University of Washington School of Law

UW Law Digital Commons

King County Superior Court Documents

School Finance Litigation: McCleary v. State of Washington

5-3-2010

[McCleary Record on Appeal, Part 9] 07-2-02323-2-172 Part 9

Follow this and additional works at: https://digitalcommons.law.uw.edu/king

Recommended Citation

"[McCleary Record on Appeal, Part 9]" 07-2-02323-2-172 Part 9. *King County Superior Court Documents*. 200.

https://digitalcommons.law.uw.edu/king/200

This Record on Appeal is brought to you for free and open access by the School Finance Litigation: McCleary v. State of Washington at UW Law Digital Commons. It has been accepted for inclusion in King County Superior Court Documents by an authorized administrator of UW Law Digital Commons. For more information, please contact cnyberg@uw.edu.

2000	Page 119
1	SUPERIOR COURT OF WASHINGTON FOR COUNTY OF KING
2	
3	MATHEW & STEPHANIE McCLEARY,)
4	on their own behalf and on)
5	behalf of KELSEY & CARTER)
6	McCLEARY, their two)
7	children in Washington's) No. 07-2-02323-2 SEA
8	<pre>public schools; et al.,)</pre>
9	Petitioners,)
10	vs.
11	STATE OF WASHINGTON,)
12	Respondent.)
13	*
14	DEPOSITION UPON ORAL EXAMINATION
15	OF
16	HOWARD DE LEEUW, PhD, Volume 2
17	
18	1:00 p.m.
19	August 19, 2009
20	800 5th Ave
21	Seattle, Washington
22	
23	
24	Margaret Walkky, CCR, RPR, RMR, CRR
25	Court Reporter, License No. 2540
e:	

3	Page 120
1	APPEARANCES
2	
3	For Petitioners: EDMUND W. ROBB
4	Foster Pepper
5	1111 Third Ave, Ste 3400
6	Seattle, Washington 98101
7	206-447-4400
8	robbe@foster.com
9	
10	For Respondent: WILLIAM G. CLARK
11	Assistant Attorney General
12	800 5th Ave, Ste 2000 TB-14
13	Seattle, Washington 98104
14	206-389-2794
15	billc2@atg.wa.gov
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	

-	80000		2007 2000
			Page 121
1		INDEX	
2			
3	EXAMIN	ATION	PAGE
4	By Mr.	Clark 122,	205
5	By Mr.	Robb 178,	208
6			
7	EXHIBI	T DESCRIPTION	PAGE
8	836	Memorandum to federal program directors	160
9	TrEx 1391	from De Leeuw, 6-18-09	
10	837	Title III LEP, '08-'09, Edmonds School	165
11	TrEx 1392	District	
12	0.000.000000	Title III LEP, '07-'08, Edmonds School	165
13	TrEx 1646	District	
14	27.00	Title III LEP, '08-'09, Issaquah School	171
15	TrEx 1647	District	**
16	V	Title III LEP, '07-'08, Issaguah School	172
17	TrEx 1648	District	
18		Title III LEP, '08-'09, Renton School	173
19	TrEx 1649	District	
20	842	Title III LEP, '07-'08, Renton School	176
21	TrEx 1650	District	
22			
23		68	50.5
24			<i>3</i> 3
25		Ni Ni	
	20 No 6289000 S		2790

Page 122 1 Whereupon, (2) (3) (4) HOWARD DE LEEUW, PhD, having been first duly sworn, was called as a witness) (herein and was examined and testified as follows:) 5 6 EXAMINATION 7 BY MR. CLARK: 8 0. Good afternoon, Mr. De Leeuw. My name is 9 Bill Clark. We've met before, but I'm introducing 10 myself for the record. I'm an assistant attorney 11 general on the case and I represent the state, and I 12 want to ask some questions as a follow-up to the 13 deposition that you gave back in July, on July 17th, in these very offices with Mr. Ahearne asking the 14 15 questions on behalf of the petitioners. 16 Are you appearing today voluntarily? 17 A. Yes. 18 All right. I understand you have plans to 0. 19 leave the country either at the end of this month or 20 the start of September; is that correct? 21 A. Yes, it is. 22 Q. Can you tell us briefly what you're doing? 23 On September 2nd, I'll be moving to Doha, Α. 24 Qatar, Q-A-T-A-R. My wife and I were looking for an 25 international opportunity, so we were hired by a local

	Page 123
1	school there.
2	Q. All right. So Qatar is a country in the
3	Middle East?
4	A. That's correct.
5	Q. So you're moving away from the country on
6	September 2nd?
7	A. That is correct.
8	Q. Is your departure from the country in any
9	way something that was procured by your employer, OSPI?
10	A. No, it was not.
11	Q. You're pursuing another job opportunity?
12	A. Part of my own initiative. Yes, I would
13	think they're somewhat disappointed, but maybe not
14	everyone, that I'm leaving.
15	Q. And just for the record, I did not order
16	you to leave the state, did I?
17	A. No, you did not.
$(\overline{18})$	(Q.) (Okay. In your first deposition on July)
$\langle \tilde{19} \rangle$	(17th, you discussed your belief that ELL funding,)
(20)	English language learner funding from the state is a
(20) (21) (22) (23) (24)	(supplemental funding, and what I'd like to explore with)
(22)	(you first this afternoon is, can you outline for us,)
(23)	(indicate for us all the available funding sources,
(24)	federal and state, that are available for use with
(25)	English language learner students?

	Page 124
$\downarrow \langle i \rangle$	(A.) (Sure. This is really part of my job at)
(2)	(the state level, and when I was in the district, is to)
(3)	(help districts understand the different funding sources)
$(\widetilde{4})$	(for English language learners and of course I always)
(5) (6) (7) (8) (9)	(point out that the fundamental source of funding is)
(6)	basic education funding, because ELLs generate the same
(7)	(amount of basic education funding as any other)
(8)	(student.)
	Then we have the state TBIP, transitional)
$(\overline{10})$	(bilingual instruction program funding, which is a)
(11)	per-pupil allocation, and it's based on each identified)
(12)	eligible English language learner and that amount last
(13)	(year was \$904 per student.)
14)	Then an ELL student that qualifies for any
(15)	other services within the district can also be
(16)	supported through that funding, learning assistance)
(17)	program funding, Title I part A, the federal funding,
(18)	(which is geared toward helping students of poverty)
$(\overline{19})$	reach high academic standards, also has a lot in it)
(20)	(related to English learners.)
(21)	(And 70 percent of ELLs are actual free and)
(20) (21) (22)	(reduced price lunch students, so they can access)
(23)	(Title I, part A fund.)
(24)	(There's Title I, part C fund, which is)
(25)	(migrant fund: Many of our migrant students happen to)
	The same of the sa

Page 125
(1) (be ELL students. That's an additional funding source.)
(1) (be ELL students. That's an additional funding source.) (2) The main federal funding that districts)
(3) (access that is designated solely for) (4) (limited-English-proficient students, which is the)
(4) (limited-English-proficient students, which is the)
6 Title III funding, which is primarily used for
7) professional development for basic ed staff to met the
(8) (needs of ELL students.)
(5) (federal designation for ELLs, is Title III. So) (6) (Title III funding, which is primarily used for) (7) (professional development for basic ed staff to met the) (8) (needs of ELL students.) (9) (Q.) (So I want to go down this list and make)
10; (sure it's comprehensive and complete. You said the)
(11) (first funding source for ELL students is basic ed)
12) (funding?)
13) (A.) (Right.)
(Q.) (Is that also known as the basic education)
15) (allocation?)
16 (A.) (Yes.)
(Q.) (And is that allocation provided for in)
18) (every public K-12 student in the State of Washington?)
19) (A.) That is my understanding, yes.)
20) (O.) (The second source was state transitional)
21) (bilingual funding. That is state-only funding; is that)
(22) (correct?)
(A.) (That's correct.)
Q. And the number you put on it was \$904 per
25) (student?)
20) istudence.

```
Page 126
                                           Correct.
   2
                                          Okay. Do you know what the average BEA
                                       للعربية بالمثلاث المحالية المعارضية المحارضية المحارضية المحارضية المحارضية المحارضية
             for Washington students has been in the last couple of)
                                       'ele su lorden sulte esse especie dels ses sulli sulle delle delle ses es es es es es es es
            years?
                                          I don't.
                              A.
                                            ر من المعلى المناور والمن المناور والمناور المناور المناور المناور المناور المناور المناور المناور المناور المناور
                                           Okay. Could you approximate it?
                                            At the risk of sounding ignorant, my)
                                        . In the property of the property of the relative party of the property \ell .
             assumption is it's somewhere between $4,000 and $7,000,
             PRINCE S PRINCES PRINCES OF SERVICE STREET, SERVICE SE
           (but I'm not entirely sure.)
                                          (The LAP funding, that's the learning)
 10
                        <u>andri finishing kanana maka</u>
11
           (assistance program?)
 .....
12
                                         Correct.
                                راد دسر
پادستان
                                                                     --- --- ----
13
                                          'How is it that an ELL student might be
                                          . De grande de la companya de la co
           able to access that categorical fund?
14
                                           15
                                          Schools that receive LAP funding have to!
                                المراجعين المراجع المستهدين والمنافع والمنافع والمنافع والمنافع والمنافع والمنافع والمنافع والمنافع والمنافع والمنافع
 161
             give students the -- designate a grade level, or a
             17
             group of, a grade span, and they give students some:
              18
             type of assessment or they base it on our state
             and contact areas or and make the contact areas are a series of the contact areas and a finished a
19
             assessments and they rank-order the students, and those
             20
             that have the lowest score in that assessment become
              rojenji koriski karika kurika karika kar
21
             the priority for LAP services.;
                                           ىدەنىيانىي بىلىدە بىلىدە بىلىدە باسىلەرلىك «بىلەر» «مەنى «مەنى» قىلىدە تەرىپىچى
 22
                                          So they take their amount of LAP funding
                                  23
             and they divide that by the number of -- they divide
              الأن المنافع المنطق المنطق الأن المنطق المنطق المنطق المنطق المنطقة المنطقة المنطقة المنطقة المنطقة المنطقة الم
 24
             that by the number of students they can serve. So if
              ) معنى المعنى الإنصار الإنصار المعنى العرب الأرامية الإنسان المعنى الأنصار المعنى الأنصار المعنى المعنى المعرب
 25
            they consequently serve 20 students with LAP funding,
             ber in Maria universitatily result solden in each recommender in the source source source—in exercis
```

Page 127 then they take the top 20 on the list. 1) . Principal Control Co 2 instances, it could be an ELL student is on that list! 3 so they qualify for LAP funding. Title I, part A funding you mentioned. 5 That's a federal source? 6 (That's correct.) (Why would ELL students qualify for that) source of funding? (A.) (Well, again, that's funding that goes to a) ي بيد فري البياء البداء البشاء الاسار عيد المسادقين المساد المساد المساد المساد المساد المسادات district. It's not based on an individual student. 10 11 It's not that an individual student earns a certain 12 amount of that funding per se, but schools that receive 13 Title I funding get additional support staff or may والمسجور والمراكبين والمراك والمستور فيتنا الأرباء والساور وقوار والمراكب المستريان والمساور والماك 14 have additional programs, extended day programs, كالمحتلال المدار المدار المشار المنظر المداري المدارية والمساورة المساورة والمساور الماري المارية المارية 15 homework assistance program, whatever. Many schools وتنفي وتبشرك متنظوا فعفت فهيدي فتفرير وتعافق ويباد والطبياء بشياه بالمراجعين ويساك فوتعاد ومعينوي فيسادوه معز 16 have instructional coaches, instructional reading) والأمور والمتراجي والمتراج والمتحار والمتحار المتحار والمتحار والم 17 coach, instructional math coach. So an ELL student 18 would benefit from being in that setting, because many) lieuvojaie pieuvojais koji koji koji kalikalija koji kalika kalika kalika kalika kalika kalika kalika kalika k of our Title I schools are also schools that have ELL) 19 CONTRACTOR STREET, STATE S 20 students.) per. 21 10. All right. The last one you mentioned was المراجعين والمراجعين والمراجع والمراج والمراجع و 22 Title III, and I wrote down LEP. You called it National Marketin and the last factor and the second 23 What is Title III funding? something. 24 (Well, Title III is limited English) 25 (proficient, is the federal term for ELL, and Title III)

Page 128 is designated specifically for (I)2 limited-English-proficient students. In our state, we} والمرابع المنتاب ومصوور بيرج بمنوعي عفرواء مفوجي والمواد ومنف المنتهد والمقال المناج والمداري فالمواد المنادات 3 are not, we do not use Title III funding for direct services during the school day, because that would be and barren and reason and reason and the control and the contr considered supplanting of a state requirement. may o anaka ng palang ang katang anaka ng palaha syaning se kalang atah ng panalang palaha ng ang sekerang gapang disak 6 state has already acknowledged that it will provide for indik gindekindek mulakanda suran bilini kilutek mingemen 20 lua bilik italikilikan kilik direct instruction of ELL students during the day a Bara externation describe accessed a succession and the success of the contract of the success 8 through its TBIP programs and through various WACs. were a consection $x \in \mathbb{R}^{n-1}$ is the expression of the property of \mathbb{R}^{n-1} . The property of \mathbb{R}^{n-1} is a suppose \mathbb{R}^{n-1} in \mathbb{R}^{n-1} . (So the Title III fund in our state is used) 10 for professional development primarily. There's some j-===-11 other, you can use it for other types of activities, 12 but it's a requirement that Title III moneys be used and the same of 13 for professional development, again, mainly for all; 14 staff, general ed staff working with the ELL students. الإنكارة المقتل القامة المحال الأساف المقتل المقتل المقتل المقتل القبلة (الفاق المقتل المقتل الم 15 When you say "general ed staff," are you 16 referring to basic education instructional staff? 17 (Correct.) 18 So if I understand what you just said about Title III funding, school districts can use that 19 20 to assist their ELL populations, but for professional 21 development activities? 22 Α. Correct. [23] (In your first deposition, one of the) 24 (exhibits that we spent a fair amount of time on was) الراميين ويتني ومعجوز ومعرا الخلور يفيفيانهم الأنف يتعداوها فأر بقاط ويعرا ومعرا المعروب والمحمودة Exhibit-2026, which I believe is petitioner's proposed 125

```
Page 129
  1
             trial Exhibit-557.
                                        2
                                          MR. CLARK: I just placed a copy in front
                                       3
            of the witness rather than ask the reporter to bring
              والمراجعين والمناز وال
 14
             over the original one. If you want to take a look at
              5
             it and satisfy yourself this is the same as yours, by
             6
             all means.
                                          MR. ROBB: No, that's fine.
                                            kalion niigos niing primangianappai a samaranamanamangolina i riidomia gliungojam ji pas
                                Q.
                                          Do you recall this document, Mr. De Leeuw?
                                                                 HIS IP HIS B IS SIX
                                           [Ido.]
   9
                                           jr . u latini
10
                                           Okay.
                                                            This is a series of slides, and
                                           وكالمنظور المصارات المستبدر فلعواء فلعواء المعامل المعامل المعامل المعام المعام المعام المعام المعام
11
           were you involved in the preparation of these slides?
                                            12
                               A.
                                          Yes, I was.
                                            13
                                          :Is that true for all of them?
                                           14
                               A.
                                           For each slide?
                                            15
                                           Yes.
16
                                           Well, I would have to look. I know all
                               la Maralan najaga atamang sambana managa kanaga kanaga kanaga kanaga kanaga kanaga kanaga kanaga kanaga kanaga
17
             the Spokane-specific slides I created, although I was
             rita della rella sella silla rellaciona dellacolitaria della rellaciona i illiggia e la cascalita della colori
18
             at OSPI at the time so I didn't author all of the
·-...
             been some on continuous començares començares començares \kappa
19
             slide, but I was involved in the committee that created;
              1946 E.S
20
             these slides.
21
                                         (All right. So were you involved, for)
                                                 والمنظم المتبط التقوية المسترانيين المسووقين ومساورها والترازيين المتباد المتب
22
             example, in slide 11, Funding for English Language
              religiones de la company d
2415
23
             Learners, and the bullets of information that are
              24
             contained on slide 11?
25
                                         Yes.
```

	Page 130
(1) (2) (3)	(Q.) (The pie chart that is slide 12, did you)
(2)	(prepare that?)
(3)	$\overline{(A.)}$ (I did.)
$\left(\overline{4}\right)$	Q.) (What was the reason that you prepared)
(5) -((slide 12 of Exhibit-2026, which is also petitioner's)
(6)	proposed Exhibit-557?
(7) (8) (9)	(A.) (Well, initially that slide was prepared)
(8)	(when I was still in Spokane to help the district staff)
(9)	understand that the education of English language)
(10)	(learners is primarily a basic education requirement.)
11	And even in our district, the state funding, that
12)	supplemental funding is a small piece of the pie, but
13	that the expectation is that all staff in the district,
14)	(I mean, teachers at times would say we need someone to)
(15)	work with the ELL students and I would say well, you're
(16)	(working with the ELL student. This is your student.)
(17)	And it was to help kind of shift that
) 18)	(paradigm, that an ELL student should go somewhere)
19	separate for service and instead say no, the services
20)	the ELL receives ultimately happen in the basic ed)
21	classroom, and that's what the teacher is funded for.
22	And we're here to provide some support and there is
(21) (22) (23)	some supplemental funding, but that is not intended to
(24)	create an entire separate program just for ELL students)
(24) (25)	outside the basic ed classroom.)

```
Page 131
  1
                                        And I believe you testified in the earlier)
                                    2
            deposition about your employment with the Spokane
              THE THE THE THE PERSON SERVICES.
            School District?
                                       (Yes, I worked for Spokane School District)
                                          والمنظورة المنظور والمنظور والمنظور والمنظور والمنظورة والمنظورة والمنظورة والمنظورة والمنظورة والمنظورة والمنظورة
            for 10 years, and when I left, I was the ELL)
              6
            coordinator for the district.
                                        As the ELL coordinator in the Spokane
                             No. Lo. No. de companione de la companione
  8
            School District and someone who worked for them in this
             R DESENDE ENTRE ENTRE REPORTE BETANNE ENTRE ENTRE ENTRE ENTRE DE L'ANTINE DE L'ANTINE DE L'ANTINE DE L'ANTINE DE
 9
            area for a number of years, is it your opinion then!
             فهمتن فيمين والقبار والمتناز والمتاز والمتاز والمتاز والمتاز والمتناز والمتاز والمتناز والمتناز والمتناز والمتاز والمتاز
10
             that the primary place for servicing the Spokane)
             والمرازي والمرازي والمساري والمساري والمساري والمساور والمرازي والمساري والمساري والمساري والمسارون والمساورة
 11
            educational needs of ELL students is the basic
             <u>najvojim jerenje 6 kvy. 1918. g. d. j. jerenj</u>ano sna a ra. ilian k ra. ilian i sva i svatana i sn
12)
            education classroom?
             and here a greek
                                    er tyralist of size ()
13
                             [A.]
                                        Absolutely.
14
                                        (Now, let's look at slide 12 of Deposition)
                                           والكرور والمناز والمناز المناز المناز والمناز والمناز والمنازون والمنازون والمنازون والمنازون والمنازون
15
            Exhibit-2026, proposed trial exhibit petitioner's 557.
             ير الاستراكات والمراكب المساكن الحال المناطق والمراكب والمراكب المناطق المساكن المراكب المراكب المراكب المراكب
16
            The pie chart indicates that of the total ELL program
             بجنوب والمشارع والمشارع والمناز المرازي المرازي المنازي المنازي المنازي المنازي المنازي المنازي المنازي
171
            budget of $2.47 million, state ELL funding is)
             18
           approximately one third of that amount?
 19
                              A. ]
                                         Correct.
                                         20
                                       The balance of the pie says local funds,
                21
            $1.630 million, roughly two thirds of the total
              22
            budget. My question for you is this: In the state ELL;
                        23
            funding of 845,660, is any of that funding the basic ed
             والمتحددة والمتحددة والمتحددة والمتحددة والمتحددة والمتحددة والمتحددة والمتحددة والمتحددة والمتحددة
24
            allocation that the state provides for every ELL
               Les come "seen come come seus seus de la come de la come
25
            student?
```

Page 132 (1)No, that piece of the pie refers -------2 specifically to the per-pupil expenditure allocation retaine and calle de la companion de la compan for each eligible ELL student beyond what they would والمنظم المستواد في المستواد المستواد والمستواد والمستود والمستواد والمستود والمستواد والمستواد والمستواد والمستواد والمستواد والمستود و generate as a basic ed student.) 5 5 is the second second second Δ_{i} Is that the state transitional bilingual: money? A.) Correct, that would be the TBIP funding. ____ Now, local funds of \$1.630 million in the Promise a filological compression of the section of the properties of the compression of pie chart on slide 12, are those in fact local funds 10 that are generated with local levy money? You know, I think it's a combination of 11 ب التنافي في المناف المنافعة 12 I mean, I put local funds to show that this is المنظورة (1926 ماليونية (المقدر السريون) القوام المقدية (المسلم) المقدرة المقدرة المقدر المقدرة المقدر المقدر 13 what the district is kicking in, but it really should; نمونو « چند رسونی « «منظر» «مدرون « مندور» « مندور» «مندور» منظر به معنور «مندور» مندور و «مارور» مندور» مندور 14 say other district funds, because it's a combination. (definition of the control of the co 15 I really don't know if came out of the district's 16 general fund, which was made up of other funding 17 sources. And I guess for my mind as the ELL is the property of the a -state a18 coordinator, I never really needed to know that: kees and the contract x and x19 information. I just knew that what the state was المتناز المتدون والمناز 20 providing was this chunk of the pie and the district الاز بالنفة الدريقية بالاشتار وتاسيب العائشات بالديث بالاشكارة فيقيب السيبات بالشفير بالأسار والقاب ويطب أواكتريت بالا 21 said fine, we're going to make sure that we have in پائے جو بھارات کے محمولات کی جو کا انہاں کا محمولات کی تھا۔ انہ کا محمولات کی محمولات کی انہا کا انہا کا محمول 22 place what we want for our ELL students and they aran bahahan baran baran baran bah-23 created this other piece of the pie. 24 You're not certain, even though this slide 25 12 represents the \$1.6 million is coming from local

Page 133 1 funds, you're not certain that it is indeed locally provided money that's supplying that piece of the pie? No, no, I would consider it other district funds. Whether they're basic education funds, local) الله ومع المرافقين ومن ومن الأمن "ومن المن ومن ومنا رابي والمنوب الأسواب ومناوب ومن والتي م levy dollars, Title I, I'm not really sure where the 6 district came up with the two thirds.) Q.) (So the local funds designation here of وليعوان المعرود ولعوار والأراب والأرأي المرياع والمعرود والمعروب المريور والمعروب المريور والمحروبات 1.6 million on slide 12 could include the basic e su especial de la completa del la completa de la completa del la completa de la completa del la completa de la completa del la comple education allocation money the state provides? (Sure.) 10 A. 11 It could include federal funding that's provided by the federal government? 12 2. J.J. L. 10 20 13 Sure. 14 It could provide levy equalization funds; 15 that the state provides? [A.] 16 I would assume so. وسيمك والمتناف والمرازي والتقالب والمتاريخ :==:: 17 {Was it your intent in creating this slide} 1Q. ____. 18 to indicate that the state's ELL funding for Spokane! THE SEASON SEED SPECIAL PROPERTY SECTIONS SHOWN SHOWS AND SECTIONS 19 should have been the entire \$2.475 million that this N N LOW N TO STATE OF THE PARTY OF 20 pie represents? -; L. L. 21 No. -----22 [Was it your intent in creating this pie] ي ويون المرابع المنظم المنظم المنظم المنظم المنظم المنظمة المنظمة المنظم المنظم المنظم المنظم المنظم 23 chart to indicate that the state in this particular والمنافع والمنافع والمنطوع والمنافع والم 24 year was underfunding the Spokane School District's ELL 25 population by \$1.630 million? ALC: 02 ente e presente entre altre estado d

Page 134 No. 2 Whether or not it was your intent in this 3 pie chart, do you believe that for the year that this pie represents, that the State of Washington) and the contract of the contra (5 underfunded Spokane's ELL program by as much as 6 \$1.63 million?) This was Well, I think that's tricky. $\sim 10^{-100}$ (8) created for a very different intent and I think the where T is a constant of the T(9 intent in which this was initially used when I was in والمسابق والمنظورة المتعاول والمسابق والمنافئ والمنافئ والمنظا والمنظاء والمنطوع والمنافئ والمسابقة المسابة 10 the district was to help all the teachers understand) «مود راها فراد» راسم دراهم و همداليسه في هجي الهجاء المهام الهجاء السياد السطوريفية و الشروكسوس الشوارية 11 the ELL students are all part of our responsibility, ر *المحرور والمراز والمحرور والمحرور* 12 and that our district made that choice and said we want 13 to make clear that our ELL students are not just served The section of the Committee of the comm 14 by the supplemental piece from the state, but that the and a substitution of the contract of the cont 15 district has a commitment to their success. That's COMMENS N CONS N N COLD DIE ... D 16 really the intent of this. 17 I never created this with the intent of) personal methodological destruction and description of property of the contract of the contrac 18 showing that there was not enough funding for ELL The same was the same of the s 19 students, and in my position, it's tricky because I generalista asserb aspectation of the contract aspects and the contract aspect asserbly aspect aspect and the contract aspect aspects aspect aspects aspect aspects as 20 don't want separate ELL programs and I don't want! induction and the contraction of the contraction of the contraction of the contraction \mathcal{L}_{i} 21 districts to believe there's somehow a magic number 22 that creates a separate stand-alone ELL program, أتت المحافظة المتعارب بالمنظر والمتعارفين المرافيات المحاليات المحاليات والمتعارب المتعارب المعارب المعارب 23 because that's not what's best for ELL. It's all the 24 integration with native teachers, having access to the السنان المناز وبعوا فوروجون وفوار ووالموارد والمحاود والمداع وأجد والمعارة مطار المراز والمراز مالم 25 core curriculum, highly qualified teachers.

Page 135 In reality, we want the whole pie provided! و الإسلام الاسطار (1925 1925) ، 1925 - 1925 - 1925 - 1925 - 1926 - 1926 - 1926 - 1926 - 1926 - 1926 - 1926 - 1 2 out of supplemental funds, but I think that would have بلك رغمه والأعطون المنواء وهجر والبحو المنوا المحق بمعود بمعود المجار والجارون وبحور بلحيف والحويل حجر البعوال a detrimental effect on the district's buy-in to the 4 responsibility of all staff to meet the needs of ELL) 5 students. 6 Why do you believe it would have a detrimental effect? Well, I think the belief is oh, ELL) students have their own program and it's separate and I والمراجعة والمناز والمنظور والمناجعة والمناجعة والمناجعة والمناز والمناز والمناز والمناز والمناز والمنازع as the classroom teacher, because I have great respect 10 real control c 11 for the classroom teacher, I as a classroom teacher المنبعة فيدروه والبار فندر ومندا والحرارية والمراجع والمتعوب الجنار وفاروا الرازي والمتراوفين simply don't have the skills or training for ELL 12 wheel de students. 14 (I would say no, no, no, you as the المراجعة والمستقل والمستقل المستقل والمتناف والمتناف والمستقل والمستقل والمستقل والمستقل والمستقل والمستقل 15 classroom teacher will have the greatest impact on the بالأنفاج الشجير المما الأنقف أأنفط الماعد المتعارب فيأف ليفتف أيامين المغيد الإنجاز المتحري المقريب بتني المراجع المتعارب فيا 16 success of ELL students. A paraprofessional 20 minutes and a second control of the control 17 a day, several days a week with an ELL really is not No calculation contribution is seen and transference transference realizable process and contribution for Europe 18 making the impact on the student. The impact on the) مستر 19 student coming from the basic ed teacher. a projection a superiori de la companie de la comp 20 'To round out on the pie chart, was it your $\Delta_{ ext{P}} \mathcal{A}_{ ext{P}}$. The proposition of the state of the second section of the state of $\Delta_{ ext{P}} \mathcal{A}_{ ext{P}}$ -21 intent in creating the pie chart on slide 12 of 22 Exhibit-2026 to indicate whether or not the state was! المجال المراجع 23 adequately providing ELL funding for Spokane? 24 No, that was not the intent of the pie 25 chart.

/3

10

11

12

13

14

15

16

17

19

)==-(20

21

22

23

24

25

Page 136

- (Q.) (If we were to use the pie chart in slide)

 12 and factor in as a component, a slice of the pie,)

 (the basic ed allocation supplied for Spokane's ELL)

 (students, what difference would it make in the)

 representation of the pie?)
- (A.) [Well, I think, again, not knowing the] exact figures of what each child generates out of basic ed fund, but I think the pie, overwhelmingly large <u>and and daily for the capture repending from the continuence representation and the continuence from the first </u> piece of the pie would be the basic ed part and then! الها المستراد المستواليات والشافر والشافر والسراد لليادون الأراث المستراد العرب المستراد المستراد المستراد المستراد you would have a very small piece that's the المنأر المتجاز بالطبيعة المراد المناه الربطي المراز الرغمانية المتناز المتنازات الكمار المتعار المتعاربات المتعاربات supplemental piece and perhaps a medium sized piece that the district kicks in beyond that. But obviously, والمتعادلين والمتعادلين والمتعادلين والمتعادلين والمتعادل والمتعاد I mean, the intent of this was to articulate at that time the district made a choice to say we're committed) to the needs of our ELL students, and we're simply not و النصور الكامل القور المساولين المشارينين والمنازلين المساولين والمنازلين وا looking at the supplemental funding and saying we're; going to divide that by the number of students and again s quit acceptant communication de contraction de la contraction de la contraction de la contraction de l that's going to be our program.

If the intent were to show what funding sources were available, then I would probably use a different graphic and we have, you know, used different times, different offices have used kind of a pyramid to say, you know, the foundation of the child's education is out of basic ed and then there's always those other supplemental programs. So the supplemental piece, the

	Page 137
(i)	(ELL piece at the top would be a small part of the)
(2)	pyramid. The foundation would be here.
(3)	(Q.) (When you say the ELL piece would be the)
(4)	small part of the pyramid, what are you describing as
(5)	(the)
(6)	A. The TBIP funding that the state provides.
(7)	Q. The state ELL funding as depicted in this
8	pie
<u> </u>	(A.) (Right.)
(10)	(Q.) (is the funding you're talking about?)
	All right. Slide 12 doesn't necessarily
(12)	indicate what year this is addressing, but do you
(13)	remember how many ELL students Spokane had while you)
(14)	(were still there?)
(15)	(A.) (About a thousand and I think this is)
(16)	(roughly based on a thousand students.)
(17)	(Q.) (All right. So the state ELL funding of)
(18)	(845,660 is the number of students times whatever the)
(19)	(ELL bump of 800, 900, whatever it was for that year?)
(20)	(A.) (Correct, that's correct.)
(21)	Q. (If we took the thousand students and)
(22)	(multiplied the average basic ed allocation for each of)
(23)	those students out, would it be more than the
24	\$1.630 million in local funds depicted in this pie?
(25)	(A.) (I would assume so. If you're saying if)

```
Page 138
             you took the thousand ELL students and what did it
                   2
             generate just in basic ed funding?
                                          -), 45 45 45 45
                              (Q.)
                                           Yes.
                                           It would be obviously much more. If my
                                            5
            assumption it's at least $4,000 per student, then I
               6
             think that would put us at $4 million or more.
                                           yan dan dan dalamakan dan bandarah dan da
                                         So whether it's 4,000 or 3,000 or a number
                                                  (8
             greater than $4,000, if you were to depict in your pie;
              a slice for the basic ed funding that comes with every
             ELL student, it would pretty much take up the whole,
10
11
            pie?
j:=.*
12
                                        It would take up a significant portion of
                                                      BEN HOW IS AMERICANNO NO. OF REFE TO SERVICE SHOW
13
            the pie, yes.
14
                                           The whole pie is only 2.475 million,
15
             right?
16
                                          Right.
17
                                         With a thousand students if they generated
                                          القيم كالمرابي والمتعارض والمساور والمساور والمساور والمساور والمساور والمساور والمساور والمساور والمساور
18
            (in BEA 2475 apiece, that would take up the whole pie on)
           slide 12, wouldn't it?
19
20
                                           Uh-huh, uh-huh, uh-huh.
                                ==(
                                            n lugi n diga para nangan magan maga paga nang nanga di
21
                                           You should verbalize yes.
                                Q. 1
                                            22
                                         Yes. I'm sorry, yes, it would.
23
                                           The slide 12 pie doesn't indicate;
                                            24
             specifically whether there were any federal funds for
               The first production of the contract of the co
25
            ELL students that go into this pie?
```

PET 46 07 40	Page 139
(1)	(A.) (That's correct.)
(2)	(Q.) (And there were federal funds available to)
(3)	(those, to some or all of those thousand ELL students in)
(3) (4) (5)	Spokane at the time, correct?
(5)	(A.) (Sure, and that would be in addition to)
6	what's represented in the pie, because I didn't put)
$\left\{ \left\langle \overline{2}\right\rangle \right\} :$	Title III dollars, for example, in here.
8)	Q. Okay. So it wouldn't take up a piece of
9	the pie there. It would be additional funding to what
(10)	the pie is supposed to represent?
11	(A.) (Right.)
(12)	(Q.) (Sc Spokane's program budget for ELL)
13	students was greater than 2.475 million that year if
14	you were to add in the federal funding?
$\begin{pmatrix} -1\\15 \end{pmatrix}$	(A.) $(Yes.)$
(16)	Q.) (I keep saying last question on slide 12)
(17)	(and then I think of another. Let me go with another)
(18)	question on slide 12.
(19)	Is the purpose of the representation of
$\langle 20 \rangle$	(the pie in slide 12 in any way intended to suggest that)
(21)	(the state is underfunding ELL programs state-wide by as)
(22)	much as 67 percent?)
(23)	(A.) (That certainly was not the purpose of this)
(24)	(graph.)
25	Q. I want to move to Deposition Exhibit-2026,

10760	Page 141
	superintendent for budget.
	Q.) (In slight 15 of this exhibit, it refers to)
	(a state-wide work group of experts and Mr. Ahearne)
	(asked you some questions about that. I believe you)
	(testified that the work group of experts is a reference)
	(to the struggling students work group that assisted)
	OSPI in preparation of a proposal to the Basic
	Education Task Force?
	(A.) (That's correct.)
	(Q.) (Were you part of that struggling students)
	(work group?)
	(A.) (Yes, I was.)
	Q.) (Based on your participation in that work)
	group, what was the work group formed to do?)
	(A.) (It was a group of stakeholders in the)
	(sense of district administrators, I don't recall if)
	(there were teachers specifically, but district)
	(administrators and federal projects directors, and)
	really it was to revisit the formula for allocating)
	(money through LAP and TBIP.)
	Q. When you say "the formula," what formula
	are you talking about?
	(A.) (What is used to reach that 904 amount.) (I)
	(don't know what that formula is and I don't know if)
	(that's captured in legislation.) (I'm simply told by the)

Page 142 fiscal office, oh, next year the per-pupil expenditure) 1 (2) for ELLs will be X amount of dollars. 3 When you say revisit the formula for ELL) 4 funding, for example, in this work group exercise,) Marine a resident in the contract of the contr 5 you're talking about state-only funding, correct?) engalarenakernak renambarah barger mer a entra That is correct. en a compression e compression de la compressión de la compressión de la compressión de la compressión de la c (And you're referring to the transitional) MUNICIPALITY OF THE STREET MANAGEMENT AND THE (bilingual funding?) A.; That is correct. 10 (That is the categorical ELL funding that's المسارية والمساور المساور الموارية والمساوي المعطومة المساوية والمساور المراجرة والأربي 11 provided for each ELL student above the basic ed) 12 allocation that's provided as well? 13 Yes, yes. 14 You mentioned that was a group of; stakeholders. It included school district 15 16 administrators? 17 (A.) Yes. 18 When you said federal project directors, were those directors from school districts?) 19 Reserve to the second s 20 (A.) Yes. <u>and the product of the production of the produc</u> N. eyes 21 (Were there OSPI people involved in the) Q. SHORT THEFER THE RESIDENCE AND ADMITTAL PROPERTY OF سے این مقلب 22 work groups?) 23 A. 1 There were. 24 Q. And what was their role? 25 I think again being one of those people!

myself, I think it was simply to provide additional input on what do we believe are the needs of ELL students in the district. (Q.) (The school district participants in the work groups, on the work group for struggling students, were they in effect the intended consumers of the services or programs that were being discussed by the work group? (A.) (I'm not sure what you mean by "intended) consumers." I mean, would they be impacted by the consumers." I mean, would they be impacted by the consumers." (Q.) (Yes.) A.) (Yes.) (Q.) (Okay. It would be money that their) (programs and districts would be receiving for their ELL correct, correct.) Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors? A. Correct, correct.		Page
(Q.) (The school district participants in the work groups, on the work group for struggling students, were they in effect the intended consumers of the services or programs that were being discussed by the work group? (A.) (I'm not sure what you mean by "intended consumers." I mean, would they be impacted by the allocation created by the new formula? (Q.) Yes.) (A.) (Yes.) (Q.) (Okay. It would be money that their) (programs and districts would be receiving for their ELL (students?) (A.) (Correct, correct.) Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?)	7 MM 70 M
(Q.) (The school district participants in the work groups, on the work group for struggling students, were they in effect the intended consumers of the services or programs that were being discussed by the work group? A.) [I'm not sure what you mean by "intended consumers." I mean, would they be impacted by the allocation created by the new formula? Q.) Yes. A.) Yes. Q.) Okay. It would be money that their (programs and districts would be receiving for their ELL (students?) A.) Correct, correct. Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?		(input on what do we believe are the needs of ELL)
(Q.) (The school district participants in the work groups, on the work group for struggling students, were they in effect the intended consumers of the services or programs that were being discussed by the work group? (A.) [I'm not sure what you mean by "intended consumers." I mean, would they be impacted by the allocation created by the new formula? (Q.) Yes.) (A.) Yes.) (Q.) Okay. It would be money that their programs and districts would be receiving for their ELL (students?) (A.) Correct, correct.) Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?		Thrullian Street
were they in effect the intended consumers of the services or programs that were being discussed by the work group? A.) [I'm not sure what you mean by "intended consumers." I mean, would they be impacted by the allocation created by the new formula? Q.) Yes. A.) Yes. Q.) Okay. It would be money that their (programs and districts would be receiving for their ELL students? A.) Correct, correct. Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?	< .	(Q.) (The school district participants in the)
were they in effect the intended consumers of the services or programs that were being discussed by the work group? A.) [I'm not sure what you mean by "intended] (consumers." I mean, would they be impacted by the allocation created by the new formula? Q.) Yes. A.) Yes. Q.) Okay. It would be money that their (programs and districts would be receiving for their ELL students? A.) Correct, correct. Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?		(work groups, on the work group for struggling students,)
A.) [I'm not sure what you mean by "intended) consumers." I mean, would they be impacted by the allocation created by the new formula? Q. Yes.) A. Yes. Q. Okay. It would be money that their) (programs and districts would be receiving for their ELL (students?) A. Correct, correct.) Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?	(
A.) [I'm not sure what you mean by "intended) consumers." I mean, would they be impacted by the allocation created by the new formula? Q.) Yes.) A.) (Yes.) Q.) (Okay. It would be money that their) (programs and districts would be receiving for their ELL (students?) A.) (Correct, correct.) Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?)	(services or programs that were being discussed by the)
allocation created by the new formula? Q. Yes. A. Yes. Q. Okay. It would be money that their (programs and districts would be receiving for their ELL (students?) (A.) (Correct, correct.) Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?		(-:
allocation created by the new formula? Q. Yes. A. Yes. Q. Okay. It would be money that their programs and districts would be receiving for their ELL students? A. Correct, correct. Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?	Á	The transfer of the state of th
allocation created by the new formula? Q. Yes. A. Yes. Q. Okay. It would be money that their programs and districts would be receiving for their ELL students? A. Correct, correct. Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?	1	
Q. Yes. Q. Okay. It would be money that their) (programs and districts would be receiving for their ELL students?) (A.) Correct, correct.) Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?	į.	
A.) Yes.) Q.) (Okay. It would be money that their) (programs and districts would be receiving for their ELL) (students?) (A.) (Correct, correct.) Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?		Q. Yes.
Q. Okay. It would be money that their programs and districts would be receiving for their ELL students? (A.) (Correct, correct.) Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?	2	
programs and districts would be receiving for their ELL (students?) (A.) (Correct, correct.) Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?		O. Okay. It would be money that their
(Students?) (A.) (Correct, correct.) Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?	1	oga og mangarande i Maria Araba Sometana antarakan kan kan kan kan kan kan kan kan kan
Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?	{	Francisco San
Q. Actually, the consumers I suppose would be the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?	1	The party recommendation of th
the students? A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?	1	
A. The students. Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?		20160000 Scholard Scholard Scholard (Scholard Co. Scholard Co. Scholard Scholard Co. Scholard Scholard Co. Sc
Q. But those who obtained the funds so the students consumed them are district personnel such as administrators, federal project directors?		
students consumed them are district personnel such as administrators, federal project directors?		Section 27 Control and 20 Control an
administrators, federal project directors?		
A. Lorrect, correct		A. Correct, correct.
(Q.) (What did the work group for struggling)	,	personal and the second

```
Page 144
      \langle 1 \rangle
                                    (students do in order to respond to what OSPI wanted to)
                                        12
                                    (build of the OSPI proposal to the task force?)
        3
                                                                                                                                         والمنكور ومنور بالأرازيون وسورا وينطا والسافور والمرازي
                                                                                                                          You know, I think it was about a year
                                                                                                                      My memory is a bit fuzzy. I think I know we met
                                         and the contract of the contra
                                        several times. We discussed kind of different pieces
                                           and restriction for the contract of the contra
          6
                                        that would be nice to have in place in the district.
                                          know we had a representative of Kent School District
                                           وينجون والمستنب والعربون والكوار الشوار والواز الموارد المسارة والمستوارس والموار الموارد الموارد
        8
                                        there that has 100-plus languages and, you know, I)
                                           المستحر المستحرين والمنافي المستحرين المستحرب المستحر المستحر المستحر المستحرر المستحرر المستحرر المستحرر
          9
                                        believe it was a high school principal for Kent that
                                          والمتعلق المعطور والمراز المواري والمناز والمناز والمناز والمناز والمناز والمار والمار والمناز والمناز والمناز
    10
                                        talked about what she perceives the needs would be.
                                            المرابع المنطور المجارين المنطا بالمرابي والمعار والمسأني والأساس والمناز والمرابع والمرابع والمعارية
   11
                                        think in some respects, it would be a brainstorm,
                                            wouldn't it be great if we could have this, this and
                                                 this.
   14
                                                                                                                                  I mean, we knew that our work was
                                                                                                                             15
                                    (informing OSPI's recommendation to the Basic Education)
                                         and the commencer of th
    16)
                                        Funding Task Force and I think we also knew that we
                                         review them was required a surremander of the surreman community as a surreman surremant from the surremant of the surreman surreman surremant of the surreman surremant of the surreman surremant of the surreman surremant of the surreman surreman surreman surremant of the surreman surrema
    17
                                    were there to generate ideas and to think big.
                                                       SE DE LES PRINCIPALES REPORTED REPORTED REPORTED REPORTED DE L'ANNO MAIN DE L'ARREST DE L'
   18
                                                                                                                            Were the stakeholders in the work group
                                                               on man depende and commencement and commence of commence of commence of the co
  <u>V. .....</u>
   19
                                      told to only propose things that they absolutely needed
                                        20
                                    (to get better outcomes for ELL students?)
  21
                                                                                            (A.)
                                                                                                                                  No.
   22
                                                                                                                              Were they given any parameters or limits;
                                                                                                                                l , e que resper rece e en entre para resper en la companya de la companya de la companya de la companya de la
   23
                                       on what they could suggest as what they would like for
                                          24
                                     their ELL programs?)
   25
                                                                                                                               No.
```

Page 145 Were the stakeholders imparted any instructions as to who would be paying for whatever <u>حدال والمراح الربيون المحمد المحمد المحمد المحمد المحمد المحمد والمحمد المحمد المحمد</u> list of preferred services or programs they wanted? Not in a direct sense. I mean, I think 5 Ithe assumption was we're going to make these proposals, العال والمعادي والتعاري ولأن والساب الشناء والسناء والشاري والشواسطان والمناب المناب والمعاري والمنابسين والما 6 assuming that the state would be providing the funding. 7 Were they told in any way, shape or form, ener i menurikanska menukitaraka i menuki ma<u>liji ni kanutarakan mendirikan i kara</u>li 8 were the stakeholders told that whatever they came up) es ansancement presentation de la company (9) with on their list of desired programs or services 10 would have to be paid for locally? -- نده م 11 No. 12 Were they told that whatever they came up) Q. (13) with on their list would be part of a proposal that (14) OSPI was making to the Basic Education Task Force? (15)Again, I think we knew that our work was! (16) to inform what OSPI would ultimately propose.) [I don't] (17) think anyone felt that every proposal raised in that; 18 (brainstorming would make it to the Basic Education) (19)(Funding Task Force.) 20 Again, recognizing that it was some time! **==**0 21 ago, as you reflect on the activities of the struggling (22) students work group, are there any services or programs وينظان كبيرة المحال بالمنظام المنظل المنظل المنافية المنافية المنظل المنظل المنافية والمنافية والمنافية 23 or interventions, any of those come to your mind as كالمعادلات والمعادلات والمعارض والمساوحين المساور والمعادلات والمعادلات والمعادلات والمعادلات والماء 24 things that were proposed by the group and the group; per contract respective and statement of the second said no, we don't need that? 25

Page 146 [No, because I don't think that was the] spirit of the group. I think the spirit of the group ک رہے۔ بعد برین الرکال -جیل لیک المجار برین بھی المجار المجار المجار المجار المجار المجار المجار مرا was let's think of as many potential resources that we 4 5 ي المساهم والمراجعة النبالة والمسارة للسرائي المسارة المراجعة المراجعة المراجعة والمساركة والمسارة المراجعة الم could identify that would be better for students. المستقدي المصلال والرسارو الحقية الأمليدة الاطرشي المصورة للمحاو الرسخان بالبعا الراسع [In your participation in the struggling] uita dia Parante di Antara di Sala Salana di Salana di Landa di Salana di Salana di Antara di Salana di Salana students work group, were you presuming that the list! Signaturamenta della sessionale della della sessiona della sessiona della contracta della contracta della cont of recommended program services or interventions was entrologico de la companio de la com going to be at state expense? (A. | TYes. 10 Do you believe that presumption was shared 11 (by the stakeholders in the work group?) The property of the property of the property Σ 12 (Do I believe that presumption? Again, I) المسروريسين المدور المنصوفين المثور الكرام والأراضي الكال الكال الكال المثال المتال المتال المدر أنفين don't think anyone in the work group assumed that the 14 ر" ومساولية " بينياً المنظ money would be coming from their own coffers. I think ____ 15 المينة منتشمين بلين فين بنتون إبياء المورينينة بنتو الليار كالمسترة ويب بالتنوا بأنيون بال the assumption was this is what we're going to ask the who, grajaya, ing ma Ban man an sama in nin i 16 state to provide. سي کول دودو، سي 17 Did anyone, to the best of your 18 recollection from the stakeholders you've described, randi randi pare randi radi realizaren bererran bererran bererria bererran bererria bererran bererria bererran 19 the administrators, administrators and program' rainistan kalukatalintain kalukatai kalukatai reper denta diki diki bakenden dika kal 20 directors, did any of them express the opinion that the . Quada gradu serges despressions de la cuerta despressión de la cuerta ser la companiente de la companiente despr 21 state would not be paying for any of the recommended) 22 interventions, programs or services? 23 (I think that there was certainly the) 24 belief that we could perhaps make some proposals with القرار المعينيات والمنظور المعالي والمعال المعتبر المعالم المعتبر المعال المعالية المعالية المعالية المعتبر المعتبر 25 the belief that many of them would not be paid for.

But	it wasn't a sense that well, we can propose this
- and	ithe state might not pay for it, but we're going t
	/ for it anyway.)
	' a Barana a ang Ang Talangan a sa s
-11 19	I think again the spirit of the work gro
	what are all the things we think would be great t
	ve to meet the needs of ELL students, and I think i
	ny respects, it represented a wish list from
di:	stricts who assumed that the state would be paying
 fo:	r it. And if it wasn't going to be provided by the
	ate, they would continue to do business as they've
4 7 1	
	en doing it.)
	(Q.) (You used the phrase "wish list," and wha
I'	d like to understand is this. Do you distinguish)
bet	tween a wish list as you've described it and a list
of	things that are absolutely necessary to improve)
	ident outcomes?)
	(A.) (Sure.)
	Q.) What's the distinction you draw between)
the	
	(A.) Well, I think if all else were stripped)
	ay, what would I absolutely insist on having remain
in	place in order to meet the needs of ELL students.
So.	for example, and I do deal with districts that ha
	all numbers of students that are spread across

سون	Į.
	sometimes the impression, and it's somewhat of an old
	school impression, no pun intended, there must be a
	separate program for students who don't fit the basic
	ed mold, whatever that is.)
30	My work with districts is to help
<u>-</u>	understand, if there's no supplemental funding from th
Ì	ELL program, you still have a responsibility within th
,	context of basic education to meet the needs of ELL,
1	students. It's not necessarily a matter of cost. In
Į	many cases, it's a matter of training for the teacher.
17.	So a teacher who understands basic language)
(development, who understands that much of the work
	that's happening in the classroom can be of benefit
	with slight modification and adaptation for the Englis
-	language learner, then his or her mindset changes, if)
,	only we have more money for the ELL, students would
>	meet the state standards, to I would want, this is my
1	goal for Washington, I would want the classroom to
	accommodate the needs of ELL, and most teacher;
	experience, really a lot of what I provide is actually
1	good instruction for ELLs.)
	Q.) (In the work group activities, the)
1	struggling student work group activity, what, if any,
ŗ	
,	consideration was given to the anticipated or expected
	costs of the recommendations being made?

230	Page 149
	(A.) (Well, the actual cost was not necessarily)
(2) (3) (4)	discussed within the work group. I mean, that was more
(3)	Jennifer's office calculating what would the costs be.
$\langle 4 \rangle$	(I don't think, I certainly don't recall us having)
5 (6	discussions saying so that's going to be too expensive,
6	don't recommend that.
冷	(Q.) (Was there any consideration of)
(8) (9)	(efficiencies given in the recommendations that were)
(9)	(made in the struggling students work group for)
(10)	(programs, services or interventions?)
$(\overline{1}1)$	(A.) (I'm not sure if I understand what you mean)
(12)	(by "efficiencies.")
(13)	Q. A cost benefit assessment.
(14)	(A.) (I don't think that was part of the)
(15)	discussion of the work group. The whole issue of cost
(16)	(benefit, that was not part of the work group's work. I)
(17)	don't know if Jennifer's office looked at any of that.
(18)	Q.) (It indicates on slide 15 in Exhibit-2026)
(19)	(that the work group reviewed scientifically-based
(20)	(research and actual successful practices. Were you)
(21)	(involved in the research review of the)
(22)	scientifically-based research that's referred to here?
(23)	(A.) (I'm trying to recall. I believe there)
$\begin{pmatrix} 24 \\ 25 \end{pmatrix}$	might have been several articles shared with the
(25)	group. I wouldn't say it was an exhaustive analysis,
	ė.

Page 150 (1) but I think that some of the scientifically-based (2) research looked at good instructional strategies for المنتفلات المنتفي المنتفي المعجام والمرابية ومشوري المنتفرام وميايات والمتوارية والمنتف والمتعود والمتعود المرابع 3 ELL students, which again focused more on what should 4 be happening in the basic education classroom versus in 5 a supplemental ELL program, but that was a small part and the control of th 6 of the group. We did have several articles, and to be honest with you, I don't even remember what those 8 were. They were not large, in-depth studies per se. Do you recall any discussion in the work Q. groups about which of the desired interventions, 10 11 programs or services had a demonstrated relationship to 12 improved outcomes for ELL students? 13 Do I remember in the work group if there 14 were specific practices identified that had a direct impact? ' 15 16 Let me see if I can ask the question The second second and the second seco 17 again, okay? 18 In the struggling students work group; 19 discussions, was there any discussion about a) aliinin orakin olikuriyyonin mosalin maraliyyon olikur orakin yaliku toliku ya ili atalahili ili aki 🕹 oliku 20 demonstrated relationship between what was being et regenerationer inden freierichte der regeneration besteht besteht oper der besteht besteht besteht besteht d 21 recommended and improved outcomes for ELL students?) (y rainta de se antes para de 1975 anos de 1975). Per habet de 1975 anos de 1975 an 22 [Not that I can recall. There was not a] 23 lot of discussion about if we do X, we will see Y! happening with students. I think more of it was an) 24 ر کرمند کالب کردی، در داری بخورت کردی برخوان میدن است. برخوان و بیدیدون است. ایندی و بخورک و بخود کرد 25 (intuitive sense of this would be great because we know)

	Page 151
(1)	(that this would be helpful for the families, that type)
(2)	(of thing.)
3	Q.) (So it was more of an approach of what)
(1) (2) (3) (4) (5)	(would you like to have?)
(E)	(A.) (T =-)
(6)	
1	(MR. ROBB:) (Objection to the form.)
(7)	(A.) (Can I answer the question?)
(8)	(Q.) (Go ahead.)
(9)	(MR. ROBB:) You can answer.)
(10)	A. (I think all of us felt, myself included,)
(11)	(even though I was from OSPI, felt that this was our)
(12)	chance to say and maybe it wasn't articulate in this
13)	(way, but to say what would be all if money were no)
(14)	object, really, what would be all the things you would
(13) (14) (15)	/love to see in the district for ELL students.)
(16)	the contract of the contract o
^ √	(Q.) (You referred to it earlier as a wish list?) (A.) Yes.
(17)	
(18)	(Q.) (On slide 16 of Exhibit-2026, proposed)
(19)	(petitioner trial Exhibit-557, we have a slide entitled,)
(20)	("What we learned, common components of success.")
(20) (21) (22) (23)	(Mr. Ahearne took you through a number of these and I)
$(\overline{22})$	(think you even testified about some in general without)
(23)	regard to this specific slide and I don't want to go)
(24)	through all of that again.
(25)	(But my question is: As you review this)
1. m.J.	None and officer count and see see To the parties and T

Page 152 list of common components of success, in your . ..<u>.</u> (professional opinion with your experience in the) ومنتهج والمنتقدة والمنافقين والمنافقين والمنتقدين والمنتقدة والمنتقدة والمنتقدة والمنتقدة والمنتقدة Spokane ELL program and then as an employee in that area of OSPI, which are the components listed here, smaller class sizes and all the component parts of additional resources, do you believe are absolutely and the contract of the contra necessary to give ELL students the opportunity to meet) T000T000 50 and the state of t state standards? [Well, I mean, for me, that's not a hard] 10 question to answer because that's really what I have to THE E REPORT OF A STATE PROPERTY OF A STATE PROPERTY OF THE PR 11 articulate on a daily basis to districts, and the one 12 that really cuts across all districts regardless of the 13 size of the ELL population, because some of these are; <u> 200 martin de la companya de la co</u> 14 really dependent on the local context, but the one that 15 is not dependent on local context is the second to the en Parin manan allina manen mananan manan manan 16 last bullet, all teachers need professional inglement fam blenden mærket "" of familie inler 17 development, because all ELL students will be in a ENTERNATION CONTRACTOR 18 basic ed context for part or all of their day. protections of a commence of a commence of a 19 So you have identified the component of e A. A. a Library and the second and 20 additional resources, all teachers need professional to a lightlight (but in the light of the contraction of the contractio ``..__ 21 development, as a component in your professional z_{constant} , which is the constant of the constant z_{constant} , which is z_{constant} 22 opinion is needed to give ELL students the opportunity <u>____</u> The second contraction of the second contrac 23 to meet state standards?) 24 Yes. 25 Are there any other of components, from

www.seadep.com

Page
smaller class sizes or additional resources, on slide
(16 that you believe that you believe is necessary to)
give ELL students the opportunity to meet state
standards?
(A.) (I mean, some of these are certainly,)
(they're certainly of benefit. I think assessment of)
language and academic needs ties into that, all
teachers need professional development. That's good
instructional practice that happens already.
But I think the other ones, and again, I
(have to look at my 197 districts and the majority, 140)
having very small ELL populations, the intake reception)
center is really not a viable option or necessary
option if they have a very small population.
Same thing with funding and this is
intended for funding purposes, funding a parent or
(community liaison, that's not necessary. That would be)
nice to have, and in many cases you can collaborate)
with local agencies to have someone do that on a
(voluntary basis.)
(Again, all teachers need professional)
(development for me stands out on the page. Assessment)
of language and academic needs is a subcomponent of
that.)
(All the other pieces, many districts do)
All the other preces, many districts do

Page 154 without those and their ELL students do fine if their y a la reconstruit de la company teachers know how to address their English development) المستقدة به أنستفده المستقدمة الإي<u>راميسية بي</u> بره <u>المستقد</u>ري المستقدية المستقدمين والمستقدمين والمستقدمين والمست and academic content needs. Q.) (In your earlier deposition, you testified) (5)about your opinion about the value of smaller class li per secretario de la constanta de la consta sizes and that is a common component of success that's principal engligation a saturation of electron produces. The collection of statement of the collection listed on here. In your professional opinion, are <u>- marinari aparenta Perenta a la marina a la paga da Parenta da Laborata da Parenta da Parenta da Parenta da P</u> smaller class sizes necessary to give ELL students the CONTRACTOR opportunity to meet state standards? 10 I wouldn't say they're necessary. I mean, 11 I think the research even shows that just reducing; class size is not what it takes.) I think within the 12) 13 context of this work group, we talked about smaller 14 class sizes when you have a high school that may have a 15 very small ELL population, maybe 10 students. 16 Typically, high schools will look at having X amount of 17 students per one FTE and then the ELL program, that 18 supplemental funding allows you to perhaps have 10 students with one teacher rather than 28 with one 19 20 teacher, because then you have students matched by 21 language ability to do some more intensive 22 instruction. But again, there's many of our districts 23 aren't in that situation where they create a smaller 24 class size. 25 In your prior deposition, I believe you

Page 155 (1) (2) (3) (4) (5) testified that when it comes to class size, the research was all over the board. Do you recall' <u>and Theresally and the second for the second secon</u> testimony along those lines? [I don't recall that specifically, but I] think most indicators would agree that it's an; 6 oversimplification to say all we need to do is reduce androne acceptance entering androne, any retire a substitute and a securior acceptance and a securior of class size, and I think the research is quite clear) <u>. Carametro de la como la legeración de caración de la coloción de la calción la caración de caración de caración</u> 8 that there are other factors that need to be taken into: rich marrie liggerein signeres son vereich apperix <u>theire</u>s <u>niterationalist</u>iche <u>principal telliche marrie</u> 9 consideration. I mean, a highly skilled teacher with a r ngapamangang gawang ngapaman kamangangan kamangan pamah nasa-angan manangan ngapan katalangan pamah pamah n 10 smaller class size is better than having a teacher that ranti anciari, a ranta di anciari di carini di Carini, di Carini, di Carini, di Carini, di Carini, anciari di Carini, di 11 still is lacking in some strategies but has a smaller 12 group of kids. 13 (Okay. Returning again to Exhibit-2026 and) 14 وران بالمسلوم والمراجع المسلوم والمسلوم والمسلوم والمسلوم والمسلوم والمسلوم والمسلوم والمسلوم والمسلوم والمسلوم going to slide 17 which is entitled, "ELL funding) The state of the s 15 formula proposal," did you have any involvement in the 16 preparation of slide 17 in this exhibit? -----17 Not the actual preparation of the slide, a Manager and a sure party of the property of the sure 18 but I think that this is somewhat of a summary of our 191 work in the work group. 20 Again, there are six parts of the proposed) 200 21 allocation listed here. Given your belief with regard 22 to the components contained on slide 16, do you have ي حقول المستعدد المتعلقة المتع 23 any opinions to offer with regard to slide 17 as to) A . The contraction A24 whether or not the six parts of the proposed allocation) ui paaron, neremalaikeen een "kui oo "lama kalan leesmi", melik "kalan leesmi", 25 are necessary to give ELL students the opportunity to

Page 156 1) achieve state standards?) 2 There's a slight disconnect between the (3)(two slides.) (I think in some respects, slide 17) (4) (captures the input from districts as to how in many) (5) (cases they use their funding.) (I mean, again, the core) 6 (staffing enhancement, smaller class sizes for ELL, I) (7)(think the districts represented there, myself included,) (8) (would say in many instances districts use the) 91 (supplemental funding to say well, we're okay staffing a) (10) classroom with 10 students versus 28 students.) (The) (11)floor funding for districts with few ELLs, I think that (12) there was certainly a consensus within the group to say $(\overline{13})$ (wouldn't it be great that I didn't have to wait until I) (14) (had 10 or 15 or 20 or 30 ELLs to generate enough for .5) (15)(ETE, you know, if it's not 904 a student.) (Some) 16 (district will say by the time I fill out the grant and) (17)(provide the data for one student, you know, I have) 18 (already used up the \$904 just in labor to do that.) 19 The high ELL multiple language 20 enhancement, I think that was more of a nod to 21 districts that have that, the multiple language piece, 22 and therefore we want to get as many translations as 23 possible in as many languages as possible. Once you 24 reach more than 20 languages, it becomes impracticable 25 to have everything translated.

Page 157 Middle high school enhancement I think 1 there too it was more a reflection of a student in a 2 3 kindergarten classroom who may be generating funding, may need no direct service from an ELL-funded person, 5 where a middle school or high school, you may actually fund a period a day. So it's, I think it's more - construction and the contraction of the contracti complicated than saying that there's a direct and the contract of the contra connection between the list on 16 and the proposal on The result of the contract of 17 other than again the professional development piece! 10 which I think resonates between the two, that if push 11 comes to shove, what do we want? 12 (We want highly skilled teachers working) 13 with English language learners, because for various; 14 reasons, not to mention Title III or civil rights law, 15 we don't want to create a system where ELL students are 16 segregated. If they're not going to be segregated, s . - printe<u>r reconstructuum en conservationistaansen aan</u> en <mark>en en e</mark> 17 where are they going to be getting their service? If 18 they're not going to be getting their services in the and and an area are a second and the second area and the second area and the second area. segregated environment. There was -- it will be) 19 Limited the property of the control 20 happening in a basic ed context even though there may 21 be supplemental service. or many process of process and the second 22 (So if we recognize that most ELLs in our) 23 state will be in a basic ed context, what do we know 24 needs to be in place for them to be successful? rener 1993 (n. 1994 - 1994 - 1994 - 1994 - 1994 - 1994 - 1994 - 1994 - 1994 - 1994 - 1994 - 1994 - 1994 - 1994 25 we need all of our teachers, including school staff,

```
Page 158
                         the administrative assistant, office manager
                          lana or <del>delimination la completa de la completa del completa de la completa de la completa del completa de la completa del completa de la completa de la completa del completa de la completa del complet</del>
                       understanding the needs of English language learners.
                                                                                      de la company de la company
                                                                                      When it lists professional development on
                                                                                                   slide 17, that's professional development for the basic
                         education classroom teacher?
                                                                                      Absolutely, absolutely.
                                                                                          I believe you testified that one item of
                                                                                              SERVED CONTRACTOR OF THE CONTR
                         federal funding, the Title III funding could be used;
                         for that very purpose?
 10
                                                                                        It must be. So there's two musts in
                                                                                        11
                         Title III funding. One is for instructional services,
                           which we've already established in our state would be a
                          <u> Para da da la composição de la composição</u>
                           supplant of the state obligation, and the other must is
                                14
                          it must be used for professional development for all
                                                                        2.2 2000 2
 15
                           teachers.
 16
                                                                              (Okay, and on the former, the supplant,)
                                                              hind ilmost of the consumer of the consumer of the constraint of t
....
 17
                          that means you can't use it, in the State of
                           ha <u>marangan katangan katangan</u>
                         Washington, you can't use the federal money for that
18
 19
                          purpose, correct?
                                                         s read the symmetry of a second comment
                                                                                                                                                             .....
 20
                                                                                    (Right. You can't replace what the state)
                                                                                    21
                          is already funding, which is direct services for ELLs,
                               22
                          with federal funding.
23
                                                                                       That's because we have the transitional;
<u>'.:-</u> .
                                                                                  24
                        bilingual state funding stream?
                                                                                          25
                                                                                     Correct.
```

```
Page 159
                                                           But you can, C-A-N, use the Title III
                                                                    [federal funding for professional development?]
                                                                  Yes, because the state does not
                                                             necessarily have a provision that says all teachers
                    will be trained in effective strategies for working
                     <u>eri apar logi -</u>o milo q. . 8. . 800 m<del>aragara kanda kanda kan</del>da bermana dan maregara <del>darak .</del> 3
  6
                   with English language learners, whereas the feds assume
                   in Title III that to create success for
                              18
                   limited-English-proficient students, all teachers need)
                    19
                   training in effective strategies for working with
                     10
                   English language learners.;
11
                                             (Q.) Based on your experience in the Spokane
                                               and the summer was a summer was a summer of the summer of 
 12
                   ELL and your experience in that program with OSPI, do
                     and the second second
13
                   you believe that school districts should conduct their
                    Carlain and the control of the contr
                   ELL programs solely with the state's ELL supplemental
14
                   funding?
 15
 16
                                                              No.
                                                               Why do you believe as you do?
 17
 18
                                               A.
                                                                Well, there's really two pieces of that.
 19
                   I don't know if the intent was ever to create a
 20
                   separate stand-alone program for ELLs and I know from
 21
                   best practice that our ELL students thrive when they
 22
                   are included in the basic education program.
 23
                   think that the -- it's short-sighted in a way for a
 24
                   district to say well, here's our supplemental funding.
 25
                   How many FTE does that buy? That's our ELL program.
```

```
Page 160
                                                 I think it's a matter of choosing okay,
   1
   2
              what can we provide as a district already to meet the
              needs of English language learners and where can the
   3
              supplemental piece fill in those pieces that we're
   4
              unable to provide as a district.
   5
   6
                                                  (Exhibit-836 marked.)
                                              Mr. De Leeuw, I'd like you to take the
                                            opportunity to review Exhibit-836. You can read it to
                 region of the properties and the reservoir of the reservoir of the reservoir of the reservoir of the reservoir
               vourself.
                                           Then I have a few questions about it.
                                                10
                                   A . 1
                                                I remember this.
                                                Were you the author of Exhibit-836?)
11
                                   Q.
12
                                   A.
                                                 Yes, I was.
13
                                   Q.
                                                 It has a date of June 18, 2009?
                                                 14
                                   Α.
                                                 Uh-huh, yes.
                                    نشا دسل
                                                   السارم أنكيب والمردور وي المحتودة المتعادر المراجع
15
                                                 It's to federal program directors?)
                                                  16
                                    Α.
                                                 Correct.
                                                 Who are the federal program directors,
                                                La compania de la compania del compania del compania de la compania del la compania de la compania del la 
18
              generally speaking, addressed to?
بالممطر
19
                                                 This is basically our bilingual, what we
                                  Now \ell is a constant of the contract of the contract \ell is a contract of \ell
935-81E
20
              would call our bilingual contacts in all the
 21
              districts.
22
                                                 So the person responsible for the
23
              Title III and the TBIP grants in the district?
24
                                    Α.
                                                 In the school district, correct.
25
                                                 This is not addressed to employees of
```

```
Page 161
      1
                                  OSPI?
                                                                                   A.
                                                                                                                      No, no.
                                                                                                                      And the term federal program director,
                                                                                                                                          4
5
6
7
                                   sometimes you'll see federal projects directors. We at
                                        Mandagara abasessaya qadibi galamay nabba sasaan daga asaa sasaan sasaan
                                   OSPI often refer to these individuals as FPDs. So
                                                                                                             CONTRACTOR 
                                    they're typically the person that sits in central;
                                         <u>ainus muses annigeria uteleperamente estaturi estatura de la medica punteria. Applicado i estatura de la l</u>
                                   services who the superintendent or someone goes to to
                                         <u>and and an angle and an angle and an angle and an angle and and an angle and an an</u>
    (8
                                   say what is our Title III grant? What is our TBIP'
                                           S Transferring For State of Transferring States Service States States States States
      9
                                                                                     How are we staffing our ELL program?
                                    grant?
                                                                                                                        ر المنظم المنظم المعلم المعلم المنظم الم
                                                                                                              First of all, let me ask this. Did you in
 10
                                                                                  `s===:/.
                                                                                                           The state of the company of the comp
11
                                fact send this out to the federal program directors?
                                                                                                                         and the first of the first of the same of 
 12
                                                                                     A.
                                                                                                                      Yes, I did.
 13
                                                                                      Q.
                                                                                                                  For all the affected school districts?
                                                                                                                          <del>_____</del>
 14
                                                                                                                       Yes.
15
                                                                                                                   What was the point of sending this
                                                                                                                  الروبية في أن المراسط في المنظم والمسترية والمراسط في المرسط والمستوالية المستوالية المستوالية المرسط في المرس
 16
                                  particular memo at this particular time to these
                                                                                                           المستواد التبيداء كالما
 17
                                   particular folks?
                                                                                                                  (Well, I and my staff were concerned that
 18
   ____
                                                                                 The I and I are the I and I are I and I are I and I are I and I are I are I and I are I are I and I are I and I are I are I and I are I are I and I are I and I are I are I and I are I are I and I are I and I are I are I and I are I are I and I are I and I are I and I are I are I and I are I a
 19)
                                   districts had had large amounts of money specifically
                                     an magagam nagalah di ngamangga<del>ranggaranggarang</del>garang an alah ngalalah ngala<del>lah n</del>agalah ngalah ngalah ngalah n
 20
                                    designated for professional development around the
                                      مترجميها ويعدو ومهدد والعمار معا مهناهما مناساتين ومهاري المنهي وهموروميها
                                   needs of English language learners that was simply
 21
                                                                           K(0)
 22
                                 going unspent, and one of my staff specifically has
                                   yang bermang b
  23
                                    connections with the Title III contact in DC and was!
    ---
                                   24
                                    concerned that this would look very bad for the state;
                                                        en de la compania de
 25
                                    in future allocations if the feds realized we're giving
```

	shington 11 million, 12 million, and 4 million is
goi	ing unspent. And the intent, we have to push from
oui	r office that districts do fulfill this)
	sponsibility to provide professional development and
the	e intent of the monies is that it be used in the year
	at it's provided.)
i b ote.	(The reason it was sent out in June of 20)
is	districts were beginning to create their Title III
COI	ntributions for '09-'10 and I wanted districts to
unc	derstand that in 2010-'11, what they have unspent in
	9-'10 will be capped at 15 percent as carryover. So
	gave districts really a year advance warning to sag
we	're going to follow the lead of other federal)
pro	ograms like Title I and cap the carryover at 15)
pei	rcent. Because as I mentioned in here, we had some
di:	stricts with carryover of 100 percent.)
8 20	(So I get a little frustrated when)
di	stricts share frustration in meeting the needs of
ELI	Ls and at the same time here they have a pot of mon-
tha	at is designated to provide training for all staff)
and	d it's not even being tapped into.
ia 1000	(Q.) (It's basically federal funding that's ma
	ailable to school districts that they're not using?
	(A.) (That's correct. And unlike state funding

1

0.

Page 163

second sentence begins, "Title III dollars are intended 2 to fund professional development," et cetera. And the 3 4 description of the uses that can be made by the school districts of Title III funds in their ELL programs, is 5 that summarized in the second and third sentences of 6 that paragraph? 8 Α. That's a general summary, yes. (9) What is the point of telling them what the

Now, in the second full paragraph, the

- 10 Title III dollars are intended for and can be used for?
- (11)A.) (Districts that are given a certain amount)
- (12)of carryover then suddenly are scrambling to spend the
- 13) money, because they're like, oh my gosh, we had 500,000
- (14) of carryover and what can we do?) (And we didn't plan'
- 15 (well, and here it is in the middle of the year.) And I)
- had to make very clear it's to fund professional) 16
- development. It is not to go out and purchase a new (17)
- (18) computer lab that you say well, ELL students will be
- (19) [able to access it like everyone else.]
- 20 So this was just a subtle reminder to say
- 21 well, it's for professional development. (So you do)
- 22 thave summer on the horizon.) (You can train cadres of)
- (23) teachers in professional development, but don't go out
- (24) and buy the next textbook that you think will be of
- (benefit for ELLs and buy, you know, 10,000 copies and) 25)

Page 164 (spend your \$500,000.) (1) 2 These two sentences indicate that: 3 Title III dollars can be used for professional) development for all districts staff, correct? 5 6 7 8 9 That is correct. It conveys the message that Title III \mathbb{Z}_{n} . The second of the contract \mathbb{Z}_{n} is the second of the second \mathbb{Z}_{n} . dollars can be used for extended day learning <u>real property of the form of the control of the co</u> opportunities for ELLs? That is correct. (A.) ئيان ۾ منصبيع وه برنيدوه ۾ اگر 10 What are extended day learning 200 11 opportunities for ELLs? Some schools will provide an after-school 12 المراجعين والمتحدث والمستحدثون والمنت المراجعين المراجعين والمجال والمحافر والمحافر 13 assistance program, a homework assistance in the) ... كريك بيسور والمساوي بينهم الاترانية المساورة والمساورة والمساورة 14 library for one hour after school a couple of days a أستنظم والمتناول والسائرة ومطاور والسنتان والمستوان المستنفي والمستنفية والمتناور والمتناف والمتناف والمرود week and that can be -- if it's targeted toward ELL 15 16 students, can be funded out of Title III. And the same المنتجان والماندون والمعصود والمنتجان المنتبات فللشافية المتعنفيعوا تنفيوني السنتفائي والمان z:-. 17 thing with extended year. They can provide a separate karangan merenggan pagan pagan pangkarangan beranggan pangkarangan pangkarangan penggan pangkarangan penggan p 18 or an extended summer school, separate summer school) lacino minimizzazion managia en americana a mazzanta manega m 19 can be funded out of Title III. ng statem separatations communitations and a species of sec MIGG 20 [Q.] (In the first paragraph, the last sentence LINGUAN SUNDANDO DURANTO O CONTRA O CONTRA C 200 21 states that, "Of the nearly 120 districts that received _= = = rom particular de l'acceptant de l'acceptant de la compete de la compete de la compete de la compete de la comp 22 Title III funding in 2007-'08, 100 had carryover, with 23 over half having carryover amounts greatly exceeding 15 en el pasco i "il deposito il compos el libro, en el libro descono el composito de la como el libro el como el 24 percent, in some cases 100 percent carryover." 25 that a true statement?

```
Page 165
                                                                                                                                 Yes.
                                                                                                                           Is Exhibit-836 a document that you
                                                                                                                       generated in the course of performing your
                                    responsibilities as an OSPI employee?
 5,5
                                                                                                                                 Yes.
                                                                                                                                Do you believe a copy of this document is
                                                                                                                             [maintained in the regular files at OSPI?]
                                                                                                                                 Yes, certainly electronically.)
                                                                                                                                                                                                                 Why don't we take a short
                                                                                                                                 MR. CLARK:
10
                                     break.
                                                                                              I still have some more question, but there was
11
                                     some reference to some documents and I don't think I
12
                                     have them.
                                                                                                                         So why don't we take a break.
13
                                                                                                                                MR. ROBB:
                                                                                                                                                                                                              Sounds good.
14
                                                                                                                                   (Brief recess.)
15
                                                                                                                                   (Exhibits-837 and 838 marked.)
16
                                                                                                                                 MR. CLARK: Back on the record.
17
                                                                                                                              Let's start with Exhibit-837,
                                                                                                                            A CONTRACTOR OF THE PARTY OF TH
18
                                     Mr. De Leeuw. We've been talking today and there was
                                       The particular diverse and the particular particular for the particular parti
                                     some discussion in the deposition last month about
19
                                         es original a m<del>edicalismentes presente</del> e sulluturalismes sullalilis relevado escribisto escribistico del del del
                                       Title III federal funding in districts. Indeed, the
20
                                       niga incompressa analysistementala proportional composition in the composition of the com
21
                                     last exhibit, a memorandum discussed Title III as!
                                                                     ويستنيك ويتأسن ومبسوعات بإرادي الاستنباء المنجالية والمناجعين والد
22
                                     well. Could you identify Exhibit-837, please.
                                                                                                                         رگام الاستان و المعصور و الاستان المحصور المحص
23
                                                                                                                             This is the Title III iGrants application
                                                                                                                               å , a establik og 1998. alle stationer, makka alle sekset og 1991. Neder i
                                     for Edmonds School District for 2008-'09.
24
                                                                                              25
                                                                                                                                All right. What is the cover page of
```

```
Page 166
 1
     Exhibits-837?
 2
              A.
                    This page is the contacts page for the
 3
     application.
 Δ
              0.
                    Contacts, C-O-N-T-A-C-T-S?
 5
              A.
                    That is correct.
                    Is this, this cover page, something that's
 6
              0.
 7
     generated by OSPI?
 8
              A.
                    Yes.
 9
                    It's not part of the application, is it?
              0.
10
                    Well, I'm sorry, let me correct myself.
              A.
11
              Q.
                    Is it?
12
                    We create the page, but it's completed by
              Α.
13
     the district, so I don't put in the director's name and
14
     the phone numbers and that. So obviously it's a page
15
     we created, and then once the district opens up this
     application to begin the application process, they put
16
17
     in the contact information so we at OSPI know who
     completed the application and who do we respond to when
18
     we have, when revisions need to be made, et cetera.
19
20)
                    (Is Exhibit-837 a copy of an application)
                    ropologica para algunalista algening religional para para de la composito de la composito de la composito de l
21
     that was in fact made by the Edmonds School District?
22
              !A.
                    Yes, it is.
23
              Q.
                    And for the year, fiscal year '08-'09?
24
              A.
                    Yes.
25
              IQ.
                    And was the application approved?
```

```
Page 167
                                                                                                                      Yes.
                                                                                                                      How do you know that?
   (a) (a) (b) (b) (c) (c) (c)
                                                                                                                                                      At the time top under milestone it says,
                                    "Final approval issued."
                                                                                                                      And you're referring to page 1 of
                                    Exhibit-837?
                                                                                      A.
                                                                                                                   Yes.
                                                                                                                                                                                           I take it from an earlier answer about
                                                                                                                   Serious Cherry Collins Collins
                                    Exhibit-837, that OSPI in effect sets up the template,
                                       بالمعطول والأستون والمعطورة معجودات المتعطوات والمتعال المعطور والمتعلول والمتعلول والمعطوري
10
                                    a format, and the district then fills it in with the
                                                                              11
                                    information that's appropriate for the district?)
  12
                                                                                                                   Yes.
                                                                                      A. 1
 13
                                                                                                                      Let's go to the second page of
 14
                                  Exhibit-837. Again, this indicates that it's the
  15
                                    application of the Edmonds School District?
  16
                                                                                       Α.
                                                                                                                       Yes.
 17
                                                                                                                   On second page of the document -- strike
                                that.
  18
 19
                                                                                                                        On the third page of Exhibit-837, it
                                                                                                                     20
                                (indicates about one third down the page an allocation)
                                   You are a first the contract of the contract o
  21
                                    amount of $293,736. Is that amount of Title III
                                       Carreline Colored a series and compared description of the control of the control
  22
                                    funding that Edmonds was applying for in this year?)
  23
                                                                                                                        Yes.
 24
                                                                                        Q.
                                                                                                                       Was it approved?
  25
                                                                                                                        Yes.
```

Page 168 The below the allocation amount there's a 2 box that has the number total count 1,752. Do you see where I'm referring to? 200 What does that refer to? and the property of the proper That refers to the total transitional bilingual instruction program student count were ELLs لورود کو در میچورد را در در در در در میچورد در میچورد در در در در در در در در در میچورد میگی میپولاد از پیشت 8 that the district identified as well as eligible ELLs ويتوالياء في الوقورة والجارية والمنظول والمنظول المنتوا المنتوا والمنازي والمرازي والمنازي والمنتوان والمنازية in private schools, so the total would be 1,752.) 10 (All right. So the public school ELL count سارحت العدوليف للفرانف العمريني التماريف المدور المدارية والمعدر المدأر الكت 11 for the Edmonds School District is 1,749 students? 12 (Correct.) 13 Starting on the bottom part of the second page of Exhibit-837 where it says, "Assurances and 14 and the communication of the c 15 certification, " and continuing over onto the next page; المراجعين والمراجع والمناجع والمراجعين المناجعين والمعارض والمناجع والمناجع والمناجع والمناجع والمناجع والمراجع 16 of the exhibit, what is the point of the assurances and 17 certification portion of this application from the 18 (Edmonds School District?) -----These assurances are essentially directly 19 20 out of federal Title III guidelines that require that) بيل لاتربية بالدلالية الجنبرالاناء الخاص ولجوا لاتين المسترواتين فالمدا فينسب يبارزينسارين 21 the funding be used for those purposes or that the والمتناب أنتاب والمستوار والمستوار والمستوار والمتناب والمتناب والمستوار والمتناب والمستوار والمستوار والمتناب 22 district's program for English language learners de de le leger de leger de le leger de 23 complies with these different assurances. tan ing may makang merupakan menganakan darah darah darah dari baran darah dari baran dari baran dari baran da 24 The assurances and certification is, 25 information that is checked off or supplied by the

distr	ict itself?)
ASSET STATE	A. Correct. We word the assurances based of
feder:	al quidelines and then the district checks the
}	off acknowledging they agree to follow those
 -	lines.
gurae.	· · · · · · · · · · · · · · · · · · ·
/ · · · · · ·	Q. Okay. For example, under assurances, tw
) }====================================	e ones that are checked, if we go to the third)
page (of the exhibit, one that's checked says that the
progra	ams will enable children to speak, read, write a
combr	ehend the English language and meet challenging
state	academic content and student academic achieveme
standa	ards. Issaquah has checked the box to make that
	ance, correct?
Notes to	(A.) (I believe this is Edmonds.)
	(Q.) (I'm sorry, Edmonds has checked the box of
this	form, Exhibit-837, and made that assurance?
(<u></u> , ,	
	Q. (Below that Edmonds also appears to have)
۔ مامماد	ed the assurance that goes as follows, that)
عادة المستعيراً	
) 	istrict is not in violation of any state law,)
<u>}</u>	ding state constitutional law, regarding the
	tion of LEP children, and does it appear that the
	ds School District checked off that assurance on
that	document?)
104 (MIN)	(A.) (Yes.)

```
Page 170
                                        Okay, and I believe you stated that these
2 (3 (4 5
                                         assurances from the district are required by federal
            law?
                                      (Correct.)
                                       'And that's part of what entitles them to;
                                      6 7 8 9
          receive and use the Title III federal funding?
                                      all named majors in in the majoring at the majoring
                                       Yes.
                                        Going to Exhibit-838, could you identify
                             in Annaire and and an area
           that document as well?
                                        ودسوكت ودبس والمنافر
                                        This is the Title III iGrants application
10
                    11
           for Edmonds School District for the 2007-'08 school
12
           year.
13
                                       Was in fact this application for Title III
                                       14
           LEP funding approved?
                                        15
                            (A.)
                                       (Yes, it was.)
                            16
                                       (And we can tell that by the indication on)
                                      17
            the first page of the document?)
                             رسر کومیکندی درمینیسات کی نے محمد بیش و درجینی
                                       (Yes. Where it says, "Milestone: Final)
18
(1002
            approval issued."
19
                                       ter.
                 (Q.)
Luce
20
                                       On the second page of the document it
                     and the second of the second o
ow.
21
            indicates that the Edmonds had public school
             22
            transitional bilingual students totalling 1,697 for
                                     ¥2.,
23
           that year?
24
                             A. |
                                        That is correct.
                                        25
                                        And the amount applied for those students
                                                          na mana a 1201 indian mana mana a
```

```
Page 171
             was $262,397?
   2
                                             That is correct.
                                              3
                                            Do you believe that that was the amount
                                               that was approved for the Edmonds School District that
                                                           NO NO 19 NO RETAINS SWEETSWEET TO BE RED NO 25
              year?
                                              Yes, it was.
                                 A.
                                             Okay. Again, without going through them,
                                                            and the control of the state of
            (I think it's the fifth or sixth page in for the record,
               <u>da parance nagri care a preca paran paren aren arena, e erro precedentario e en esperiente de comparte de comp</u>
 (9)
              the upper right-hand corner indicates it's
               <u>arian dianggaranggan paganganan namangan namangan na</u>
 10
              RTREX1392.00410, just so we're all on the same
               أروا البطورة البطواء المطور المرطوع فالمطاطأ المرجم المتعطو والمرطوط المطاوي الطبوب المطاور
11
             multi-numbered page. There are assurances and
               12
             certifications as well on this page, are there not?
                                             والمستخداد والمنجوب فنداد والمرافي والمرافي
13
                                            Yes, there are.
14
                                             The ones that are checked are assurances
                                                      15
              or certifications that were made by the Edmonds School
              المتحاث المتحاث والمتحار المتحار المتحار المتحار المتحار المتحار المتحار المتحار المتحاري والمتحاري المتحار
16
              District in order to qualify and receive the Title III
               أريبوك أأحلا وسيلكي فالتنصير فينو العوي الأكب
                                                                                17
              LEP funding for that year?
                                              18
                                              That is correct.
                                                   أكناه ومسوو بالمساو
19
                                              (Exhibit-839 marked.)
                                               20
                                             Exhibit-839 is a Title III LEP funding
                                            Венциносирения причения причения дополняющий вичения причения причения в причения причения вичения вич
 21
              package for the Issaquah School District for the fiscal
                   <u>, and a primary and an artist protect</u> is not the second of the second
 22
              year '08-'09, correct?
 23
                                  A.
                                              Yes.
 24
                                              All right, and if we turn to the third
                                                  page of Exhibit-839, the allocation amount that
 25
```

```
Page 172
     1
                         Issaquah was applying for that year was $83,716,
                        correct?
                                                         (A.)
                                                                                   Yes.
                                                                                   And that's to serve a public school;
                                                                                     transitional bilingual student count of 500 students?
                                                                                   Yes.
                                                            - 4
                                                                                   And on the second and third pages,
                                                                             ر بأخفيه المقد المقفية المرقول المواد المعقوم للسوي المقورة المقورة المقورة المقتدرة المقتدرة والمقارد
                        assurances and certification are made signified by a
                                     a... kara . "tel. jejas .a.k., kara "tere "tere "telen "telen jaka jaka "telen jaka "telen "telen telen kal
                         check in the box by the Issaquah School District in
                         order to get the Title III funding for that year,
10
11
                        correct?
12
                                                                                    Correct.
13
                                                                                 And was this application for Title III
                                                                                     La comprese de la comprese della com
14
                         funding by the Issaquah School District approved?
                                                                                                                                                             15
                                                                                    Yes.
16
                                                                                    In part, that funding was provided based
                                                                                   17
                         upon the assurances and certification made by the
                           and of the contract of the con
 18
                       district in this application?
19
                                                                                    Yes.
20
                                                                                     (Exhibit-840 marked.)
                                                                                      دادا والأطرار المراد المنظر المصرور الشعار والمرازر ووا
21
                                                                                   Exhibit-840 is the '07-'08 fiscal year'
                                                                                    كمعط الانتجاح بالبراء البلاء فتعدن الفيطان الفجي الشاء عقم الانفيار الاعتبار بطائره فعاله بالمعا
22
                         Title III federal funding application by the Issaquah;
23
                      School District?
 24
                                                             A.
                                                                                    Correct.
25
                                                                                   And in fact was this application made for
```

```
Page 173
                      Title III LEP funding by Issaquah in that year?
                                                                               2
                                                        A.
                                                                               Yes.
    3
                                                        Q.
                                                                             Was the application for the Issaquah
    4
                      School District approved?
  5
                                                                               Yes, it was.
                                                                               المعلود والمنا المعلود المعلود المعلود
                                                                               On the second page of Exhibit-840, the
                                                                             de la companya de la
                       funding amount indicated for Issaquah School District
                                                                                       8
                       is $65,672 with a total public school transitional)
                          NAME OF THE PROPERTY AND ADDRESS OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF
 (9
                      bilingual student count for 400 for that year?
10
                                                         A.
                                                                               Yes.
11
                                                                               If we go to the page in Exhibit-840 that
                                                                               بنجر لمنظ وبناء المدام بلاية الربي فصفه أيتم المنهم المقا المحم ينتجه الاخر
12
                       says at the top right-hand corner page 5 of 6, do you
13
                       see where I am?
14
                                                       (A.)
                                                                             Okay, yes.
                                                                                                                                    15
                                                                               Do you see there are assurances and)
                                                                               فالاستاطان يفلاح لفوي الافواد بفير يقيوم بالقادي بفواء الشمر بالموس
16
                       certifications made by the Issaquah School District on;
                            The course of the state of the course of the
17
                       that page continuing over to the next one on this
18
                       document?
                                                        A.;
19
                                                                             Yes.
20
                                                                               Those are assurances and certifications
                                              and the second commence and a construction of the contract contract and the contract and th
21
                       made by the Issaquah School District for this
                        في الرساق إلى المعرفية والمان لوائد والمدور والمعود الرغول الموارسون
. . . . .
22
                      (particular year in order to secure this federal)
                                                                          . - 4
                       funding?
23
 _ --- (
24
                                                                             Yes.
25
                                                                                 (Exhibit-841 marked.)
```

	Page 174
(i)	(Q.) (Could you identify Exhibit-841,)
(2)	(Mr. De Leeuw?)
(3)	(A.) (This is the Title III iGrants application)
$\begin{pmatrix} -4 \\ 4 \end{pmatrix}$	(for fiscal 2008-'09 for the Renton School District.)
(5)	Q. Okay. This application in fact was made
(6)	(by the Renton School District for the year in question?)
$\left(7\right)$	(A.) $(Yes.)$
(8)	(Q.) (And again, the cover page has the contact)
(9)	(information for the persons in the district that are to)
(10)	be contacted in reference to the application that is
(11)	(part of Exhibit-841?)
(12)	(A.) (Correct.)
(13)	Q.) (Is there any indication in Exhibit-841 as)
(14)	(to whether or not the application was approved?)
$(\overline{15})$	A.) Yes, at the top it has, "Milestone: Final)
$(\overline{16})$	(approval issued.")
(17)	(Q.) (That's on the cover page of Exhibit-841?)
$(\overline{18})$	(A.) $(Yes.)$
(19)	\mathbb{Q} . If we turn to the third page of this
(20)	exhibit, in the middle of the page or so, it indicates)
(21)	(an allocation amount of \$312,051?)
$(2\overline{2})$	(A.) (That's correct.)
(23)	Q.) (Is that the amount that the Renton School)
(24)	(District applied for that year?)
(25)	(A.) (Yes, it is.)

	Page 175
(1)	(Q.) (And their application was approved?)
(2)	(A.) (Yes, it was.)
(3)	Q. (And if I look further down on this page of)
(4) (5) (6)	(Exhibit-841, it indicates that in the public schools in)
(5)	(Rentor there were transitional bilingual students)
(6)	totalling 1,765 that year?
(7)	(A.) (That is correct.)
(8)	Q.) (And one individual apparently is in the)
(9)	(private school count?)
(10)	(A.) Yes.)
(11)	Q. And this application by Renton for the
$\langle 12 \rangle$	(fiscal year '08-'09, as the other applications we've)
13	been discussing, copies of those are maintained at OSPI)
(14)	either electronically or in hardcopy, correct?
(15)	(A.) (Yes, yes.)
(16)	Q.) (And these Title III applications, they are)
(17)	part of the records that OSPI maintains as part of)
(18)	doing what OSPI does, correct?
(19)	(A.) (Correct.)
(20)	Q. (And on page 2 of Exhibit-841 at the bottom)
2.	parameter (m.) in the contraction of the contract
(21)	(is a series of assurances and certifications indicating)
(22)	(with checked boxes the assurances and certifications)
(22) (23) (24)	(that the Renton School District was making that year in)
(24)	order to secure this federal funding, correct?)
(25)	(A.) (Correct.)
0/2	

```
Page 176
    1
                                                                            (Exhibit-842 marked.)
                                                                             2
                                                      Q.
                                                                            Could you identify Exhibit-842 for the
                     record, please?
                                                                           This is the Title III iGrants application)
                      for fiscal year 2007-'08 for Renton School District.
     6
                                                                            Did the Renton School District in fact
                                                                           No appropriate progression in the compression and progression and contract of the compression in the compression of the contract of the contra
                    (made this application for the fiscal year '07-'08?)
                                                                                                                      A.
                                                                            Yes.
  19
                                                       Q.
                                                                            Was it approved?
                                                       A.
10
                                                                            Yes.
                                                                            On page 2 of Exhibit-842 it indicates that
11
                                                                             the amount applied for by Renton that year for
12
                                             13
                       Title III LEP funding was $266,923?
                                                                              Jan Strand Labor.
14
                                                                           That's correct.
                                                                            15
                                                                           And below the allocation amount it
                                                          16
                       indicates a public school student count of transitional)
                                    the state of the second state of the state of the second state of 
17
                       bilingual students of 1,765 students for that year,
                                                                               18
                       correct?
19
                                                       A.
                                                                            Correct.
20
                                                                            And was the amount applied for approved?
21
                                                                            Yes, it was.
                                                                              2.5
22
                                                                            Turning to the page that in the upper
                                                                                        والمرابعة التقاري الأساء والقارية المراب والمستشف المراب
23
                       right-hand corner says page 6 of 7 in Exhibit-842,
                          LE JAMES DE LE LA COMPANIO DE MONTO DE SERVICIO DE LA PROPRIA DE LA PROPRIA DE LA PROPRIA DE LA PROPRIA DE LA P
 24
                       halfway down this page are assurances and;
25
                       certification. Do you see that?
```

```
Page 177
   1
                                                                                        Yes.
                                                                                     Are these assurances and certifications)
                                                                                      provided by the Renton School District in this year to
                                                                                                                                                                           n economicado e a su e e não maio maio n
                          secure this federal funding?
                                                                                        Yes, it is.
                                                                                        ) was a company of Y
                                                                                    And each of the checked boxes constitutes
                                                                                      ^{
m M} or ^{
m mag} , and ^{
m mag} is the contraction of the 
                           an assurance or certification that the Renton School;
                                                                   <u>a agranda que que proposição com en conservado a propriedada de la conservada de la conser</u>
                           District made that year in order to obtain this federal
                          funding?
                                                                                     That's correct.
10
                                                                                         11
                                                                                     A copy of this document, Exhibit-842, is
                                                                            12
                          maintained as part of the records of the business
13
                           conducted by OSPI?
                                                                                       Yes.
 14
15
                                                                                        MR. CLARK: Thank you, Mr. De Leeuw, for
16
                          coming back and testifying today. Good luck on your
                          next venture in Qatar, and check the newspapers, maybe
17
                          you'll see something about us in the Herald Tribune.
18
19
                          Thank you.
 20
                                                                                        MR. ROBB:
                                                                                                                                            Thank you. Let's take a break
 21
                          and reconfigure here if we could.
 22
                                                                                        MR. CLARK:
                                                                                                                                                 Sure.
 23
                                                                                         (Brief recess.)
  24
                                                                                       MR. ROBB: Let's go back on the record.
  25
```

- 1 hired as an ELL teacher and I was responsible for 13
- 2 elementary schools and I had a staff and I did that for
- 3 a year. Then I was asked to be an ELL facilitator to
- 4 work district-wide as a staff developer and kind of
- 5 troubleshooter, and I did that for three years. And
- 6 then I took a short leave to teach at Gonzaga
- 7 University, ELL methods and classes. Then I came back
- 8 as an instructional coach, literacy coach for three
- 9 years at the alternative high school. And then I did
- 10 instructional coach for math and my principal
- 11 assistantship for one year at North Central High
- 12 School, and then I was hired as the ELL coordinator in
- 13 August of 2006 and I did --
- 14 Q. How long were you the ELL coordinator?
- 15 A. I was ELL coordinator until November of
- 16 2007 when a vacancy opened up at OSPI and I went to
- 17 OSPI.
- (18) Q.) (Okay.) (Turning if you will to slide 12)
- '19) (that we discussed earlier, what sorts of resources did)
- (20) (you when you were in Spokane School District purchase)
- (21) 'with this pot of money?
- (A.) (Are you referring to the \$2.475 million?)
- (23) Q.) (I am indeed.)
- (24) A. I would say it was 95 percent for staff
- (25) (salaries, certificated and classified staff.)

Page 182 If I understand your testimony earlier, (1)0. (2) this pot does not include the state basic education) (3) (allocation?) (4) (A.) The state ELL portion of the pie is a part) (5) (of the basic education allocation.) Local funds part or 6 other district funds, this could be a conglomeration of some basic ed dollars, but does not include the basic (7) (8) led piece that comes with every student, that's correct. 9; (0.) (But taking your estimation of) 7.0 approximately \$4,000 a student as the basic education (allocation for these purposes, that would eclipse the 11) (12)amount of money that's here in that pie chart, right? (13)(A.) It would certainly be much larger right. (14)(Is it safe to assume that money is not,) 15) the basic education is not reflected in this slide? 16 (That each student generates, that's) 17 (correct.) 18) I believe you testified there were a ·O. (thousand ELL students in Spokane at the time this slide) (19) (20) (was made?) 21 A.) Yes. (22) (0.) So this salary component that you paid for (23) (with this \$2.475 million, would that have been to hire) additional staff specifically for ELL students?) (24) (25) Yes.) (A.)

```
Page 183
              (0.)
(1)
                   What, were those teachers, classified)
 2
     (staff?)
                   (I would say, I believe we had about 20)
(3)
              A.
4
     (teachers or 20, 22 FTEs. (So about 20, 21 teachers,
(5)
     (certificated staff, and then maybe 35 paraprofessional,)
6:
     bilingual specialists that we provided as well.
(7)
                   Those salaries were funded exclusively out)
              (Q_{\bullet})
 8
     of this $2.475 million?
(9)
              (A.)
                   Yes.
(10)
              10.
                   (Were those teachers and other)
     professionals working only with the ELL students?
(11)
(12)
                   Yes.
              (A.)
(13)
              (Q.)
                   (Can you give me a sense of how that)
(14)
     (worked?)
(15)
                   Well, if we started at the elementary
16
     [level, you would have a paraprofessional.] (In Spokane)
(17)
     we distinguish between an instructional assistant or at
     bilingual specialist, because bilingual specialist did
(\overline{18})
19
     (the same work as an instructional assistant but had)
(20)
     language skills of one of the 48 languages that we had
21
     represented in our ELL population.) (So their normal)
22
     (workday would be assigned to an elementary school with)
23
     a population of ELL students and they would go into)
(24)
     different classrooms providing additional support
(25)
     (during the school day.) (So they might sit next to a)
```

- (1) (student and help, see if they need any help with the)
- (2) (lesson, might work with different groups of students)
- (3) (and that's -- they were in those classrooms)
- (4) (specifically for identified ELL students, okay?)
- (5) We had elementary teachers, ELL elementary
- (6) (teachers, they were not grade level teachers, but they)
- (7) (did similar work.) (They would go to different)
- (8) (classrooms.) (Primarily they supported teachers.) (As)
- (9) (teachers had questions about curriculum and had)
- (10) 'questions about a struggling ELL student, that
- (11) (elementary teacher, ELL teacher was available to)
- (12) (provide that additional collaboration, input,)
- (13) (troubleshooting, and then some one-on-one time or small)
- (14) (group time with the ELL students as well, typically the)
- [15] [newcomer students that come in.]
- (At the middle school and high school)
- (17) (level, we would have ELL classes.) So you might have
- (18) one or two periods a day at a middle school that was
- (19) (staffed by an ELL teacher, maybe an ELL)
- (20) paraprofessional, and then ELL students would actually
- (21) go into that classroom for one or two periods a day for
- (22) (some specialized instruction.) And high school is very)
- (23) similar to middle school where the teacher was there
- (for a period or two with a certain level of ELL)
- 25) (students.)

Page 185 (1) So what else did you purchase with this (2) (\$2.475 million?) /3) (A.)(Some would have covered part of the) 4 (administrative costs.) So the ELL coordinator, part of (5) (the salary was paid for out of that.) (Part of the) 6 support staff at the district level had their salaries' (7) (paid for out of that.) (Some minimal professional) 8 development. If we were to have a meeting of the ELL 19 teachers during the day, we might have some of their 10 sub costs were paid for out of that, and then minimal) (11)(materials and translations.) 12 Do you believe that the teachers and 13) training and other services purchased with this (14) \$2.475 million contributed to the academic success of 15 the ELL students in the Spokane public schools? 16) (A.) (Sure.) (17)Q. How so? (18) I think to a large extent classroom (19) (teachers felt more supported to know they had some) (20)(support staff coming into the classroom.) I mean, it's) (21) a challenge to help the classroom teacher really grasp, (22) many of them being monolingual English speakers, the 23 value their instruction has for English language (learners.) Yet when they feel there's a support person) 24 25) (coming into the classroom to provide some assistance,)

- (1) (you can do the math.) (So I have a paraprofessional)
- (2) coming for 30 minutes a day three or four days a week.)
- (3) (I still have the ELL student for five and a half hours)
- (4) (a day.)
- (5) But many teachers felt there was some)
- (6) (additional support provided that led to the success of)
- (7) (the ELL students, even though I would help them kind of)
- (8) (do the math and say yes, but it's really your
- (9) (instruction for five and a half hours a day that makes)
- 10) (the difference.) So certainly at the middle school and:
- (11) (high school, again, the staff understand that while)
- (12) (there is this support where the students can go to the)
- (13) (ELL classroom for one or two periods a day, and I think)
- 14) (teachers felt that that additional support made a)
- (difference.)
- (16) (Q.) (And you agree?)
- (17) A.) To a large extent, but I had to help
- (18) (teachers connect the dots.) (Because some teachers felt)
- (19) (like well, we'll go ahead and give all the ELL students)
- (20) (in the math class the same work as the everyone else.)
- (21) (At the end of the day, they would have the ELL period)
- 22) (with the ELL teacher.) But I had to say if we have five)
- (23) (ELL in the school and they all have five periods and)
- (24) (each teacher in those five periods says the ELL teacher)
- (25) can do it at the end of the day, that's 25 classes a

- (1) (day the ELL teacher is trying to accommodate for.)
- (It's a fine line in helping teachers feel)
- (supported and also understanding, you know what,)
- (4) they're going to learn far more math in your math class)
- (5) than the one period of ELL at the end of day.) (But it's)
- (6) part of the give and take where teachers feel there is
- (7) (a resource person in the school that I can go to.)
- (8) (There's a resource person that I know the child has)
- (9) (that connection with.) (So certainly there's value in)
- (10) having the ELL staff in the school.)
- (11) (Q.) And as the ELL coordinator, your job was)
- (12) (to kind of connect those dots, was it not?)
- (13) (A.) (Absolutely.)
- 14 Q. If you turn quickly to slide 13 and then
- 15 also slide 14 where we're depicting the success that
- 16 ELL students are having on passing the WASL for reading
- 17 and math, do you have any sense how these graphs have
- 18 changed over time, for instance, in 2006 or 2005?
- 19 A. I don't. I didn't go back further than
- 20 that because I wanted the most recent WASL scores that
- 21 I had access to. I have done it for 2008 and they look
- 22 very similar.
- 23) Q. Let's turn back to slide 12.) (If I)
- (24) (understood you earlier, we've already determined that)
- (25) (the basic education allocation is not captured in this)

```
Page 188
     slide, correct?
 17)
 (2)
                   Yes, correct.
 (3)
                   I believe you earlier said the federal
121
     program dollars are not captured in this slide; is that)
 (5)
     (correct?)
(6)
                   Correct, Title III dollars are not
     (captured in this slide.)
 (8)
              (Q.)
                   (Are any other federal dollars captured in)
 19
     this slide?
                   Well, again, as I said earlier, the local
10
              A.
:11
     funds part, where the district got this additional)
(12)
     (funding, I could not tell you.) (I simply went in and
\langle 13 \rangle
     proposed my budget for what I wanted to my staff and I'
(14)
     said this is the state allocation, and the district
15
     said fine, we will provide the additional funding.
(16)
             Q.) (If you're not sure of the local funds)
117
     $1.63 million, you're not sure really what the source
(18)
     of that funding is?
19
                   That's correct.
              A.)
20
             (Q.) (Okay.)
(21)
             (A.)
                   'In my limited understanding of finances,'
(22)
     the district has a general fund that has moneys from a
(23)
     variety of sources that are -- that have less strings,
24
     attached to them than categorical funding and that is
25
     (what I assume the district would go into to supplement)
```

Page 189 (1)(this budget.) (2) I believe you testified earlier you did 3 not prepare this pie chart in order to show that the (4) (state was underfunding education?) (5)(A.) (Correct.) 161 Can you tell me again what you did prepare; (7) this slide for? Well, I prepared this first to inform my) (8) $\langle \Lambda_{\cdot} \rangle$ (9) own ELL staff, to let them know that they were funding (out of a variety of sources, not just state) (10) (11) (supplemental money.) 12 (That was your staff when you were at) (Q.) (13)Spokane? (14)(In Spokane public schools, because I used) (15) to be, as I mentioned earlier, came on as an ELL staff; (16) person in 1997 and it was only when I became (17)(coordinator that I understood oh, I see part of my) (18) funding is not just out of the state supplemental) (19)(funding, but it's part of a district commitment.) (And (20) that's how I looked at it, district commitment to the 21 success of ELL students. So I shared this with my ELL (22) staff first.) I shared it with administrators to also) (23) (help them understand that the district has already made) 24 a commitment to support the success of ELL students, 25 (which I think is significant.)

***************************************	8	Page 190
1	Q.	The state ELL funding here, \$845,000,
2	that's the T	BIP funding?
3	A.	Correct.
4	Q.	And that again is?
5	A.	Transitional bilingual instruction
6	program.	
7	Q.	Thank you. Is that 845,000, roughly,
8	number then,	is that driven by the basic education
9	allocation?	
10	A.	No.
11	Q.	Okay.
$(1\bar{2})$	$\langle \overline{A}. \rangle$	Each ELL student who is identified as
(13)	'eligible, an	d there's a whole process, they have to
(14)	have a langu	age other than English and take a placement)
(15)	(test, each i	ndividual student that meets the criteria;
(16)	then generat	es in this year 845.66.)
(17)	(Q.)	Do you have any understanding as to how)
18)	that formula	works?)
(19)	$(\overline{A},\overline{L})$	(I do not.)
(20)	(Q.)	At the time the slide was presented, that)
(21)	(amount was \$	904 per student, correct?)
(22)	(A.)	(That is correct.)
23)	<u>(Q.</u>)	Do you have an understanding of how that)
(24)	(number has c	hanged over time?)
(25)	(A.)	That number in my experience has typically

Page 191 (1) (increased from year to year by 10 or 15 dollars.) (2)0. (What is it doing in the upcoming biennium?) $(\bar{3})$ \mathbf{A} This year, and I don't have the exact (4) (amount, but I believe it goes down to 886, give or take) (5)a few dollars. (6) So it's decreasing? (0.) (7)(A.)Yes. 8 Now, you testified earlier that the 0. 9 primary place for ELL students to learn is in a basic 10 education classroom: is that correct? 11 Α. Yes. 12 So do I understand your testimony 0. 13 correctly that the primary allocation for basic 14 education students is the basic education allocation? I'm sorry --15 Α. 16 Q. I'm sorry, I think I misspoke. 17 For English language learner students, the primary allocation for English language learners is 18 that basic education allocation? 19 20 Α. Yes. 21 And as we sit here today, you're not sure 0. 22 what that allocation is; is that correct? 23 Α. That's correct. 24 . 0. As we sit here today, I take it you don't ' 25 have an opinion whether that basic education allocation

Page 192 is sufficient or not; is that correct? 1 2 Α. That would be correct. (Since we're not sure sitting here today) (3) (4) what precisely is included in this local funds number (in the pie chart on slide 12, how would you suggest I) 5 61 (go about trying to figure out the answer to that) 17 (question?) (8) (A.) (The answer to what?) (9) What funds are included in the local funds (0.) (10) portion of this pie chart. (11) That -- if I were still in Spokane public (12)schools and you asked me this question, I would (13)(probably go to my fiscal person and say could you tell) (14) me what is the combination that is used to create the (15)additional amount of money that is part of the ELL 16 (budget?) 17 Q. So in order to really understand this (18)slide, I would need to go to the fiscal person at the 19 (Spokane public schools?) $(\overline{20})$ A. If your intent was to know what local 21) (funds are used to make up that additional amount of) 22 money, then I think you could do that. Again, the --(23) for me, the purpose of the pie chart is very different. 24 Q. Did you have any understanding as to how 25 the total ELL program budget for Spokane public schools

Page 194 1 that you were making to the Basic Education Finance 2 Task Force? 3 Α. Certainly, I agree with everything mentioned in the PowerPoint. 4 5 Turning to slide 16, I believe you mentioned specifically the importance of teachers and 6 7 professional development for teachers? 8 A. Correct. (9) (Q.) (What kind of professional development) opportunities did you offer for teachers in the Spokane (10) (11) public schools? A. One of the corner pieces was GLAD (12) training, which stands for guided language acquisition 13 14 (design, which is a collection of instructional) (15)strategies that's very engaging for students, focuses) (on academic language development, uses music and chants) 16 17 and visuals, and basically a student with little to no) English would leave a lesson with some English language) 18 (skills as well as some academic content in English.) (19) 20 0. In Spokane, did you have an intake 21 reception center? 22 Yes, we did. Α. 23 In Spokane, did you have a parent 24 community liaison? 25 A. No, we did not.

Page 195 1 Did you rely on the community or some 2 other group to fill that service? 3 A. We had our bilingual specialists who primarily worked as tutors during the day, that if a 4 5 student had an issue, we could rely on a bilingual 6 specialist to communicate to the family in the first language. Is it important for teachers or someone from the school to be able to communicate with the family in their own language? 10 11 Absolutely. Q. Why is that? ~a_a_a_a_a_a_a_a_a_a_ 1.3 Well, as a parent, I would want to 'n' bannananan' ny farana ara-daharanan'i ao indritana ao indri 14 understand what the issue is. Thankfully with) 15 technology, we can use services such as Language Line, 16 which costs less than a dollar a minute and they have o a management e caractera a construir 17 access to 170 Languages. So the cost because of 18 technology has gone down and the accessibility to -----19 multiple languages has increased. Ed a territor someta sometamente energy someta 20 [Could you explain to me a little bit more] a agreement of the conference 21 what the Language Line program is? 22 (A.) You call into a toll free number. You 23 identify the code of district and the code of the بكنان فيران فلاسترين واستنفاذ فيناه سيفاه فيساني وعمانين والمنا فالتناف فالان السفوسية أجراروا 24 (school, which is just a numeric code that I assigned to) 25 the schools so I could track the billing, and then you

Page 196 1 say I am here with a family from Somalia and I need a) and the state of t 2 Somali interpreter, and they say one moment please and they hook you up and then the Somali interpreter comes on and you put them on speaker phone or you do; ar end to the first of the contract of the con (5) three-way calling, and it's great. It's provided a lot <u>la la propriesa de la companya del companya de la companya del companya de la companya del companya de la companya del companya de la companya del companya de la companya del companya de la companya de la companya de la companya de la companya d</u> 6 (more accessibility than what we've had even five or ten) years ago. Is that service one that you have to) 0... subscribe to? 10 The subscription is free. The State of 11 Washington, someone in Olympia, not through OSPI but 12 the general accounting office or whatever, has made it: 13 possible for the entire state to not pay a) subscription. You just pay a per-minute fee. 14 1555 NO 15 159 EVA Specialist for coordination of general ed 15 16 services with ELL services, is that a role that was 17 filled in Spokane when you were there? I believe that when I worked as an ELL 18 Α. facilitator and I had a colleague that did the same, 19 20 that that would be similar to what was intended by the 21 specialist. It's somewhat like an instructional coach. 22 So it's not a person that has direct instructional 23 responsibility for students, but to able to make sure 24 that ELL students are having full access to general ed 25 services and that if they're struggling, that there's

- 1 adequate ELL services provided and so forth.
- 2 Q. So you served that role for a while in
- 3 Spokane; is that correct?
- 4 A. Yes, yes.
- 5 Q. The assessment of language and academic
- 6 needs, is that something that you did in Spokane as
- 7 well?
- A. That's already a state and federal
- 9 requirement, so that happens on an annual basis.
- 10 Q. Adequate administration, was it something
- 11 that, I assume that since you were the administrator of
- 12 the Spokane program, you would say that that was
- 13 adequate?
- 14 A. Was I adequate? I think the intent of
- 15 that is to say that a district realistically can't
- 16 .assume that they can have a program of 500 or a
- 17 thousand ELLs but not assign someone to actually be an.
- 18 administrator for the program.
- (19) Q.) (And interpreters, I assume that was)
- (20) (something that you had in Spokane as well?)
- (21) (A.) Right, we provided for interpreters. (In)
- (22) many respects that too is a basic ed responsibility.)
- 23) So a school that is doing a discipline, suspending a
- (24) child, et cetera, my program could provide an
- (25) (interpreter, but ultimately that's a basic ed)

- 1) (responsibility to communicate those issues to the
- (2) family in a language they understand to the extent)
- (3) feasible.
- (4) Q. (But without respect to whichever funding)
- (5) (stream it comes out of, that's a service that you would)
- (6) (say is integral to the ELL, education of ELL students?)
- (7) (A.) It certainly is integral to communicating)
- (8) (with the home.)
- 9 Q. Is that parent involvement in the
- 10 student's education something that you would say is
- 11 important as well?
- 12 A. Yes.
- 13 Q. Skipping over teachers, we talked about
- 14 that, the instructional materials to bridge language
- 15 and content, is that something you had in Spokane as
- 16 well?
- 17 A. We provided picture dictionaries and other
- 18 items, but basically we focused on the grade level
- 19 curriculum and GLEs, the grade level expectations to
- 20 decide how would we want teachers to modify that so
- 21 that there's a connection between what the students are
- learning with the ELL staff and what's happening in the
- 23 classroom.
- Q. If we could turn to Exhibit-836, when you
- 25 were at Spokane, were you the person who would have

Page 199 been responsible for applying for Title III funding? 2 Α. Yes. 3 When you were at Spokane, did you ever have a year where you had some carryover dollars left 5 at the end of the year? I'm trying to think. I think there was Α. always some carryover. _____ When using the Title III money that's ر ، فصحیح بن الاسم وجود و و در در مستوری ، از وربه سیارون اور المدیهین provided by the federal government, there are certain 10 requirements of using that money; is that correct? (A.)11 Yes. 12 It must be used in compliance with the روا والمناسبين والمناسبين والمناسبين 13 federal program; is that correct? Lyster a 14 (Correct.) A., 10. P 15 In your current position, I believe you? ing pangang bagailang pangangan na ing pangangangan dalam benara bangan ba 16 said you've been attempting to have districts, you've and the state of t 17 been trying to help districts find ways that they can 18 use this money in compliance with the Title III; is) ---that correct? 19 20 A. Yes. in a produce a p 21 What sorts of things have you been doing كالمناورة والمراجع والمراورة والمناسب والراب المناسب والمناسب والمناسب والمراجع والمناسب والمناسب 22 (to help districts understand ways in which they can use) this money that's available? 23 24 Well, it's really not new information. anari da da mara da la compaña de la caracidada de la car 125 It's just more of an attempt to make sure that that

Page 200 (information is communicated more frequently. <u> Carronelle greene de Carronelle de la </u> [have what we call K20s, which are like video] conferences, and we use webinars, which are 4 5 6 7 8 computer-based conferences, and we have also done the and the statement of th road show where we've gone to different regions and o appropriate and appropriate and appropriate appropriate and we've gone over all the allowable funding requirements THE RESERVE OF THE PROPERTY OF or allowable funding activities for both Title III and <u>andere sentra programa en especial de programación de la contractor de la contractor de la contractor de contractor de la co</u> TBIP, and we've done that certainly since I showed up <u>l'argonique particles a parformationesse particular es a différence que particles productions de la contraction del contraction de la con</u> 19 in 2007. We did it in January, February of 2008 across 10 the state or regionally. 11 [We've had multiple K20s where we again] 12 revisited what are the allowable expenditures under; harmon and the second to an addition of the second to the 13 Title III and TBIP, and then in the spring of 2008, we! did the iGrants workshops where we actually went 14 ti 1800 - Paril Barrer de Paril Maria (1877) e primir de la fille de la companya de la companya de la companya 15 regionally and sat down and said we're here, we're eri i dinama en cala de certo da la compania de la 16 available. We put up on the screen these are the; the state of the s 17 allowable activities under Title ITI and under TBIP. <u>anno per la companya di particolo di partic</u> 18 And then we did that again in the fall of last year and arenterioren en alla elegación al la completa de la completa del completa de la completa de la completa del completa de la completa del la completa de la completa del la completa de la completa de la completa del la completa de la completa de la completa del la 19 then in the spring of this year where we had about 120) 20 districts come. We have about 17 districts that qualify for TBIP funding, about 120 that qualify for) 21 22 Title III. (So since I've been there, although my time) 23 24 there has been relatively brief, I feel that the and the same and the second contract the second contract to the seco 25 communication piece is one avenue of attack, if you)

- (1) (will, to help districts spend the money.)
- (2) And your communication piece that you've
- (3) (brought, is that something new?)
- (A.) (That could be perceived as a matter of)
- (5) opinion, but I would say yes.)
- (6) Q.) From reviewing your prior deposition, I
- (7) (understand that there were some mixed messages that)
- (8) were coming out of OSPI; is that correct?)
- (9) (Yes.)
- 10 Q. When you've talked to folks at districts
- 11 who are responsible, these federal program directors,
- 12 they have explained to you why they have carryover
- 13 dollars?
- 14 A. Some have. Some have for reasons of
- 15 perhaps poor planning. Some have for reasons of good
- 16 planning, but lack of availability of subs for
- 17 trainings that they wanted to do. Some things that
- 18 they did turned out to cost less than they
- 19 anticipated. I think that some carryover, and I
- 20 believe I stated in here as well, that it's always hard
- 21 to anticipate what everything will cost when charged to
- 22 Title III, and 15 percent is a fairly generous amount.
- 23 Most grants let you go within 10 percent without even
- 24 applying for a change. So a 15 percent carryover is a
- 25 generous amount.

Page 202 I am there are to support districts. 1. 2 think some districts simply have not made it a 3 priority. So when they're given 500,000 or 150,000 of money that wasn't spent in the previous year that needs to be spent, we do look at their application at times and wonder why weren't the activities completed? 7 oftentimes it's someone that simply didn't make it a 8 priority to get it done. (9) (You mentioned earlier some of the costs) 10 that are involved with applying for and then spending) 11 these moneys, the administrative costs that go along 8. <u>- Para de La Carta de Caracter de La Caracter d</u> 12 with it. Is that a reason the districts give to you; y and a second control of the second control 13 for not either applying for or using all of the; , and the second process of the contract of the Title III money that's available? 14 الروائي مستور المستحصية الأراز الممتقد والور 15 (No, because those districts would have) 16 already completed an application. In reference to 17 that, it's more a district that has one or two students GO MANTE CONSTRUENCE DE LA CONTRACTOR DE 18 that wonders should we complete the TBIP application? 19 And of course I always encourage the district to do so وحران المستواصورين ويعتون إلى ويستعرب المستوان والمتال والمتالي والمتال والمتال والمتال والمتال والمستوري 20 so we can track the student, et cetera. But for ىكى يەرىكى ئايىلىدى بايىرى ئايىلىن ئايىلىن ئايىلىن ئايىلىن ئايىلىن بايىلىن ئايىلىن ئايىلىن ئايىلىن ئايىلىن ئاي 21 districts with carryover, they've already done the Artus Perusa, y 22 grant. 23 And you've seen a copy of the grant. 24 think few would say the grant is so exhaustive that an 25 hour of their time to complete it isn't worth the

- (1) (potential hundred or two hundred fifty thousand dollars)
- (2) (that they could access.)
- Q. Could you turn to, say, Exhibit-837, which
- 4 is one of the iGrants that was put in front of you
- 5 earlier. Would you turn to the second page of the
- 6 exhibit, please. The assurances and certifications
- 7 that Mr. Clark turned your attention to earlier, I
- 8 believe you said those were from the federal law; is
- 9 that correct?
- 10 A. Yes.
- 11 Q. Could you tell me where those requirements
- 12 are contained?
- 13 A. It would be in the Title III language
- 14 under NCLB, No Child Left Behind. I believe it starts
- 15 with section 3300.
- 16 Q. If you could also take out Exhibit-838,
- 17 please, and turn to the second page of that document as
- 18 well.
- 19 A. Okay.
- Q. It occurs to me in reviewing the total
- 21 number of students, the eligible English language
- learner students, that there's about a 50-student swing
- 23 in these two years between the Exhibit-837, which is
- 24 for Edmonds school year 2008-2009, and Exhibit-838,
- 25 which was submitted by Edmonds for the 2007-2008 school

```
Page 205
                                                                                                                                          Seems like a reasonable requirement.
                                                                                                    0.
        2
                                                                                                  Α.
                                                                                                                                         Yes.
                                                                                                                                          MR. ROBB: That's all I have. Thank you
        3
        4
                                        very much.
         5
                                                                                                                                          MR. CLARK: I have a few questions, so
        6
                                        don't go yet.
        7
        8
                                                                                                                                                                               EXAMINATION
                                        BY MR. CLARK:
10
                                                                                                                                         Let's start with Exhibit-837,
                                                                                                                                         Markana Landa L
11
                                     Mr. De Leeuw, and I won't move over. I'll just caution)
                                             12
                                        you to talk to Margaret.
 13
                                                                                                                                      These assurances that I went over
                                                                                                                              14
                                           specifically with reference to Exhibit-837, the one
                                              15
                                           that Mr. Robb drew your attention for, for example,
                                              and the second control of the second control
 16
                                          about the district is not in violation of any state law)
                                                                                     and the contract of the contra
 17
                                        including state constitutional law, the other assurance
                                             organistation of state in the property of the contract of the 
ner.
 18
                                           is that the program will enable children to speak,
  ---
                                           and the control of th
 19
                                           read, write and comprehend English and meet challenging)
                                             and the second formation of the second se
  20
                                           state academic content and student academic achievement
                                             المستنبية المستن
                                           standards.j
  21
  22
                                                                                                                                         My question is, I didn't go over them
                                                                                                                                      23
                                           specifically, but are those two assurances or:
                                             24
                                          certifications contained in every Title III LEP federal;
                                               ·····
  25
                                           fund application from a district?
                                                           properties and the second pro-
```

```
Page 206
                 (I would say yes. Title III going back to)
2
                , remies a male in accept, a vestal all accept
    (2003, I would say yes, these are the standard)
    assurances that the feds expect a district to check off
                                Manager Manager
     on to receive these funds.
5
                 Okay. So whether it's Renton, Issaquah,
                 6
    Edmonds, Spokane, any district that's applying for
     and rece<u>lemented informational performance displacements of the contractions are property</u>
\frac{7}{7}
    Title III LEP funds as far back as 2003 in your
     (8)
     knowledge has to make at least those two certifications
     19
     we've discussed in your deposition today, correct?
                  TOUR TO THE TOUR THE PARTY OF THE PARTY OF THE PARTY.
                 That is my understanding, yes.
10
                 Carrier of the same was been been a some a large
11
                 Okay. You referenced that there were a
            0.
12
     thousand ELL students in Spokane when you were in the
13
     Spokane district. What did that represent, if you
14
     recall, in terms of the total student population in
15
     Spokane?
16
                 The total student population was
17
     approximately 29,000 students.
            Q. So a thousand ELLs would represent 1/29th
18
19
     of the population?
20
            A.
                 Yes.
21
                 And with 1/29th of the population pie
22
     chart anyway, part of Exhibit-2026, Spokane chose to
23
     have a budget of $2.47 million to service 1/29th of the
24
     student population, correct?
25
            Α.
                 Correct.
```

Page 207 That's how important a value Spokane 1 0. 2 placed upon its ELL population and the needs to serve 3 it, correct? 4 Α. Yes. 5 Now, to the extent that your pie chart represents that state ELL funding was 845,660 and the 6 balance of 1.6 million came from local funds, does that indicate that Spokane chose to use local money to fund its ELL program as opposed to state and federal money 10 that would have been available to fund the same 11 program? I'm not sure if I entirely understand. 12 A. Did Spokane only look at the state ELL amount and any 13 14 existing federal dollars to create its ELL program? 15 No. 16) And as you sit here today and looking back Angliant C. , which continues to the continues of the con 17 on your experience in Spokane, is there any impediment and the second s 18 to the school district using the basic ed allocation; 19 that the state supplies for every ELL student to offset NUTS THE PROPERTY SERVICE OF THE PROPERTY OF T 20 any of the expenses of that student's education? ____ rykaluyen (s. k. grykalakisi sebalakan mutukan karakan (k. ke juli lakan) A. No. As a matter of fact, many districts 2.1 <u>and la problema and in agreeming we are interested and additional discourse to the construction of the co</u> 22 provide for ELLs almost exclusively through the basic; 23

ed allocation if they have a dual language program, for

example, they say all of our kindergarten classrooms

will be taught in English and Spanish. So all the

24

25

Page 208 students learn English and Spanish. That is a basic education funded activity because all students are; engang ng Palamana ng ka<u>nasana alamana ka anakana kanasana anakana anakana</u> entitled to a kindergarten teacher. So there are ways) 4 that districts have used basic education funding to 15 deliver the actual ELL instruction to ELL students. 6 Q.) One last question on slide 16 in Exhibit-2026, and Mr. Robb asked you specifically about interpreters and you said it would be integral to the legerature (1 gg mag parature e normania e parature m per e magazia de la compansa (1 gg magazia (1) communication with the home. The interpreters that are 10 being discussed on this slide then are not interpreters 11(that are used in the classroom?) (A.) (Correct.) 12 13 (They are interpreters that would be used) 14 to facilitate communication with the student's family? 15 Correct. It is not an effective model to 16 have interpreters in the classroom. 17 Q. Okay, and I believe you testified about 18 that in your earlier deposition so we wouldn't go 19 through that again. Thank you. ----20 MR. ROBB: Just one more question. 21 22 EXAMINATION 23 BY MR. ROBB: 24) Mr. Clark was asking you about using basic; (25)(education allocation for the ELL program and whether)

```
Page 209
                    (there were any restrictions on that, but I just want to)
  (1)
                    confirm my understanding from earlier, which is that
  (2)
  (3)
                    you don't have any opinions or really knowledge about
                    the sufficiency of the basic education allocation; is
  (4)
  5
                     (that correct?)
                                                                         That is correct, that is correct.)
                    only add my job, both my role in the district and at
                          o programma program i programma programma de la compansión de la compansión de la compansión de la compansión de
                     the state level is to help districts understand that
                        ELL students are primarily the responsibility of basic
                       education first and foremost, rather than saying there
                       the second of th
11
                      has to be some program that will take an ELL student)
                         12
                       out of the classroom and provide what he or she needs.
                        13
                      Very few districts articulate it that way, but if basic
                        14
                       education were to go up or go down, my message wouldn't
                         and the second s
15
                       change.
16
                                                                            MR. ROBB:
                                                                                                                         Okay.
                                                                                                                                                  Thank you.
17
                                                                             (Deposition concluded at 3:37 p.m.)
18
                                                                             (Signature reserved.)
19
20
21
22
23
24
25
```

1 2 3 FILED KING COUNTY, WASHINGTON 4 FEB 04 2010 5 by nancyl slye 6 8 THE HONORABLE JOHN P. ERLICK 9 STATE OF WASHINGTON KING COUNTY SUPERIOR COURT 10 MATHEW & STEPHANIE McCLEARY, NO. 07-2-02323-2 SEA on their own and on behalf of KELSEY & 11 CARTER McCLEARY, their two children SUBMISSION OF DEPOSITION in Washington's public schools; TESTIMONY BY MARY ALICE 12 ROBERT & PATTY VENEMA, on their OLIVIA HEUSCHEL 13 own behalf and on behalf of HALIE & ROBBIE VENEMA, their two children in Washington's public schools; and 14 NETWÖRK FOR EXCELLENCE IN 15 WASHINGTON SCHOOLS ("NEWS"), a state-wide coalition of community groups, public school districts, and education 16 organizations, 17 Petitioners, 18 V. 19 STATE OF WASHINGTON, 20 Respondent. 21 22 The parties offer into Evidence the following deposition testimony designations and 23 exhibits, corresponding objections and attached pages from the April 28, 2009, deposition 24 transcript for trial witness Mary Alice Olivia Heuschel: 25 26

1

1 I.	Petitioners' Deposition Designations (transcript highlighted in yellow):
2	Cover page (page 1) Appearances page (page 2)

In addition to the portions of the deposition transcript designated by Respondent, Petitioners designate the following:

Page:Line Range	Trial Exhibit Offered	Respondent's Objections
6:11-19		
6:23-7:17		
8:7-16		
9:16-18		
9:26-10:7		2000 NO 1700 NO
14:20-16:7		
16:10-26:1		100 FM 500K
27:14-29:6		
39:21-40:17		<u></u>
48:12-49:3		
50:24-51:10	Petitioners offer Trial Exhibit 165 (Dep. Ex. 264)	40
51:17-19		THE RESIDENCE IN THE PROPERTY OF THE PROPERTY
52:24-53:24		
55:19-56:5		
56:26-57:7		
58:5-13		
25 OHOLOSON 85 700		

u

25

26

Page:Line Range	Trial Exhibit Offered	Respondent's Objections
	Petitioners offer Trial Exhibit	
59:1-60:16	166 (Dep. Ex. 265)	
	Petitioners offer Trial Exhibit	
	167 (Dep. Ex. 266)	
	Petitioners offer Trial Exhibit 1154 (Dep. Ex. 267)	
Hadifallingshall statistic lighters	Petitioners offer Trial Exhibit	W 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
66:23-70:16	1156 (Dep. Ex. 269)	E 700
71:23-72:14		
73:8-76:22		
81:16-23		
88:10-21		
89:26-90:10		
93:13-94:22		
104:6-105:17	0	ž
136:7-26		
154:16-155:21		_
164:10-165:8	100 Marie 1000 Marie 1000 Marie 1000	200000000000000000000000000000000000000
174:11-175:19		30 30 19-30
177:19-178:11		
182:20-184:1		a a a a
184:11-185:2		
185:8-190:16	5 N 202 N 10	290-000 180

1 111.	Respondent's Designations	(transcript highlighted in blue):
-----------	---------------------------	-----------------------------------

Page: Line Range	Trial Exhibit Offered	Petitioners' Objections
7:18-26		
16:8-9		
26:2-27:13		
30:14-32:15	Resp. offers Tr. Ex. 1150 (Dep. Ex. 263)	
33:17-24		×
34:26-39:20		
40:18-43:22		3852_48
44:6-47:17		
48:1-11	Resp. offers Tr. Ex. 165 (Dep. Ex. 264)	
49:4-50:23	3	
51:20-26		
52:4-23		
53:25-55:18	2004 - 30 9993 00 30 50 50	5300 95
56:6-24		
57:8-58:4	5 55000 MANAGEMENT NO COMMISSION NO	
60:17-66:22	Resp. offers Tr. Exs. 166, 167, 1154, 1155 and 1156 (Dep. Exs. 265, 266, 267, 268 and 269)	
70:17-71:22		
72:15-20		
79:1-15		
81:24-82:5		
84:8-21		

Page: Line Range	Trial Exhibit Offered	Petitioners' Objections
85:17-22		
88:22-23		1000 10
90:11-93:12		
94:23-96:6		
99:11-26		20 70 80 70
102:20-104:5		
106:8-108:15		
108:22-110:6		74 00000000 0000
110:20-112:22	Resp. offers Tr. Ex. 1157 (Dep. Ex. 274)	
114:24		
115:7-121:7	Resp. offers Tr. Ex. 1158 (Dep. Ex. 277)	Admit authenticity as draft, not final. Object to admission into evidence – lack of foundation, witness could not identify document, date of document creation is undetermined.
135:15-136:6		
137:1-2		
139:7-11	Resp. offers Tr. Ex. 1160 (Dep. Ex. 279)	
140:14-144:12		
144:14-18	Resp. offers Tr. Ex. 1161 (Dep. Ex. 280)	
145:3-146:15	2 200 <u>0 1000 000 00000000</u>	
147:22-151:11	Resp. offers Tr. Ex. 1162 (Dep. Ex. 281)	Admit authenticity as draft, not final.
151:18-154:15		
155:22-156:18	No. 100 M	10 NO
158:14-161:14	Resp. offers Tr. Ex. 1163	SDM 9000

Solry

1	Page: Line Range	Trial Exhibit Offered	Petitioners' Objections
3	165:9-23		380 %
4	173:4-174:6	10000000000000000000000000000000000000	30 SEC SE 100000
5	175:20-177:13	2 2 3 N HERSEN	
6	190:24-191:18		3 1 20 20 20 20 20 20 20 20 20 20 20 20 20
7	DATED this	23 rd day of September, 20	009.
9	FOSTER PEPPER PLLC		ROBERT M. MCKENNA Attorney General
10	0. 0		1 5 1
11	Christyles (2	L	Cauch Sellon
12	THOMAS F. AHEARN CHRISTOPHER G. EM	CH, WSBA #26457	WILLIAM G. ČLARK, WSBA #9234 CARRIE L. BASHAW, WSBA #20253
13	EDMUND ROBB, WSI Attorneys for Petitioner	BA #35948	Assistant Attorneys General Attorneys for Respondent
14	20		
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF KING

MATHEW & STEPHANIE McCLEARY, on their own behalf and on behalf of KELSEY & CARTER McCLEARY, their two children in Washington's public schools; ROBERT & PATTY VENEMA, on their own behalf and on behalf of HALIE & ROBBIE VENEMA, their two children in Washington's public schools; and NETWORK FOR EXCELLENCE IN WASHINGTON SCHOOLS ("NEWS"), a state-wide coalition of community groups, public school districts, and education organizations, Petitioners,

NO. 07-2-02323-2 SEA

STATE OF WASHINGTON,

VS.

Respondent.

DEPOSITION UPON ORAL EXAMINATION
OF
MARY ALICE OLIVIA HEUSCHEL

9:08 A.M. - 12:34 P.M. & 1:15 P.M. - 3:57 P.M.

Tuesday, April 28, 2009

300 SW 7th Street

Renton, Washington

LORRAINE M. MILLAY, CCR/RPR
Seattle Deposition Reporters, LLC * (206) 622-6661

-		
		Page 2
I	APPEARANCES:	
2		
3	FOR THE PETITIONERS:	CHRISTOPHER G. EMCH
4		Attorney of Foster Pepper
5		1111 Third Avenue, Suite 3400
6		Seattle, Washington 98101-3299
7		emch@foster.com
8		
9	FOR THE RESPONDENT:	WILLIAM G. CLARK
10		Assistant Attorney General
11		800 Fifth Avenue, Suite 2000
12		Seattle, Washington 98104
1.3		billc2@atg.wa.gov
14		
15	FOR THE DEPONENT:	SHERYL MOORE
16		Executive Director, Employee Relations
17		Renton School District
18		300 SW 7th Street
19		Renton, Washington 98057
20		
21		
22		
23		
24		
25		
26		INDEX

SEATTLE DEPOSITION REPORTERS, LLC (206) 622-6661 * (800) 657-1110 FAX: (206) 622-6236

www.seadep.com

```
Page 6
   I
                  2009, at 9:08 a.m. at 300 SW 7th Street, Renton,
   2
                  Washington, before LORRAINE M. MILLAY, Notary Public in and
   3
                  for the State of Washington, appeared MARY ALICE OLIVIA
                  HEUSCHEL, the witness herein;
   5
                                          WHEREUPON, the following proceedings were had,
                  to wit:
  8
           MARY ALICE OLIVIA HEUSCHEL, having been first duly sworn by
   9
                                                                       the Notary, testified as follows:
 10
1111
                                                                 EXAMINATION '
12;
           BY MR. CLARK:
            13
                  Good morning, Dr. Heuschel. My name is Bill Clark. I'm an'
                 14
                  assistant attorney general and I'm representing the State
                  15)
                  in the case of McCleary versus State. It's also known as
                   the Basic Education Funding litigation.
16;
                                  (17)
                              Could we begin this morning by having you state your:
                          g and and a second of the contract of the cont
18
                full name and spell your last name for the record, please?
                 19
          A Mary Alice Olivia Heuschel, H-E-U-S-C-H-E-L.
20
           Q All right. And where do you live?
 21
                  In Renton. 1448 149th Place Southeast, Renton, Washington,
 22
                  98057.
23
          Q And what is your current employment?
                                    24.
                  I'm the superintendent of the Renton School District.
                                                                    100 W W 41 10040 W45
25
26
          Q How long have you been the superintendent of Renton?
```

SEATTLE DEPOSITION REPORTERS, LLC (206) 622-6236

www.seadep.com

```
Page 7
        ----
              A This is my third year.
   Q So then you began in 2006?
   . 3
   'A Six, correct.
   Q And prior to that you were with OSPI?
   5
   A Correct.
   Q For how long?
   A I was the deputy state superintendent for six years. So I
     8
    came in 2001.
Q And what was your title with OSPI?
    10;
   A Deputy state superintendent.
   111
   Q In which area?
   12
   A Learning and Teaching.
   Q Did you hold that position continuously during your tenure
13
     553 50
14
     at OSPI?
    15
   A Yes.
   Q Where did you work prior to that?
16
    A I was the principal in Yelm.
   18
   Q Of any particular school?
    و السوال والمنظم السوال المواد المواد
/19\
   A It was Mill Pond Intermediate School.
   Q Is that a middle school?
20
    21
   A It was a fifth, sixth.
   22
   Q And how long were you there at Yelm?
   (23)
   A Six years.
   ing cours from a partition of
             A ....
   Q Roughly, 1995 to '01?
24
25
   A Mm-hm.
261
```

```
Page 8
   1
                    And where were you prior to that?
   2
             A Hawaii.
   3
             O Hawaii.
             A I was an assessment specialist for the state.
   5
             Q How long were you in that position?
   6
             A Two years.
                     Okay. Prior to working for the State of Hawaii what did
            you do for work?
                                                                                                             MARKET DE TRANSPORTE DE DE
   8
                    "statembersuuduuttattiinistataanist si allastauduuduuduuduuda saatistuuduuda, on seerayaan eesse saatiudastaa
           A I was a teacher, Department of Defense schools, so all over
                     the country.
 10
 11
           Q How long did you do that?
             12
           A Well, I graduated in '83. And so, I was a teacher in
                       THE DESIGN STATE OF SECTION ASSESSED AS A SECTION OF SE
13
                    Boston for a year before I was in the military. So
                      14:
                    Department of Defense schools didn't happen until we went
                   overseas, but I was in Louisiana and Kentucky and wherever
15
                              16
                    the duty station was.
 17
             Q All right. So you graduated from Wheelock in 1983?
 18
            A Mm-hm.
 19
                   And you taught in the Boston area for a year?
 20
            A Yes.
 21
             Q Then you went into a position teaching with the Department
 22
                    of Defense schools?
 23
             A Well, first I went to Kentucky and it was actually the
 24
                     public schools. We were on a military base, but it was a
25
 26
                     public school system. The Department of Defense role
```

www.seadep.com

- didn't happen until we went overseas to Germany.
- 2 Q Okay. Were you in the military?
- 3 A My husband is military.
- 4 Q So graduating from Wheelock in 1983, teaching for a year in
- 5 the Boston area, then you held that position with the
- 6 Department of Defense schools until you went to Hawaii, or
- 7 was there some employment in between?
- 8 A Well, after graduating, after Boston, I worked in Louisiana
- 9 for three years.
- 10 Q Okay.
- 11 A That was military, but the public school system. Then went
- 12 to Kentucky for a year. And then went to the Department of
- 13 Defense schools in Germany with that duty station.
- 14 Q And you were in that position until you went to Hawaii?
- 15 A Correct.
- 16 Q What did you obtain your degree in at Wheelock?'
- 17 A It was K-12, basic education. In those days the
- certification was K-12. Now there's separate endorsements,
- 19 but...
- 20 Q Separate endorsements for what?
- 21 A Well, now to get a teaching certificate you don't really
- get K-12, you might get a secondary degree or an elementary
- 23 degree or endorsements in particular areas. But in the
- years that I graduated, they didn't have that system.

25

26 Q All right. Was your degree in K-12 basic education?

- -----A It was a K-12 teaching certificate.
- <u>-</u>: Q Teaching certificate, okay. Have you gotten any other 3 15 ST 9 _____. * Si degrees?
- 'A Mm-hm. My master's degree is from Northwestern University'
- WHERE I R ESSAMPHENTING R WEIGHTSCHELDSCHER STREET RE FELLEN WHERE R ENTERPRISE (5) (6) in special education, I have my principal's certificate
- proceeding the commentary control of the control of from Central, and my superintendent's certificate and
- doctorate from Seattle Pacific University.
- 8 Q What year did you obtain your master's from Northwestern?

- 9 A '86. I want to double-check that. I'm trying to recall.
- 10 Q Okay. Giving an approximation is okay.

75 LAC (6 K 249 9K 24 LAC 15 45 LAC

- 11 MS. MOORE: We can always give you a resume.
- 12 A Yeah. It's on there. It's on my bio.
- (By Mr. Clark) All right. The principal's certificate was 13
- obtained approximately when? 14
- A That was -- I have to go back. '95, '96. 15
- 16 Q Okay. And when did you obtain your superintendent's
- 17 certificate from SPU?
- 18 A 2004.
- Have you ever given deposition testimony before? 19
- 20 A Not in this format. I testified as a principal in a Becca
- 21 case with a student, and I testified in court again as a
- 22 principal with a parent situation for restraining order.
- 23 Okay. Those are the two times that you've testified,
- 24 whether it's in deposition or trial?

26 A Correct.

25

- 1 education.
- 2 Q What about the funding of public education are you going to
- 3 testify about, if you testify at trial?
- 4 A Questions regarding the funding that's received from the
- 5 state to the district.
- 6 Q To the Renton School District?
- 7 A Right.
- 8 Q Are you going to talk about issues that pertain to
- 9 districts other than Renton?
- 10 MR. EMCH: Objection, Bill, calls for
- 11 speculation.
- 12 Q (By Mr. Clark) You can answer my question.
- 13 A I'm not aware of that.
- 14 Q Okay. So as far as you know today, your testimony will be
- 15 about issues that are pertinent to the Renton School
- 16 District and only the Renton School District?
- 17 A Well, I'm aware that there may be guestions regarding any
- 18 knowledge I have of the state funding, since I worked at
- 19 the state level.
- 20) (Q What connection between funding is there between funding)
- 21 and your work at the state level that might be a topic for
- 22: your testimony at trial?
- 23 A Well, I'm aware of the allocation formula. I'm aware of
- the legislative process. In my role as the deputy state
- 25
- 26 superintendent, I worked with state and federal funds and

```
Page 15
                                                          (1)
                               requirements around those funding, the use of those
                                                                                                            total at hosteric man
                                 e protestation in the
   2
                               dollars.
   3
4
5
6
7
                     Q What were your general responsibilities as the deputy
                               superintendent at OSPI? You said it was in Teaching and
                                  Learning was the title?
                     A Mm-hm.
                     سندان المستفرية المستفرية المستفرية
                   Q And what did that involve?
  8
                   A I supervised Special Education, Learning and Teaching which
   9
                                   رة المستحصلة المستخدم والأراز والمستخدمة المستخدمة المستحددة المستحددة المستحددة والمستحددة والمستحددة والمستحددة
                               included school and district improvement initiatives. I
   روبلور
                                   Line Line als constituint des source grace dell'acceptante es source de carbon de constituint de la
  10
                               was in charge of No Child Left Behind and the Washington
                               for a parallel section of the sectio
 acro.
                               state plan for implementation of that federal law and the
11
                                12
                               requirements around that.
13
                                                        I was in charge of the assessment development of the
 8<u>4420</u>
                                 r (r pr. Merchall, 1944), recommendad, in a sa i rec<mark>ina recipie del presidente</mark> de la recipie.
                                 WASL. I was in charge of Title 1, the categorical
14
                                 . ±5`
                               programs, Title 1 and Title 3, the English Language
Learners, Title 5. I also supervised the college teacher
 16
                                  17
                               preparation programs and that certification.
18
                                                        I was also in charge of the curriculum department'
                                     THE REPORT PRODUCTION OF THE PROPERTY OF THE P
(19)
                               that established the grade level expectations beyond the
                                                                             and generalizations in the 45 means to the property of a specifical course to the
20
                                 essential learnings and the four state learning goals. I
                                            21
                                think those were all my departments.
                                                       22
                             What is your understanding of the term "basic education" as:
                                     The second secon
                                                                                                                                                                                          it applies to the State of Washington?)
23
                                 24
                               Well, the four state learning goals were established by
25
  261
                               House Bill 1209, from that work develop the Essential
```

```
Page 16
                                                                                     Academic Learning Requirements that identified what
                             je st. Prima na namena na . Home interes na tri premiena na na
                               students need to know and be able to do.;
                                         Further clarification was necessary to help support
                                     alitali, iji ji katarajingi palalasa kataraji kataraji ji katarajingi ji aprapa kan na n
                               classroom instruction, which is how we developed the grade
                                THE PROPERTY OF THE PROPERTY O
                             [level expectations that identified each grade level what]
   6
                               students need to know and be able to do, further
   7
                               clarification of the essential learnings.
                                 8
                    Q Did that complete your answer?
                      (9)
                  A Yes.
                      'Q Okay. Do you believe that is the State of Washington's
  20.
  ---<sup>'</sup>
11<sup>'</sup>
                             Salah Marak 18 1 of Marak 1977, "Tall to Salarana period Discours (1977) Alian ... "
                             definition of basic education, that is the 1209, four
                               makkan a samahaman a ka sakaman a Kilakhamakka sa sakaman a
  12
                             learning goals, the EALRs, the grade level expectations?
                                                                    رزان والمستنف مي والمستنف المستنف المستنف المستنف المستنف المستنف المستنف المستنفق المستنفق المستنفق المستنف المستنف
                                                                    'MS. MOORE: Can you clarify? In her capacity as:
  13
                                         14,
                             deputy superintendent or as Renton School District's
                               :15
                             superintendent?:
                                                                    MR. CLARK: Either. It doesn't matter to me.
16
                                                           17
                             If they differ, she can tell me.
                    18
                  A So the definition of basic education, I believe, has been
                         The second section is a section of the second section of the section of the second section of the section of th
                             established in those laws and that process. The funding of
  19
  20
                             basic education and what happens in the Renton School
                             21
                               District has components of the program of basic education
                               arean same a some markets and the consequence of th
22
                             that the Legislature identifies to help students meet those
                              goals and expectations.
23
                          aller i resemble e la reserva e la companya de la c
                                (By Mr. Clark) Do you distinguish between basic education
  24
'25<sup>\</sup>
26
                             and the program of basic education, are they different?
```

Page 17 A I believe the funding of basic education identifies program 2 and the Carlot Country of the carlot of the needs. I believe the essential learnings identifies what 3 students should know and be able to do. And so, in that) construction and so a some 581 03303 way they are different. 5 Q Okay. But in your mind, are they all part of the same ----definition of basic education? m A They should be. was comment for an interest or management of the same 8 Q From your answer, do you mean to be they should be, but they are not? A Yes. 10: 11 Q Please explain that answer. How is it that they should be 3 88 8 . . <u>amar</u>. - . 12: but are not? politica e la compositora de la colo del come la composita de la compositación del compositación de la compositación de la compositación del compositación de la compositación del compositación de la compositación de la compositación de la compositación del compositación de la compositación del compositación de la compositaci A I believe there's a disconnect between what is identified 13 14: for what students should know and be able to do and what's realization and the first term of the first term 15; funded in the program identified by the Legislature and the 0.98 16 basic ed. formula for allocating funds. 2000 to 100 17 Q Please describe for me what you mean by a disconnect; 18 between those two. 19 'A There are expectations identified in the Essential Academic Learning Requirements in the areas of the arts, music, art, 201 21 drama, that are not included in the basic ed. allocation to ing a samulang sami kanamanang a manga mengan kangsa maga s 22 districts for funding positions to provide that 23 instruction. 24 Anywhere else that you perceive a disconnect other than 9200 25 26 what you described?

	Page 18
(1)	A The expectations for students to graduate in four years in
, 2 - - (3	high school and the requirements for the students to meet
	those expectations requires the districts to provide a
4'	certain number of hours, periods of the day, and the
5	funding model does not support those number of hours, so
(6)	local funds are required to support students meeting the
7)	goals that are established in the law.
8	Q Let me see if I understand that then. You perceive there
6. 7. 8; 9.	to be a disconnect between the objective of having high
260	school students graduate on time, and I take that you mean
(11)	graduate with their peers?
12	(A Mm-hm.)
1.3	Q A disconnect between the expectation that high school
. 14	students will graduate on time and the amount of periods
. 15	per day that the state funds?
1.6	A Correct.
17	Q And the disconnect, as it were, is overcome by the district
(18)	by the district using local funds to, in essence, fund a
19	longer school day for the high school students so that they
20	can meet the graduation on-time expectation?
(21)	A Yes.
22	Q Any other aspects where you see a disconnect between the
23	definition of basic education and the funding that the
124	state provides to carry that out?
25	
26	A The allocation formula and the design of how districts

Page 19 $\overline{1}$ receive funding is based on a 30-year-old definition of) 2 basic education and does not consider the diverse learning 3 needs of what we have in our local schools and district-wide for meeting those needs. Technology is an example for what students need to 5; 6 have to be successful, it didn't exist 30 years ago. Our English Language Learner population and the learning needs that they bring was not part of what was part of our public' school system 30 years ago. Andrew Edward Park Company 10 So there's many examples that I can't come to right 11: here that I could probably think about more in depth that l est 12 the difference between the learning needs that we face in. , 10 1 - 2 - 10 13 our schools and that funding model does not allow us to reach all of the needs because they're dramatically 14: gaga sakagkaran parak menangan ada 1881 sa 188 15 different from what they were. Okay. And you've given me three examples of that A CONTRACT OF SECTION 17 disconnect and I appreciate that you could think of more, CONTROL CONTRO 1.8 but I'm trying to understand what you know today. 19 And so, I'm wondering if you can give me any other 20 examples other than the three that you've given me of where 21 you perceive there to be a disconnect between the LEAT The second of the second secon definition of basic education and the funding that the 22 PLANE CAR SELECTION OF THE PARTY OF THE PART 23 state provides to carry it out. A Local dollars are used to subsidize special education needs A Description of the following that the bound of the following the first transfer of the following the first transfer of the following the first transfer of transfer 124 125 26 that far exceed the learning needs of the state formula. 1866 St 1860 MS H 100 H 10

```
Page 20
                                                                                                       THE RESERVE THE PARTY OF THE PA
                                                                                                                                                                                                                                                                          NAMES OF STREET OF STREET OF STREET OF STREET
      11:
                                                     Local dollars are used to fund transportation that far
   2
3
4
5
6
                                                        exceed the amount that we are provided.
                                                                                     Our utility costs and basic lights, insurance, health)
                                                                 الإنجاب الأناب والمسترات والمستأل والمراز والمستران والم
                                                        care, you know, some of the NERC dollars far exceed the
                                                            formulas. So all of those are supported with local funds.)
                                                    All of the now four examples that you've given me, and the
                                                                fourth one actually has some subparts to it because it
                                                         8
                                                     pertains to special education, transportation, NERC;
9
                                                             in and with a princip present protect principal configurations and a second configuration of the configuration of 
                                                      funding, all of those areas of disconnect seem to be areas
                                                                  programme as the survey of the contract of the
                                                       where -- if I could just summarize what you've said.
  10
                                                                                                      lange and the call and an area and the contract of the contrac
   . .
                                                                                                The state funding as you see it is inadequate to:
                                                                                                      12;
                                                      'supply all the needs and, therefore, local funding is'
                                                           necessary; is that a fair statement?
  13
                                                                                                                                                                                          335
  14.
                                                    Yes.
                                       Francia Bernardi, em 150 departemente incommenciamente o managione integri. Attacke il del describio (c. 1).
                                                       Do all of the examples, and I recognize there may be some
                                                         parangan and a company of the compan
16
                                                       you haven't told me about yet, but in your mind do all the
                                                         and the second of the second control of the second of the 
:17.
                                                      examples of the disconnect that you perceive between the
  L.
                                                            وطليل المحالي المحاصرة والمحاطرة المحروف الأرامية المحاربة المحروب الأوجاد الأراميين الأرامية
  18
                                                      definition of basic education and the state funding for it,
                                                                                                                               all services and these case (the selection of the court is
   19.
                                                      'do they all pertain to the need for the local district, in
                                                         راي من المنظم المنظم
   20
                                                     your case Renton, to augment state funding with local;
  21
                                                    funds?
  22
                                                                                                                                  MR. EMCH: Objection; ambiguous as to augment.
                                          LEADER MADES STREET BEST STOLLER PERSON, FRE
   23
                                      A I don't understand the question.
                                        nament a maner was public activities activities and
                                                                                                                                                                                                                                                                                                                                                ... ... ....
   24
                                       Q (By Mr. Clark) Do all your examples of the disconnect;
   25
                                                      between the definition of basic education and the state's
  26
```

```
Page 21
                                                                                                                             funding of that definition boil down to the fact that the
                                                                   the set of the control of the contro
                                                              local school district has to augment state funding in order
                                                                  1 ---- <u>12 ----</u> 11 -----
       (3)
                                                               to provide services?:
                                                                                                                                                          MR. EMCH: Same objection.
                                                                                the part of a product of the product of the part of th
           5;
                                                                   In order to provide the transportation, I'll use that as an
                                                                 the stranger and there exists is thereby a terminal basis manifestation as well because by
        6
                                                                  example, to meet the requirements, we are required to use:
                                                               " and in the case of the contract of the contr
      .7 i
                                                               district local funds to provide that. There is not
    8
                                                                    sufficient state dollars to meet the need.
                                                                                                                                       (By Mr. Clark) Okay. I understand how that pertains to
        9
                                                                                  NAMES OF STREET, STREE
    10
                                                              transportation, special education and NERCs, but do all the
                                                                  and the same and t
11:
                                                               examples of a disconnect between that definition of basic
                                                                  المنظلة على التلوية المنظلة المنظلة المنظلة والمنظلة المناطقة المنظلة المنظلة المنظلة المنظلة الإسلام المنظلة ا
12
                                                               education and state funding boil down to the Renton School
                                                                                                              13
                                                              'District having to use local funding in addition to the'
                                                                 gain sallonger see man no words nount soun around spannada sourceparates and a time sounder
14
                                                             state money in order to provide an education to its.
                                                                 was to a set that the set of
1.5
                                                             students?
                                                    16
                                            A So are you talking about the other examples ---
                                                                                                                               NESSER NOS NE ENGLES NE LES
    17
                                     Q Yes.
18
                                           A -- that I've given?;
                                          producer regarder is reconsidered in most gain terrescore.
   19
                                            Q Yes. Are the other examples similar to the transportation
                                                                          on real sections and the section of 
:20:
                                                             example that you offered?
                                                                           . . . Lander .
    21
                                     A So for the high school time for students to meet those
                                                             expectations --:
    22
                                                                     Q Local money is necessary?
23
                                         I was the comment of the second of the second
                                                                                                                                                                                                                                                                                                  er at the company of 
                                    A -- it is necessary for local dollars to be used to provide
:25.
                                                            that.
.26
```

```
Page 22
                                                                                                                                                                                                                               Q All right. In addition to the state funding?
                                   A Yes.
                                      Q Okay. In your opinion, does your school district provide a
                                                                      المعالم المنافي المنافي المنافي المنافي المستحد المستحد المستحد المستحد المستحد المستحد المستحد المستحد المستحد
                                                                basic education to its students with the use of the
                                                                   NATIONAL RESEARCH OF THE PROPERTY OF A DOCUMENT OF THE PROPERTY OF THE PROPERT
       [5]
                                                                federal, state and local money that it gets?
                                                                     6
                                                                   The district is in compliance with the program requirements
                                                                    the company of the co
      7
8
                                                                   and we stay within budget to address those requirements.
                                                                    Q Okay. But in your opinion, does the Renton School District
                                                                  TWO ALDERSON DESCRIPTION OF THE RESERVE OF THE RESE
                                                                supply its students with a basic education with the total
                                                                     ende stajs a 14-ares (14-ares ) dete de 16-ares (16-ares ) determinadores encolares (16-ares 16-ares ) de 16-a
                                                               amount of money that it receives from state, federal and
   10
                                                                   11:
                                                               local sources?
    12
                                                                                                                                                    MR. EMCH: Objection; ambiguous as to basic
                                                                     » به برود بسیان «کیار سیدونی این المسیان «بروی کار وسید کار برود کار بستون از برود کارد برود کارد برود برود بر
                                                                education, standards versus basic education program.
13
                                                                             DESCRIPTION OF THE PROPERTY OF
    .
   14:
                                                                     (By Mr. Clark) I want us to have a common understanding
                                                                The second of the little is not also also be a partie of the state of the second of th
                                                                   about basic education and I believe that we do. I'm just
    15.
                                                                   16
                                                                   using yours.
                                                                                                                'My question is this: With a total amount of money
17
                                                                       The state of the s
   that you get from all sources, state, federal and local, is
   18
                                                                                                                                  New York Committee of the Committee of t
                                                                  the Renton School District able to provide a basic
    19:
                                                                  education to its students?
 20,
    21
                                                                                                                                                          MR. EMCH: Same objection.
                                                                                                                                                                 22:
                                            A To address the question based on what the allocation!
                                                                      and the control of an an engineering of the following relations relations of the control following
                                                               identifies and the requirements for developing that budget,
    23
                                                                and then reporting on the actual use, we do that. It's
24:
                                                                                                                                                                                                             12:22
    25
   26
                                                                     required by law.
```

Page 23 Q (By Mr. Clark) In terms of meeting the expectations, realization and authorization of the contraction of the contraction of the contraction of the contraction of t though, that go with providing a basic education, do you' NAMES OF THE PARTY believe that Renton is able to meet the expectations for and a fill that I have been still and the same " and " differ better the its students with the total amount of funding that it gets from all sources, federal, state and local? 5 6 We do the best we can with what we have. and the processing of a processing-amountained formulation of the collection of the formulation of the formu Q I understand that. But do you believe you provide a basic. CONTRACTOR DESCRIPTION OF THE PROPERTY OF THE . 8 education to your students with the total amount of funding; 88 3008 0.485 9030 9 that you get? 10 A My hesitation with the answer has to do with what I just 🔌 ___ 🦸 ___ angung pangangangangangan a ana angungangangan angungan angun (11) answered about providing what we're required to provide and 12 meeting all components of the law. We absolutely do that. ______ It's required. 14; We have diverse learning needs that are very والمنابية والمراوية ويتقد والمقتدان والمحتور فينسانين والمنطوع وبالمتعادر الأرام والماري المارة 15 different now than what that allocation model provides. S DESCRIPTEN NOTE - DESCRIPTION OF D 16 And so to meet the needs that are specified in the program formation of a seed granter formation is also appropriate foundings. Instantaneous in terms 17 we do a lot of outreach for additional help, additional: 18 support, additional community involvement, and it's a 19 challenge. r de la grandesta de Espera, despera de la grandesta de la grandesta de la grandesta de la grandesta de la gran 'Q And with that total amount of funding that you get from the 201 DESCRIPTION OF THE PROPERTY OF 21 state, the federal, locals, from reaching out to the was considered to the product of the second considered to the second considered to community and the like, do you believe that your school 22 district provides a basic education to its students? 24 A Based on the 30-year definition, yes. 25 . - . . - . . 'Q And that's with local funding as well. I'm not trying to

```
Page 24
                                                          1
                                                   get you to say it's just with the state funding.
                                                     (2)
                                                be very clear about that.
                                                    3 4 5 6
                             'A I understand.
                                                  Q Thank you. Now you're familiar, are you not, with this
                                                   process and the form the process of the contract of the contra
                                               legislative session's efforts with regard to reforming
                                                     basic education and the funding for it?
     17:
                                                Yes, I am.
     18
                                                   I believe that your district and you personally are on?
                                                        (9)
                                                record as endorsing the legislation that has just been
                                                    eren kapa da jerangan diangan arangan arangan berangan diangan arangan diangan berangan berangan berangan dian
   10
                                              passed by the House and Senate and is awaiting the:
                                                   Louis and the same and a
   11
                                               governor's signature?
                                                (A That is correct.)
   12
13
                              Q And why do you endorse that legislation?
                                 CALLES BELLEGARALES CONTRACTORS BELLEGARA BELLEGARALES BOOK DE CONTRACTORS DE CONTRACTORS DE CONTRACTORS DE CO
   . 25 9933
14
                             A I believe that it recognizes the 30-year-old definition,
                                                  Resident to the state party which will be a second of the state of the second of the s
15
                                               that it is inadequate for meeting the needs of the diverse;
                                                  Land the same and the commence of the land about the same at the commence of t
   16
                                              learners of Washington state, and it is at least intent
                                                       17
                                                  language for the Legislature to act on that.
                                                                                   'It identifies some specifics of the learning needs
   18
                                                     and a state of the contract of
   19
                                                that should be part of basic education and presently is
                                                   ----
(20)
                                                  not.
   21
                                              Do you believe that if the current legislation is signed by,
                                                    hands and a second of the second and the second of the sec
                                              the governor and is carried out by the State of Washington
 22
                                                  1000-10
                                                that it will take care of any problems you perceive in the
:231
                                                Internation was greated processing their processing their process continue contribution again by
  9735
                                                   state's funding of basic education for your district?
   24
   ·:---<
25
                               A Only if it's funded.
```

```
Page 25
  1
                                                                           MR. EMCH: Objection; hypothetical, calls for
                                  speculation.
                                 (By Mr. Clark) Your answer is yes, but only if it's
:4
                                funded?
                                    ......
      5.
                                  Only if it's funded.
    6
                                                                                                                              Q Okay. If the funding is provided for the program that is
                                  Aligne metalog section is excellent process of incident sections of colors and an excellent process and an excellent
                                outlined so far in the legislation currently passed by the
                                 والطين تستندي وساهده والمراق فياناه والماروان المساورة والالالوج والمارك والمارك والمراقع والماركون
                                House and Senate, if that is funded you believe that that
                                    مستخلص ويسوي مستكار ووجودوها وجرياتها والماني والمحرار والمناوية والمناوية
  9
                                   will give your district the resources it needs to provide a
                                    LUR THE SELECT OF SERVICE AND A SELECT
  10
                                basic education to its students?
 as sol
                        11
                    A Yes.
  12
                    Q Why were you interested in the Renton superintendent
                                ----
13
                                  position?
                                       2014
  14:
                                                                            MS. MOORE: Objection.
                                                                               parties are sometime and an experience of the parties of the parti
15
                                                                              MR. CLARK: I didn't mean it to be
1.6
                                 'objectionable.
                                  A My career path had a gap in that experience. I came to
17
                       The state of the s
18
                                'OSPI and Terry Bergeson asked me to be the deputy. Most of
                                 290
  19
                                 the deputies, colleagues across the country have been
                                   s nemocratic sils the trib collection of a dispersion relicional program of the collection of the coll
  20:
                                 'superintendents prior to becoming deputy, usually smaller
                                  21;
                                   districts, but have had that experience.
                                        22
                                                         And lacking that on-the-ground learning, I really
                                                 23
                                 wanted to make sure that I could experience that:
                                 24
                                 funderstanding, so the opportunity to contribute my
  25
  26
                                knowledge and expertise to this district is what led me to
```

```
Page 26
                                                 apply.
                                                                                                                                           2 (3 4 5 (6 7 8 9
                                               (By Mr. Clark) You have not taught in the Renton School
                                                                                                                                                          District before?
                                                No.
                                                                                                                                When you became superintendent of the Renton School)
                                                  SUBALISTS STATE FRONTSCHIES FR. BELESCHLESTSTEFLEN LEGTSTALLES SPELCHESTS FREIGH
                                                 District what challenges were there to you in the district?
                                                 رئے وہوں اور سے اور شوری کینے واقعیدی کی فریوں کی تفقیل کی مقتولات کرنے کی کا تعلق کی کارنے کی معامل کی انتخاب
                                                 Well, the first is typical to any district is learning the
                                                 and the contract of the contra
                                                 culture and dynamics of the district itself, becoming part
                                                         of the team and forming the understanding of the leadership
                                                    e realizare presidente de allace de l'alexantendo de appendio estatore de entre o realizare de estategore,
110
                                               needs to impact student achievement. There was also a
                                               Matter than 19 years and a super control of the foreign control of the first of the
 'īī'
                                                 significant budget challenge discovered a few months into
                                                the job.
 13
                                                 So learning the culture of the district and becoming part:
                                                 کی وجوزی میشند. میش واردید و مجینیت بترسی استخداد میشند و برسی و بیشن و میشند و میشند و میشند.
14
                                                  of the team, identifying leadership needs that there might:
                                                  realization and a final fraction of the contract of the contra
15
                                                 be that would impact student achievement, and a budget;
                                               " " المحتجيرة " " في منافق في " المستعبد في المستعبد في المستعبد في المستعبد المستعب
  16
                                                  challenge discovered a few months into the job.
                                                                          "All the comment was an all the fame with a second
 :17
                                                                                 Any other challenges that presented themselves to you
18
                                              (as you became superintendent?)
                                         alist more to be to a same at a
  19
                              (A That covers it.
   (20)
                             Q I think it does.
 N- - V
                                                            I take it that you were able to familiarize yourself
   21
                                                                                               22;
                                              and learn the culture and team aspect of the district?
                                                                                                                                                                                                                                                            men men aman a seman d
  Nove or
                                                 A REAL OF MARKET
    231
                                  المائس المراجع المراجعين
                                                                                                     THE PARTY NAMED IN THE PARTY OF THE PARTY OF
   24
                             Q Were you able to identify the leadership needs that you
                                                                                                                                                                                            25
26
                                            were talking about that would impact student achievement?
```

Page 27 1 2 3 4 5 6 7 8 A Yes. _____ What were those? A Having the leaders in the district work together toward Increase the common vision, common mission, common goals. The state of the s capacity of learning to use data to inform decisions that serve as as well as a record traffic were made. Restructuring some of the direction involving the L-7" | L-2" --- --- "... --- "... --- " " ---- " ... " ... " ... " community. And the opportunity to be a liaison for the 9 أراب المستقد والمرابط التمييم فللموال المستقدين والمستقد والمستقد والمستقد والمستقد والمستقدة district with the community. And instructional leadership, O DITTURBED DE CONTROL 10 providing capacity to provide that leadership throughout; 11 the system. Q Does that complete your answer? A Yes. :13 Q Okay. Please tell me about the budget challenge that was il some 14 THE REST OF THE PARTY SELECTION OF THE PARTY SELECTION OF THE PARTY SERVICE OF THE PARTY SELECTION OF THE PARTY SE [15] discovered a few months into the job. What was that about? A I did a complete analysis of the budget from the very 16 to and the company of the contract of the cont 17 beginning to learn and understand components of the pattern! of spending and took a look at all of the state reports, 18 looking at our staffing, our student needs, our individual 191 THE TENTH OF THE PROPERTY OF T (20) building structures, and discovered that there were budget Aller as the second 21 decisions that had to be made in order to balance the an entransferior and a second to a second and a second an 22 budget at the end of the year, and we had to make some, significant cuts to our budget in the first year as 23, NAME AND RESERVED 88 8558 24 superintendent. Same of 251 What budget decisions needed to be made in order to balance 26

Page 28 .1 the budget? (2) A Well, there's a long list. I think you have a lot of the `_(3; documentation provided. The fund balance was dangerously 4 low. Cuts had to be made through a prioritization process, (5) which again you have the documentation of all of that 6 process. Decisions were brought forward to the Board for (7) approval based on our newly-established goals. 8: Q When you say cuts had to be made, are you talking about; 9; programs that had to be cut? 10 A Programs, people. or the management of the second -- ----CLASS NAMES OF THE RESIDENCE 11: Q You said the fund balance was dangerously low when you; 12 became superintendent. Did you understand as to how that; 13 came to be? access 8 I believe that it occurred because of ongoing efforts to 14; And garranged in the control with the formal and analysis of the control of the c 15 maintain programs and provide support where it was 16 identified as necessary support and not having the funds أور المدينة الأسب الالمسال على والمسادات في المدينة والمعاجب 17: available to do that, and so decisions had to be made to and a common common and a large ball to be for 18 cut critical needs because the dollars weren't available. edication concensor to a craesia a constituintensia a constituintensia a constituintensia presidentia constitu 19 Q What critical needs do you recall having to curtail or cut? A COMPANY OF THE RESIDENCE OF THE PARTY OF T 20 A Well, we did a RIF. We had a reduction in force. And so, "" I d'I " a mar " a man a man " a man " a man " a man a man la i angan a man la i agan a man la i agan a man 21 some support was cut. Administrative positions were cut. s market a water that the state of the state Positions were consolidated. Programs were cut. Again, 22 (23) there's a very long list that's available for you. a la consecuente en encentration a argue en la compa gragamente anomalia en accusar 24 Q Were teacher positions eliminated as part of the RIF, the: The second section of the second section is a second section of :25 26. reduction in force?

SEATTLE DEPOSITION REPORTERS, LLC (206) 622-6661 * (800) 657-1110 FAX: (206) 622-6236

Page 1713

```
Page 29
                                                               A The first year we had some teacher restructuring.
           121
                 recall exactly the individual positions.
                                                                                                                       There was an
                     3
                 impact to the teachers, but we kept it as far away from the
                  And the state of the second second and the second s
4
                   classroom as we possibly could. And so, there was an'
                    impact, but I don't recall the number. Again it's in the
 . 5
                    .....
  6
                 documents.
  7
                                             MR. CLARK: Mark that, please.
                                                                                              (EXHIBIT NO. 263 MARKED)
  8
  9
                 (By Mr. Clark) I'm going to place before you what's been
                   marked as Exhibit 263 in the case, Dr. Heuschel.
10
11
                                             MR. EMCH: Bill, is this your copy? It's got
12
                   some flags on it.
13
                                             MR. CLARK: Yes. Sorry. Thank you.
14
                                             MR. EMCH: Thank you.
                                             MR. CLARK: Pardon me for putting 263 on there.
15
16
                                             MR. EMCH: I would do the same thing.
17
                                             MR. CLARK: Okay.
18
                   (By Mr. Clark) Do you recognize this document?
                 Yes.
19
           A
            Q All right. This is a Comprehensive Annual Financial Report
20
21
                  for the Renton Public Schools for the year ended August 31,
                   2007; is that correct?
22
23
            A Yes.
24
            Q And if you turn to -- well, it's page numbered five in the
25
26
                   document, but you'll see there's a Renton indicator number,
```

```
Page 30
                     a Bates number, 2391. Is that your signature under the
    1
    2
                     respectfully submitted next to Rich Moore's?
    3
             A Yes.
             Q Did you review this document when it was completed?
    4
    5
             A Yes.
    6
             Q It indicates at the beginning, I believe, it was prepared
                     by the Business Office?
    7
             A Yes.
    9
             Q And that's the Business Office of the Renton School
                    District?
 10
 11
             A Correct.
 12
              Q Who is responsible or heads up the Business Office?
 13
             A Rich Moore.
            Q As superintendent, I take it you have a cabinet or a series
 14;
                                        15)
                     of principal subordinates?
                16
             'A Correct.
              Maia 7. .. MaiaL...
              Q Could you identify them, please?
 17
             A I have the Assistant Superintendent for Business and
 18
                      ar incompanies come a culturativa a garantigue in estatoria in interessantia de la companie de la companie de c
 19
                    Operations, that's Rich Moore. I have an Assistant;
                         ----
                                                                                                                       (Superintendent for Learning and Teaching, presently that is)
 20
 21
                    Rob MacGregor.
 22
                                   'I have an Assistant Superintendent for Human'
                                                    23
                    Relations, that is presently Paul Apostle.
                                                                                                                                  Sheryl Moore is
                     or commenced that is a recommendation of the contract of the c
 24
                    on cabinet. Randy Matheson is the Community Relations
                    (25)
(26)
                     Executive Director, he is also on cabinet.
```

Page 1715

```
Page 31
                                                       (1)
(2)
(3)
(4)
(5)
                                       :Kathleen Bailey is the Chief Academic Officer for
                                         at a compared a construction of the constructi
                       Secondary Education. And Susan Mather is the Chief
                        Academic Officer for Elementary Education.
                                          Okay. If you could turn to page 2385, the Bate stamp)
                        i de la come contrata e propriedamento de la composição de la composição de la composição de la composição de l
                      numbers, which I believe is before the letter that bears
 (6)
(7)
(8)
(9)
(9)
                        _____
                        your signature.
                           There is a listing of the School Board and the
                      administrative staff, and then the schools are listed with
                        their principals.
                 10
              A Mm-hm.
---
                         .....
                                                                      11
             Q From your last answer, it appears as though there's been
                      ·______
 12
                      some turnover with regard to the administrative staff?
13
              A Correct.
               (1,4)
               Q Did that occur shortly after you arrived or has that!
15)
                 on Palana a serveza e la la carrera de la comercia de la comercia de la comercia de la comercia de la comercia
                       happened over the last three years?
                          16
              A It's happened over the last three years.
                 17)
               Q Okay. Were any of the replacements involuntary
                        ....
18
                      terminations?
                          ja simula etali kalbularia ili a pimularia kalbula
 19
               A No. In fact, they were all retirements.
                20
               Q Okay. Thank you. Now the names have changed, but the
21
                      administrative staff positions that are listed on page!
                         The second secon
 22
                        2385, does that comprise your cabinet or your principal
                                                                            231
                      subordinates?
                        ----
                                                                                                              E 1818 1811-
24
              A The chief technology officer is not on cabinet, would be
                                                                                              9<u>5</u> NOSES
25
26
                      considered a subordinate, a chief administrator, but the
```

```
Page 32
(1)
       restructuring of cabinet that is a position that was moved
(3)
(4)
(5)
        under the supervision of Learning and Teaching.
        10 Okay. So the chief technical officer is part of the
       Department of Learning and Teaching?
       Baranara arang aya atau at
    A Correct.
6
     Who is the chief technical officer now?
    ____
7
                             (A Stosh Morency.)
8
     Q I'm afraid you're going to have to spell that.
     (9)
    A M-O-R-E-N-C-Y.
    ا الله المستقدم المس
      Now on page 2385 there are a listing of elementary, middle,
10
      $ 100000 ES. 5
11
      and high schools?
     A Mm-hm.
121
     programme ward success continues approximate magnetic plant program program.
13:
    Q Do those comprise all the elementary, middle, and high!
       A period on a Maring reserve Arms Arms (section)
14
       schools currently in the district?
15:
    A Yes.
       On the following page, 2386, of Exhibit 263 there's an
16
17
       organizational chart. Does that organizational chart for
18
       your district pretty much remain the same today?
19
    A There have been changes and restructuring of this.
20
       The assistant superintendent slots, are they still the
21
       same?
22
    A Yes.
23
       So it's the organizational framework below the positions of
24
       assistant superintendent that have been altered?
25
26
    A Correct.
```

Page 33 Can you give me a couple of examples of how the 2 organizational structure has changed from that depicted on 3 page 2386? The chief technology officer is one example that's been 4 5 moved to Learning and Teaching. The executive director of 6 Facilities reports to the Business and Operations 7 Department. The titles have, obviously, changed. 8 Services is now Business and Operations. Superintendent of 9 Instruction is Learning and Teaching. Human Resources 10 11 stays the same. Those are the major changes. 12 Chief academic officers have a new name. Rather than executive director of Secondary Education, that position is 13 the chief academic officer. Similarly with the elementary. 14 15 Instead of executive director of Elementary Education, she 16 is the chief academic officer for Elementary Education. Does the Renton School District have a preschool program?)

- (17)
- It has a program for Head Start, ECAP, those types of 181 ---THE PROPERTY OF STREET STREET, 19 services. It's not a separate preschool.)
- (20) Okay. Does the preschool program pertain to other than 21 special education students?;
- 22 A Yes. We have regular education students incorporated into X===.(a market minimizate marining committee of provider of the marining server successively in a segrifical 23: those classrooms, again to meet the expectations of those) ...(of of some factor THE RESIDENCE OF THE PARTY OF T programs. 24:

25

26 Q All right. Where is the pre-K program provided? Is it

Page 34

- 1 provided at different schools?
- 2 A It's a facility called Hillcrest. It is a building.
- 3 Q And that's one of the elementary schools?
- 4 A No. It's a separate building. It's not part of a K-6.
- 5 It's its own building.
- 6 Q Is it the same Hillcrest that's indicated on page 2385?
- 7 A Yes. Correct.
- 8 Q Okay. And you provide that with funding from Head Start --
- 9 A Some.
- 10 Q -- funding from the federal government for Head Start?
- 11 A It's also tuition-based for students who do not qualify for
- 12 those funding sources.
- 13 Q Is there a state funding base as well that's part of pre-K
- in Renton, is there any kind of state funding that's
- 15 provided?
- 16 A I'm not sure.
- 17 Q You mentioned Head Start and then there was another word.
- 18 A ECAP.
- 19 O ECAP. What is ECAP?
- 20 A What's it stand for? I don't remember.
- 21 Q Okay. Head Start is a federal program?
- 22 A Mm-hm.
- 23 Q Is ECAP also a federal program?
- 24 A I don't know.

25

26 Q Does the Renton School District provide any career and

```
Page 35
                               technical education?
                'A Yes.
         Q And how does it provide that, in what form?
          A Well, we have career and technical programs throughout the
              (district through the CTE program. It's in all of our high)
 (5)
                The care of the contract of th
 (6)
              schools and some of our middle school programs.
 7
            Q I was going to ask that. It's also in middle schools as
                                    I see w re use
                                                                             (8)
(9)
            (well?)
            A Some of the programs.
             10
         Q Some of it?
          protesta il caracte <u>vicin</u>go tali
11
         A Mm-hm.
254781 E
          .,<u>............................</u>
(12)
          Q Okay. Do all of the high schools have CTE?
          13.
         (A Yes.)
          Q Okay. Do all of the middle schools have it?
14
         A All of the middle schools have a program. They're not all
15
         Be a green and a second and a second and a
16
               the same program.
                17
          Q But they have some program for CTE in middle schools even;
                18
               though it may differ depending upon the school?
           a abrila
                                 8 87 8 8 8 8
                                                                550 9300 935050
 19
         A Yes.
               Q Have any new schools been opened in Renton during your
20
                 21
                tenure as superintendent?
                 A I'm trying to remember if Kennydale opened the year -- it!
22
               , in 2
               was a building that opened, not a new school. There's been
 231
                24
                some restructuring or rebuilding in facilities from the
25
26
               bond, but not a new building or a new school since I've
```

```
Page 36
                                 been here. I think Kennydale opened the year I came or the
                2
               'year -- it might have been as I was transitioning.
                'Q Was it renovated?
           A Kennydale was rebuilt.
          Principal and a second
         (Q Rebuilt?)
           6
          A Mm-hm.
           ı.. 2..<u>. -----</u> ±
  (7
(8
         'Q Okay. Any other schools that were rebuilt or refurbished;
                other than Kennydale during your tenure?
              ورسيال درسرورج مسدر ومسيده ويستندر ومستدي وبمروري والمتاكر
  (9
         A Well, there's ongoing renovation work from bonds, but it's
                en a aparteur d'arres en la reconstitue de la companie de
(10)
               'a portion of -- you know, Lindbergh High School had a
                a position of the same hand
11
               section renovated since I've been here.
                12
          Q Have any schools been closed since you became,
             (13)
              superintendent?
           [14]
         A No.
1
          Yard - william -
              On pages 2387, 88, 89, 90 and 91 in Exhibit 263 there's a
15
                  16
               letter to the Board, and that's the letter that you and
                 17
               Mr. Moore signed; correct?
                 18
         A Correct.
                                                      19
              Under Financial Information on page 2387 there's a
                province that the comment of the com
20
               reference to a five-year plan to increase the fund balance
                21
               up to four percent. Do you see that?
                 . ______
[22]
         A Correct.
              en arana (formator presenta rega arana argum aloreng erina ar
123
          Q Is that the fund balance issue that was part of the
                _____
24
               challenges that were presented to you --
25
26
         (A Yes.)
```

```
Page 37
                                                                      -----
                                                                                                                                                                                               ____
                                          -- when you became superintendent? Okay.
    2
3
4
5
6
7
8
                                                                               And has the district been able to continue its
                                                                               five-year plan to build its fund balance up to a four
                                                                                         8<u>. L. ...</u>. 83
                                             percent level?
                                               We will be proposing a change for that proposal this year.
                                                 Comment of the commen
                                               We met our goal last year, but we will not be able to meet;
                                                 the five-year plan and will request the Board reconsider;
                                                                                                                                                                                                                                     N N 50
                                                that goal.
                                                 ಸ್ಕಳು ಬಿಡಿದಿರುವ ಕ
                              Q Reconsider what aspect of the goal?
  10
                                  /A We will be requesting a certain amount of fund balance
                                                       - Commence Commence To Administration of Commence Commenc
11:
                                            not -- or a certain amount of money not go toward the fund
                                                 12
                                              balance, which means we would not stay on track of the
ig y
                                                الأرائ المتحلب والمتعارب والمتعارب والمتعارب والمتعارب والمتعارب والمتعارب والمتعارب والمتعارب والمتعارب
                                                five-year plan to get to four percent because of the cuts}
13
 2000
                                                LA SOULDING BELOW & DULISHMEND LINEWAY DANNES BOUNDS OF LINES & DUMBERSONS
                                                we are facing right now with the elimination of 728 and
 14
                                                program and described the same of the same
 15
                                               other components.
16
                           (Q Will you still have a goal of eventually building the fund)
                                                 17)
                                            balance up to four percent?
                                            وتتحري فيتسور تعرف يهوا فسارأ فالمعرفي المعرفي وتعمين فستبط فالمعرفون
                                           I would anticipate that would remain. That's a
18
                                               19
                                              Board-established goal.
                                                     20
                                          So the only thing that's really changing is it will take
                                                   a terral come a Pattern Comment of a comment of the comment of the
(21)
                                              longer to achieve that goal, the goal itself hasn't
                                                                                                                                                                                                 986 940 60840 608 96 98 19 16
                                                9-2 2 _____2
  22
                                                changed?
                                                23
                                              That's the proposal to the Board.
                              Sign and a contract of the con
24
                                        And this is due to funding cuts that occurred in this!
  25!
  26
                                           :legislative session?)
```

```
Page 38
                                  0600 50 500 962 5000
                           A Correct.
   :1:
                             ودريست أنفاذ فالقادان الاصطلادان
                          Q And you mentioned one of the initiatives, which one?
                                                                   3
                                          728.
                          Q And which one does that pertain to?
                              , and the second of the second secon
                           A That is the initiative for class size and other components:
                                                                          DELICATION OF THE PROPERTY OF 
     6
                                            that are allowable. Renton School District primarily uses
                                                 ajai paagiistai adalgi majadiistai ji ajai mindagaisti — piladaasi maliisiji magaa (P<sub>R</sub>C ) m
                                            that for reduction of class size and some professional
     8
                                                                        development, a small amount of professional development.
     9
                                             And so with those cuts, rather than impacting the
                                                                  i reglicaring producernyme i resultante attention encontrationes continues florette i a comme approximentalism
                                           individual teacher, we are proposing some strategies that
  101
                                                المراكسين المصادر ولك المراث المراد والمصادر والمرادي المراجع المراجع المراجع المراجع المراجع المراجع
 11
                                            could keep some of those positions and one is a reduction'
                                             12
                                            of the fund balance contribution which puts the district in
                                               and the second property of the second propert
(13)
                                              an uncomfortable situation without having the funds needed
                                               SHESK MISSES SEED OF SE
 14
                                              for an appropriate fund balance.
                                              THE REPORT OF THE PROPERTY OF 
15
                                              The goal is to build it to four percent. Do you know what
                                                  16
                                            it currently stands at?
                                     المراجع والمتعاد والمتعاد والمتعاد والمتعاد
 17
                                              About two and a half.
                                                                                                                                                                               18:
                           'Q And what was it at when you became superintendent?
                                                                                                                                                     the last femalest such as it at mestimality protestical way.
                                     In the beginning of the year, I do not recall. When we
 19
                                                 والمتاليين المتأسن والمتالي وماليت والتكنيون المتألف والتاليين واردا السرور المسرور والمسرور
   20
                                            discovered the process we actually had to borrow from
                                                21
                                            capital to cover our expenses. So we actually went in the
                                              ---
                                                                                                                                                 3 (4 H + 4)
 22
                                            red.
                                                                               When you say you had to borrow from capital, what are you
23
                                              THE PARTY OF THE P
124
                                            referring to?
125
26
                           A Allowable borrowing from the capital funds to ensure that;
```

```
Page 39
                                                                         you can make payroll.
                                                                             ارور برنور المعرور المساور والمناور المان والمساور والمرازع وورور ومعالم المساور المساور المساور والمساور
                                                Q You had to move money from the capital fund account into
                                                                               particular and the contraction of the contraction o
                                                                        the general funds account?
                                                             (A Correct, The interest account.)
                                                                Q And as I understand it from the documentation, that
                                                                                   AND THE PERSON OF THE PERSON O
                                                                         transfer from capital to the general fund was a transfer of
                                                                                  <u> Principalismo i a compario del principa por la compositamenta de principal de la composita e principal de la composita del composita del composita del composita de la composita del composita della composi</u>
                                                                        [interest earned on the capital account to the general fund]
                                                                               (account; correct?)
                                                                 9
                                                A That is correct.
                                                        ريان ۾ المسكن الاطلاق المسلمين المستقدي الاطاري الدي والد
                                                Q So that's interest on the principal that's in the capital
10
   San L
                                                                             gand to the control of the control o
     11
                                                                                account. You weren't required to transfer any principal;
                                                                               for the construction of the contract product of the contract o
(12)
                                                                         capital funds themselves from capital to general?
                                                                  and the second
                                                A Correct.
                                                       14
                                                 Q And if the Board accepts your proposal, or it may not be
                                                                       "Year oversian is the "chair ... and it ""the "chair", Walter, "Is ... is ... is the Armer ... is also be in the chair ... ... in the chair ..
     15)
                                                                        (yours, accepts the administration's proposal with regard to)
                                                                              Since which region fines there exists a since the contract of 
16
                                                                        not building up the fund balance this year, will that
                                                                                 17
                                                                               result in fewer lay-offs of teachers?
                                                                   (18)
                                                  A Yes, it will.
                                                    /19
                                                Q Will it eliminate all the lay-offs?
                                                        ----
                                                                                                                                                   e a lee con necesi see see
  20
                                                A No.
                                                                                                                                                                                            Q How much of a dent can you make in -- I don't know if you'
     21
                                                                            at and the second of the secon
                                                                         make a dent in preventing lay-offs, so let me rephrase
                                                                                                                                                                                                                                                                                                                                                                       a 10 M as
                                                                        [that.]
   23
24
                                                                                                                                Without the fund balance leeway that you're
    25
                                                                          requesting of your Board, you will have to lay off how many
26
```

```
Page 40
                                             teachers?
                                       CONTRACTOR OF STREET
                                 A I-728 for Renton is equivalent to approximately 66 FTE. If.
                                the elimination from the state was simply that straight
                                                   and the same of the control of the same of
    4
                                               across, 66 teachers would be RIFed. The fund balance would!
                                                 parameters are a many parameters of the contract of the parameters and a parameters of the parameters and a parameters of the parameters o
     :5:
                                              provide about three positions and a little bit.
                                      make makeys. In the control of the c
                              O So of the 66 that otherwise might go, you will be able to
                                             save three positions with the fund balance request that
     8
                                                   you're making to the Board?
                                                                                                        SE 8 108
     9 :
                              A Correct.
                              part control to the property and
                                                                                                                                                                                -----
                              Q Are there plans to try to keep any of the other positions:
   10
                                                      and the second second
                                              that might be laid off from being laid off through other'
  11:
                                                    12
                                               requests that you're making to the Board?
                                          ي بنة باسمة المكامناتين بنائدي
                                A Extensive. Yes.
                                  80 N N
                             'Q How many of those positions is it your goal to preserve?
14.
                               men production a compare construction. The second construction is a second construction of the second 
15
                              A Sixty-six, if I can.
                               ,16
                                 Q All?
                                         17)
                              A Absolutely.
                                                                                                                               118
                             'Q Do you have proposals to your Board with regard to whatever
                                                      CONTROL OF STREET STREET, STREET STREET, STREE
19
                                             "means are necessary to preserve all 66 positions?"
                               بالمناف والمساورة والمنافض والمنافض والمنافض
(20)
                             A It's in development.
                                      21
                              Q When would you make that presentation to your Board so that
                                                    (22)
                                               you can get a better feel for whether you'll have to lay
                                                     off and, if so, how many?
 (23)
                                     - market and a market of a market of
  24
                              A The end of May.
  25
                                             If you turn to page 2390 of Exhibit 263 there's a chart --
```

```
Page 41
         A Sorry. 239...?)
 [1:
            و مور بر مور بر مور سمور مور بر مورد المورد الأمران الأمران الأمران الأمران الأمران الأمران الأمران
 (2)
          Q 2390. There is a chart rendered at the top of the page
                3 4 5 6 7 8
               regarding Full-Time Equivalent (FTE) Enrollment. Do you
               see that?
           ----
          A Yes.
           لاين دسودين
                                 THE PARTY OF THE P
          Q If I read this correctly, enrollment in the Renton School,
              الأري ساليا س التنسيب التنسي الترجيدة بالسلالا الله المناز التنظيم المتسادة المساورة المساورة المساورة المساورة
              District has grown from 2003 through 2007 and was projected
                                                                                     ito grow in 2008 as well?
 9
                                      38 200178
                                                0.000 0.000
          A Correct.
           10
          Q And did that trend continue in 2008?
          ا حسلوب فاق
                                            E 8
                                                         111
          A Yes.
           12
          Q Has your enrollment grown since then?
13
          A Yes.
           economic
                                                                              ينطونه ومعوديون مسويه والمحتملي الأراسم
          Q Do you know or have a ballpark figure for what the current
14
15
                 FTE student enrollment at Renton is?
                أنارغ الفيدالفانية فلاسي البائرة ووالا والمقار المنا
16
          A Well, our current head count is about 14,000.
          كراعث والتقول والمقبول وهن المتعال المتعال المعال والمتعال المعال المستدر المتعارف المتعارف
(17)
          Q 14,000, okay. And that would reduce to a full-time
                   18
               requivalent that would probably be less than 14,000?
             19
          A Definitely. Yes.
                   ) = =,
                                                                          ______
                                                                                         20
          'Q Okay. On the same page, 2390, there's a heading for
             21
              (Financial Condition. Do you see where I'm referring to?)
          A Yes.
 22
23
          Q It says, "The overall financial condition of the district
             engan ananthanina alla ettanga enningana en arangan kan lanantana lilianana ini esa di san angan all
24
              as of August 31, 2007 has improved from the prior year as
                                                  25
26
              net assets have increased while long term debt was
```

```
Page 42
       reduced."
            Do you see that sentence?
(3
                A Yes.
    Q It says, "As of August 31, 2007 the fiscal year revenues of
4
        amponis, printerius milu suromena tinaringungang beng padi sinapisi or — as more
(5) (6) (7) (8)
       $148,920,211 exceeded expenses of $134,333,208 by
       $14,587,003."
            In fact, did fiscal year revenues as of August 31,
            2007, exceed expenditures for the district by that amount?
(9
(10
     ele<sup>n</sup> norlejen ne<u>jj</u>enellede – beskeledele na
    (A Could you repeat that?)
     MS. MOORE: What's your question?
11
             (Q (By Mr. Clark) Did the revenues as stated in that
12
        sentence, in fact, exceed the district expenses by that
        (13)
        $14.5 million amount?)
        8 0.000 CENTRAL CONT. (
...
14
     A To my knowledge, yes.
     المنظ والكور الأسرار والأراد والمتكون للوارد الكور والكور والكور
                                   -----
15
    Q And that is revenues from all sources; correct?
     ----
    [A Correct.]
16
17
    Q So that would include state, federal and local --:
     paral mentioned of a second
(18)
    (A Correct.)
                      CONTROL VIII N NAMED CONTROL CONTROL OF
19
    Q -- and other, whatever that may be?
      20
           The subsequent sentences indicate that by comparison
           and any market grant and the second and the second
21
       the fiscal years '05-'06 and '04-'05 also had total
       [22]
       revenues exceeding expenditures; is that correct?
h neg
     11 15 16:72
23
    (A Correct.)
     ----
    Q So in each of the years indicated in that paragraph that;
24
Y. . /
(25)
       we've been talking about, the Renton School District was
26
        M membral is standard. Sometical lentality. Mississione letter letter lette and 18 (40). His
```

```
Page 43
     PERSONAL DE LA SERVICIO DE LA COMPANIO
     able to operate in the black?
    (A Correct, with the exception of the borrowing of interest)
                    78 1929±3 1929
   that was mentioned.
    Q And what year did that occur in?
    A My first year.
   Q And what school year or fiscal year, rather, would that
     have been? '06-'07? '05-'06?
     (A The borrowing occurred '06-'07.)
    Q Okay. Did you start during a school year?
   A No. I was hired July 1st of '06.
10
   11
   Q All right. Just prior to the start of the '06-'07 school?
    1. 10041
                 12
    'year?
(13)
   'A Correct.
   Q With the exception of the year in which you had to borrow
114
     15
     interest money from the capital account -- well, not borrow
     16
     (it, but transfer interest money from the capital account to)
      17
     the general fund account, has the district operated in the
      black in every year that you've been superintendent?
118
   LUMB C STATE DA
          A PAGE NEWS N
19
   A Yes.
   a <u>L'Amentalian</u> and appendiant as a communità a
and the same of
                          _ _____
201
   Q Do you know of any years prior to your tenure when the
     211
     Renton School District did not operate in the black?
   A No. Can I take a bathroom break?
23
   Q Sure.
24
            MR. CLARK: Off the record.
25
26
                          (Recessed at 10:16 a.m.)
```

```
Page 44
                                                                                                                            (Reconvened at 10:21 a.m.)
    1
     2
                                                             MR. CLARK: Let's get going again. Thanks.
     3
                 Q (By Mr. Clark) I'm sorry. Some of the questions I've
                          asked you've anticipated. So rather than going over them,
                          I'm just moving along.
    5
  6
7
8
                                           Can we turn to page 2435 in Exhibit 263, please?
                                             Notes to financial information is provided in this
                         document, and this is note No. 5 that's entitled
                          Construction In Progress.
                           10
                                           Were these the construction projects applicable to
                            (11)
                          your district that were in progress at the time of this,
                             2 MM NAME OF REPORT OF REP
                                                                                                                12
                         report?
13
               A Yes.
                                                                      Q As you look at this list today, were there any of these:
14
                          Listenance on a sea little distance for the terminal and the season of
15
                         construction projects that were not completed?
                   _____
16
               A Not that I am aware of.
 V -- -
                 (17)
               Q During your tenure as superintendent have you become aware;
                          provided the second of the sec
                         of any construction projects that were terminated as a
18
                                                                                                                                                          9 8 54 545 855
                             No a process to a structure of passing a structure of
19
                          result of inadequate state funding?
                          201
              A No.
 21:
              Q Are you aware of any projects, any construction projects,
                                      (22:
                         (that occurred during your tenure as superintendent that had)
                           23
                         to be substantially delayed as a result of inadequate state
                                                                 n ang palamak malawa mamata maa kam<u>ii.</u>...
 and the
24
                           funding?
25
              A No.
(26)
```

```
Page 45
                                                                                                                                Q Now the state does not provide 100 percent funding for
        2
                                                      school construction, does it?
                                                           3
                                A Correct.
       4
5
6
                                     والمتروبين والمترورين فيرور والمتني المرايين والمترور والكور والمتروب والمتروب
                                Q What is your understanding of the state's program for
                                                      CONTROL OF THE PROPERTY AND ADDRESS OF THE PROPERTY OF THE PRO
                                                     assisting districts with capital projects with school
                                                     construction?
       7
8
                                                    M. 9 ...... ..... 94 _
                                                      I'm aware that there is a program. I'm aware that we work;
                                                    gad 1. 0 - 2000 (1. - 2000), 1. - 2. 1. - 2000 (1. - 200) (1. - 200) (2. - 200) (2. - 200) (2. - 200) (2. - 200)
                                                    to access what we're eligible for. An example of what we
                                                      Set illinguas participatella lates accompanione forta apparate unalle lates participates service labella est una
        91
                                                    aren't eligible for is some of our work with the newly
                                                     NOTE of the control o
                                                      passed bond for an early learning center that doesn't get!
    10
                                                     11
                                                    state match.
                                                                                             98 81018
  12
                                                                                            So I'm not an expert in that area or have the
                                                                                            113
                                                      details, but I do know that there's opportunities and we;
                                                       14
                                                    take advantage of whatever is available.
 .
15
                                                      line situate committe situati esterme chaire intallication enforce e m
                                    Q Do you believe that the state should be responsible for
                                                       المراجعة الم
  16
                                                    funding 100 percent of school construction within your
                                                                                                                                  N 10 04
                                                                                                                                                                         18 (81) (81) (18)
                                                      17
                                                      district?
  18
                                A No.
  19
                                Q Why do you believe that?
                                         20
                                A Because I believe there is local responsibility that in
21
                                    s and the control of the section of 
                                                    this district is upheld and amazingly supported for the
                                                        The second contract of the second contract of
   22
                                                    needs locally and the participation of that.
                                                 a and a
  23
                                    Q Do you perceive there to be something problematic about the;
                                                    park Malan I was seen a seemal a seemal seemal seemal seemal and a seemal seema
                                                    issue of local control of construction projects, school,
   24
                                                    Norman in the account of the transformation of the contract of
  25
                                                    construction projects, and a requirement of 100 percent
  26
```

```
Page 46
                      state funding?
                                                      MS. MOORE: A compound question and I quess a
                                                    concern that the first term was, I think, really;
                        argumentative. So could you rephrase, please?
                                                  garana salahan kalahan kecama
 (5)
                                                    MR. CLARK: Okay.
                                                   6
                        (By Mr. Clark) Do you perceive there to be some difficulty?
                         " عليم"   هذا   هناك مستوعدة بالأكاري الطاقيات <u>أنطيب</u>ية الكاري والقابل "على
                       in the idea of local control over projects like school!
                       والإنفاريان الإجلاء والمتحدثين والمستحدث والمتحدث والمتحدث والمتحدث والمتحدث والمتحدث والمتحدث والمتحدث
  8
                        construction and a requirement that the state be 100!
                        ын м<u>ышын</u> я я <u>шенебетергениямтельникестер</u>ностического компьения исп
                      percent responsible for funding those projects?
                  أنتكوأ ووبلوا أوالبرو والبيويو ووللها والمسلوا ويستوون والمستوون
10
              A I'd like to ask a clarifying thing if I could.
                   ada wwli .
111
              Q Sure. Go ahead.
               X- -----------
12
              A The question is if there's a local desire to build
               We will struct the p_{ij} is the property of the property of the property p_{ij} is the property p_{ij} and p_{ij}
 13
                       something and then there's control over the decisions;
                        NO REMAINS NOT THE REPORT OF THE PROPERTY OF T
14
                        around building that and the state requirement of 100
                         percent funding it, would there be a problem with that?
15
                       16
               Q Do you see tension between those two concepts?
               7 344--- 344 V
                                                                                      1188 10
17
              A Yes.
               18
             Q And what is it about those two that you see creates!
19
                       tension?
 20:
              A If the state is funding it, there's a role to play in:
                       المرابع والمنافع والمنافع والمنافع والمنافع والمنافع والمنافع والمنافع والمنطق والمنطق والمنافع والمنا
21
                       approving or being part of what that local need is.
                   ferma)
(22)
               Q Do you perceive some tension to exist between the idea of
                       x_{ij} , which is a constant and x_{ij} , x_{ij} , x_{ij} , x_{ij} , x_{ij} , x_{ij} , x_{ij}
23
                      locally determining the need for a construction project and
                       24
                      requiring the state to be the one that has to fund it 100's
                       25
                      percent?
26
```

Page 47 (1) A Yes. Q Currently when a school district like Renton constructs a) (3) (4) (5) (6) (7) (8) (9) new school or renovates an old school, it's working on a) piece of property that the school district owns; correct?) A Correct. روا در د منعمین رواز را رو بیش د توسیستمین 'Q The state doesn't have an ownership interest in any of the Renton school buildings or facilities? A Correct. PROCESSOR TO A CONTROL OF THE PROPERTY OF THE Q What is your understanding of the state's method -- not) method. What is your understanding of the state's program المستورين المسووا المعكري الرباهيات الراواني الموران المسوورين بمعودات الرواوي والراايو ΊĪ for providing transportation dollars to local districts? - No. 1984 - 1984 - 1984 - 1984 - 1984 - 1984 - 1984 - 1984 - 1984 - 1984 - 1984 - 1984 - 1984 - 1984 - 1984 -12 A There is a formula that drives where the crow flies (13) terminology for determining mileage, and there's a FEED STORY ridership component for a count on a particular day over a 141 15 week period of time, I believe it is, where funding is أوبالتستيم وستطيقا ويعتمون ووستتها ووسيتها والتسري وواللبوري التربي والتراكية 16 driven based on the number of kids that particular month! versus what's actual over the whole school year. [17] IN THE SECOND SE 18 Q Do you understand why the funding is predicated upon 19 ridership that is determined on a certain month? 20 A No. 21 Is there a reason for it, as you understand? 22 A I don't understand rationale behind it. I think they came 23 up with a way to come up with a way to determine a number, 24 but I don't -- I'm not privy to how that was developed or 25 26 any rationale behind it.

```
Page 48
                                                                                        Commence of the second transfer of the commence of the commenc
                                               Q Do you understand that transportation funding by the state;
                                                                             12
                                                                             is limited to trips to and from school?
                                                                                                                                                        (3
                                                                            Yes.
                                                      eroppin - malanda appenda appe
                                               Q And that would exclude, say, you know, school busing of
                                                                            y nataony manambany anaka na arao na a
                                                                             students or others to athletic events like football games,
                                                                               (6 7 (8 9
                                                                               basketball games and the like?
                                               A Understood.
                                                   Do you think that the state should fund those trips that it)
                                                       tion performance to the transfer of the production of the performance 
                                                                       does not now fund, for example, the trips to the football
                                                                            10
                                                                      games and the like?
                                                           A No.
      111
   12
                                               Q Are there aspects of the state's transportation funding
                                                                            ر وروزوی <mark>روزوی بروزی در وی در در بازی بازدی بازدی بازدی بازدی بازدی بازدی بازدی بازدی بازدی و بازدی وی در بازدی</mark>
  1131
                                                                             that you believe should be changed so that the state
                                                                             PROPERTY OF THE PROPERTY OF TH
 114
                                                                              supplies funding for things it now does not provide
                                                                     's and the same of
    g_swg
                                                                         transportation funding for?
  15
                                                         16
                                               A Absolutely.
                                                    (17)
                                                 Q And what would those be?
                                                      THE TRAIN OF ME THE CONTROL OF THE REPORT OF THE PARTY OF
   18
                                               A A better formula for actually providing funding for
                                                                                               provided the formal and a state of the state
  1191
                                                                       ridership that is not based on the one week but over time!
                                                                            and the second of the second o
  20
                                                                        month by month, you know, whatever a count equivalent is.
                                                                                                                                           ----
       21
                                                                                                                                  There are students that get added to the district?
      4 G
                                                                                   NATIONAL CONTRACTOR OF THE RESERVE THE TAXABLE CONTRACTOR OF THE PARTY OF THE PARTY
       221
                                                                     throughout the year that has substantial impact. Increases!
                                                                          DESTRUCTION OF DESTRUCTION OF SECURITIES OF SECURITIES AND SECURITIES OF SECURITIES OF
                                                                     to gas prices was a huge impact to us, particularly last
        23
                                                                            year.
        24
        25
(26)
                                                                                                                             Replacement of buses, there is opportunity that we
                                                                                                                                                                                                                                                                           THE THREE THE SECOND IS NOT THE SECOND IN
```

```
Page 49
                                                                                               NAMES OF STREET OF STREET STREET, STRE
                                                 take advantage of. That doesn't get it all, but there
                                                      Jana and Talance and Ton Alexander and a string a section of the
      121
                                                   could be some improvements to that. And a revamping of
                                                  where the crow flies doesn't work.
      13
                                                            Q Could you turn to page 2490, please, still in Exhibit 263.
                                                    proper than a last a last constraint. A last purply for some property and the
       (5)
                                                   [This is a Table 2 that states that it is the Renton School'
                                                        TO THE RESEARCH THE PROPERTY OF THE PROPERTY O
                                                   District's changes in net assets over the last six fiscal
                                                         7
                                                    years. Do you recall who prepared this table?
                                                          8
                                 (A The district office Business Department.)
                                      (9
                                 Q Mr. Moore's group?
                                      10
                                 A Correct.
                                       والمناسول والأقوال الماسيان المسيد
                                                                                                                                                                                                                    11
                                 Q If I understand this table correctly, the bottom line,
                                        112
                                                   let's say its change in net assets reflects a positive'
                                                      Barrers references are to any three court are to a serious to be the series of a serious to be
                                                   change in net assets for the years 2001 through the year of
   13
                                                        NATIONAL SECTION AND ASSESSED ASSESSED ASSESSED FOR THE PARTY OF THE P
  Land,
                                                 [2006-'07?]
(14)
                                        A Correct.
                                      16
                                 Q Is that how you recall it?)
                                        17
                                 A Yes.
18
                                Q On the following page, 2491, there is fund balance history
                                                      promision was a solution of these propositions are a superior supe
[19]
                                                  over the preceding 10 years for the report. Do you see
(20)
                                                        .
                                                 that?
                                 A Yes.
21
                                     .....
    22
                                 Q And this relates to the fund balance for the district's
                                                                                                                                                                                                                                                                                                          THE REPORT OF THE PARTY OF THE 
    2-12
                                                       ( e) ( e) = (
 23
                                              general fund?
                                  A Correct.
     24
                                     22.00
  25
 26
                                 Q As opposed to its capital projects or transportation\
```

```
Page 50
                              vehicles --
                            ----
                  A Correct.
                  3 4 5 6
                 Q -- or ASB fund; correct?
                                   (Witness nods head.)
                   ous performant south house hard
                                                                                                   agreem serve mass recognisions measure serve a specificam
                 Q If I understand the Total General Fund balance line, both
                             rander of the contract of the 
                           unreserved and reserved, the Total General Fund line I'm
  7 8 9
                              أسهاهم المتعادي المتعادي المتعارف والتناء المنادي المنادي المنادي والانتجاء والمنادي والمنادي المتعارفون
                           looking at, between the '03-'04 year and the '04-'05 year
                             رين ويستان المستور المنتشرين المنتسب أنواب المراجع المستورة المستورة المستورة المتعارف المتعارف المستورة المتعارف
                           or during those years there was approximately a $1 million;
                              in alin salataran kananan kana kana kanan ka
                             drop in the fund balance? If you look under the years
                               <u>kulki jaku manguliki malikang langungkan mana mana kumapung mata angun kuma</u>
10
                            2003-4, the Total General Fund of 4.6 million or so?
  ---(
11
                 A Mm-hm.
12
                  Q And the next entry for '04-'05 shows a reduction to 3.6?'
                                                                                   1956 (8 8 8 8 6 56 6 8
                   : -----
 13
                  A Mm-hm.
                    Q Now that occurred before your tenure?
  14
                 (A Correct.)
 15
                  * _ ____ /_ ___ /_ ___ /_ ___
 16
                        Do you have an understanding as to why there was, you know,
                         (17)
                             about a $1 million drop in the fund balance for the general)
                             יי באים ווי ביתים בית המשבים ווי שיינים
                           fund for that year?
 18;
                                                     WW.75
19
                A No.
                    20
                Q There also is a drop between the '04-'05 and '05-'06 year,
                            المنظولات المرجوع والمساليات بالمرجود والمسال والمساورة والمراك والمراكب والمراكب والمراكب والمراكب والمرجود
  21
                           do you see that? Are you aware of why that occurred?
  22
                A No.
                          8 12<del>-2</del>2-7
 1902110
                                                                  ara <del>diala dastala del la la capacidada</del> de <u>la capacidada de la capacidada de la capacidada de la capacidada de capacidada de la capacidada de capacidada d</u>
  23
                                                                MR. CLARK: Let's have this exhibit marked.
                                                                24
                                                                                                                                     (EXHIBIT NO. 264 MARKED)
  25
  26;
                (By Mr. Clark) Doctor, handing you Exhibit 264, do you
```

```
Page 51
      1
                                                   recognize the document?
      2
                                   A Yes, I do.
                                   <u>Large garge-conseque a configue ante a consequenciamente autoria autorian consequencia consequenciamente</u> de actu
      13
                              'Q This is the OSPI State Report Card for Renton School's
                                                       programme a commence consistent of the computation of authorized framework framework from the computation of the computation of
                                                     District for the year 2007-2008; is that correct?
                                       . . . . . . . .
         5
                                 A Yes.
     6
                                  Q Okay. What is the report card document?
                                                         والمنظور والأرازي واستعلامهم والمراوية فيستان والمراوي والمراوين والمراوية
                                A This is on the OSPI Web site and it provides the
                                  The table of a more programment mention and the state and the softening some
     8
                                                   information required to report at the federal level
                                                  9
                                                  regarding the large scale assessment and the results of
                                                    10
                                                   adequate yearly progress.
                                                                                             (E) (E)
   11
                                   Q Where is the AYP information indicated on the report card?
                                   A It is a sub drop-down. I'm trying to see if you have it
   12
   13
                                                      copied here. It is a menu option. If you look at the
                                                      front of the summary, if you clicked on that AYP it would
   14
   15
                                                      provide you a summary of status of adequate yearly progress
   16
                                                      for each of the schools.
                                       CONTROL PRODUCTION DESCRIPTION OF THE PRODUCTION OF THE PRODUCTION
                                   Q Okay. Do you have schools currently in the district that?
 17
                                                                                                                                                                                                                                  N S POSE CO
                                                                                                                                                                                                                                                                                               30 18
                                                       and the control of the control
18
                                                   have not made AYP?
                                                           (10+) <del>-</del>
19.
                               A Yes.
20)
                                   Q Approximately how many?
                                   2 Approximately mentioned to the second seco
  21
                               A I don't know. I have that data, but you make or don't make
                                     t to a partie of the part of the control of the parties of the par
22
                                                   [adequate yearly progress in many different areas, and so]
                                                       23
                                                    each school is evaluated based on reading, writing,
                                                      24
                                                   (mathematics, the gender breakdowns, all of the requirements)
                                                                                                                                                                                                            25
أرود بنز
                                                          reservation technic of central reservation is extremely referenced in the reference in the contral con
                                                   of federal reporting. So I don't keep those in my head.
126
                                                                                                                                                                                                                                                                   30 2000 S
```

```
Page 52
                              Q I understand. There can be a great diversity of reasons as
                                                to why something happens or doesn't happen, I understand?
         3
                              A Yes.
     4
                            Q The State Report Card is information maintained on the
                                                  (5)
                                              state's Web site at OSPI; correct?
                            A Correct.
                           (Q And as you understand it, it's maintained for all school)
     8)
                                                districts in the state?
                                                      -- Mar a<sup>el</sup> -------
                           A Correct.
   1.0
                          (Q The information about student demographics that appears,)
                                                                  CALLED BY POTENTIAL CONTROL OF THE C
  11
                                              for example, on the first page of Exhibit 264, is that
                                                 121
                                                 information that is provided by the district to the state?
 13
                                                Correct.
                                                     Q The WASL results that are depicted on the first page, where
  14
                                               15
                                                 does that information come from?
                               (16)
                           A Those are the results that are provided by the testing
                                                                                                                             n n n e e maren Treunen medijika anasa.
                                                , File of the state of the stat
  17
                                             company.
                                                18
                            •Q To the state?
                                   19
                           :A To the state and the districts and the schools, but the
                                                 randigi decemberativa estrutio relativa estrutio decemberativa decembera
   20
                                            OSPI posts that from those results.
                              المدنى والمستقدة في في المستقدين والمستقدين والمستقدين والمستقدين والمستقدين والمستقدين والمستقدين والمستقدين والمستقد و
                           Q Do you believe the WASL results for '07-'08 are as depicted
 211
                                                in Exhibit 264 for your district?
    22
                                                                          . 55 8 30355 30 9 16
    231
                           A Yes.
   24
                           Q Now on the first page of Exhibit 264 under Other
  25
  26.
                                                 Information in the lower right-hand corner there's an:
                                                                                                            SCHOOLS N N N
```

```
Page 53
                                                      ے کو ایک اور ان ان انسان وی ایک و ایک ہے۔
                         on-time graduation rate figure for the year '06-'07;
                            17 HOLDSON W. CO. CO.
   (2)
                          correct?
                         3
                        Correct.
                            Q What do you understand on-time graduation rate to mean?
                 والأراب المناسب المستوال المستوال المستوال المستوال المستوال المستوال المستوال المستوال المستوال المستوال
                 A Students that graduate within four years based on a
                    record and the contraction of th
   6 :
                            specific formula of when students enter into the high
                            :7)
                             school, and that cohort is formed when they enter ninth
                          grade.
                       بكسية ستعلي
                Q So they enter ninth grade and if they graduate on time it;
   9
                             international compartment and a final a compartment of the compartment of the compartment and compartment of the compartment of
10
                          means that they go freshman, sophomore, junior, senior and
                            11,
                         graduate in that four-year period?
                       'A Correct.
12:
13
                 Q Contrasted with extended graduation rate which means that
                  r r muselini uuspeema siluunis saas r pri vali uudi n gulin 1,440-e yeesepalis ali. -
  for whatever reason it takes more than the four-year
  14:
                          cohort?
15
                    ._____
  16
                  A Correct.
                Q Now in 2008 for the first time the state had a graduation.
                              18
                          requirement that included passing the reading and writing
                             19;
                         WASL; correct?
                   _____
  20%
                A Correct.
                       430 20 20 20
  21
                        Do you know if you had any potential graduates from high;
                           Companies a serie a comme a summer e proposabile son a comme a summer and
22
                         school who were not able to graduate because of WASL)
                            The property of the same of
  23.
                            performance?;
                  24;
                  A Yes.
(25)
  261
                 Q In those instances was that solely due to WASL performance
```

```
Page 54
                                                                       PERSONAL PROPERTY NAME OF TAXABLE PARTY.

    1

    2

    3

    4

    5

    6

    7

    8

    9

                                 or were there some other factors?
                                   A In three of the cases it was solely due to WASL.
                   Q Three out of how many?
                                                                                                                                     المراجع المنطاق والمناز
                    A Twenty-seven.
                         mark and the second
                                  All right. So the other 24 had issues other than WASL)
                                   and the contract and th
                                performance that impeded their ability to graduate?
                                                                               A Correct.
                              Of those 27 are any still trying to achieve graduation?
                        _ mar p_<u>ma__ _ ___ara</u>ser____ era s _ na_s
                                  Twenty-four.
                                  10
                              Okay. Now the information on the '07-'08 report card for;
  11)
                                   Renton the graduation rates are for the year '06-'07, are
                                                                                                                                                                                NO 220 50
                                                                                                                      20 800 10 12 10
 12
                                   they not?
                                  ------
  13
                   (A Correct.)
                      general)
                                                                                               14
                                   Do you know how the on-time graduation rate for '07-'08
                                 15
                                   compared to the figure that's indicated on this document
                                   16
                                for the prior year?
                                                             ______
 17
                               I don't know the number.
                         18
                    Q Do you know if it was better, the same, lower?
                         19
                      A I believe we have increased.
                         was recommended to the source are the control of the con-
                                                                                                                                                                             10-3476 R250 G 872-476
20
                    Q Okay. How about the extended graduation rate for '06-'07'
  21)
                           " Marin I had to me "Will I have the control for a few primers in the second
                                as indicated here, did the extended graduation rate for
                                              ''07-'08 remain the same?
  22
                                  Sec. - .
  23
                    'A That one I don't know.
  )
                      THE CONTRACT OF THE PROPERTY O
24
                    Q On the second page of Exhibit 264 under Teacher
                            TOTAL EL BATTAN DE BATTAN 
25
  26
                                !Information, it's indicated that there are 873 classroom'
```

```
Page 55
                                                             - <u>CALLES DE CALLES DE CAL</u>
                                                 teachers district-wide and of those it appears that the
      2
                                                         total number of teachers who teach core academic classes is
                                                       Samuel Commencer States and State
                                                   653. What are core academic classes?
                                                       أتساعوها فالفلو ومناوا ونعد وفاوج فسأر حدارة فسأتحدث
      (4)
                                                        Reading, writing, mathematics, social studies, English.
    5)
                                  Q Science?
                                                                                                              H 3 - H 3 - H 3
                                      Science.
                                                                                                                                                      -----
                                 Q What are examples of classes that are not core academic
                                                           " and the control of 
                                                         that are taught in the Renton School District?
                                                         19
                                 A Title 1. Teachers under federal support for reading,
                                                         THE PARTY OF THE P
  10
                                                mathematics sometimes. Teachers on special assignment to
                                                      former production and the contract of the cont
   11
                                                  provide support for professional development of teachers.
                                             12
                                 Q Would art teachers be considered to be ones that aren't
                                              والمراكب والإراكيس والمراكب وا
13
                                                 core academic classroom teachers?
                                          ander element permanan biothermanan ka
                                A I do not believe they're calculated in core.
14
                                 grammatic research Const. Const.
                                                                                                                                                                            15
                                 Q How about music?
                                        16
                                 A Music is not. PE is.
                                    Q PE is, okay.
                                        18;
                                 A I think.
                                  Q All right. Do you equate core academic classes with basic
  19:
                                                       30
                                                                                                                                                                                                                                                                         $1857s $1 10
                                                                                                                                                                                                                                             300
 20
                                                        education classes?
                                                      A Personally or this report?
                                Q Well, you personally and then I'll ask if the report is
                                                            23
                                                  different. But you personally, yes.
                                 A Personally, I believe all teachers are core teachers to
   24
                                                                               25
261
                                              meet the Essential Academic Learning Requirements. I.
```

Page 1740

```
Page 56
                                                                                   (I)
                                                    believe that this report separates out by the funding
                                                        Landon of the control of the control
     2
                                                     formula the classification of the teachers.
                                                                                                                                             of a mark to be supposed
      3
                                                                                           I don't recall how and which content areas, but
      4
                                                                                                          that's the difference with 873 and 653 is the way the state
  /5,
                                                       requests those reports.
  (6) (7) (8) (9)
                                                    <u> Intere company and company a</u>
                                                                                                                                                                                                                                                                  All right. So it's based upon the state's belief that core
                                                    paramental in the second of the contract of th
                                                    academic teachers are the ones who are teaching -- or ones,
                                                                   they fund to teach basic education?
                                                        I don't know if it's based on a belief. I think this is
10
                                                           CHARLES IN A REPRESENTATION OF THE PROPERTY IN A STATE OF THE PROPERTY IN A
                                                    based on the way reporting is required to be sent in and
                                                             11
                                                    then calculated by the state.
                                                           (12)
                                (Q So the way reporting is required to be done, the core
                                                               13)
                                                        academic classes are the ones taught by the ones funded'
                                                         THE REPORT OF THE PARTY OF THE 
                                                        through the basic education formula?
   141
                                                                                       THE PARTY OF THE P
   15:
                                                                                                                          MS. MOORE: I think that mischaracterizes her
16
                                                      response.
  17
                                                                                                                           MR. CLARK: I don't mean to. If it does, I'm
   18
                                                    sorry.
                                                                                                                                                                COLUMN OF TAXABLE SAME & B & SAME SAME SAME SAME & SAME SAME SAME
  19
                                A I believe the difference in these two numbers have to do
                                                           20
                                                    with the required state and federal reporting of teachers
  21:
                                                    based on the allocation formula.
                                                  . . . . Lunialu ...
   22
                                    Q (By Mr. Clark) All right.
                                                          But this doesn't reflect my belief of core or the report of
   23
                                                    A THE RESIDENCE OF THE PROPERTY OF THE PROPERT
   24
                                                    who's most important in the system.
                                                                                                                                                                                                er de same e
   25
26
                              Q Okay. Your personal belief is that all your teachers are
```

```
Page 57
                 CONTRACTOR OF STREET
                                          104-44 4 1 1 441-
 11
               basic education teachers?
        'A I believe that all my teachers are essential for meeting.
                أن يستري بسيرة بالمحادث البادران والصرة الكالات والمحادث الكالات
               the requirements that the state has set for what they say
 4
                بالايا (1955) ومن والمستوين والمنظم الماري المستور المنظم والمنظم والمنظم والمنظم والمنظم والمنظم المنظم والمنظم
               students should now be able to do. I have no fluff in the
 5
                MAGENTAL PROPERTY OF THE PROPE
                                                              303
                                                                             200,000
              system.
         Q All right. I believe that. I wasn't looking for fluff, to
              tell you the truth.
 8
                        (The financial data in Exhibit 264 on page 2 lists)
                <u>an animeng-energy unit, wateriaan jan sjeyt a jan-enggeleng, is sjeyt f</u>
               total revenues from all sources and then breaks down the
               total expenditures by the expenditure center, does it not?
101
.....
11,
         A Yes.
12
          Q And it indicates that for the year '06-'07 anyway the total
             13
               revenues per student were less than the total expenditures
                Demonstrate Company States States States States Company
. . . . . .
               for the students; is that correct?
14
15
               ter and a constitution and made processes who have a constitution of the second
                                     MS. MOORE: I'm sorry. Where are you looking?
                                        16
                                     MR. CLARK: Under Financial Data.
                                      17
                                     MS. MOORE: All right.
                                    18
              (By Mr. Clark) Total revenue per student is less than
                 in the state of the
 na tak
               total expenditures per student for the district for that
19
                 20
               reported year; correct?
                   21
         A That's what it shows.
                MA JUNE PROGRAMMENT JAMES JUNE JAMES
         Q Okay. Where did the balance of revenues or funds that were
22
                per remonitariore de la composition de composition de la composition de la composition de la composition de la
               necessary to make revenues and expenditures match, where
 23
                 24
               idid they come from?
                                9246
                um such s
(25)
26
         'A I don't know. I'm not sure what generates this report. !
```

```
Page 58
                                                                                                                                                  1)
                                             Again, I believe that this is taken out of the state
                                                    2
                                          (databases from reports that we provide in the different)
     ) - (
| 3 |
                                                han di mandalah di mandalah manana a manana a Madana di Andrea di Madana di Andrea di Madana di Andrea di Andrea
                                            forms. So I would have to check how this is generated for
                                                                                          posting. I don't know that.
                                                 NO DE COME PROPERTIES O REPORTATION OF PRINCES CONTRACTOR OF REPORTED BY
                                             The revenue and expenditure information are pieces of
                                                The NAME of the Company of the Compa
                                             information that the district supplies to the state,
    6
                                             \langle \widehat{7} \rangle
                                           though; correct?
                                           8
                          A Correct.
      9.
                         1Q And I take it they'd be taken from the F-196 reports?
10
                         A I would assume.
                                a statement to the statement of the stat
  . .....
                                                                                                                                                               11
                                        And the F-196s, for the record, are the annual financial
                                            Description of the second seco
.12
                                              statements that each district provides to OSPI?
  13
                          A And is audited regularly.
                             O Okay. In fact, now that you mention audit, I believe in
   14
  15
                                            Exhibit 263 there's an audit report from the state
                                            auditor's office for the district for that year. Did you
   16
                                        see that in the collection?
   17
   18
                            A Yes.
                             Q Is that the audit you were referring to in your prior
   19
   20
                                            answer?
   21
                            A We're audited regularly.
   22
                            Q Every year by the state?
   23
                            A Mm-hm.
   24
                            Q
                                           Okay.
   25
                                                                                                                                                                                                                       (EXHIBIT NO. 265 MARKED)
   26
```

```
Page 59
             Q (By Mr. Clark) Dr. Heuschel, you've been handed
      2
      Exhibit 265. Is this the State Report Card for the Renton
            · 3 :
     School District for 2006-2007?
      Yes.
   A
   Q And just to move things along, the entries on Exhibit 265
6
      are the same types of entries that occurred on Exhibit 264;
.
[7]
     correct?
. 8
   A Correct.
. 9
   Q And do you believe them to be accurate for your district;
    10
     for the year in question?
11
   A Yes.
12
                             (EXHIBIT NO. 266 MARKED)
   Q (By Mr. Clark) Dr. Heuschel, you've been handed
2000
      Exhibit 266. Is this the State Report Card for the Renton:
14
      district for the year 2005-2006?
15
,-..<u>.</u>-
.16
     Yes.
   A
17
   Q And it contains the same type of entries as to WASL.
              18
      results, student demographics, teacher information, and;
      Province ( ) New York Company and Section (
19
     financial data as the prior two exhibits?
                 X X 45 X X
    20
   A Yes.
21.
   Q And do you believe them to be accurate for the year!
                          B2.03
22
     2005-2006?
50.000
   A Yes.
23
                                 (EXHIBIT NO. 267 MARKED)
24
25
     (By Mr. Clark) Dr. Heuschel, you've been handed
26:
```

```
Page 60
                                                                                                                                                 LICENSING INCOMEDIATION IN IN INCOMES IN SINCE
                                                  Exhibit 267 which is the F-196 report for Renton for the
       2
                                                     3 2 N 2 N
                                                                                                                                                                                              |year 2005-2006?
      , 3
                               A Correct.
                                     المراد أنساد الأراد الأراد الكرار السابيس
                              Q Are you familiar with these reports?
                                (5
                               'A Yes, I am.
                                  Q They are generated, I take it, by your Business Office?
                                                                                                                                                                        A Correct.
        8
                                   _____.
                              O Do you have occasion to review them before they are
                                                                                                                                                                                        9
                                                finalized?
                                       MAR AND RESERVED TO A SERVED AS A SERVED A
   10
                               A Yes, I do.
                                   Q On the first page of the F-196, Exhibit 267, there's a
                                                 property of the second of the 
                                                    certification that on this document anyway is in blank.
                                                      The control of the co
  13:
                                                  There's a signature line for the school district
                                                      superintendent. Have you customarily signed off on F-196s;
                                                                                                                                                                                     mai among sa independent a sa
15
                                                    for your districts?
                                               norman car k
 16
                                A Yes.
 (17)
                                                    The first page of Exhibit 267 also has a report with regard)
                                                      18
                                                  to different funds that the district maintains, does it;
                                                                                                the name of the second of the second second of the second second of the second second
 19
                                                 not?
                                      (20)
                                 A Yes.
  21
                               Q On the far left, for example, is the general fund; correct?
                                  22
                                'A Correct.
                                     23
                                   Q What is the general fund, as far as you know? What does
                                      The same of the sa
  24
                                                    the general fund represent?;
 125
                              A The general fund is our account.
```

```
Page 61
                                                          Q It's your basic operating account for the district?
                     .....
                                                           A Yes.
                    Q As opposed to the ASB, which is a student fund-designated
                    account; correct?
                            -<u>-----</u>,
  5 (6 (7)(8
                    A Correct.
                      O And when we talked a little bit about capital projects fund
                                 المستحورة فيليند أأربت فيكنا والمتعرب والسنان والمستحورة والمستحورة والمستحورة والمستحورة والمستحورة
                                earlier, that is listed here as a separate fund for the
                                  district?
                          A Correct.
                      Q Is it from the capital projects fund that the interest
(10)
                             operations are a second and the seco
 11
                                  was -- from which the interest was taken in order to put it
                                    الأرجيب المحار المحارب المناهل المتعالية المتعالية المتعارب المتعارب المتعارب المتعارب المتعارب
                                into the general fund in the year we spoke about earlier?
  12
   335
(13)
                    (A Correct.)
                         Q Did the transfer of that interest money from the capital;
14
                                    PARTY STATES AND ADMINISTRATION OF THE PARTY OF THE PARTY
  ___
                                 projects fund to the general fund adversely impact the
 15
                                  16
                                   district's ability to carry out capital projects?
                                                                         na wa weeld na memor
                                                                                                                                            0 0 222.0
  17
                    A No.
                    Q It had the effect of lowering the amount in the capital
  18
                                 25,00,000
                                                                                                                                                              the same of the sa
  19
                                 projects funds; correct?
                                     201
                    A Correct.
                        Q Did it have any other impact other than doing that?
                                      9 ...2
 22
                    A Not immediate impact.
                                  :: _(
                      Q Why do you say not immediate?
 23
                        2000000
                                                                                                                                                                                 24
                     {A Because it reduces by that amount the future -- the
                       1200
25)
(26)
                                opportunity to access those dollars for future needs.
```

```
Page 62
                                               Q Okay. And did you have needs that went unfulfilled because)
  2
                        أوالان بينا بين الانتها والبيا والبيا النبا المناب المناب المناب المناب المناب المناب المناب
                    of an inability to call on the money that was transferred
                       (3)
                    from capital to general?
                        A Could you say that again?
  5
                                                   Q Yes.
  16
             A Did I have needs unfulfilled?
                 Q Yes. You said that the moving of that interest money from;
                      18
                    capital to the general fund could have or did create a.
                       problem with regard to a need for that money in the
                     10
                    capital.
                                      ..... 2
(11)
                                   'Was there a need that went unfulfilled or unmet as a
 844 97
                                    result of the transfer of those funds?;
                      13
              A No. Actually what I think I said was that it has the
                     20,22
14
                    potential for an impact for a future need that may not be
                     15
                      able to be met because I had to use and access those funds;
                                                                                    33 238
                                                                           25 9293
                      16
                    (for payroll.)
[17]
             •Q But thus far that need hasn't happened?;
             A Correct.
 18:
                                                           19
                   Do you see in the foreseeable future that there will be a
                      AND THE PARTY OF T
(20)
                   need that will go unfulfilled as a result of that transfer?
A I don't know.
 21
               Q For the year '05-'06 the general fund entry on the first)
                      <u>. Prof. — escriptor mentos a canagonata acres altras recursos mais a mais a canacidade a canacidade a canacida</u>
 N. . . . 3
 23
                    page of Exhibit 267 indicates that there was an excess of)
                    por^{m-2} , where p^{m} , we have a substitution of the constant p^{m} and the constant p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , p , 
124
                      expenditures over revenues for that year in the district;
25
26
                   correct?
```

```
Page 63
                'A That's what it shows, yes.
                           Q And that there was a corresponding reduction in the total)
  3
                  fund balance for that year to make up for that deficit; is
 4)
                             that correct?
                (A Correct.)
  5 6 7 8 9
                          Now if you turn to -- I'm going to use the Bate stamp
                             المنظم المنظم
                         number which is F6REN you see down in the lower right-hand)
                         corner?
                                                                                                    F-07575 75-0 15
                                                                                                                                 SECTION 188
                                                                                                                                                                                    10 KMS 4735 PM 20 KMMS
                      A Yes.
10
                  Q If you turn to the page that ends in 120, it's the
                         year Commence and a commence of the commence o
 11
                          Budgetary Comparison Schedule. This page depicts what was
                             The state of the s
 .....
                           budgeted for the year, what actually occurred and what the
 121
/13
                          /variation was between budget and actual; is that correct?;
                      (F)
14
                'A Correct.
                         60 mare esca a 18
 15
                                                              MS. MOORE: Just to note for the record, this is
                         the year ending August 31, '06. Dr. Heuschel would have
 16!
                            y manda a manda
                                                                                                                                                           20 80 80 80 50595
17;
                          just started July 1, '06.)
                                  المسال منظم أنته المنافعة أكانته الأوانات
181
                                                               MR. CLARK: I understand.
19
                                                              IMS. MOORE: Thank you.
                                                           20
                            (By Mr. Clark) If you could turn to page 166, the Bate;
                             stamp number in Exhibit 267. There is a Resource To
 21
                             Program Expenditure Report on that page. Do you see what
 22
 23
                            I'm referring to?
                A Yes.
24
 25)
                Q Okay. One of the columns says State Resources on page 166.
                                                                                                                                     n mande set set in asset if a
                                                                                                                        8888
```

```
Page 64
 11
                        Do you see that column?
  2
               A Yes.
                   . Marie Transport
                                                                                        ------
               Q And it ends down below with a total of 68,300,000 or so
                            income tradica e electro estado de la como d
                         dollars. Do you see what I'm referring to?)
                   (5)
(6)
(7)
(8)
               A Yes.
               Q On page 120 under Actual State Revenues, under the Actual;
                                                             column it indicates the state revenues were $70,122,150.
                          رين و المعتبي المستنبي والمعتبين والمعتبي والمعتبي والمعتبي والمعتبي المستنبي
                                                                                                                                    8503
                                                                                                                                                 88.00<del>4</del>0
                                                                                                                                                                 27082 281 10 E 02402
                        Do you see what I'm referring to?
                           A I'm trying to find that number.
               10
               (Q Under the Actual column.)
                  11
               A Yep. Okay.
               Q Okay. I'm curious. If you know, the state resources total)
 12
               13
                          on page 166 is $68.3 million, roughly, and the state)
revenue figure for the year on page 120 is listed as
14
                             أسري والقوال الانتخاص المتحديث والمتحدد المتحدول والمتحدد والمتحدد والمتحدد المتحدد المتحدد المتحدد
15
                          $70,122,150. Do you know why those two numbers are
16
                         different?
                    Aug sig
                                      17
               A No.
                  [Q Who would best be able to answer that question?]
18
                    2 (0) (1) (0) (0) (1)
19)
               A Rich Moore.
                Q Rich Moore?
 20
                 21
                 AND THE PROPERTY AND A SECOND TO THE PARTY OF THE PARTY O
 22
               Q And would the same be true of any difference between the:
                            The commence of the commence o
23
                         federal resources total reported on page 166 and the
, =.
                          federal revenues total reported on the prior page?
24
                                                                25
                   26
                 A Yes. Rich could answer all of those.
                       FORTON STATEMENT STAN
                                                              entrated the same areas areas
```

```
Page 65
                                 Q I have some other F-196s that also have the same difference
      2
                                                            between state resources on one page, state resources on
                                                            Leggerian sometrice control control control compression control control control control control control
      3
                                                          another, and rather than take you through those I suspect
                                                             if I want the answer to that I have to ask Mr. Moore?
     (5)
                                   A Correct.
                                           (e) (e (e) w 9(e)
     6
                                                                                                                                   MR. CLARK: Would you mark this, please?
                                                                                                                                       serves are more to a commence of the serves 
     . 7
                                                                                                                                                                                                                                                                           (EXHIBIT NO. 268 MARKED)
                                                                                                                                                                                                                                                                  8
                                                          (By Mr. Clark) Exhibit 268 is a compilation of different
                                                         (9)
                                                          years Minimum Basic Ed. Requirement Compliance forms.
110
                                                            you recognize these forms?
                                                                _____
   111
                                                     Yes, I do.
                                     Andrew Carlos Ca
12
                                                         And on page 1 of Exhibit 268, for example, which is the
                                                          13
                                                            Minimum Basic Ed. Requirement Compliance form for '08-'09;
                                                           14
                                                             it bears your signature under the certification?;
    15
                                                          Yes.
                                      LEGGERANDE COMPAGNED RELEGIONE DE GUILLES DE GUILLES DE COMPAGNE DE CONTRACTOR DE CONT
     .....
     16
                                                          And the certification states, "We hereby certify that the
                                                          grave place production with the color and a color of the 
17)
                                                        board of directors has been apprised and that the Renton
                                                                and the second control of the second control
18
                                                          School District, meets all the requirements relating to the
                                                          ويورون ويتناه والتحريف كالتناف المستور فيناس كالمراة المستور المتناف التنافي والتناف والمتناف والمتناف والمتناف
    19
                                                       minimum requirements of state basic education programs and,
                                                               andra and a second control of the co
    20
                                                            that all deviations from these rules and regulations of the
                                                             Washington State Board of Education are recorded."
    21
                                                         And you certified that in this report?
   22
                                                                                                                                                                                                         88 E0-000-0
                                                                                                                                                                                                                                                                                     23
                                  A
                                                    Correct.
                                      אור בינו המשונה בינונים אייק
     24)
                                                    On page 2 it's the Minimum Basic Ed. Requirement Compliance
25)
                                                       form for the '07-'08 school year, and you signed the
     26
```

```
Page 66
                         Certification of Compliance form below that as well?
  2
                         CASCONIA (ASSESSED DE LA CASCONIA (ASSESSED DE
               A Correct.
                                                               The third page is the form where you signed the
                          (4)
                         Certification of Compliance on behalf of the district for
                           la reconstruir de la la la company de la
  5
                         the '06-'07 year; correct?
               A Correct.
  7
                   المراجب سعدار
                                                                                                                         32050
               (Q And the last form is a two-page document for the '05-'06)
                        Not therefore between their terms and the first fermion and the second second and the second
                        year which was not signed by you; correct?
                    ુ
               A Correct.
                1000 mar 100 m
10
               (Q Who did sign that?
                 -----
(11)
                 A The former superintendent, Dolores Gibbons.
                 Q And that was your immediate predecessor here?
 12
                 13
               A Correct.
                 Larin and a contract of the co
 0. 1
 14
               Q What do you understand the purpose of these forms to be?
                (15)
               A These are the legal validation that you are meeting state;
                                                 16
                        and federal compliance for -- not federal, I'm sorry.)
                          ja suur eulisen. Siinnessissi ajalentuusiaasiusiennusta ka serittusta – siinnessiisten siinnissiisia aarkiisia
17
                         State requirements for the program that you're responsible
                           and the second of the second
                                                                 98 <del>5</del>8
                                                                                                                                       2000 50 50
18
                         for.
19
               10 The program of basic education for your students?
                201
               [A As defined in these laws.]
               Q Okay.
                                                                       FE 18792
  .....
 21
                Year need of
                                                                                                                           (EXHIBIT NO. 269 MARKED)
 22
                                       23
              (Q (By Mr. Clark) Do you recognize the document that's been
                                                                                                                                  N MARKE SUPPLEMENT OF BOOKS OF
                           24
                         marked as Exhibit 269?
25
26
              A Yes.
```

www.seadep.com

```
Page 67
                                  Q The cover page is an e-mail from you to Jennifer Priddy and
                                     Bob Butts at OSPI?
                                       and the second second second
                                  'A Correct.
                                  ----
                                                                                                                            Q And you also provided the enclosures to the cover page as
                                                                                                                                                                          5
                                                     well?
                                                6
                                 A Correct.
                                                                                                                                                                                     .....
                                10 Who developed the information that was on the enclosure
                                                           SUCCESSION OF STATE STATE STATE STATE STATES STATES
                                                    (pages?)
      · 8`:
                                         _____
       191
                                   'A The Business Office for the Renton School District.
                                    10
                                  Q Mr. Moore's group?
                                    , di — _______
   11
                                   A Correct.
                                   Same continues of the Lance of the continue of
 12
                                   Q Did you review -- strike that.
                                     Did you have any input to the information that's
                                                                         Did you have any input to the information that's
    131
                                                         14:
                                                  contained on the attachments?
                                                                                            H HANGE
    W ...
    15
                                   A Yes.
 16
                                   Q For example, with regard to pages 2 and 3 of Exhibit 269,
                                                           THE RECORD FOR MARKETS REPORTED THE RESIDENCE OF A SECURIC PROPERTY OF THE PRO
   17
                                                           the Message to Legislators and the data that's contained
                                                     -present a second a second as proper product and the second and th
.18`
                                                     under that, did you provide input to the information that's
                                                      19
                                                   contained on these pages?
                                                                  A I did.)
    20
                                   21
                                   Q What did you provide?
                                  A I provided the outline for the message for the
    22
                                                  Communication
    231
                                                        communication.
                                               24:
                                  .Q The seven points?;
25
                                                               AND AN IN MALES INVOLVE WILLIAM MILES OF THE STATE OF THE
                                                                                                                                                                                                                                                                                         A The seven points. And requested the analysis that you see
```

```
Page 68
                                         with the data with the numbers that were provided by Rich's
                                               office.
    3
                                     one management to the contract of the contract
                            Q And that would be with regard to the analysis of local
                                            costs and excess of funding?)
     \langle 4 \rangle
                                    and the state of the state of
    5
                               A Correct.
                             Q The Washington Learns Funding element that's contained on
                                                 programment of a second second second second
                                            ithis page?
                                  .8
                            A Correct.
                                 191
                             Q And it goes over -- the information anyway goes over onto
                                    the next page with regard to unfunded mandates --!
   10
                                                                                                                                                                                                          28 No. 10 16 N<del>-2116</del>0
                                 (11)
                               A Correct.
                                O -- see attachment?'
                                                                           :13
                                                                            Which of the attachments indicates the unfunded
                                                  mandate of $8 million?
                                      بورورون الرواني المستعور المقالون المتارية فالأس المتأثير
    L . .
15
                             A Are you talking about the reference to the Washington;
                                           16
                                              Learns Funding?
                                        and the second contract of the second second
                            Q Well, maybe I am. It depends, I guess, on what the
                                                     document means. But on page 2 there is a segment that says?
18
                                                    and and the first of the comment of the property of the first of the contract 
                                             Washington Learns Funding and has current budget, proposed
 19
                                                     and a part of the same and a part of the contract of the contr
   20
                                             (allocation and difference, and then over on the next page)
                                                product to the course of the c
                                                 of the exhibit there's a line that says Unfunded Mandates
21
                                                                  of $8 million, See Attachment.
                                                                       23
                                                                                'And my question is, what's the attachment that refers'
                                                                              241
                                             to this $8 million unfunded mandate?
25
                                                                                                        26
                              A Well, it looks like what you have attached is the beginning
```

Page 69 The second secon /1. of the list of costs that were generated that are mandates 2 that funding is not provided locally. 3 'So this was an effort to begin listing various! components that costs money to the district and money is not provided. I do not see -- this is 2002-3, 3-4 and 4-5. ∍ 5Ì 61 I do not see the tally that got to \$8 million. $\sqrt{2}$ and the control of the first of the first of the first of the control of the first The tally for the costs for '04 and '05 which are the last 8 two pages of the exhibit is not filled in with amounts, and: Property of the control of the contr 9 the tally for the two prior years you mentioned that are <u>untilizado i electroperopero establista establista entre la relevida de la compansión de la parte e en el co</u> 1.0 included in the attachments of this exhibit don't add up to ai \$8 million. 12 A That would be a question again for Rich Moore. The Message to Legislators on page 2 of Exhibit 269 says, 131 "The State funds 74% of Renton's teachers." 14: 15 Does that mean that of the total compliment of 16 teachers that are being analyzed, the state only provided; and the second s 17 funding for 74 percent of the total number? 18 A Correct. 19 Q And so, 26 percent of Renton's teachers, if I understand receptor a comparative of the comparative compared a scalar and the compared as 20 this correctly, were being paid for out of local funds? (21) Or federal dollars. Q Or federal dollars? 231 A Correct. AND THE PARTY OF THE RESIDENCE OF THE PARTY 24 Q Okay. Do you know how many percent of Renton's teachers 25 26 for the period that is the subject of this message to

```
Page 70
                                                                                                                                                                                                                                                     2 PART SES SES
                                                                         legislators, how many of those teachers were funded by
        1.
                                                                            ____
                                                                                                                                                                                                                                                                   30.35
                                                                                                                                                                                                                                                                                                                     9888
                                                                         federal dollars?
                                               A I don't know, but Rich has that information.
                                                  CONTRACTOR OF STATEMENT CONTRACTOR OF STREET, STATEMENT STATEMENT OF S
                                               Q Okay. Do you know if it was something under 10 percent?
        5
-
6
                                              A I don't know.
                                                                      Is part of your message intended to be that the state
        7
8
                                                                   should provide the funding for the teachers that are being;
                                                                    funded by the federal government?
                                               \pm 0.5\% . The supplies the definition of the supplies \pm 0.00 and 
                                          A No. The message was an effort to make sure there was an
                                                   The second discourse and the second s
10
                                                                   understanding of the impact to passing COLA and the legal
                                                                    " سيد د "معلمون مشاهد المشاهدية المساهدية المساهدية " " الماهدية المساهدية المساهدية المساهدية المساهدية المساه
111
                                                                     interpretation of all means all and what it doesn't mean
                                                                             .12
                                                                   that provides for the state not funding that increase and
                                                                     13
                                                                   (not falling on local shoulders.)
                                                                                                       and the second of the second s
        'acces
                                                                                                                   So this was an effort to localize the impact with
14
                                                                                              , alamanda an arrival and a sala a
15
                                                                    information regarding what it costs locally when decisions
                                                                         16
                                                                         were made in this case about the COLA.
                                                                              (17)
                                                                        Okay. Does all the information in the message to;
                                                                                  s <u>galling a state weather a transport and a same a state a same and a same a s</u>
 (18)
                                                                    'legislators pertain to the COLA issue?
     19
                                               A No.
                                               Q Okay. That's what I wanted to find out. The first point
     20
                                                                            المستعقب والمتراوين فالمتنافضون والتنافض والمستعددات المتعددات المتعددات والمتعددات
(21)
                                                                   (that the state fund 74 percent of Renton's teachers was not)
                                                                          randi di marendana continuanda mendorada rang cin mandala a modulenda a cineda a randi a
     22
                                                                   intended to pertain solely to this COLA issue; correct?
                                                       regional respective design and the second se
     231
                                             A Correct.
                                                          24
                                               Q I mean, leaving the federally-funded teachers aside, what
                                               Larry on on
                                                                                                                                      THE MEN HAVE AND THE PROPERTY OF A STATE OF THE STATE OF 
25)
  26
                                                                   point No. 1 says, and correct me if I'm wrong, is that the
                                                                                                                         IN IN THE REAL PROPERTY OF THE PROPERTY OF THE
```

```
Page 71
                                                                                                                                                              ceracionale casa casas, sescionario, c
  1 2 3 4 5 6 7 8 9 10 11
                                           state provides funding for 74 percent of Renton's teachers,
                                               (but it should provide funding for all of them; is that what)
                                                (the message is intended to convey?)
                            (A No.)
                                                                                                                                      Q Okay. What higher percentage of Renton's teachers then
                                               ______
                                            should the state be funding if it's supposed to fund more
                                               'than 74 percent of Renton's teachers?
                                               I don't have that percentage. I don't have that answer.
                                                       NOCIO-LINEA DEL PROPERTO DE LA CONTRACTOR DE CONTRACTOR DE CONTRACTOR DE LA CONTRACTOR DE CONTRACTOR
                                           (It's an effort to provide information about what they do)
                                                   and the contract of the contra
                                            fund and the impact to decisions that they make locally.
                                                                          كالمراب المستنب المستنب
                                                                             So the analysis of local costs and excess of funding
   Aug g
                                                                         12
13
                                             at the bottom beyond the COLA issue was to try to
                                              demonstrate that and the impact just on Renton so they had
                                                so a salaring algorithm and switcher the Control of the Control of
(14)
                                                data and information to use in their decision-making.
                                           Armen a meret in a manager and a second and a
  1
   15
                            Q Okay. So I take it then that part of the message to)
                                              , en la fille de la companya de la la la la la la companya de la companya de la companya de la companya de la c
                                           legislators and that which is reflected in Point 1 here,
    16
                                               17]
                                           were you intending to tell the Legislature that the state;
                                                  <u>linggi territari galanggi katangga magapangga langga katangga katangga si milingga katangga katangga katangga</u>
   18)
                                            should be funding more than 74 percent of Renton's
    19
                                           iteachers?
                                             A No.
 20
 (21)
                             Q It was just a piece of information you were providing?
                                             The second secon
  22
                               A Correct.
                                740 (
  23
                                Q Do you believe that the state should be funding more than
                                            and the second of the second o
                                            74 percent of Renton's teachers for the period that is
    24
                                                                                                 3007 300 374
                                                                                                                                                                                                                   $55458 W W D D
   25
 26
                                             encompassed by this message to legislators?
```

```
Page 72
   1
               A Yes.;
 3
3
4
5
6
7
8
                         ____
                          Why do you believe that?
                A The Washington Learns and studies before that identify what
                          the needs are and what needs to appropriately identify what
                           grange and the state of the sta
                        basic education is, and the analysis at the bottom reflects;
                         the difference in cost applying the Washington Learns
                          research.
                                 86 -8 -8<u>-828 8</u>
                                          So having the Washington Learns turn into the basic;
                                         funding task force and realizing that huge difference is:
                         10
                        part of the dilemma of how do you fund it.
                              (11)
                                            So again, I wasn't making a statement about what that)
                                         California a companion of the companion 
12
                        is or declaring what they should or shouldn't do. It was
                          i mang pagagan at a mang pagagan ang mang m
113
                         to provide factual information about impact before they;
                                                                                                                            500
14
                          made decisions.
                          15
                          I see. Okay. So, for example, Point No. 2 which follows?
                           16
                          on the 74 percent figure in Point No. 1 states that every
                          17
                          time the state grants a parenthetical needed COLA, Renton
                          )а - ка жарыуды жер мун жырыстын жекимтеретериялу<u>алына кыргызын арылынын 1111 г. ж</u>ырынулык жүрименин жырыудын б
18
                        (must match the COLA for the remaining 26 percent of our
(19)
                         teachers?
                         20
                A Correct.
 21
                          Okay. Why does the state's granting a COLA for teachers
 22
                          require that Renton in effect provide the COLA for in this
 23
                          case 26 percent of its teachers?
                 A Why?
 24
 25
 26
                          Yes. As I understand Point No. 2, does it state that the
```

Page 73 ı. state grants a needed COLA, but it only applies to 74 2 percent of Renton's teachers? 3 There's only enough funding provided to the district based on the allocation of the way they do the funding formula 5 that covers 74 percent of our staff. So in order to apply 6 the COLA, local dollars have to be used for what the state 7 allocation model does not fund. ·8) 'Q Why does the state allocation for COLA not cover all of the S N N N E DOCCEDAD WAS ENGINEERED IN PROPERTIES. 10 MI IS teachers in the district? rigis in including the sea of the constitution of the season of the constitution of the constitution in the constitution of th 10: A Well, for example, the model doesn't include a music and the second control of the second control 11) teacher or the federal positions for special education, and 12 'so there's not enough money given in the model allocated; 13 for the COLA increase that requires locally you to use and T 'local dollars to make up the difference.' 14 The state of the s 15 Q For example, the district has to make up the difference for er a un occasionare a communication a communication of the communication the COLAs the state grants to teachers, Renton has to make 16 17: up the difference in COLA for those federally-funded 18 positions because the state doesn't provide it? 19: A If you look at the bottom, the very first Instructional و مستورد و السناد الله الله المستور و المستور و المالية الله المالية المالية المالية المالية المالية المالية ا 20 Staff and Materials, it lists some of those impacts for TOTAL STATE OF THE 21 K-12 counselors, librarians, elementary band, orchestra, (22) music, those are not positions that the state provides: 23: funding for. They're not in the 74 percent. CHES SECRETAL LAND OF RE SELECTION OF 241 What are you referring to when you say look at the bottom? 25 A Under the Analysis of Local Costs in Excess Funding, that 26:

BULKY SUB

CASE# 07-2-02323-2 Sea

SEGMENT ____OF ____

```
Page 74
                                                                                        erpresentating period islam semingua emer and all semin electron a problem el kong
                                                                  very first category, the approximate costs and what we!
        (2)
                                                                        per la reconsiderata Terrencia proporti de la compressión del compressión de la comp
                                                                    receive, and then the difference of the impact to us.
                                                                            . - "XX" I fire" I carte "carrent lane" "I farmence I" "el "" "en e l'ambient carre "Illette fine
                                                Q Okay. You're talking about the entry for teachers, and the
                                                                       المنافع والمنافع والمنافع والمنافع المنافع والمنافع والمنافع والمنافع والمنطوع والمنط والمنطوع والمنطوع والمنط والمنطوع والمنطوع والمنطوع والمنطوع والمنطوع والمنطوع والمنطوع 
                                                                     examples are elementary band/orchestra, music, PE, K-12
                                                                         5)
                                                                     counselors, and K-12 librarians?
                                            A Correct.
                                                                       Q Those are the positions for which the state was not
                                                                        Million Control of the Control of th
        (8)
                                                                 .providing the funding for the COLAs?
                                                   O MICATER, MORA EN REPORTADA PARA EN P
                                            A Examples of positions for which the allocation model did:
                                                                  of series and the series of th
 10
                                                                   not provide enough to cover all of our teachers.
                                                         11
                                            Q This does not include the federally-funded positions?
                                                                                  12
                                             A This example does not, but the 26 percent does.
                                                randa, la roja da rojama degrata della parta della persa della constanta della constanta della regiona della r
 13
                                            Q Okay. So the 26 percent comprises those teaching positions
                                                                     year make an extension of the contract of the 
     14
                                                                           or instructional positions that the federal government;
                                                                            and the compact of the latter common material of the first of the compact of the 
  15:
                                                                   funds and those positions which the state does not fund
                                                                   under its definition of basic education; is that correct?
 16
                                                                                                المنافع والتقور والمنافع المنافع المنافع المنافع والمنافع والمنافع والمنافع والمنافع والمنافع والمنافع والمناف
      17
                                            'A It's the positions that the allocation model does not allow
                                              18
                                                                     for covering those necessary teaching positions.
                                                           walled
 119
                                            Q Okay. What positions can you think of other than
                                                                 elementary band/orchestra, music, PE and K-12 counselors
   20
                                                                          TO MARKET REPORTED TO THE REPORTED BY THE PARKET OF THE PA
                                                                  and librarians are included in the ones that the state does'
                                                                         3834 88 34088
                                                                                                                                                                                                                                                                                                                                                                                                                           38.80
     221
                                                                  not provide funding?
                                                                        MATERIAL CONTRACT OF THE PROPERTY OF THE PROPE
     23
                                                A Title 1, Special Education, English Language Learner.
                                                              and the second of the second o
                                             Q Title 1 and Special Education, those are federally-funded
  124
 25:
26
                                                                  positions?
```

```
Page 75
                           A Correct.
                                  NAMES AND ADDRESSED AND ADDRESSED ASSESSED AS ADDRESSED AS ADDRESSED AS ADDRESSED AS ADDRESSED AS ADDRESSED AS
                              Q How about the ELL ones, are those federally-funded?
                                    A Title 3.
                           Q Title 3. How about staffing the LAP program?
                            A State-funded.
                              Q Those are state-funded?
    6.
                          A Mm-hm.
                          Q For those positions does the state provide the COLA money?
                                              in the second second
                         A I don't know. I believe LAP is an allocation formula that
    . g
                                                  :101
                                            is just an allocation model for the districts to allocate.
                                              The same as a supposition of the same of t
 11
                         Q In other words, you are provided with sort of a block grant
                                               responsibility of the second of the contract of the second of the second
  ಶಾವ–ಾಗಿ
 12
                                               of funding under that category and the district hires!
                                            The state of the s
13
                                               whatever staff it hires either within that funding or with
                                                  14:
                                                funding from another source?
                                 0 50 00X
                              A Correct.
  15:
                             The rate of the transfer and the second property of the second prope
 16
                               Q So the state provides, you know, literally a block of
                                                   annes a Maria Mar tan as Maria Maria (Alban terma proposition to the first terman
  17
                                              funding and you match the staff requirements to that:
                                                    N 7 137-1 1 137-1 2
  18
                                            funding?
                                                                                                                                                                                               A selement
                                                                                                                        -----
                          A Mm-hm. And therefore to try to answer the question, I'm
19:
  (Lengt
                                                . Higher marke and the course of the market course of the 
                                            not certain that LAP dollars increase in the allocation
-20
                                               21
                                            model based on the COLA increase that would apply to
                                             staffing. So it could fall under the local requirements.
  22
                                                   23
                                                I'm just not sure.
                                                                      02028
  24
                                             You're just not sure, okay. In Point No. 7 you say,
                                                   251
                                                                                                                                                                      3 1000 200 100
                                            "Please spare us from any more unfunded mandates."
   26
```

```
Page 76
                                                                                                                       200
                                                                                                                                                                                                                                                       713
                                                                                                            The unfunded mandate with regard to the COLA is what?
                                                    regional to page the Marine a section in the section of the sectio
                                       A The additional funds that we locally have to generate in
                                                               the pro-manufacture of the contract of the con
       3
                                                             order to meet any laws they pass about increasing cost of
       4
                                                                   ·living.
                                                        عد. ويد مندس
                                                                                                                                                                                5
                                                                   So when they, "they" being the state, enacts a COLA that
                                                           and the control of th
                                                            will apply to staff within the district, the problem, if I
           6:
                                                                "also processes and the first of the control of the
                                                             funderstand it, is that that COLA money will only be
       .-.
. 8
                                                                   and the first of the second of
                                                               provided for the state-funded positions?
                                                                  9.
                                        'A Correct.
                                             Q Leaving the locals to either -- well, leaving the locals to
    10
                                                                        Commence of the state of the st
 11
                                                            come up with other sources of funding to cover those COLAs?
                                                    . Albertalis - Theory of a feature of the control o
    12
                                        A Or to cut positions in order to be able to use the funding
                                                                     13
                                                           from the position to pay for the difference.
                                             200000
                                         Q Okay. In your tenure as superintendent has the district
    14!
                                                              15
                                                            ever cut positions in order to cover the COLA --
                                              16)
                                         A Yes.
                                           حمود والمراجع المراجع المراجع
 17
                                        Q -- expenses?
                                         Landon Company
   18
                                        A Yes. Year one.
                                             river see anotherment riverse. Tourist it must be read in the read that it
19
                                        Q How many positions were eliminated in order to accommodate.
    20
                                                                    31<del>4</del>043 11 11 1
                                                                  that?
    21
                                        A Thirty-three. To accommodate the budget, COLA was a
                                                                    22
                                                             portion of that budget.
    23
                                            Q Thank you. Turn to page 4 of Exhibit 269. It's the chart
    24
                                                                    for Average Salary and Benefits Compared To State Funded
     25
    26
                                                                    Units and then Historical Unfunded FTE rendered.
```

```
Page 79
                O Now the district of course does have the latitude to hire;
                            CONTROL CONTROL PERSON OF SELECTION OF SELECTION OF SELECTION OF SELECTION OF SELECTION SERVICES.
   2
                          more staff for its district than the positions that are
                             3
                           funded by the state; isn't that correct?
                              Correct.
                           nena elect.
  5
                Q The columns on this page, on page 4 of the exhibit, for
                           and the second control of the contro
                           certificated administrative FTE and classified FTE are
   7
                                      and a signal activities of these of these and the contract property of these a graph temperate plant of the
                           rendered in the same way as the certificated ones, that is
                            (8)
                          the funded ones are the positions that the state pays for
                                           ب المحالية في الأستان والمستان والمستان والمستان والمستان والمستان والمستان والمستان والمستان والمستان والمستان
                           and the actual cost numbers are for those numbers of staff)
   91
                            region electric regerges a region of coloring a static and recommendation of
10
                          that the district actually goes out and hires ---
                                                                                                                 the state of the second second
 11
                A Correct.
               12
                Q -- above what the state funds?
                13
                 A Correct. Or below -- !
                    14.
                  Q Or below.
                    - provinces of the province of
15
                A -- as you can see in the administrative list.
                                              16
                 Q Okay. I do see what you're saying.
 17
                                               Turning to pages 5 and 6 and 7 and 8, these are the
 18
                            school district's annual costs under a series of
 19
                            inadequately or unfunded mandates that arise as a result of
 20
                            state, federal or local requirements?
 21
                 A Correct.
                          Did you have any input in either listing the inadequately
 22
 23
                            or unfunded mandates themselves or the actual costs
 24
                            associated with them?
 25
 26
                 A No. Just a request to start generating what those things
```

```
Page 81
   1
           Q As you look down the list of the underfunded or unfunded
   2
                  mandates are you able to identify for me which ones are
   3
                  federal, which ones are state, which ones are local?
   4
           A Do you want me to go one at a time?
   5
                 If you can. I mean, whatever is the more expeditious way
   6
                  of approaching it, you tell me.
  7
                 Election costs are local. Audit costs are state.
                                         MS. MOORE: In terms of meaning, sorry, local
  8
                  requirement? I'm sorry. Did you mean -- I misunderstood.
  9
10
                               So did you want her to identify the reason for the
11
                  requirement being a federal, state or other requirement by
                  that jurisdiction or how we're funding it? Because I mean,
12
13
                  I think the assumption is these are local costs that are
14
                  funding it.
15
                                          MR. CLARK: Maybe I'm not understanding it.
                                                                                           16
          Q (By Mr. Clark) Is the listing here a listing of state,
                                                        17
                 federal and local mandates that are inadequately funded or
18
                 not funded at all?
                    . المستحددة والمال المراجع المحادث المراجع المحادث والمراجع المراجع المحادث
                                                                                                           119
          A Yes. So an example is audit costs the district $25,600,
                    ig derivat kanistruming and salikuda i a geografica kanistruming vertegation salikula vertegation salikuda kan
(20)
                 the state requires those audits, the district has to pay:
                   21
                 for it, so it's an unfunded mandate.
22
          'Q From the state?
           2 55°
23
          A From the state.
                        The state of the s
                                                                                     24
                 Okay. And you identified election costs as a local. Give
                     25
26]
                 me the same response with regard to why that's a local one.,
                                                                                   . ...
```

```
Page 82
                           BLOW STOLEN PROOF NAME OF STREET
    A Well, the local School Board general election, the primary,
                 all our levies and bonds, those are costs the district
       lincurs for meeting local requirements.
                     :______
    Q For elections, for school levies and the like?
(5)
    A Right.
 6
     Q Do you know what the nature of the mandate is for the sales
 7
       tax?
8
    A I don't.
                 That's a Rich question.
9
    Q Okay. Do you know what the nature of the sick leave
1.0
       buy-back legislation is?
11
    A That's the requirement in legislative changes for buying
12
       back sick leave.
     Q So if an employee reaches a certain amount I guess on an
13
14
       annual basis and they exceed that amount, you know, it's
15
       not use it or lose it, there's legislation that says, you
16
        know, you buy a portion of it back from the employee at the
       employee's option, I take it?
17
18
     A At local cost.
19
     Q Okay. I'm trying to look at the -- I know they all add up,
20
       but I'm trying to look at the six-figure ones. For
21
       example, those individuals with disabilities act on page 5
22
       of the exhibit, student program and facility accommodation
23
       of $174,000, what is the nature of that mandate?
24
     A Again, Rich is better for the details for what generated
25
26
       that number. That would be an example of federal
```

Page 84 1 Q Is that a federal mandate? 2 A Yes. 3 Q If I wanted to know, you know, just go down the list one by one and know the nature of the mandate as opposed to federal, state or local, I quess I should direct those 6 questions to Mr. Moore? 7 A Yes. Q Okay. Now is it the position of the Renton School District 8 19 that each of these underfunded or unfunded mandates, 10 whether they're state, federal or local, that the state n
mathred n and generalized $n \in \mathbb{R}$ and their problem n defined and $n \in \mathbb{R}$ and $n \in \mathbb{R}$ (11) ought to be paying them instead of the district having to) 322 31231 33 12 use local funds to pay them? 13 (A No. That was not the position or the intent of this. It) 14 was really to again try to provide information about local رسية البلاد الدعم الدعواء المعار المدرية عصاد الأعماء الطيل العبد الرجوات المعار (15 burden to legislators before they made decisions on g soldenia e mandria estado estado estado e talo e talo e talo estado estado estado en calcular e talo de esta additional well-intended legislation that they couldn't 16) Andrew Burkers of the second (17)provide funding for.; and Prome and the filler and Grand Committee 18 Q So the purpose of this document was not to convey to the (19⁾ Legislature that these are underfunded or unfunded mandates 60 (99) Section in the section belong sections sections section between both sections and section section and section sections are sections. 20 that the state ought to be picking up? A No, that was not the intent. 21. to the second control of the second second If I could ask you to turn to page 8 of Exhibit 269, before 22 23 the total amount. I'll wait for you to catch up to me. 24 There's an item for special education that's in excess of 25 26 \$5 million. Are we on the same page?

Page 85

- A I can't see the numbers.
- 2 You're there, though. That's what I'm trying to line up.
- 3 A Yes.
- Do you understand what this special education mandate is 4
- that is inadequately or underfunded or unfunded, rather, as
- its rendered here, what that refers to?
- A This is the amount that is the local subsidy for providing 7
- special education services to our students with 8
- 9 disabilities.
- 10 Q And if I understand it correctly, it's the difference
- 11 between your reported expenditures in program 21 for
- 12 special education and the categorical special education
- 13 funding that's provided by the state, is that what this
- amount reflects? 14

as madalas en marque

- 15 That's the additional cost after we receive state A Correct.
- 16 and federal dollars for students with disabilities.
- 17 For each special education student the state provides a
- المراسية المستر والمستوي المتعالمة والمستوارة 18 'basic education and allocation for that student; correct?) 377 335
- /<u>1</u>9\ A Correct.
- 20 Q It also provides an incremental categorical amount of)
- 21 funding for the excess cost allocation; correct?

S 8 5 2000

- 22 A Correct.
- 23 Q If I understand it, this amount, the special education
- 24 \$5 million or so amount of underfunded mandate, represents
- 25
- 26 the difference between the expenditures for special ed.

```
Page 88
                              superintendents, with the business organization, not just
     1
     2
                              internal hand it to me. So it may have been used in other
     3
                             venues.
                    O Okay. There's a date in the lower right-hand corner of
     4
                              February 13th of this year, 5:22 p.m. next to it.
                              the date that this information was put together?
     6
     7
                   A I don't know.
     8
                    Q It may just be a printout date?
     9
                   A Yeah, possibly.
 10
                Q I don't see on Exhibit 270 as an example of an unfunded or
                             11.
                           underfunded mandate. Underfunding of certificated staff,
                                 The state of the second control of the secon
12
                            other than substitute and administrative, I don't see
                              13
                            certificated instructional salaries, for example, listed as
                            and the same of th
  14:
                            something that is an unfunded or underfunded mandate; is
                              15
                               that correct?
                     Land the second second
 16
                 A It's not here.
17
                  O Do you believe that that category represents an unfunded or
                                                                                                                                                                             101 101 101
                             part House or servere extreme.
18
                            underfunded mandate?
                  A Yes.
 191
 20
                  Q Is it one of the top ones?
                                444 44 (4.702,77) 7.704(4.70
                  A Likely.
21
                                                                                              D. S. F.
(22)
                Q Do you have any idea as to why it's not listed as one here?
                                                                                        300
                                                                                                        2 999
                                                                                                                                                               23
                A No.
  24
                    Q When it says underfunding of classified average salaries or
 25
 26
                              underfunding of certificated administrative salaries, both
```

Page 89 have dash BEA only after them, do you understand what that 1 2 reference is? A I believe it's without benefits. 3 O So you believe it's --4 A I think it's the BEA costs only, but I'm not sure. 5 Q And the category Unfunded Sick Leave Buy Back is the same 6 category that we discussed in connection with Exhibit 269? 7 8 A Correct. O Exhibit 270 indicates that it's based on the 2008-2009 9 10 budget? A Mm-hm. 11 The budget, is that the F-195 document? 12 13 A Correct. 14 So actual results may vary from the figures that are 15 represented here? A Yes, which would be reflected in the F-196. 16 Which we don't have yet for the '08-'09? 17 18 A Correct. Those aren't finalized until some time in the mid to 19 O Okay. late fall in the given year; correct? 20 21 A Correct. MR. CLARK: Why don't we take a short break. 22 23 (Recessed at 11:44 a.m.) 24 (Reconvened at 11:55 a.m.)

'26 Q (By Mr. Clark) Before we go on to my next block of

SEATTLE DEPOSITION REPORTERS, LLC (206) 622-6236

25

```
Page 90
     1:
                                           exhibits here, part of the information on the report cards)
                                              in consumer consumeration of the consumeration of the consumeration of the consumeration of the consumeration of
      2
                                           that we were looking at, and feel free to look back at them;
  ,=/
,3)
                                           TO SERVED AND A COURT PARTY OF PARTY AND AND AND AND AND AND ADDRESS OF THE PARTY AND AND AND AND AND ADDRESS OF THE PARTY AND AND ADDRESS OF THE PARTY AND ADDRESS OF THE 
                                             if you need to, they reflected WASL results.
                                                                  The second of th
                                                                          (And my question is, are you satisfied with the WASL)
                                           and the particular state of the second of the second second second second second second second second second se
                                           results for your students as were reported, for example, on)
                                                 6
                                             the last year for either -- I don't know if it was '07-'08'
                                             Angelian y grang periodi are<del>tali iya</del> periodiya kira 7500 ki
                                           or '06-'07 on the WASL?
                                 8
                          A Am I satisfied with the results?
                               9
                            Q Yes.
                                 10
                           A Absolutely not.
                                  ци<u>, примения индриграмента с примениями и какон и комплекториями и и и и комплекториями и и и .................</u>
                              Q What are you doing as a district to improve those results?
11
                                 12
                            A That could be two hours. We are taking a systemic approach)
                                                 13
                                              to improving student achievement, building capacity of
                                               the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the co
14
                                              individual teachers with instructional tools and strategies)
                                               on and the contract of the con
15
                                            that are research-based to meet the diverse learning needs?
                                              16
                                            of the kids.
17
                                                                              Looking at the data and analyzing every step. This
                                                    a reaction of the formal and the second of the second of
                                            is a very high level look. Analyzing who the students are
18
                                                 19
                                            who met the standards, who exceeded the standards, who are
                                                and the second of the second o
 20
                                            below and who are very below.
                                                   finite tregger statement associate to be influence of
21
                                                                           Doing a response to intervention model for meeting
                                                       المنتقلة والمراجعة والمتعادة والمتعادية المتعادية المتعادة المتعادة المتعادة والمتعادة والمتعادة المتعادة المتعادة
  22
                                               the needs individually based on those results, using some?
                                                حيث المجين المعالم المساورة والمنافعة والمنافعة المنافعة المنافعة المنافعة المنافعة المنافعة المنافعة المنافعة
  23
                                              formative assessments, putting in place district-wide
                                                24
                                            analysis so that we can provide professional development
 25
                                            that has a common language of what quality instruction)
26
                                                                                                                                                                                                N N N N N 1 22 2
```

$j \in \mathbb{N}$		Page 91
(1)		looks like, what student achievement looks like regardless
(2) (3)		of what assessment is used, and making sure that we're all;
(3)		going in the same direction rather than islands of
4		excellence that absolutely exist in the district, but how)
(5)		do we do it as a team to meet the needs of 14,000 kids.)
(6)	ζQ	When you talk about islands of excellence are you talking)
7		about individual school performance?
$\sqrt{8}$	Ā	Correct.
4 (5 (6 7) (8 9	Q.	Are you also talking about the performance of the student)
10	H206	population broken down by ethnicity or economic
11		circumstances?
12)	Á	That's the kind of data that we dive into deeply, but I was
13		more referring to individual teachers that are exceptional
14:		La company to the first of the company of the compa
15		in helping students to meet standard and how do we learn
16		from the individual teams of teachers or individual schools
		that the data reflects amazing student achievement and how
17)	, .	do we capitalize on that as a system, as a district.
18	Q	Where is the district finding the resources to pay for the
(19)		programs and staffing necessary to improve WASL performance
(20) 	AVIDA I	by the students?)
21	$_{!}A$	Well, a variety of sources. One is federal funds working
22)		in partnership with OSPI through the School Improvement
23)		Assistance Grant and the District Improvement Grant, they
(23) (24)		now have labeled that the Summit Initiative, we are part of
25		
26		that process.

```
Page 92
                                                                              [We also have a lot of people who donate their]
                                                                             (2)
(3)
(4)
(5)
(6)
(7)
(8)
(9)
(10)
                                               personal time. I teach the assessment class for teachers
                                                and account to a company of the contract of th
                                               getting endorsements that I do to try to help. So some of)
                                               it is not dollars but time and expertise.
                                                 Are you able to provide those programs within your
                                                 currently existing resources from all sources?
                                       Well, with the resources we have we're implementing what we
                                                     S CLARE STO COLUMN THE STORY OF STREET, STATE STORY STORY STORY STREET, STATE STATE STREET, STATE STREET, STATE STAT
                                               can in a district this size. Meeting the diverse learning
                                                 needs of the adults to meet the diverse learning needs of
                                                     the students requires quite an outreach, so it's phased in)
                                               11
                                             over time to try to build that capacity as I don't have the
                                               THE RESIDENCE PROPERTY OF THE 
12
                                                resources to do that for all teachers immediately which is
                                               No diamento a comunicamente esta esta como e compresenta de la compresenta de la compresenta de la compresenta
13
                                                the need, but over time we will continue to strive to
                                               14)
                                                                                                                                                                                 NAME OF TAXABLE PARTY OF TAXABLE PARTY.
                                               accomplish that.
                                                   15
                              Q To get the accomplishments, okay. And have you been trying
                                                and green and transfer and tran
16
                                               to improve WASL scores since you became superintendent?
                                          My focus has been on improving the knowledge of what
(17)
                                             1.8
                                             students need to be able to do, know and be able to do,
                                                   و و المنظم ا
[19]
                                             among the adults so they can communicate that to the
                                                     '20<sup>'</sup>
                                                students.i
                                                                                                                     and action a secondarian we admitted the continuous
21
                                                                             The WASL part is really helping adults to understand
                                                                         The regiment of the contraction 
                                               how students need to reflect that knowledge on that type of
22
                                             23
                                               assessment. It hasn't been a focus to increase the WASL.
                                                                             24
                                                                                 It's to increase the demonstration of student;
                                                                                                                                                                             SECRETARION SEC SI S
25
                                                                                                                                                        26
                                               achievement, the WASL is one way to do that. And so, it!
                                                                                                                                                                and and the first of the first 
                                                                                                                                                                                                                                                                                 - ----
```

```
Page 93
                                                                                                                        (\overline{1})
                                            has not been an intentional focus on the WASL at all.
      2
                                                    to a solution of the contract 
                                                                           [It has been an intentional focus on the standards and
      (3)
                                                                      مع<u>رست و ما را به مستور</u>م مستورات من <del>معروستان و مستورات و معروستان و مستورات و مستورات و مستورات و</del>
                                            'making sure there's common understanding and focus on what'
                                             4
                                            (students need to know and be able to do.)
     (5)
                                               In short, it's an ongoing effort to improve student!
                                    ^{-1} ) respectively a constraint and the ^{-1} constraints of the ^{-1} constraints ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^{-1} ^
   6
                                               achievement and performance that may be reflected partially;
                                               Complement of the complete contract the contract of the contra
                                            by WASL results but is reflected elsewhere as well?
                                                                                                                                                                                                          9.2.2.2.9
                                              A Correct.
   (9)
                                           I want to go back for a few questions about the schools
                                               ender endergen de la company de la compa
10
                                            within the district. As you sit here today, are any of;
                                              111
                                            your school facilities in poor condition?
 (12)
                          A No.
 13
                           'Q As you sit here today, are any of your school facilities:
                                            38 ft 68
                                                                                                                                          38 1919 X
                                                                                                                                                                                                                                              8.8.3
  14
                                            'overcrowded?
     SEC 92
                                  R R R PROPERTY
   15
                           A Yes.
                              16
                               Q Overcrowded in what sense?
                                17
                             'A We have some classrooms that are taking place on a stage \
                                               and the country was a common of the control of the 
                                           area because of the lack of classroom space. We have very
18
                                                19
                                            creative uses of space for ensuring that there are programs'
                                                 y it was the an equipment of the agency of the approximation is a second of the analysis of the approximation of the agency of t
20
                                            in music and the arts that sometimes space has to be
                                               21
                                            shared. Our hallways are used.
                                                  22
                               Q Okay. The stage setting that you mentioned, is that for a!
                               - m -
   23
                                               particular type of class, a grade? What type of activity!
                                              Service of
24
                                               occurs in the stage area?;
                                                                                                      2000 To 8 7 N
25
                                                                                                                                                                                                            99.25 (84.14)
:26
                           A It is a classroom -- it is a set classroom. I believe that
```

```
Page 94
                                              tokan nen kana kalanga<u>a kanangka</u>n nen is neatab<u>lankan</u> ma
                                       it is for specific instruction in reading, but it is a
                                           teacher on the stage, desks in a classroom, tables,
                                         a decimal decimal
    3
                                       factivities. It's a classroom.
                                    ----
                          Q It's not an assembly-type thing?
                         A Well, it used to be used for those kinds of activities and
    5
6
7
                                         CONTRACTOR CONTRACTOR OF STATE OF STATE
                                        they had to use the space to accommodate teaching a class.
                                         the state of the s
                                         How many of your schools do you believe are overcrowded
     8
                                       !today?
    9
                        (A Two at the elementary level.)
                             gaza se)
   10
                        Q Any at the middle school level?
                            i and a light to the company of the settle of the company of the settle 
   .11
                        'A Well, our middle schools are very large. One of the three
                                        comprehensive middle schools.
 12
                                           -----
13
                        Q How about the high school level?
                            AND THE RESERVE OF TH
   _ ___
14
                        A No.
                             15
                        Q What steps are you able to take today to alleviate the
                                         16
                                       overcrowding at these schools?
                                17:
                        A Well, we were blessed with passing local bonds to help with
 386 E8
                                                                                . ....
18
                                       those things. You saw on the list some of the projects.
                                         1027010
 19
                                          We use our projections for enrollment and the increases,
                                         building an extension on one of our high schools because we.
  20
                                             21
                                        know that additional classrooms will be needed, additional
   22
                                         portables, trying to work on alleviating the overcrowding.
                                                      23
                                          To alleviate the overcrowding you've just described do you
                                           ettetelenna livan, a livee <u>en liveetasuuttaataataataataataataa kelikulli</u>iltan anata o liv
     24
                                          believe it's necessary to build a new school?
                                                                                                                                       25
  26
                       A No.
```

```
Page 95
                                                                         C 707 - 10775 257 70775-10
                        Q Could the overcrowding be alleviated by renovating the
                           /existing facilities?
                                               A That's what we're doing. Yes.
                           Q Do you have students who take classes in portable
     5
                                                                                                                                                      facilities?
                                       A Service A
     6
                                                                              585588854545
                         'A Yes.
                            'Q How many schools have portable facilities, for example?'
                           Carrier with a market of the contract of the c
                         (A Practically all of them. I don't have that number. Most
                                                     of our elementaries have portables. All of our middle
    (9)
                                                                                                                                                                                            إسر
                                            permutati and a sa a provincia della constantia della con
                                            schools have portables. I'm not sure about our high
  10
                                               11)
                                          schools. We could get that information.
                                    Q What is the condition of the portable facilities? Are they
1121
                                           ACCUSES TO A THE CONTRACT OF T
1131
                                         in good condition?
                                        S. 100
14
                                             Yes.
                                            15
                                            They're well-maintained?
                              16
                           A
                                        Yes.
                          Q Are you familiar with the concept of deferred maintenance?
 (18
                            A Mm-hm.
                               rancongr<u>i, Compres</u> , see co<u>mpres, ess</u> ,
                                                                                                                                                                                                                                         19
                         Q Does Renton currently have a deferred maintenance program
   laun'
                                                THE STATE OF THE S
   201
                                        in effect for its facilities?
                                            21
                        A I don't know that we have a written deferred maintenance.
                                                                                                                                    Again, we could get that information. We have had to make
   22
                                           23
                                         decisions on moving things based on funding and changes in
                                           24
                                         decisions.
   251
                          Q Overall, how would you rate the competence of your teachers
```

```
Page 96
1
2
3
4
        in your district?
    A Exceptional.
    Q How about your classified staff?
        Exceptional.
    A
    1Q
        The administrative staff?
6
    A
        Same category.;
 7
     Q Okay. At some point in time you became aware of the Basic
        Education Finance Task Force proceedings that were being
 8
 9
        conducted by the state; correct?
10
    A Correct.
11
                  MR. CLARK: Let's mark this one.
12
                                       (EXHIBIT NO. 271 MARKED)
13
     Q (By Mr. Clark) Exhibit 271, at least the cover page of it
14
        anyway, is an e-mail from you to a number of people and
15
        courtesy copying Jennifer Priddy at OSPI of March 23, 2008;
16
        correct?
17
     A Mm-hm.
18
     Q You certainly can have any amount of time to familiarize
19
        yourself with the contents of the exhibit, but my initial
20
        question is, did you prepare the cover memorandum?
21
     A Yes.
22
     Q All right. Attached to it is a three-page document that's
23
        called Development of SPI Finance Proposal.
        familiar with that document?
24
25
26
    A Yes.
```

Page 99 1 A Correct. Q And the legislators' proposals, so there were three. there any more that you recall that were presented? A No. Those were the three. Q Did your Board evaluate any of the proposals that were put forward to it as a result of the task force? 6 7 It was informational. Q In was informational, so the Board didn't take a vote on 9 which it might prefer or which it might not prefer? 10 A No. pane na mase n (11) Q Back to Exhibit 271. There is a reference to Washington; × − ° Eq. Matalanta and a contract the second and a contract the contract the contract of the contract the c 12 Learns in your e-mail to Dear Renton Leaders or; 13) correspondence. What are you referring to as Washington [14] Learns? <u>la desta presidenta de la carda de conserva de la carda de la car</u> 15 A The original study that reflected the Washington Learns, AND THE PROPERTY OF THE PROPER 16; same as in the other document of what is needed for basic; 17 education in that research, the governor's appointed 18 committee that turned into the Basic Education Funding Task 9 24 (19 [Force.] pamina matif 20 Q So your reference to Washington Learns is a reference to 21 the Washington Learns effort, the Basic Ed. Task Force, · ____ 221 it's kind of a genetic tag for the ongoing effort that began with Washington Learns but was continuing? X, «<u>....», ука инститительный принестительный принестительный принестительный дениестительный де</u> (24) That's correct. And that has been presented to the staff, 125 26 and so they're aware of the Washington Learns report. THE REST TO SEE THE PROPERTY OF THE PROPERTY O

```
Page 102
       considered?
 1
 2
     A No.
     O For example, did your district have any involvement in the
 3
        developing of a full-funding coalition proposal?
 4
             Not that I'm aware of.
 5
     Q Did it have any involvement in the development of the
 6
        legislators' proposal?
 8
     A No. I'm hesitating only because there were components of
 9
        proposals that I was asked about, but not in the full
10
        proposal or the presentation or any of the actual document.
     Q Okay. Were you on any of the Washington Learn committees
11
        or subcommittees?
12
13
     A No.
        Did you have any involvement with Washington Learns while
14
        you were still at OSPI?
15
     A Just the creation of it. Not personal involvement, no.
16
17
     Q When you say just the creation of it, what do you mean?
     A I knew it was happening. I knew the intent. I knew they
18
19
        were putting together the effort.
                 D N CONTRACTOR DESIGNATION ME SECRETARIO DE CONTRACTOR
(20)
    .Q At some point in time the task force came out with a
        21,
       recommendation and report. Did you review that
        22
        recommendation and report after it came out?;
                       SS 80
23
     A Yes.
                                       ولا متال المناسي ويندا سادينها بالمورد الم
24
        Part of the recommendation and report was for a new)
25
126
       definition of basic education; is that correct?
```

```
Page 103
  1
2
3
4
5
6
7
8
                     A Correct.
                       ete restantire data decembra data kandalari data kandalari data data data kandalari salari data salari data se
                                   As you understood it, what did the new definition of basic
                                     education include that was not included in the former or
                                     (current, I guess it is, definition of basic education?)
                                                                                                                                                                  Lots. I'll try to recall as much as I can. It specified
                               formulas for the allocation model for class size ratios.
                                                             It had an entire section on new certification and
                                                         All Carlotte and the contract of the contract 
                                  funding teachers at various levels and whole teacher
                                                                                                                           component of it, full-day kindergarten, funding counselors,
                                     10
                                  technology, security officers, various components of what
                                    A COLOR DE LE LIGIE CON LE LE LIGIENT CON CONTRACTOR DE CONTRACTOR DE CONTRACTOR DE L'UNE CONTRACTOR AUTORNAISE
  11
                                  the Washington Learns research and other studies and the
                                   produce the first control of the con
 12
                                  meta-analysis of that information provided was necessary
                                  13
                                 for a 21st century public school system.
                                                     Those are the things that stand out immediately. But
                                       <u>augrupius <sup>6</sup>-proprimentalis proprimentalis in minoria (minorialis) e in minoria in in minorialis in minorialis (minorialis) e in minorialis in minorialis (minorialis) e in minorialis (mino</u>
15
                                  I know -- I mean there were many, many components of what
                                       16
                                  the need is for a public school system.
(17)
                     Q Do you understand that -- did you understand, rather, that
                            18
                                  the recommendation of the Basic Ed. Task Force would
                                                                      19
                                  include early learning or pre-K as part of basic education?
                                    CONTROL CONTRO
(20)
                     A I recall that it was part of the conversation. What was
                                     21.
                                  included was full-day K, but I don't recall where it landed
                                   with the preschool portion.
 1,000
22
                                     Whether it became part of the new basic education or not,
  23
                                      24
                                    you're not aware of that?;
                                     25
                     A I don't remember that.
                                                     12 02
```

```
Page 104
                                                                                                                                                                                                                                                                                                                                                       ----
                                                                                                                                                                                                                                                                                      ___
                                       Q Under the current, you know, definition of basic education,
                                                                           (2)
                                                                   'is pre-K included in that?
        3)
                                                                           No.
                                                Q Do you believe that it should be?
                                                                                                               1<del>0</del>1 561
          5
                                                                                                                                                                                                               I don't know.
                                              AND THE PARTY OF T
        6
                                          Q Full-day kindergarten is not included in the state's,
                                                                  current definition of basic education; correct?
                                                             'A Correct.
        (9)
                                            Q Do you believe that that should be?
                                                                                  20 12070-014 M
,20
                                            A Absolutely.
                                                  11
                                            Q That is contemplated by both the task force report and the
                                                                            a the presentation product of the company of the co
                                                                  currently pending legislation; correct?
12
                                                      13
                                            A Correct.
                                                    and the same of the same of the same and the same and the same of 
                                                Q Do you believe that funding for highly capable students'
    14.
                                                                           15
                                                                  should be included in basic education?)
                                                 n recent
                                                                                                                                                                             16:
                                            A Yes.
 17
                                           Q Why?
 18
                                           A Because like other student needs, it is a specific diverse
    <u> Paralle Personal Paralle I Properti de la Computación del Computación de la Comput</u>
19
                                                                          learning need that needs to be addressed in the public
                                                                                                                                                                                                                                                                                                           a great transmission to the
                                                                                                                                                                                                                                     2004 NOTES
20
                                                                  school system.
                                                  THE CONTRACT OF THE CONTRACT O
21!
                                           Q You don't think that programs for highly capable students
                                                                                                                                 THE RESIDENCE OF THE PARTY OF T
                                                                   is beyond the scope of what should be provided as a basic:
    22
                                                                                                                                                                                                                                                  9866
                                                                                                                                                                                                                                                                                   (4) (4)(5)(5)
 23
                                                                  education?
   21020
                                             nemer unadime
 24
                                            A No.
 25
                                            Q You believe it should be funded categorically like we fund, .
```

SEATTLE DEPOSITION REPORTERS, LLC (206) 622-6236

```
Page 105
                                           والمراجع والمجار فتعلقه بمع معارف المحاج والأراج والأراء المحاجمين المراجع والمبارثة والمراجع بالمحاجم
   .1)
                                         say, special education?
     _
2
                                  A Well, I don't think we appropriately --;
                           erieta, de principal antiqua de la companya de la c
   . 3
                                         I'm not asking you to judge it on the quantity, but just:
   4
                                          the concept.
   [5]
                                         I don't have the analysis of the amount or what should be
                                                                                                                                   funded or the -- I think basic education should include all'
                                                      AND THE PARTY LAW IS NOT IN THE PARTY OF THE
                                      things that relate to addressing the learning needs of our
                                        diverse learning population which is dramatically different
    . 9
                                      from the definition that presently exists from 30 years
 10
                                       ago.
                                                                                                                                             A DE S SENGLESCON DE SESSEE DE DE SE
11
                                                                    And so, the example in the question with highly
                                          12
                                      capable is an example of that diverse learning need that
                                       sometimes is not talked about, that is part of what we need
   13
\overline{14}
                                          to address in public education.
                                        National paging contraction of the contraction of t
15.
                                        Is there a highly capable element of basic education
                            The following the state of the 
16
                                      contemplated in the current legislation?
                                 A Yes.
  171
                                         I want to show you a document here that you may have seen
   18
   19
                                         or you may not have seen, and I'll start with that question
   20
                                         for it when it's marked and provided to you.
  21
                                                                                                                                                                                              (EXHIBIT NO. 272 MARKED)
  22
                                                                                             MS. MOORE:
                                                                                                                                                       You'll explain this?
   23
                                                                                              MR. CLARK:
                                                                                                                                                  Yes.
  24
                                         (By Mr. Clark) Again, I don't know if you've ever seen a
   25
   26
                                          copy of this document before or not. It has production
```

www.seadep.com

```
Page 106
    1
                          numbers that indicate it came out of OSPI. It's from
     2
                          JoLynn Berge to a variety of distributees, you're not one
     3
                          of them.
                                           Vickie Damon here, though, is one of the persons
                          listed in the "To" line. My question, first of all, is do
     6
                          you recall ever seeing a document like this before?
    7
                A No.
  (8)
              Q I'll just ask you a question that has reference to the
  9
                          document but is independent of the document as well.
                                       10
                                          On the first page of Exhibit 272, JoLynn tells her
                               11,
                        distributees, "Please remember to send David your analysis)
                          (12)
                        of total ELL expenditures versus state ELL funding, and
 year re
                            ______
                        what the 'gap' amount is."
 13
 or a parameters are a large to the contract of the contract of
                                         Then she says, "This amount should not include any;
14
                          THE RESERVE OF THE PARTY OF THE
(15<sup>)</sup>
                        cost of basic education for ELL students, only the
                          _____
16
                         additional costs for this population."!
17
                         v s same n<del>ame <u>da viza</u>va.</del>
                                         Do you understand what is meant by that sentence?
[18]
                        Mm-hm.
                          Land Committee
(19)
                       What is it?
                       Well, there's a BEA amount that all kids are basic ed.
120
                            21
                          first, whether it's ELL or special ed., and then there's an
                         221
                         enhanced amount to try to help address those needs. And
                          23
                          so, she's asking for the gap between the enhanced amount
                          24
                          and what you spend locally.
 25
26
              Q Okay. So, in essence, she's telling them for the ELL
```

```
Page 107
                                                                               NO SERVICE AND AND AND ADMINISTRATION OF PERSONS
                                                                                                                                                                      expenditures, you should segregate those that are being
                                                                                     paid for by the ELL categorical component, if I can call it
                                                                       (that, and not include basic education costs?)
                                                                                        MS. MOORE: So we're clear, you're asking her to
                                                                           15
                                          speculate about what JoLynn is asking about?
                                                        F NO PERSON NO PERSON PROPERTY AND AND AND PROPERTY OF THE RESIDENCE OF THE PROPERTY OF THE PERSON O
    . 6
                                                                                              MR. CLARK: No. I'm asking her to elaborate on
                                                                                                                     the answer she just gave.
     8
                                                                                             MS. MOORE: On her answer she gave, okay.
                                                                                                                                                                                             THE REAL PROPERTY AND ADDRESS OF THE PARTY O
                                         you.
                                                                               10:
                                          My understanding of this is you take the total amount per
                                       program or the gar a territorial actions to the state of 
111
                                          student, minus BEA costs, minus ELL state dollars, and what
                                                                                    ______
12
                                          are you expending locally that subsidizes the cost of your
 ----
113
                                         program.
                                          more a recensión 🕹
                                                                                                                 (14)
                                                                                                                      Okay. Thank you. Do you know how your
                                           (By Mr. Clark)
                                           15)
                                        district, if it was able to do so, was able to disaggregate
                                           16
                                        'basic education costs from ELL costs?'
                                                       . de la company de la comp
                           A I know we can. I don't have the formula.
 (17)
                           Is your district able to separate special ed. costs the
 18
                                            39.8
                                        same way?
 19
                                  20
                         A Yes.
                            (21)
                           Q And do you know how that's done?
   100
                                        o and the contract of the cont
22
                                          The same way, but I don't know the details of how it's
                                       done.
                                 . In realise and a
                                                                                                                                                  24
                        'Q You don't know the details, but it's a similar calculation
                               25
1261
                                        that is performed for the ELL component?;
```

```
Page 108
        A Correct.
                    Q Are you able to disaggregate basic ed. and lab costs, for
      example, using the same?
      N 825
   A Yes.
    Q But again, you don't know the details?
(5) 6 (7) (8 (9)
    LOC IS SUMMED BY INTERPROPRIES IN HIS
   A Correct.
      Who was it that came up with the method or procedure for
    disaggregating the costs for ELL as reflected here?
      A Rich Moore's office.
    SE 3284
10
   Q Do you know if his method or procedure for disaggregating;
i. od
      11
     costs that way is something that is, you know, that other
      12
      districts can do?
     V--
   A Yes.
:13
      Do you know if they do it uniformly in the same manner?
14.
                a man in a second of
151
      No.
16
              MR. CLARK: Let me just do a couple more quick
17
      ones and I think I can get away from this topic, and then
18
      we can have some lunch and pick up with another one after
19
      that.
20
               THE WITNESS: Okay.
21
                              (EXHIBIT NO. 273 MARKED)
   Q (By Mr. Clark) Does Exhibit 273 appear to be minutes
22
      23
      of the Renton School District Board of Directors for,
      la d
24
      September 10, 2008?)
      25
(26)
   A Yes.
```

```
Page 109
                                                        (I)
2
3
                Q If you turn to page 5 of the document which is Bate stamp
                              No. 2702, there is a reference to a presentation by
                          Jennifer Priddy regarding basic education funding?
   4
5
6
                         Yes.
                                                 Is this the presentation with regard to the OSPI Basic Ed.
                            The state of the s
                         Task Force proposal that you referred to earlier?
  (7)
(8)
9
                        Yes.
                           Did the presentations with regard to the other two;
                         proposals, the legislator one and the Full Funding
                                                10
                           Coalition, were those presented at about the same time that;
                                                        11
                         :Jennifer made her presentation?
                          Yes.
                                                      THE RESERVE THE LEGISLE OF
12
                 Q At the bottom of page 5 it attributes to Jennifer,
                            s prediction is a surface for the formula approximate 1 fg... design from 1 fg. 1 fg.
114
                         "Assistant Superintendent Priddy stated changes in the
                          (15)
                         'state's education system funding will not come overnight;
                                16
                         and it will take time to implement changes."
                                        PROPERTY OF THE PROPERTY OF TH
(17
                                             Were you present when Jennifer made the presentation?
18
                        Yes.
                                                                               9029 VZ 3039
                                                                                                                                    PRESENTE DE L'ARRESTE DE RIGINA DE REPORTE
19
                           Do you recall her remarking that changes to the state
                            20
                           system for funding education wouldn't come overnight and it
                                                                                                                             21
                           would take time to implement?
22
                 junganan da kalangan kan kalangan da sababat da sababat da sababat da sababat da sababat da sababat da sababat
:23
                Q Did you disagree with that?
                Harry of
                                             24
                A No.
125
:26
                       Do you agree that the state's education funding reforms are
```

www.seadep.com

```
Page 110
                                                        going to take time to implement --
                                                                  (2
(3)
(4)
(5)
(6)
             A
                     Yes.
               Q -- that they're not going to happen overnight?
                                                               Q Okay. Do you have any disagreement with that?
                A No.
                                                                                                              (EXHIBIT NO. 274 MARKED)
   8
                     (By Mr. Clark) Dr. Heuschel, Exhibit 274 is a copy of a
   9
                       resolution by the Renton School District Board of
 10
                       Directors. Do you recognize it?
 11
               A Yes, I do.
 12
               Q On page 2 of Exhibit 274 your signature appears as
 13
                       Secretary for the Board of Directors?
               A Correct.
 14
15
               Q What is the subject matter of this resolution that
 16
                      apparently was adopted by the Board I think on February 11,
 17
                      2009?
 18
               A It's to support the core provisions of House Bill 1410 and
19
                       Senate Bill 5444.
 20
                       Do you know what became of House Bill 1410 and Senate Bill
 ----
                     5444?
21
(22)
             A It was killed.
231
               Q And who killed it? I mean, you said it was killed.
               ). The properties of the control of 
241
                       There was a division among education groups and that
                                                                        -----
25
[26]
                     divisiveness caused a lack of support for the direction of
```

```
Page 111
                                                        2002002-01 20100
                 the bills, so through the legislative process it was voted
                  _____
 2 3 4 5 6 7
                out of moving forward.
             . Tricing water and from the first first
           Q And out of that series of events the bill that eventually
                 مان المنظمية المنظمية
                did pass emerged, did it not?;
           A Correct.;
           'erena erre dan a d<u>erre Lerde</u>
                                          Q Were you in favor of the House Bill 1410 and Senate Bill
                5444?
 )-(
(8
                  A Yes.
          Q Were you disappointed when they were withdrawn?
                                                                         15 TOSM 85 86
             s strategy wastes a h
10
          A Yes.
            LICENSE SERVICES CONTRACTOR SERVICES
 11
           Q But you did approve of the bill that did emerge from the
                   12
                Legislature after these two bills were withdrawn with
                  (13)
                 regard to education, reform and funding?
                 A ALAET MARK
                                      16 16 16 173 (1664) PROBLEM STR. 1031
14
                 Yes.
---
                                                                                 (15)
                                                                                 (EXHIBIT NO. 275 MARKED)
(16)
                                                                            (By Mr. Clark) Exhibit 275 is a document that frankly I
                  picked up yesterday from an OSPI Web site. I don't
17
                             18
                 think -- maybe you have seen it before, but I'll just ask.
                  5-- a, 5-; a name and 
19
                Have you seen this two-page document before?
                                                                 3050555
20
          A No.
 21
          Q It purports to list, under the heading Washington State
                   ·-- . 〈
                 Basic Education Funding Coalition, "The following are those;
 22
                 123
                 people and organizations in support of Engrossed Substitute
                  124
                 House Bill 2261.";
                          25
                            Are you familiar with Engrossed Substitute House Bill;
 26
                                                                        me" (El a a a
```

```
Page 112
   \langle \mathbf{1} \rangle
                         (2261?)
                           .
  2
               A Yes.
                           It's the legislation that has been passed with regard to
  (4)
(5)
                              basic education reform and is awaiting signature or action
                            by the governor?
  (6)
(7)
(8)
                 A Correct.,
                  On page 2 the third entry lists you as the superintendent?
                                                           from Renton, Mary Alice Heuschel, who supports Engrossed
  9
                             (Substitute House Bill 2261. Is the information accurate?)
                            10.
                A Yes.
111
               Q And it also indicates that the Renton School Board also
                  12
                          endorses House Bill 2261, is that also correct?
                                                                                             13
                'A There's not a formal endorsement by the Board.
                            THE REAL PROPERTY AND ADDRESS OF THE PROPERTY 
14
                  Q Okay. Do you know if there is one in the offing?
                  15
                A No.
 .16
                O Do you intend to ask your Board to endorse Engrossed
                             (17)
                          |Substitute House Bill 2261?|
                (A No. There's not a need for that at this point.)
:18.
                                           AND CONTRACTOR OF CONTRACTOR O
[19]
                  Q And why do you feel that there isn't a need to request that)
                      20
                          your Board do that?
                           [21]
                'A It's passed the House, it's passed the Senate and awaiting
                        the governor's signature.
 22
                                             THE R M H STATE &
  23
                                                               MR. CLARK: All right. Why don't we take a
  24
                           lunch break.
  25
  26
                                                                                                                                 (Recessed at 12:34 p.m.)
```

Page 114 1 Q Let me take a shot in the dark with a question with regard 2 to page 19 of Exhibit 276. This slide is entitled Fiscal 3 Year 2003/04 Proposed Budget Expenditure Increases. 4 The first is a \$1,400,000 item relative to previous 5 negotiation settlements. Do you have any idea what that's 6 in reference to? 7 A No. Q On the last page of Exhibit 276, Bates 27, under 8 9 Expenditure Reductions there are three bullets, the middle 10 one of which indicates, "The District has not used the fund 11 balance in previous budget cycles to balance the budget." 12 Do you know if that is indeed the case, that prior to the budgeting exercise for '03-'04 the Renton district did 13 14 not use its fund balance to balance the budget? A I don't know. 15 16 Q How often during your tenure has the district had to resort to its fund balance in order to balance revenues and 17 18 expenditures for that year? 19 A Well, except for borrowing of funds, we have set the plan 20 for increasing the fund balance, so we have not done that. 21 Q Okay. With that one exception that you mentioned earlier? (Witness nods head.) 22 23 Q All right. 24 (EXHIBIT NO. 277 MARKED) 25

SEATTLE DEPOSITION REPORTERS, LLC (206) 622-6661 * (800) 657-1110 FAX: (206) 622-6236

26

(By Mr. Clark) I meant to ask earlier and it just slipped

```
Page 115
      my mind, but do you know why your predecessor as
 2
      superintendent left her position?
 3
    A Retired.
      There was no dissatisfaction with her performance that
      entered into the decision to enter retirement?
 6
      Not that I'm aware of.
         W STANDARD SANCTON CONTRACTOR STANDARD SANCTON CONTRACTOR
7 (8)
     Have you seen Exhibit 277 before?
    A No.
             MR. CLARK: It has a date of 3/16/2009, and
             10
      maybe counsel can answer the question better than the
      11
      witness. Is that simply a print date?
              12
             MS. MOORE: Yes. Actually, I believe what this;
             13
      might be is these are the dates -- this is from the
      114
      electronic production, I believe. So this is probably --
      <u>ijek e---br</u>oof n. n. 1915 politikationskiljens. (unili lakaboriung), n. n. njutioling ... (politikation n. n. 1915)
      you know, every time you open a pdf file and re-sort it, it
15
      Alman man a man a man a
16
     gives you a new date.
N., . .
          (17)
          So in the data collection, which most of this came)
928 BE
          18
      from the Business Office, and their electronic files were;
     19
      converted into pdf, that would be the latest date, so in)
      .....
20
      preparation for giving you those jump drives.
         21
          So it's not the date of production. It's just the
        22
      date the last time it was sorted in the computer.
      23
             MR. CLARK: All right.
                               And it also has no;
            24
      relationship to when the document was generated?
            e e secretarios e face e em la como la come
125
             :MS. MOORE: No. None. And in fact, need be, we
26
                              SHEET BUT IN
```

```
Page I16
                                     1801 62 86090
  1 (2) (3) (4) (5) (6) (7) (8) (9)
                               (can always go back to the original documents which we)
                                   house. Not the printed copies. They're all electronic.
                                                                           galerial and a company of the compan
                                                                             MR. CLARK: All right. Thank you for that;
                                                                       Andrew make a real contract Care comment
                                (clarification.)
                                                                                                                             Sure. In fact, the 3/16/09 date
                                                                              MS. MOORE:
                                                                           !might be your date because it looks as if I would have)
                                 (produced it on or about March 1st.)
                                                               So just as an example, I suspect when whoever was
                                                 doing your data collection for you, when they printed it
                                    AND STATE OF THE PROPERTY OF T
  10
                                 and sorted it off the jump drive we gave you, that would
                                     11,
                               have been the date coming from probably your office, just,
                                 12
                                'as a point in fact.
  _____
                                                                              MR. CLARK: You know, that's a possibility, but
  13;
                                                                              14
                               (I don't think it's very likely because I don't think we got)
                                  Transfer to the second 
  15:
                                  these documents until after the 16th.
                                                                             2 To Company 1 Secure 27 To Secure 27
 16
                                                                            MS. MOORE: Oh, really?
 17
                                                                              MR. CLARK: Yes.)
                                                                            MS. MOORE: I thought we produced them around
  181
                               the 1st.
  19
                                                                                                              20
                                                                            MR. CLARK: No, because --
                                                                              MS. MOORE: Oh, that's right because --
 21
                                                                                                     (22)
                                                                             MR. CLARK: -- it was around St. Patrick's Day.
                                                                             MS. MOORE: Yeah, because that's when Terry was
 23
                                                                             24
                                                             That would be right. Okay. We lost a few days.
                                                                                          25
(26)
                                                                           MR. CLARK:
                                                                                                                              But the important thing is it really
```

```
Page 117
                      doesn't have any relationship to the generation of the
  2
                       parts continued a sea at a sea
                                                                                          8 8
                        document.
  3
                   - Narrasiyani Xil
                      (By Mr. Clark) All right. Recognizing that you haven't)
  4
                         and the control of th
                         seen the document before, nonetheless I'd like you to turn
                      to page 11 which is entitled Stormy Weather Key Points, and)
  (5)
(6)
(7)
(8)
                            المراج المراج المراج المراجع المراجع
                      (it indicates, "The State can't continue to 'rob Peter to.
                                                                                                                     (pay Paul. "
                                       And the three points that are made under that
  9
                                      alian ara di manadantina Cardinaman da di manadan da Manadan da Manadan da da
                      (reference relate to maintaining funding for education but)
                         10
                        not maintaining funding with regard to other social}
                        (11)
                       programs that the state funds.
                                         لعصرة
 12)
                                        My question to you is this, you have heard the
                                         13
                       state's duty to make ample provision characterized as the
14
                        paramount duty, have you not?
                        15
                      Yes.
                                                                            16
                        Do you believe that the state has other duties which, while
                         والإنجاز والكاف والكروا والمناواة والمنافعة والانتاب والتكاور
                       not characterized as paramount, the state must still fund:
,17
                        as well as education? Not as well, as profitably as
18
                                 19
                       (education, say, but in addition to education?)
                         Lambon, a lougues of a malar see subcreasing assume and resorted se
  and the same
 20
                         I think they have responsibilities in addition to
                                                             _____
                        education.
 21
                           o ostobial di
                        Okay. Would you agree that if the state were to make cuts
 22
                       231
                         in other social programs to put more money into education,
                         produ a no crease nue" ucofició Tolorencosmo na maser el fátera a su estratura e a la final de la final
 24
                      that that might in fact hinder the state's performance of
                         ST ST SL DI DES CONTENT
 25
.26
                         its paramount duty to make ample provision for education?
                                       STREET, S. S. SERVICE ST. S. SERVICE ST. S
```

```
Page 118
  (1) (2) (3) (4) (5) (6) (7) (8) (9)
                                                                                                  MR. EMCH: Objection; calls for speculation,
                                          hypothetical.
                                                I'm not sure I could answer that. I'm not sure I'd make)
                                                 (that connection.)
                                                   -<u>5.3</u>...<u>8.4.1</u>-...
                                                                                                                                                                                                                        (By Mr. Clark) Okay. Well, let me give you an example.
                                             For example, in the current budget there are cuts that are
                                              (made to the state's provision -- the ability of the state)
                                             to make provision, rather, for the health insurance needs
                                              of underprivileged families, underprivileged children.
                                                                              10
                                                                       :Would you not agree that making cuts to
                                               aaninga. Na pagaalaaninga jira maarinateeringa ahaalaaninga saarinanaya dharaalaanin dharaalaanin ja sa
 11
                                          state-subsidized or state-provided health insurance for low;
                                                                                                                12
                                            income children could adversely impact their ability to get)
(13)
                                             an education?
 an d
                                               _____
14.
                                       Possible.
                             <u> Generalis de la compaña de l</u>
                                                                                                                                                                    TOTAL STATE OF THE STATE OF THE
   15
                                       Would you agree that, for example, if the state made cuts;
                                          profession for the last of the companion of the companion
  16
                                          to foster care funding that that would impact the ability
                                                                                                                                                  17
                                            of foster children to get a good education?
                                                                                    MR. EMCH: Same objections to this line of
   18
                                                                                                                                                               -----
                                              .....
   19
                                          questioning.
                                             a promining distribution of
                           A It's possible.
 (20)
                             Why do you say it's possible on both those
   21
                                             (By Mr. Clark)
                                    -----
                                         instances?
   22
  23
                                        Because it's not always a direct correlation.
                                                  PRODUCTION S N N TRANSPORTE N NORTH BARROTTE BUILDING ST TO UTILITY STATE OF THE ST
    24
                                            of situations that children end up in that they don't
                                                                   25
   26
                                           access those services and there's other things that happen,
```

www.seadep.com

```
Page 119
                                                                                         (1)
                                                    so I think it's very situational and based on the
                                                               *515,000,000,000
     (2)
                                                    [individual circumstances.]
     (3)
(4)
                                           Q Would you agree that a child's health is going to impact)
                                                  the child's ability to get a good education?
                                                        I think a child's health impacts their readiness for
                                                    Annabathan and American State of the State o
     6
                                                  'education that's provided.
     /\\\\/7\
                                                     Q Do you agree with any of the points that are made on slide
                                        8
                                                  11 to Exhibit 277?)
     19
                                                                                                                      MS. MOORE: Understanding that she has no;
                                                    у подавления в морафирантия павления мога м выполняе д
     2.0
   10
                                                  background in this area at all?
                                                                                                   is notificable and the contract of the contract f . The contract is x_i
11
                                                                                                                            MR. CLARK: Understanding that she has no:
                                                                                                                            12
                                                  background with this document.
                                                                                             113
                                                                                                                         MS. MOORE: Or the situations around that at
                                                                                                                                                                                                                                                                  21 (E) E (E)E) 10 H (E)E
\cdot 14
                                                  that time.
                                                                                                                                                                 DELINEARING NAME AND DESIGNATION OF STREET, DESIGNATION OF
1,5
                                                                                                                             MR. CLARK: In the district.
 A ....
                                                                                                                             and the College of th
16
                                                                                                                             MS. MOORE: In the district.
                                                                                                                             17)
                                                                                                                         MR. CLARK: Yes, I understand.
                                                                                                                           Q (By Mr. Clark) But, for example, page 11 has a point that
   18
                                                      province particle in the property of the prope
 19
                                                 says, "If funding is only maintained for education and no!
                                                     In the property of the contract of the contrac
   20
                                                 additional revenue is generated, other human services will
                                                      A Second Communication of the 
  21
                                                 (receive drastic cuts.")
                                                    " " A FLANDER LAND
  22
                                                                                        Do you know if, in fact, that turned out to be the
                                                                                                                  case?
   23
24
                                A I don't know.;
  25
   26)
                               Q On the third point, "Consequently, dollars allocated to
                                                                                                                                                                                                                                             maral nee nama area areas
```

```
Page 120
                                                                                                                                 PRODUCTION OF THE PRODUCT OF THE PRO
     (1)
(2)
                                            school districts for education will, out of necessity, have
                                               to make the company of the company o
                                            to go to addressing human services needs of our students;
   (3) 4 (5) (6) (7) (8) (9)
                                              and families as they won't receive these services
                                              elsewhere. Students can't learn if they are hungry, sick
                                                Lawrence of the control of the contr
                                            or without shelter."
                                                                          Do you agree with that point?
                                                                                                    MR. EMCH: Objection; lack of foundation.)
                                                                                                        A Applying it to now, I would not state it this way.
                                  (Q (By Mr. Clark) How would you state it?
                              110
                               A Addressing human service needs of children is a need that
 :11)
                                           supports their ability to perform in school. I wouldn't
 (12)
                                            make the connection to the dollars.
                             Q You mean the first part of that point that the connection
   13
                                              8.4
                                                between dollars allocated to school districts will have to
    14;
                                               A LLE V STATE OF THE STATE OF T
                                            (go to addressing human services needs, you would not make)
  15<sup>)</sup>
16
                                                that connection?
                                         <u>-1.3. : : : ------</u>
   17
                               A I would not.;
                                                   18
                               Q Do you believe that it's the role of the schools to address
                                                 (II) PLINING CONTROL OF THE PROPERTY OF THE PR
    19
                                            human service needs for students and families?
                                                                                                                                                                  550050 to to to
                                                A I think we do that.
   20
                                  21
                            Q I agree that you do. My question is, do you believe that
                                                       22
                                            it is the role of the schools in providing an education to
                                                       23
                                               students to address human services needs of students and)
   ∑دد.د
                                                                                                                                     person a sum and a second of
                                            families?
   24
                                                   25
26
                              A I believe that we have an obligation morally and ethically
```

www.seadep.com

```
Page 121
                                                                                                                             250000
                                                                                                                                                 NE __(r) | NORTH
                               to do all we can to help support student needs, and those
 1)
(2)
(3)
(4)
(5)
                                  needs go beyond education for achievement.
                                                         [I do not believe it's the primary responsibility of]
                                                         haarin oo dhaarin ah aaran ah aaran ah aa kaa
                               the school to address the social needs of students and
                                  their families, but we do it a lot and in most cases)
                                 AND THE RESIDENCE AND ADDRESS OF THE PROPERTY 
                                 without support, but we do it because it's morally and
                                and the second of the second o
 (7)
                                 ethically the right thing to do.
    8
                                                                                                                                                               (EXHIBIT NO. 278 MARKED)
    9
                    Q (By Mr. Clark) How about this one, have you seen
 10
                                 Exhibit 278 before?
 11
                    A No-
 12
                     Q Is this another document that's generated by the Business
 13
                                Office?
                    A Correct.
 14
 15
                    Q Could you turn to page 5, it's a slide entitled Management
                                 of Financial Resources.
 16
17
                    A Oh, this is mine. I'm sorry.
 18
                    Q Well, be careful now.
 19
                    A 2005-6 would have been -- no. It was July -- I was hired
20
                                July '06.
21
                    Q That's what I thought you said earlier.
22
                    A So this would not be fiscal year '05-'06.
23
                                                                             MS. MOORE: I could probably offer a
24
                                 clarification, I believe.
25
26
                                                                            MR. CLARK: Maybe that would be helpful.
```

www.seadep.com

Page 135

- 1 Q And you were able to add something to the fund balance at
- 2 the conclusion of this fiscal year?
- 3 A I would say that we stabilized the budget to propose the
- five-year plan. We didn't add money in the end because we
- 5 had to get a baseline after all of these other things were
- 6 put in place.
- 7 Q Okay.
- 8 A So really in the five-year plan we met our goal year one
- 9 which was last year, and this year we're not going to be
- 10 able to meet our goal.
- 11 Q Year two you're not, but you will continue in subsequent
- 12 years with that as a goal?
- 13 A I would anticipate the Board would maintain the four
- 14 percent goal.
- 15) Q Now there are steps with regard to Human Resources that are;
- 16 listed on page 23 of Exhibit 278. Were these steps
- actually implemented?
- 18 A Yes.
- 19 Q Were they steps that did not exist prior to your tenure?)
- 20 A Yes.
- 21 Q Yes, they did not exist?
- 22 A Well, yes. Some of the processes existed and so they're

900 - 000 C C C C C C C

- restatements of following the process.
- 24 (Q Okay.)
- 25
- 26 (A So this got put in place to either confirm the process that)

```
Page 136
                                                                                                                          \langle 1 \rangle
                                               we will follow this and we did or things were added to
     2
                                                    ensure that we had staffing procedures.
                                                    /3<sup>3</sup>
                                                And through these staffing procedures were you able to get
      4
                                                 a better handle on the staffing aspect of your budget
                                                  expenditures?
      /<sub>5</sub>
                                                   - - V
      16
                                                Yes.
                                                                                                                                                                                         Are you able to quantify any savings or benefits that were
                                                   and the second s
                                               achieved as a result of implementing the Human Resources
      9
                                                                                                                                                                                                  E 2008 100 100
                                                                                                                                            35.680 30 38 38
                                               steps here?
                                   <u>ingina mangkang mangkangga Sarem dinggalangan kanang mangkanggan mangkanggan dinggan mangkanggan dinggan mang</u>
 (10)
                              A Well, it was a savings of cost unfortunately at the expense,
                                              والمستدالي المستداني والمستدارة والمستدارة المستدارة المستدارة المستدارية المستدارية المستدارية المستدارة 
11
                                              of trying to meet the needs of the students.
                                                The state of the s
   12
                                                                                 So, for example, we would have to not hire an
                                                                                                                                                             (13)
                                               assistant to try to address English Language Learners in a
                                                  3
                                              particular group that had joined a school because a
14
                                                         Which was it makes the material with the property of the prope
15
                                               development opens and Section 8 housing and 90 percent of
                                                   openda Najelikanimin ili kanjelika omaji "" ja a jeoji" sija paganina " anden j
16
                                              the students are on free and reduced lunch and 70 percent
                                                 والمراأ "التكليب والراك بيورية كريان الوراس المناسور " البور الداليا" إدراس
 17
                                              of the students don't speak English, that impacts one
18
                                              school.
                                                            W N FFEE PROFITED N
                                                                                                                                                               nn e elleven <u>ellerio</u>neen maallen g v
19
                                                                                   And the inability to hire support staff to meet those
                                               go managa alikuwa katamatan wa managana a gama kan managa wakata wakata wa wakata wa wakata wa wakata ka ka ka
                                              needs got withdrawn in the staffing process. So it did
20
                                               The same of the sa
21
                                                 meet the budget requirements by law at the expense of the
,22
                                              support for kids.
                                                 ----
                             Q If these steps weren't in place would that person have been
23
                                                   24
                                              hired?
                                                      34 1000 B) Ri
   25:
 26
                             'A Absolutely.
```

SEATTLE DEPOSITION REPORTERS, LLC (206) 622-6236

Page 137

- (1) (Q And you would have gone over budget?)
- (2) A Correct.
- 3 Q The last slide concerns extra time and overtime steps.
- Were these steps implemented as well?
- 5 A Yes.
- 6 O Were they steps that had not been implemented prior to your
- 7 tenure?
- 8 A Partially.
- 9 Q Which ones were?
- 10 A Well, there was a process for approval of overtime, but it
- 11 did not go to the cabinet level. So extra time and
- 12 overtime had to have budget capacity, which was not always
- 13 reviewed, and cabinet level -- in this material it was
- 14 called Executive Committee, because that's what they used
- to be called, was required to approve.
- 16 Q Is that a reference to the first item that says, "must
- 17 receive prior administrative approval"?
- 18 A Correct.
- 19 Q What is the significance of step No. 3? I'm not sure I
- 20 quite understand it.
- 21 A There are some situations that there is not the budget
- 22 capacity, let's -- the example might be an alarm goes off
- on a weekend and there is a requirement for security to
- respond and that has not been built into the budget, and so

25

26 the requirement to respond is approved by cabinet and that

```
Page 139
1
       meeting that need, then we may do a budget cut in some
 2
        other area, find a cut to the resource, tap into the fund
        balance, try to identify what sources are available or we
 3
        seek other support, write a check. So it's so specific to
        the circumstance.
 5
 6
        Okay.
                                      (EXHIBIT NO. 279 MARKED)
8
        (By Mr. Clark) Have you seen Exhibit 279 before?;
         BORN OFFICE OF PRODUCESSANOON ENGINEERING PRODUCES OF PRODUCES
    : A
        I'm re-reading it, so I'm trying to recall.
          10)
    ĺQ
        I'm sorry. Go right ahead.
                   II.
    A Obviously it was sent to me, but it was a little while ago.
12
                                       (Pause in proceedings.)
13
        The odd thing about this is the date of 3/16/2009, that is
        not logical.
14
15
       (By Mr. Clark) No. I quite agree it can't be logical. It
16
       may be another instance of the phantom date appearing
        depending upon whether I printed it, whether you printed it
17
18
        or whether the printer printed it or what happened, but I
19
        would agree with you that the time frame for this memo
20
        cannot be March 16, 2009.
21
              If we ignore that date, the subject matter of the
22
        memorandum that is the reference line seems to be
23
        consistent with the text of the memorandum which is, you
24
        know, the subject matter is the '05-'06 financial
25
26
        statements and things that occurred during the year that
```

www.seadep.com