS PAID TO THESE PEOPLE FOR
15 SALARIES --
16 A I DON'T HAVE THAT LEEWAY
17 Q -- COULD YOU USE IT FOR ANY OTHER NEED?
18 A NO, MA'AM COULD WE USE THAT MONEY FOR ANOTHER
19 NEED? PERHAPS BUT NOT -- NOT FOR -- I MEAN, FOR
20 INSTANCE, READING RECOVERY COMING OUT OF TITLE ONE WE
21 COULD USE IT FOR OTHER NEEDS THAT TITLE ONE WOULD COVER,
22 BUT WE -- I DON'T HAVE THE DISCRETION TO USE IT WHEREVER I
23 CHOOSE
24 Q COULD YOU INCREASE YOUR TEACHER SALARIES THROUGH YOUR
25 SCHOOL BY ELIMINATING THOSE POSITIONS AND USING THE GRANT

1 FUNDS THAT PAY FOR THOSE POSITIONS TO INCREASE SALARIES
2 FOR YOUR TEACHING STAFF OVERALL?
3 A NO I COULDN'T
4 Q OKAY WELL, LET'S LOOK AT THESE CLASSROOMS OKAY
5 AND I'M GOING TO REALLY JUST FOCUS ON 5-K THROUGH FIFTH
6 GRADE
7 A OKAY
8 Q ALL RIGHT AND IN 5-K YOU HAVE GOT ONE TEACHER WITH
9 LESS THAN FIVE YEARS EXPERIENCE ACCORDING TO THIS LEGEND?
10 A YES I'M JUST DOUBLE CHECKING
11 Q ALL RIGHT
12 A THAT'S CORRECT
13 Q ALL RIGHT AND THAT TEACHER HAS HOW MANY CHILDREN?
14 A EACH OF THOSE 5-K TEACHERS HAVE 20
15 Q 20
16 A AND ONE OF THOSE TEACHERS THIS IS HER FIRST YEAR TO
17 KINDERGARTEN
18 Q OKAY
19 A WHILE SHE HAS SEVERAL YEARS EXPERIENCE, THIS IS HER
20 FIRST YEAR IN KINDERGARTEN
21 Q ALL RIGHT SO SHE'S NEW TO THAT POSITION AND NEW TO
22 THAT AGE?
23 A YES
24 Q ALL RIGHT I THINK I CAN REACH THIS ONE ALL
25 RIGHT WE WILL JUST SORT OF OVERLAY THAT OKAY?

1 A OKAY

2 Q ALL RIGHT SO YOU HAVE GOT -- MAYBE HALF OF YOUR 5-K
3 TEACHERS DON'T HAVE MANY YEARS EXPERIENCE IN THAT SETTING?

4 A CORRECT

5 Q SO HALF OF YOUR FIVE YEAR OLD STUDENTS ARE BEING
6 TAUGHT BY INEXPERIENCED, RELATIVELY INEXPERIENCED
7 TEACHERS?

8 A RELATIVELY INEXPERIENCED TO THAT AGE GROUP, YES
9 MA'AM

10 Q OKAY NOW, IN FIRST GRADE WE HAVE GOT A BLUE LADY,
11 AND THAT'S A -- THAT DESIGNATES A SUBSTANDARD
12 CERTIFICATION AND WE HAVE GOT TWO TAN LADIES WHICH WOULD
13 DESIGNATE INEXPERIENCED TEACHERS RIGHT?

14 A YES AND WE ALSO HAVE ANOTHER TEACHER IN THE FIRST
15 GRADE WHO IS NEW TO THE FIRST GRADE

16 Q ALL RIGHT WELL, LET'S PUT ANOTHER TAN LADY UP
17 THERE

18 A SHE HAS OTHER YEARS EXPERIENCE IN OTHER GRADE LEVELS
19 BUT THIS IS HER FIRST YEAR IN THE FIRST GRADE

20 Q WHAT DOES THAT MEAN IN TERMS OF HER ABILITY TO TEACH
21 FIRST GRADE?

22 A NOW, WHILE SHE HAS STRONG TEACHING SKILLS TO APPLY
23 THOSE IN A FIRST GRADE LEVEL MEANS THAT SHE HAS TO ADJUST
24 HER TEACHING SKILLS SO THAT TAKES A PERIOD OF
25 TRANSITION AND THE OTHER -- THAT'S NOT RIGHT

1 I ALMOST MADE SAID SOMETHING -- BUT IT'S TAKES A
2 PERIOD FOR HER TRANSITIONAL LEVEL TO -- FOR HER LEVEL TO
3 REACH THE LEVEL OF PEOPLE THAT HAVE HAD MANY YEARS
4 EXPERIENCE
5 Q OKAY SO YOU HAVE GOT FIVE FIRST GRADE CLASSROOMS,
6 RIGHT?
7 A UH-HUH
8 Q AND OF THOSE YOU HAVE ONLY ONE BEING TAUGHT BY A
9 TEACHER WITH STANDARD CERTIFICATION AND WITH EXPERIENCE IN
10 THAT SETTING?
11 A THAT'S RIGHT
12 Q OKAY SO HOW MANY CHILDREN DOES THAT AFFECT? HOW
13 MANY OF YOUR FIFTH GRADE -- FIRST GRADERS ARE BEING TAUGHT
14 BY SOMEONE A TEACHER WHO IS NOT CERTIFIED IN THAT AREA
15 OR IS NEW TO THAT AREA?
16 A CERTAINLY AFFECTS FOUR CLASSROOMS WORTH OUT OF
17 APPROXIMATELY 20 CHILDREN IN A CLASSROOM
18 Q SO THAT'S 80?
19 A 80 KIDS
20 Q 80 OF YOUR 100 FIRST GRADERS?
21 A YES -- YES
22 Q OKAY 80 PERCENT OKAY SECOND GRADE NOW, YOU HAVE
23 GOT TWO BLUE LADIES AND THEY HOLD SUBSTANDARD
24 CERTIFICATIONS?
25 A YES

1 Q ALL RIGHT AND THEN HOW MANY ARE STANDARD
2 CERTIFICATION WITH SOME EXPERIENCE IN THAT AREA?
3 A THREE
4 Q THREE? ALL RIGHT
5 A LET ME DOUBLE CHECK, MAKE SURE IN MY MIND I GOT THEM
6 RIGHT WE HAVE ONE THAT HAS -- THIS IS HER SECOND YEAR,
7 SO ONE OF THOSE LADIES SHOULD HAVE BEEN A TAN
8 Q TAN? ALL RIGHT ALL RIGHT SO YOU HAVE GOT THREE
9 OF FIVE WHO EITHER ARE NOT PROPERLY CERTIFIED FOR SECOND
10 GRADE OR RELATIVELY INEXPERIENCED IN THE SECOND GRADE
11 SETTING, IS THAT CORRECT?
12 A THAT'S RIGHT
13 Q OKAY AND THIRD GRADE YOU HAVE GOT TWO OF FIVE?
14 A THAT'S RIGHT
15 Q HOW MANY CHILDREN DOES THAT AFFECT? HOW MANY OF
16 THESE-- HOW MANY CHILDREN ARE IN THESE TWO CLASSROOMS?
17 A THINK WE HAVE AN AVERAGE OF 17 IN THOSE CLASSROOMS,
18 SO THAT WOULD BE 34
19 Q 34 OF YOUR THIRD GRADERS --
20 A UH-HUH
21 Q -- ARE BEING TAUGHT BY SOMEONE WHO IS RELATIVELY
22 INEXPERIENCED?
23 A YES
24 Q DOES THAT AFFECT THE LEARNING THAT GOES ON IN THOSE
25 CLASSROOMS?

1 A YES, IT DOES
2 Q IN A POSITIVE OR A NEGATIVE WAY?
3 A IN A NEGATIVE WAY WHILE THOSE TEACHERS ARE GOOD,
4 INTELLIGENT PEOPLE THEY JUST DON'T -- THEY ARE IN THE
5 PROCESS OF GATHERING THE SKILLS THAT A MORE EXPERIENCED
6 PERSON WOULD HAVE
7 Q ALL RIGHT NOW, FOURTH GRADE WE HAVE GOT A LONG TERM
8 SUBSTITUTE?
9 A YES, WE DO
10 Q NO TEACHER IN ONE OF THOSE CLASSROOMS?
11 A THAT'S RIGHT
12 Q DID THAT PERSON GET PROFESSIONAL DEVELOPMENT OFFERED?
13 A SHE CERTAINLY IS WELCOME TO ATTEND SHE IS NOT
14 REQUIRED TO ATTEND OUR PROFESSIONAL DEVELOPMENT
15 Q ALL RIGHT AND DO YOU KNOW WHERE HER SALARY IS --
16 WHAT THE SOURCE OF FUNDING IS FOR HER SALARY?
17 A LOCAL FUNDS
18 Q STATE DOES NOT PAY FOR THIS TEACHER IS THAT--
19 A THAT'S CORRECT
20 Q OKAY SO YOU HAVE GOT FOUR FOURTH GRADE CLASSROOMS
21 AND--
22 A THOSE ARE ALL -- THE REST OF THEM ARE ALL TEACHERS
23 WITH EXPERIENCE
24 Q ONE IS A LONG TERM SUBSTITUTE 25 PERCENT OF YOUR
25 CHILDREN IN THE FOURTH GRADE--

1 A THAT'S RIGHT, 25 PERCENT OF THOSE CHILDREN
2 Q DON T HAVE A REGULAR TEACHER DON'T HAVE A TEACHER?
3 A 25 PERCENT DON'T HAVE A CERTIFIED TEACHER, THAT IS
4 CORRECT
5 Q THEY HAVE A SUBSTITUTE FOR A TEACHER?
6 A THAT'S RIGHT
7 Q ALL RIGHT NOW, IN FIFTH GRADE YOU HAVE GOT ONE
8 SUBSTANDARD CERTIFIED TEACHER AND TWO RELATIVELY
9 INEXPERIENCED TEACHERS?
10 A AND ONE WHO IS NEW TO OUR BUILDING
11 Q OKAY SO NEW TO THIS GRADE LEVEL?
12 A I THINK SHE'S GOT THREE YEARS FIFTH GRADE EXPERIENCE
13 Q ALL RIGHT WELL WE WILL LEAVE HER WHITE WE WILL
14 GIVE HER THE BENEFIT OF THE DOUBT SHE'S BEEN IN A FIFTH
15 GRADE CLASSROOM IN THE PAST
16 A I THINK SO
17 Q BUT SHE HAD TO LEARN MORE--
18 A SHE CERTAINLY HAD TO LEARN QUOTE THE WAY WE DO
19 THINGS IN OUR SCHOOL AND SO THAT DOES TAKE SOME
20 TRANSITION
21 Q OKAY WELL, EVEN GIVEN HER -- COUNTING HER AS A FULL
22 STANDARD, CERTIFIED EXPERIENCED TEACHER IN THE FIFTH
23 GRADE, WE HAVE STILL GOT THREE WHO ARE NOT?
24 A CORRECT
25 Q THREE OF FIVE THAT'S WHAT, 60 PERCENT?

1 A YES

2 Q AND HOW MANY STUDENTS ARE IN THOSE THREE CLASSROOMS,
3 60 PERCENT OF YOUR FIFTH GRADE?

4 A I THINK THOSE CLASSES HAVE 21, SO THAT'S 63

5 Q ALL RIGHT

6 A 63 CHILDREN

7 Q ALL RIGHT

8 A THAT'S -- WHEN YOU PUT IT THAT WAY, THAT'S A LOT OF
9 CHILDREN THAT AREN'T RECEIVING -- THAT MAY NOT BE
10 RECEIVING THE INSTRUCTION THE MOST EFFECTIVE INSTRUCTION

11 Q WELL HOW DOES THIS ACCUMULATION OF THESE VARYING
12 TEACHING QUALIFICATIONS AMONG YOUR STAFF AFFECT THE
13 QUALITY OF THE EDUCATION IN THE CURRICULUM AS IT'S
14 DELIVERED TO THE STUDENTS IN THE CLASSROOMS?

15 A WHEN YOU HAVE A DISPARITY OF BACKGROUNDS LIKE THIS,
16 THOSE TEACHERS WITH PERHAPS SUBSTANDARD CERTIFICATES,
17 INEXPERIENCE NEW TO THE GRADE LEVEL WHICH I CONSIDER SOME
18 INEXPERIENCE YOU HAVE GOT STAFF DEVELOPMENT ISSUES YOU
19 HAVE GOT -- BECAUSE THESE ARE -- WHILE THE OTHER FOLKS MAY
20 HAVE BEEN INVOLVED IN OUR STAFF DEVELOPMENT IN PREVIOUS
21 YEARS THESE ARE ALL NEW TO THAT GRADE LEVEL OR COMING
22 WITH SKILLS THAT THEY NEED TO HAVE RENEWED OR ENHANCED, SO
23 IT CREATES LOTS OF DIFFICULTIES AND LOTS OF PROBLEMS WITH
24 STAFF DEVELOPMENT

25 AND THEN AS YOU CAN SEE, WHEN WE HAVE PEOPLE

1 THAT ARE NEW TO OUR SCHOOL YOU VE GOT TEACHER TURNOVER
2 WHICH ADDS TO THAT DIFFICULTY WITH STAFF DEVELOPMENT
3 STAFF DEVELOPMENT DOESN'T NEED TO BE ONE SHOT, ONE DAY
4 IT NEEDS TO BE LONG TERM SUSTAINED STAFF DEVELOPMENT

5 AND THE -- MANY TIMES ALL THAT STAFF DEVELOPMENT
6 THAT WE GET IS -- IT MAY BE -- TRYING TO THINK OF THE
7 RIGHT WAY TO PUT THAT IT CAN BE STAFF DEVELOPMENT THAT
8 MAY NOT NECESSARILY COINCIDE WITH OUR FOCUS

9 AND SOMETIMES OUR STAFF DEVELOPMENT, BECAUSE
10 IT'S MANDATED FROM SOME OTHER PLACE THEN TAKES AWAY FROM
11 OUR FOCUS, AND THAT STAFF DEVELOPMENT THEN -- WHEN IT'S
12 FRAGMENTED AND YOU HAVE GOT STAFF -- WHEN OUR FOCUS HAS
13 BEEN READING AND SOMEBODY SAYS WELL YOU NEED SOME MATH
14 THEN YOU NEED SOME SCIENCE -- NOT TO DENY THAT SCIENCE OR
15 MATH AREN'T EQUALLY IMPORTANT BUT IF WE ARE NOT FOCUSED
16 IN OUR STAFF DEVELOPMENT, THEN OUR TEACHERS AREN'T GETTING
17 WHAT THEY REALLY NEED IN TERMS OF GROWTH AND THE
18 OPPORTUNITIES TO GROW, AND WE ARE NOT GIVING THEM ADEQUATE

19 -- THE TEACHERS ADEQUATE OPPORTUNITIES TO GROW BECAUSE WE
20 ARE NOT MEETING THEIR NEEDS

21 WHEN YOU HAVE GOT CHILDREN IN THOSE CLASSROOMS
22 WHERE THE OPPORTUNITIES FOR TEACHER GROWTH HASN'T BEEN
23 MAXIMIZED, THEN THE OPPORTUNITIES FOR OUR CHILDREN ARE
24 MINIMIZED

25 Q ALL RIGHT

1 A DID THAT MAKE SENSE?

2 Q YEAH, IT DID WHY DON'T YOU JUST RECRUIT AND HIRE
3 TEACHERS WITH MORE SKILLS AND QUALIFICATIONS?

4 A I'M TELLING YOU WE RECRUIT AND RECRUIT AND RECRUIT,
5 BUT THOSE TEACHERS THAT WOULD FULFILL THOSE -- THE
6 QUALIFICATIONS THAT YOU HAVE DESCRIBED ARE VERY DIFFICULT
7 TO ENTICE TO COME TO OUR SCHOOL, AND THEY ARE -- IT'S
8 DIFFICULT TO RETAIN THOSE PEOPLE IN OUR SCHOOL

9 SCHOOL DISTRICTS SURROUNDING SCHOOL DISTRICTS,
10 MAY PROVIDE HIGHER SALARIES, ADDITIONAL INCENTIVES
11 ADDITIONAL RESOURCES, WORKING CONDITIONS THAT ARE -- THAT
12 ARE BETTER, SO IT'S VERY DIFFICULT TO RETAIN THOSE
13 TEACHERS IN OUR SCHOOL

14 Q ALL RIGHT SO WHEN WE TALK ABOUT -- OR MR BARNES
15 TALKED YESTERDAY ABOUT 43 TEACHERS, 31 OTHER INSTRUCTIONAL
16 STAFF SERVING THE NEEDS OF THESE CHILDREN, WHEN YOU LOOK
17 AT THIS, THIS BOARD, DO YOU SEE THE KIND OF QUALITY OF
18 TEACHING AND CURRICULUM DELIVERY THAT YOU NEED TO SEE FOR
19 THESE CHILDREN THE NUMBERS AND THE QUALITY?

20 A I THINK THAT THE TEACHERS WHO ARE EMPLOYED AT
21 ALLENDALE ELEMENTARY DO THE VERY BEST THEY CAN THEY ARE
22 DEDICATED FOLKS THEY ARE GOOD FOLKS THEY ARE
23 INTELLIGENT FOLKS, AND THE -- BUT THE SKILLS THAT THEY
24 BRING WITH THEM EVEN THOUGH THEY ARE DOING WHAT THEY CAN
25 TO USE THOSE SKILLS, OFTEN DON'T MEET THE NEEDS OF OUR --

1 MEET THE NEEDS OF OUR CHILDREN

2 NOW MANY OF THEM ARE WORKING IN THAT DIRECTION
3 AND ARE CARING HUMAN BEINGS IN ATTEMPTING TO LEARN ALL
4 THAT THEY CAN, BUT IF YOU LOOK AT WHAT THEY ARE CURRENTLY
5 DELIVERING IN THE CLASSROOM, THEY ARE NOT MEETING THE
6 NEEDS OF ALL OF OUR CHILDREN

7 Q OKAY WELL LET'S TALK ABOUT SOME OF THE OTHER
8 CHARTS THAT MR BARNES AND YOU DISCUSSED YESTERDAY

9 MS HART I DON T HAVE ANOTHER VELCRO BOARD, YOUR
10 HONOR, BUT I THINK I CAN DO IT THIS WAY

11 THE COURT WE WILL REGRESS SOMEWHAT, I SUPPOSE

12 MS HART WE ARE GOING TO REGRESS

13 MR BARNES I OBJECT TO THAT CHARACTERIZATION, YOUR
14 HONOR

15 BY MS HART:

16 Q ALL RIGHT THIS IS SOMETHING -- I THINK IT'S TITLED
17 CLASSROOM OBSERVATIONS BUT AS I WAS TAKING NOTES
18 YESTERDAY I THINK MR BARNES WAS TALKING ABOUT INFORMAL
19 PROFESSIONAL DEVELOPMENT IS THAT HOW YOU REMEMBER THIS
20 CHART?

21 A YES, I DO

22 Q OKAY SO WE TALKED ABOUT THIS WHOLE LIST OF THINGS
23 WHERE YOU GO INTO THE CLASSROOM AND YOU PROVIDE WRITTEN
24 FEEDBACK AND YOU HELP THE TEACHER WHEN YOU SEE A STUDENT
25 NEEDING SOMETHING AND YOU DO SOME READ ALOUDS YOURSELF,

1 OUR BOOKS -- WHEN I FIRST ARRIVED IN ALLENDALE THE
2 AVERAGE COPYRIGHT DATE WHEN I ARRIVED IN ALLENDALE WAS
3 1965 AND IF YOU LISTEN TO THAT AND ACKNOWLEDGE WHAT WAS
4 HAPPENING IN 1965 AS OPPOSED TO 2003, YOU ARE TALKING
5 ABOUT A WHOLE LOT OF HISTORY THAT HAS OCCURRED, HUGE
6 AMOUNTS OF CULTURAL, SCIENTIFIC, MATHEMATICAL CHANGES THAT
7 HAVE OCCURRED IN OUR COUNTRY SINCE 1965

8 WITH THE INVESTMENT THAT WE HAVE DONE THROUGH
9 OUR LIBRARY BOOKS WE HAVE RAISED THAT AVERAGE COPYRIGHT
10 DATE TO 1978 AND BOY, AM I PROUD OF RAISING THAT
11 COPYRIGHT DATE

12 Q DID YOU GET RID OF SOME OF THE OLD BOOKS?

13 A OH, YES, WE GOT RID OF THEM AND WE HAD SAMPLES THAT
14 WERE BOTH CULTURALLY BIASED, THE -- CULTURALLY INSENSITIVE
15 AND TOTALLY INCORRECT WITH COUNTRIES AND SCIENTIFIC
16 DISCOVERIES THAT HAVE NOW OCCURRED AND DISCUSSED THINGS
17 THAT WERE NOT EVEN IN EXISTENCE ANY MORE

18 Q WELL, WITH THE INFUSION OF THAT MONEY THAT YOU GOT AS
19 A PRINCIPAL SPECIALIST INTO THE MEDIA CENTER, IS THE MEDIA
20 CENTER NOW FULLY STOCKED?

21 A OH, NO, AND I DON T RECALL RIGHT NOW, SO -- BEING UP
22 HERE SOMETIMES BLOCKS MY MIND OF THINKING BUT CURRENTLY
23 THE AVERAGE COPYRIGHT DATE IS 1978

24 Q RIGHT ARE THE--

25 A THAT'S NOT ACCEPTABLE EITHER

1 Q ARE THE SHELVES FULL?
2 A NO, WE HAVE HUGE SHELVES THAT MIGHT HAVE THREE OR
3 FOUR BOOKS, AND I THINK -- IF YOU REMEMBER BACK ON SOME OF
4 THOSE PICTURES THAT WE SHOWED OF WHERE --
5 Q IN THE MEDIA CENTER?
6 A -- IN THE MEDIA CENTER --
7 Q UH-HUH
8 A -- WE HAD CHILDREN THAT WERE SITTING IN FRONT OF
9 THOSE SHELVES WHERE WE HAD HUGE SHELVES WITHOUT BOOKS ON
10 THEM THE SHELVING IN THE MEDIA CENTER IS ALSO NOT OF THE
11 CORRECT LENGTH THAT'S EXACTLY THE PICTURE I WAS
12 REFERRING TO
13 Q OKAY
14 A SO YOU SEE THOSE SHELVES HAVE NO BOOKS ON THEM
15 Q ALL RIGHT THAT'S AFTER THE INFUSION OF THAT MONEY
16 INTO THE MEDIA CENTER?
17 A ABSOLUTELY AND THE BOOKSHELVES THEMSELVES ARE
18 SHORT SO WHEN CHILDREN GO TO REACH FOR A BOOK THE
19 NEIGHBORING BOOK MIGHT FALL OFF THE SHELF I THINK THAT
20 THE REQUIREMENT OR THE SUGGESTION IS THAT THE SHELVING BE
21 12 INCHES
22 WELL, OUR SHELVES ARE EIGHT INCHES SO THE
23 BOOKS NEIGHBORING OFTEN FALL OFF THE SHELF WHICH IS
24 FRUSTRATING AND IRRITATING
25 Q ALL RIGHT NOW, THE NEXT ITEM ON THE LIST THAT MR

1 LIBRARIES WE HAVE CLASSROOMS THAT DON T HAVE THE
2 APPROPRIATE SCIENCE OR MATH MANIPULATIVES WHILE THEY MAY
3 HAVE APPROPRIATE, THEY DON'T HAVE ENOUGH

4 WHEN YOU HAVE MATERIALS THAT HAVE TO BE SHARED
5 BETWEEN TEACHERS, SUPPOSE IN A CLASSROOM YOU HAVE GOT THAT
6 TEACHER WHO IS WORKING WITH A CHILD AND THE CHILD COMES TO
7 A PARTICULARLY -- WHAT WE AS EDUCATORS CALL THE TEACHABLE
8 MOMENT, IT'S JUST COME TO WHERE THE TEACHER BELIEVES THAT
9 JUST DID THIS NEXT MOVE CHARLIE WOULD FINALLY GRASP THIS
10 CONCEPT AND OFTEN MANIPULATIVES HELP IN THAT MOMENT

11 WELL THE TEACHER THEN HAS TO SAY PLEASE WAIT A
12 MINUTE WHILE I GO NEXT DOOR, AND SHE GOES NEXT DOOR AND
13 SAYS I NEED THE WHATEVER AND THE TEACHER NEXT DOOR IS
14 GETTING THE WHATEVER FOR A MINUTE AND THEN SHE GETS IT AND
15 THEN SHE BRINGS IT BACK, WELL, BY THAT TIME THE CHILD HAS
16 -- IS ON TO SOMETHING ELSE AND THAT THAT TEACHABLE
17 MOMENT, THAT MOMENT THAT EVERY TEACHER JUST LOVES BECAUSE
18 THAT'S THE GLEAM THE SPARKLE BEHIND THE CHILD'S EYES IS
19 GONE

20 Q MR BARNES ASKED YOU ABOUT SOME VARIOUS COMPUTER
21 PROGRAMS THAT YOU HAD ORCHARD WAS ONE

22 A UH-HUH, YES MA'AM

23 Q IS ORCHARD -- THE PURPOSE OF ORCHARD IS WHAT?

24 A THE PURPOSE OF ORCHARD IS TO PROVIDE BOTH PRACTICE
25 SKILL PRACTICE AND REMEDIATION

1 STUDENTS THAT VISIT YOUR SCHOOLS AND WE COULD START OFF
2 WITH THE YOUNG PEOPLE, THE PEOPLE THAT COME TO YOU FROM
3 KINDERGARTEN SO TELL ME A LITTLE BIT ABOUT YOUR
4 STUDENTS, IF YOU WILL

5 A WELL MY STUDENTS AS WE ALREADY HAVE STATED, THAT
6 THEY COME FROM A LOW SOCIOECONOMIC AREA MAJORITY OF THEM
7 ARE AFRO (SIC) AMERICAN STUDENTS THEY ARE YOUNG PEOPLE
8 WHO COME TO SCHOOL WILLING AND WANTING TO LEARN

9 BUT ONE THING ABOUT THESE YOUNGSTERS IS THAT
10 MOST OF THEM HAVE ONLY -- THEY HAVE NEVER BEEN OUTSIDE
11 THEIR IMMEDIATE AREA THEY HAVE BEEN -- THEY DON'T HAVE A
12 TRUE RELATIONSHIP OR THEY CAN TIE THEIR RELATIONSHIP WITH
13 HOW IMPORTANT EDUCATION IS

14 MOST OF THEM -- WE ARE TALKING ABOUT CITIES THAT
15 ARE NEARBY YOU HAVE A LOT OF THEM THAT HAVE NEVER EVEN,
16 YOU KNOW BEEN TO COLUMBIA TO SEE THE CAPITOL AND SEE HOW
17 THE GOVERNMENT OPERATES THEY HAVE NEVER BEEN TO
18 CHARLESTON TO SEE WHERE THIS GREAT STATE FIRST GOT STARTED
19 IN -- AROUND 1670'S AND SEE THE OLD ANTEBELLUM HOMES AND
20 FORT SUMTER AND PLACES OF THIS NATURE

21 A LOT OF THEM HAVE NEVER BEEN TO BEAUFORT SOME
22 OF THEM HAVEN'T SEEN THE BEACHES THEY HAVEN'T HAD AN
23 OPPORTUNITY TO PROBABLY ATTEND SOME SYMPHONIES AND
24 CONCERTS AND LIVE PLAYS AND THIS TYPE THING

25 SO BASICALLY THEY ARE CHILDREN WHO WANT TO

1 LEARN, THEY ARE EAGER TO LEARN, BUT THEY JUST NEED
2 ADDITIONAL EXPOSURE WHICH THEY HAVEN'T BEEN PRIVILEGED --
3 PRIVILEGED TO AT THIS TIME

4 Q WE HAD A WITNESS YESTERDAY A DOCTOR FROM THE
5 DEPARTMENT OF EDUCATION, WHO TALKED ABOUT A STUDENT'S
6 UNDERSTANDING OF WHERE HE OR SHE FIT IN THE WORLD AND
7 SHE STARTED OFF BY TALKING ABOUT UNDERSTANDING THEIR
8 COMMUNITY AND THEIR TOWN, THEN THEIR COUNTY, THEIR STATE
9 THEIR COUNTRY, THE WORLD

10 WHERE DO YOUR STUDENTS LIE IN THE CONTEXT OF HER
11 DESCRIPTION ABOUT STUDENTS' UNDERSTANDING OF WHERE THEY
12 FIT IN THE BROAD SOCIETY?

13 A THE MAJORITY OF THOSE STUDENTS IN MY DISTRICT
14 WOULDN'T HAVE THAT CONCEPT THEY WOULD NOT HAVE A -- A
15 TRUE UNDERSTANDING AS TO WHAT THEIR RELATIONSHIP WOULD BE
16 OUTSIDE OF THEIR PARTICULAR NEIGHBORHOODS WHERE THEY GREW
17 UP

18 I MEAN THEY HAVE BEEN THERE FOR -- I MEAN NOT
19 ONLY THESE YOUNGSTERS BUT -- BUT THE PEOPLE WHO -- THEIR
20 PARENTS BEFORE THEM HAD -- QUITE SURE THEY WILL BE IN THAT
21 SAME PARTICULAR SITUATION

22 SO THEY DON'T HAVE A TRUE UNDERSTANDING OF
23 CONNECTING THE EDUCATIONAL SIDE AS TO THE TRUE IMPORTANCE
24 OF IT AS TO HOW IT WOULD RELATE TO THEM IN BECOMING A MORE
25 PRODUCTIVE CITIZEN OUTSIDE OF HAMPTON COUNTY IN OUR

1 DISTRICT

2 Q WHAT PERCENTAGE OF YOUR STUDENTS WOULD YOU
3 CHARACTERIZE AS BEING AT-RISK STUDENTS?

4 A OH, I'D SAY 100 PERCENT OF THEM

5 Q ALL RIGHT NOW, TELL ME, IF YOU WILL YOUR
6 DESCRIPTION OF AN AT-RISK STUDENT

7 A WELL LIKE I SAID HE'S GOING TO BE A CHILD THAT
8 COMES FROM A VERY POOR HOME, COULD BE POSSIBLY A ONE
9 PARENT FAMILY PROBABLY BEING RAISED BY MOM, LIVING IN A
10 VERY DEPLORABLE CONDITION IN SOME CASES, A STUDENT WHO IS
11 GOING TO BE ONE TO TWO YEARS BEHIND, THEY ARE GOING TO BE
12 -- THEY WILL HAVE PROBLEMS WITH LANGUAGE DEVELOPMENT AND
13 THINGS OF THIS NATURE

14 THIS IS WHERE WE FIND THEM YOU KNOW, THIS IS
15 WHAT WE WILL FIND, YOU KNOW, WHEN THEY COME TO SCHOOL TO
16 US SO IT'S A STUDENT WHO HAS SEVERE NEEDS BUT HAS NOT
17 BEEN EXPOSED TO WHAT'S AVAILABLE FOR THEM

18 IT'S NOT THAT THEY CAN'T LEARN AND THAT THEY ARE
19 NOT ABLE TO BE PRODUCTIVE BUT IT'S THAT THEY JUST NEED
20 TIME TO BE TAUGHT AND NURTURED PROPERLY BY THE PROPER
21 TEACHERS AND SO FORTH

22 Q OTHER PEOPLE IN THIS LAWSUIT HAVE DESCRIBED STUDENTS
23 SUCH AS THE STUDENT POPULATION THAT YOU JUST DESCRIBED AS
24 BEING QUOTE SCHOOL DEPENDENT CHILDREN ARE YOUR CHILDREN
25 THE ONES THAT COME TO YOU WITHIN THAT DESCRIPTION?

1 A YES BASICALLY WHATEVER OUR YOUNGSTERS ARE GOING TO
2 ACQUIRE WHEN THEY COME TO SCHOOL IS GOING TO BE THE TOTAL
3 RESPONSIBILITY OF THE SCHOOL DISTRICT TO PROVIDE THOSE
4 PARTICULAR SERVICES FOR EXAMPLE, YOU MAY HAVE SOME
5 STUDENTS WHO WILL HAVE SOME MEDICAL NEEDS OR DENTAL NEEDS
6 AND THIS TYPE THING

7 EVEN THOUGH I KNOW WE ARE NOT DOCTORS AND WE ARE
8 NOT NURSES AND SO FORTH, BUT WE SERVE AS LIAISONS TO
9 PROVIDE -- TO RECOMMEND THOSE PARTICULAR STUDENTS TO
10 VARIOUS AGENCIES THAT CAN PROVIDE THOSE SERVICES

11 AND SO -- AND UNTIL THE NEEDS OF YOUNGSTERS ARE
12 MET THEN IT'S ALMOST IMPOSSIBLE TO PROVIDE THEM WITH THE
13 NECESSARY INSTRUCTION THAT THEY NEED GIVE YOU ANOTHER
14 EXAMPLE, A BIBLICAL EXAMPLE -- DON'T KNOW WHETHER I CAN
15 TALK ABOUT THAT IN HERE OR NOT

16 Q IT'S OKAY

17 A BUT IF WE LOOK AT THE -- WE TALK ABOUT THE SERMON ON
18 THE MOUND AT JESUS BEFORE JESUS COULD RENDER THE SERMON
19 ON THE MOUND HE HAD 5 000 PEOPLE THAT HE HAD TO FEED I
20 MEAN, HE FED THEM BECAUSE THERE WAS A NEED THEY WERE
21 HUNGRY

22 AND UNTIL HE MET THAT NEED WHATEVER HE WAS
23 GOING TO SAY WAS NOT GOING TO REGISTER SO IT'S THE SAME
24 WAY WITH US IN THE SCHOOLS IF WE AS A SCHOOL SYSTEM DO
25 NOT PROVIDE WHAT YOUNGSTERS NEED, THEN LEARNING SOMETIME