

CALIFORNIA STATE COMMITTEE  
UNITED STATES COMMISSION ON CIVIL RIGHTS

Closed Hearing

on

Education of Mexican-American Students

in

Lucia Mar Unified School District

Friday, October 6, 1972

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on  
Education of Mexican American Students  
IN  
Lucia Mar Unified School District  
Friday, October 6, 1972

THOSE PRESENT:

- Dr. Mark F. Ferber, Committee Member
- Mr. Joseph Jimenez, Committee Member
  
- Mr. Charles Erickson, Staff Investigator, United States  
Commission on Civil Rights, Los Angeles  
District Office

THE ABOVE ENTITLED HEARING was held at Shell Beach, Cali-  
fornia, on October 6, 1972, commencing at the hour of 12:00  
o'clock Noon, and the following proceedings were had, to wit:

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MR. JIMENEZ: This is a hearing of the California State Committee, that will come to order.

My name is Jose Jimenez, from Sacramento, I'm the Northern California Chairman of the California State Committee of the United States Commission on Civil Rights. The other members of this Committee are to my left, Dr. Mark Ferber, from Berkley, who is a professor of political science at the University of Santa Clara.

Other people here today are Mr. Charles Erickson, who is the field staff for the Regional Office of the U.S. Civil Rights Commission, and Mr. James Bouley, who is the Court Reporter.

This hearing is being held pursuant to rules applicable to the State Commission and other requirements promulgated by the United States Commission on Civil Rights.

The Commission on Civil Rights is an independent agency of the United States Government, established by Congress in 1957, authorized by the Civil Rights Act of 1957, 1960 and 1964, to, one, investigate complaints alleging that citizens are being deprived of their right to vote by reason of their race, color or natural origin, which constitute a denial of equal protection of the laws under the Constitution; appraise Federal laws and policies with respect to equal protection

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of the laws; serve as a national clearing house for Civil Rights information; and to investigate allegations of vote fraud.

I would like to emphasize at this time, that this is an informal hearing, and not an adversary-type of proceeding. Individuals have been invited to come and share with the Committee information relating to the subject of today's inquiry. Each person who will participate has voluntarily agreed to meet with the Committee. Every effort has been made to invite persons who are knowledgeable about the problems and process in the areas to be dealt with here today.

Any individual may offer information which points up differentials in the treatment of minority group persons.

In an effort to get a well-balanced picture of the situation in this community, we have invited employers, owners of places of public accomodation, other individuals from the private sector and officials from state and county government.

Since this is a private meeting or a private hearing, the press, radio and television stations will not be -- are not invited and we are very concerned that we get all the information relating to the matter under investigation.

We are, however, concerned that no individual be a victim of slander or libelous statements.

At the conclusion of this meeting, then, all information will be transcribed and, recorded, transcribed and made avail-

1 able to the Committee who will study it and make recommenda-  
2 tions.

3 Now, the reason for being here is a followup to the  
4 meeting that we held on May 20th of 1972, in Santa Maria, in  
5 which allegations were brought forth by the community, Spanish-  
6 speaking community, which they charged violated their civil  
7 rights. The purpose of this meeting, as was the purpose of  
8 the other, is to determine or to make a determination as to  
9 whether or not these allegations are valid, and true, so  
10 we'll hear from several people during the day. And when  
11 we're all done, then the Committee will make a report and  
12 recommendations to the United States Civil Rights Commission.

13 Do you understand?

14 Our first witnesses today are Mr. Mario Hernandez, and Mr.  
15 Luis Alcala. So, without any more, would either of you  
16 gentlemen care to begin and then we will ask you any  
17 questions at such time that you finish, or if we may, Dr.  
18 Ferber, would you prefer to, since this is an informal hearing,  
19 would you prefer that as you have a question that we kind of  
20 talk about it then, and rather than wait until all testimony  
21 is over, or --

22 DR. FERBER: Well, I've got several lines of inquiry  
23 that I'd like to pursue with Mr. Hernandez, and Mr. Alcala,  
24 but I think it might be good to begin with just a statement  
25 by either one or both of them about what's transpired since we

1 were here, since the Santa Maria hearing, if that makes sense.

2  
3 MANLIO HERNANDEZ and LUIS ALCALA

4  
5 A. (By Mr. Hernandez.) Well, as you know, my name is  
6 Manlio Hernandez, and I represent Grover City, same as the  
7 last time that you was here, which was in May.

8 At this time, well, let me point first, let's say the good  
9 things that happened since that time now. Let's begin with  
10 people who were arrested and been on trial, which I believe  
11 were 26, 21 youngsters and five grownups.

12 Just let me summarize, okay, as you know, all the -- this  
13 litigation, legal matters take time and so this was not an  
14 exception. Even though we impatiently wait for what the out-  
15 come will be of that trial, since perhaps it will be a good  
16 round for us whether we are asking for something which is  
17 legally to our community, Spanish-speaking people, the  
18 Chicano people.

19 Again we, since January at that arrested place, until a month  
20 ago, the outcome of that trial was according to the newspaper,  
21 that's all the information we get from it. That the charges  
22 were dropped against all the people involved. And it was done  
23 again, according to the newspaper, because of the -- we can  
24 say instigations from the school principal, namely Mr. Hitchen,  
25 and I think he was the pilot of this matter.

1       So, again the newspaper says for -- and from the judge,  
2 for the benefit of the justice, the charges was dropped al-  
3 together.

4           MR. ERICKSON: Manny, you said what, in the interest  
5 of justice that all charges be dropped against anybody that  
6 participated in the walk-out?

7       A.     Yes.

8           MR. ERICKSON: No matter what their arrests were for?

9       A.     Yes.

10       Am I correct, Mr. Alcála?

11       A.     (By Mr. Alcála.) Yes.

12       MR. ERICKSON: One other question to interrupt you,  
13 all of those people did retain some private legal counsel,  
14 didn't they?

15       A.     (By Mr. Hernandez.) Correct.

16       MR. ERICKSON: Do you know roughly how much money they  
17 might have spent in paying for, and obtaining legal counsel?

18       A.     Well, Mr. Erickson, I would not know individually,  
19 you know, because you may know all of them but let me gener-  
20 alize and I believe that as of now, the bill, the bill for  
21 all the people is about between \$3,300.00 and \$3,600.00. Money  
22 that still been owed to the -- to the attorney.

23       MR. ERICKSON: Is there one attorney or two attorneys?

24       A.     One attorney, which, of course, has to be paid.

25       If you want the names, he is Mr. Haynes, and the other



1 other attorney was Mr. Fretz from the C.R.L.A. , because some  
2 more, some people were eligible for C.R.L.A. help and others  
3 not, so evidently, you know, they have to hire some private  
4 attorney.

5 DR. FERBER: There was one aspect of that whole situa-  
6 tion that concerned me, and that is the sending of some of  
7 the students to a Lincoln Continuation School?

8 A To the Lopez Continuation.

9 DR. FERBER: Yes.

10 A School.

11 DR. FERBER: Now, with the dropping of the charges,  
12 have they been allowed to come back to Arroyo Grande, or are  
13 they still down there?

14 A Well, this is a matter that has been tied into our  
15 agreement. Off-hand, I don't know exactly which pages of  
16 our memorandum of agreement --

17 DR. FERBER: That's right, it was in there, but they  
18 were to come back next fall.

19 A That means this September.

20 MR. JIMENEZ: That's this fall, this school year, we  
21 were at the tail end of the last year.

22 DR. FERBER: Are they back in Arroyo Grande, to the  
23 best of your knowledge?

24 A To the best of my knowledge, some of them are and some  
25 are like at Lopez Continuation --

1 MR. JIMENEZ: Still at Lopez?

2 A. Yes.

3 MR. JIMENEZ: And according to the agreement, then,  
4 was that these students would be back at Arroyo Grande at the  
5 beginning of this school year?

6 A. Correct.

7 DR. FERBER: And they're not all back?

8 A. To my knowledge, no. No.

9 DR. FERBER: To the best of your knowledge, are those  
10 remaining at Lopez there because they want to be there or  
11 because the school system insists that they be there?

12 A. I talked to two of them and they say that they like  
13 it there.

14 DR. FERBER: They do like it there?

15 A. Yes.

16 DR. FERBER: I think that's important for the record.

17 MR. JIMENEZ: Do you want to continue, Mr. Hernandez?

18 A. Yes, that's right, let's say on the part of the thing.

19 Another thing also, is that for three or four years we were  
20 pushing for the hot lunch program. And that was a surprise  
21 that the school say, they say now yes, we will go for the  
22 lunch, the hot lunch program. Even though there are some --

23 A. (By Mr. Alcala) I might comment on that, particularly  
24 the school lunch program. I wish I would have brought down  
25 the -- the rules or the guidelines they use to identify who

1 is entitled to free lunch or who's not. And I wish I would  
2 have brought it down, you know, they sent me one.

3 MR. ERICKSON: Could you send it to us later on?

4 A ..... Yes, I will. And it's -- well, you can  
5 look at it both ways, but it's -- it boils down to the point,  
6 you know, where it's more or less like, they go real down  
7 deep, you know, where, why, why is the purpose that your kid  
8 or your son should be entitled to a free lunch, how much  
9 money do you get coming to the family, what is your status,  
10 what do you have, and it goes on.

11 This is a statement about, I think it's three or four  
12 pages, and it's, to me it's not right, you know.

13 Everybody, especially the school, at least where we say  
14 that the school has bad communications between the parents,  
15 because they should know who's entitled to a free lunch and  
16 who's not.

17 Without going -- well, I wouldn't say not filling up any  
18 papers, you know, but not going into all that great details,  
19 it's just more or less like incriminating a person, a family,  
20 you know.

21 MR. ERICKSON: To your knowledge, -- I presume that  
22 was sent out to parents in both English and Spanish?

23 A Right, yes.

24 MR. JIMENEZ: In both languages?

25 A I'm pretty sure it was, yes.

1           A.       (By Mr. Hernandez.) Let me interject something else.  
2 For the record, I do believe -- well, again my personal  
3 belief, it is that all the kids at school supposed to take  
4 home one of them forms for their parents to fill out. Again  
5 that's my personal belief.

6           And speaking about myself, my kids didn't -- didn't brought  
7 any of the forms to our house, you know, and that's ques-  
8 tionable, whether --

9           A (By Mr. Alcala:) This is the point where I say, you know,  
10 okay, they send me one or they send one with my kids and how  
11 come they didn't send him? So, it's pretty natural that they  
12 know who's -- who is entitled, who's not entitled, and after  
13 that they know all this, they still want you to sign a cer-  
14 tificate, you know.

15          A.       (By Mr. Hernandez.) In other words, they already  
16 have pinpointed or picken out or chosen, --

17          A.       (By Mr. Alcala.) It's more or less like when you see  
18 these papers, you know, you -- I don't want to sign such  
19 papers, I don't want to go through that such a thing, even  
20 though my kids need it. You know. My wife, when she first  
21 seen it says, "I'm not about to sign anything, I'm not about  
22 to fill any of this", see? It ain't worth it.

23               MR. ERICKSON: I would suspect that it's a federal  
24 regulation that they fill out all that paper.

25               DR. FERBER: I'm a little -- what should we draw from

1 the fact that you draw one and Mr. Hernandez didn't? I  
2 don't understand that.

3 A (By Mr. Alcalá.) In the fact that I'm disabled,  
4 I'm not working, and my income, I'm considered, you know,  
5 I'm eligible, my kids should be eligible.

6 DR. FERBER: I see.

7 MR. JIMENEZ: I think what I think the point ~~toft~~ Mr.  
8 Alcalá and Mr. Hernandez is that the school, rather than  
9 saying, we're going to institute a hot lunch program where  
10 some people will be eligible to receive it at no cost,  
11 therefore we'll send it out and have all parents fill it  
12 out or choose not to fill it out or whatever the case may  
13 be, and those that return the forms and we see are qualified  
14 then we'll institute in the program.

15 What they're saying is that the school has already deter-  
16 mined to a certain respect, who's going to be qualified and  
17 who's not, and are sending home forms to only those students  
18 that the school already feels are going to qualify through  
19 their own criteria, whatever it may be.

20 A (By Mr. Hernandez.) That's correct. That's our  
21 feeling.

22 MR. JIMENEZ: Okay.

23 As far as the -- as far as the paper work, I think it's  
24 obvious that you're going to have to fill something out,  
25 everybody does it, I'm sure, the problem is that, and we'll

1 have to find out, we'll ask the superintendent, is whether or  
2 not the district also imposes other forms other than what's  
3 required by the state or federal government.

4 A (By Mr. Alcalá.) Yes, yes.

5 MR. JIMENEZ: And depending on that, then you have to  
6 decide, you know, what the question will be, but I think the  
7 point, the main point is here that the school district has,  
8 from what you say, predetermined who is going to receive hot  
9 lunches and who's not, they've already eliminated some of the  
10 people that may very well need and qualify for the hot lunch  
11 program.

12 A (By Mr. Hernandez.) Right, that's the suspicion.

13 MR. JIMENEZ: And I think this is the point. The  
14 paper work is something that you either comply with or you  
15 don't, depending whether it's federal or state regulations  
16 and if that's the case, then you have to comply with it or  
17 you don't participate in the program, and this is a choice  
18 that everybody has to make.

19 But for anyone to arbitrarily designate people who may or  
20 may not be eligible without making it, you know, available  
21 to everybody, is really the question in point here.

22 A All right. And besides that, my kid, I have one  
23 fourth-grader and one sixth-grader, and at the beginning,  
24 the first part of the first week of school, they say, well,  
25 we have to take cold lunches now and my wife said, "Why?". He

1 says, "Because they are not giving us enough, not like we  
2 had before." So again that's questionable, and I will -- I  
3 will point out to ourselves that we are failing on one part,  
4 and I say I will take the responsibility on that side, that  
5 we never, as of now, went to that school and I refer to the  
6 Grover Elementary School, and, at least at the lunch time,  
7 lunch with the kids and take a lunch there and see how that  
8 thing looks, though.

9 MR. JIMENEZ: That's something you might do.

10 A. So you know, again that's a doubt in my mind, why it  
11 is that.

12 MR. JIMENEZ: Do you want to continue then?

13 A. Up to there, that's the good thing.

14 MR. JIMENEZ: Those are the good things?

15 A. Yes.

16 Now, on the memorandum of agreement, let's begin with --

17 DR. FERBER: Do you have a copy in front of you, Mr.  
18 Hernandez?

19 A. I think Mr. Alcala has.

20 DR. FERBER: Why don't we just start and go through  
21 it one-by-one.

22 MR. ERICKSON: Could you comment point-by-point as you  
23 turn the pages, Mr. Hernandez?

24 A. Okay, let's get away with the bus driver.

25 Then you have B, PASA will be notified --

1 DR. FERBER: Excuse me one moment, Mr. Hernandez,  
2 before you say get away with it, did they transfer the bus  
3 driver?

4 A. (By Mr. Alcala.) Yes.

5 A. (By Mr. Hernandez.) Yes, they did.

6 DR. FERBER: Okay.

7 MR. ERICKSON: Okay. B?

8 A. B, the notification that they're supposed to do to  
9 PASA.

10 When the situation involves Mexican-American students.

11 At any school, we're speaking of Lucia Mar District, not  
12 any particular school, and I think at this time, or let's go  
13 back to May, the last weeks of May, and the first part of June,  
14 just at the end of the school year, there was a confrontation  
15 between the Mexican-American students and the teachers at  
16 Francis Judkins School.

17 DR. FERBER: What school?

18 A. Francis Judkins Intermediate School.

19 There we learned that after they took action against the  
20 kids, after the kids were expelled from school, and one that  
21 has or was sent to juvenile detention in San Luis Obispo,  
22 after that, then they did acknowledge that parents, and we  
23 learn out of the regular PASA, learn out of it, about three  
24 days or two days later.

25 A. (By Mr. Alcala.) By this I think we can tie it up where



1 it says over here the Parents Advisory Students Alliance in  
2 the Lucia Mar District have agreed to the following con-  
3 ditions, it is hoped will improve relations between the  
4 schools and community.

5 That ties with one. And it also ties with, on page six.

6 DR. FERBER: Well now, was the confrontation such that  
7 it was building up, that there was -- I mean it didn't just  
8 suddenly erupt, there would have been time to notify PASA and  
9 bring you in to ameliorate the situation?

10 A. (By Mr. Hernandez.) Right, and not only us, the kids'  
11 parents, there was time enough to do it, but they didn't do it.  
12 And probably Mr. Alcála will enlighten you more on that par-  
13 ticular.

14 A. (By Mr. Alcalá.) See, when -- this was back on, what  
15 was it, just right before the school ends.

16 A. (By Mr. Hernandez.) May the --

17 A. (By Mr. Alcalá.) May the 29th. Yes, something like  
18 that. But anyway, we heard about it on a Thursday night,  
19 on a Friday we went down before the school because we heard  
20 there were some parents going to be before, there was going  
21 to be a meeting between the parents with these kids that  
22 were involved and, what do they call it, a --

23 A. (By Mr. Hernandez.) Expulsion.

24 A. (By Mr. Alcalá.) Expulsion.

25 So we went over there, it was me and Mr. Hernandez, and we

1 told them that, you know, we give them our names, you know,  
2 and they say, do you have any business here or do you have  
3 any kids in this school? And we told them not, we don't  
4 have any parents but we are concerned with the problems  
5 there are right now in this school.

6 And we were talking then to a secretary. And then, when  
7 we went inside, they finally decide to let us in, I had to  
8 call my wife and I had to get one of the parents that were  
9 already in conference, see, I call my wife and asked my  
10 wife to call one of the parents that were inside with the  
11 principal, and a teacher, and my wife called and called one  
12 of the men that were inside so when they came out, right  
13 away they knew already that we were there and they -- and  
14 they saw us and they says, yes, come on over here we would  
15 like you to get in this here, Mr. Hernandez, Mr. Alcala.

16 And again, right when we were there, they sort of told us  
17 that this was not our problem, you know, that we didn't have  
18 no business there. And that's when we told them, maybe you're  
19 not aware of the memorandum of agreement but we do have a  
20 business here.

21 And besides that, the parents, these parents that are  
22 right here, they invite us to come over here.

23 So, -- in that time we had a long meeting there, you know,  
24 and the main thing is like we were talking about a while ago,  
25 that we requested one of the teachers why, how long that this

1 been going on between the kids, you know, on this extortion  
2 and they said, well, it was almost at the beginning of the  
3 school year. And they says, to be more specifically, let's  
4 go say four months ago, and then we told them, well, you had  
5 all this time, you knew that the kids, they had problems,  
6 they were doing such things, that were not right, why didn't  
7 you notify the parents? And why didn't you notify somebody?

8 And he said, he stated real clear, he says, "Because we  
9 wanted to make sure that we were going to caught him red-  
10 handed." And I says, "Well, I think that's wrong," I says,  
11 "What you're saying now is that you wanted to punish the  
12 kids, or like a correctional institution", I says, and this  
13 is not a correctional institution, you know, why -- you know,  
14 could have prevented, you know, a lot of these things.

15 A couple of kids they sent them to juvenile. And they  
16 didn't even notify the parents. One parent didn't even --  
17 that happened around 1:00 o'clock on a Thursday and the  
18 parent didn't even know until 5:00 o'clock that the kid was  
19 missing and to find somebody else, she find out that her kid  
20 was already in juvenile in San Luis Obispo. So she contacted  
21 the school and the school said, well, we assumed that the  
22 police notify you.

23 And the principal, Francis Judkins, which is Mr. Murray, he  
24 went three blocks, about three blocks from where this family  
25 lives and drop a kid, or notify one of the other parents and

1 he didn't had enough time to go and notify the lady.

2 DR. FERBER: How many students were involved, do you  
3 remember?

4 A. There were 11. There were between 11 and 14, the first  
5 day. So, when we told -- we went over there, that was on a  
6 Friday. We told them, I says, "How many other kids are in-  
7 volved?" And then they went out and says, "Well, to be more  
8 specific, it's around 18." And then we says, "How come, where's  
9 the rest of them? There's only, you only give us"-- we came  
10 out and told them, you know, like most of the kids there,  
11 are with Spanish surnames, and they says, "Well, there's more",  
12 you know.

13 But the question is, you know, why there was only Spanish-  
14 speaking surnames, Spanish surnames on that list, that the  
15 ones that we had? So that was on a Friday.

16 On a Monday they call us, they says, "We have more parents  
17 we want you to be here", so at that time, the first thing  
18 they told us is see, you know, that's not only Mexicans,  
19 there's anglos and Portuguese involved, so it wasn't the way  
20 you look at it Friday, but the thing was, you know, the way  
21 we seen it, you know, it's just a coverup.

22 Here's another kid, maybe they were not that involved, but  
23 even so, here they are, just to coverup for their mistake  
24 because we feel they made a mistake not notifying parents.

25 It also states on this memorandum on page six, on page six,

1 paragraph seven, the next down, improved communication in the  
2 school district, etcetera. Improve in communication between  
3 school and public, it serves and also necessities.

4 A plan is being prepared which will provide students --  
5 okay, that's -- the plan will improve the means of reviewing  
6 complaints regarding educational programs and so forth. And  
7 we also provide the procedure would be conducted in an or-  
8 derly manner.

9 Now, -- and this one right here ties up again with C, no,  
10 with B.

11 DR. FERBER: Yes, it's the whole question of communi-  
12 cation.

13 A. Right.

14 A. (By Mr. Hernandez.) Incidentally, Mr. Murray and Mr.  
15 Naumu, which is the -- from the Francis Judkins Schools, Mr.  
16 Namu, now principal, was the one who took action against  
17 the kids.

18 Later on we find out that he worked for a correctional  
19 institution, I think --

20 A. (By Mr. Alcalá.) No, Mr. Murry worked for correctional  
21 institution in L.A., and Mr. Naumu, is a -- no, Mr. Murray's  
22 a probation officer in L.A., someplace in L.A., and Mr. Naumu  
23 is a prison guard, I think, over here in the Mass Colony --

24 DR. FERBER: During the summer or something?

25 A. (By Mr. Hernandez.) Summer, yes.

1 MR. JIMENEZ: This is their other jobs?

2 A Yes, that's their other job.

3 MR. JIMENEZ: Thank you.

4 Let me just note that we're scheduled for 12:00 to 1:00, and  
5 it's 25 till, and we've only gone to B. So, I think we're  
6 going to have to be, you're going to have to be more brief  
7 and just bring us up to date on what's happening and then  
8 we can ask you some questions.

9 A Now, we went, last Monday, this last Monday, was a  
10 week ago, the 23rd, if I'm not mistaken, of September, we  
11 have a meeting with Mr. Hoagland, and, well, usually we intro-  
12 duce ourselves and to begin with, how you like this area and  
13 how is the family, how the kids like us, everything was nothing  
14 but smiles, everything was beautiful.

15 Okay, later on I asked him, you know, how can we have a mem-  
16 orandum of agreement between the Mexican-American community  
17 and the school? And he says, "Yes, I understand that." And  
18 I told him, "Did you read it?" He says, "Yes." "Did you under-  
19 stood it?" I noticed that he didn't quite, did his whole  
20 work on that particular matter.

21 Okay. Question number two, "How sincere are you to live up  
22 to this memorandum of agreement?" He says, "I have nothing  
23 that bothers me on that memorandum."

24 Okay, that's not my question, whether -- whether it is work-  
25 able between the school and the community. And he said that

1 he thinks that it is. Okay. We went ahead, because I told  
2 him, you know, you ought to know that about this time the  
3 school is violating one of our agreements on this memorandum,  
4 which supposedly on the second week of September, a slot  
5 supposed to be open for a second community relations specialist.

6 D, I think page number four. Open by September, 1972, and  
7 I asked him, you know, when you will open that position.  
8 His answer, "Well, the money was not budgeted for that par-  
9 ticular position." I asked him, "What do you intend to do  
10 now?" He says, "We had to use one man from inside already  
11 on the staff and transfer him to this position."

12 He says, "How do you think about it?" I say, "Personally,  
13 I don't like it because, number one, again we are playing  
14 with our memorandum of agreement." He says, "But it's not my  
15 fault that they didn't budget that money." I told him, "So  
16 I am, it's not my fault, it's your bag, it's not mine. So  
17 you have to live with it and see what you can do about it."

18 And definitely I told him I opposed to that move because  
19 since also on this memorandum of agreement we supposed to have  
20 a parity for, what, five years from now? What we are doing  
21 just by playing a chess game there, just moving one from here  
22 to this space and so forth.

23 We have to work constructively, we have to be honest to  
24 each other, I told him, and let's work.

25 Well, he says, "Nothing you can do about it then, and let's

1 go" -- what other thing you have?

2 I asked him when -- okay, do you know if the -- the schools  
3 know about the memorandum of agreement? He says, "I don't  
4 know." I told him at the end of May we talked to Mr. Murray  
5 from Francis Judkins and he seems that -- not to know about  
6 this agreement that we have. We asked you to be kind enough  
7 and send one copy to each principal of -- school principals  
8 and if it's possible also talk to them when you have a staff  
9 meeting. He says he will do so.

10 Another thing also, okay, since you know that we are here  
11 and we are about 22.70 population on school, what do you --  
12 what program do you think can be beneficial to the Chicano  
13 kids? He says, "Well, I can't say." My goal is to benefit  
14 all kids, Chicano kids, Japanese kids, Chinese kids, anglo  
15 kids, education for all, because eventually they have to  
16 compete in this world and I'm agreed with the last part of it.  
17 They have to compete, right, that's -- that's the name of the  
18 game, to compete. But I told him that is not my question, my  
19 specific question was, what program do you specifically have  
20 to help those kids at school? He says, "You begin to twist  
21 nuts and bolts and begin to bother."

22 He says at this time, "Sir, I don't think we have anything  
23 more to talk about." I told him, "Why you become so insensi-  
24 tive about what I am asking you? I am -- I asked you a straight  
25 question, an objective question, what program do you have in



1 mind that will be beneficial for the Chicano kid?"

2 And he says, "I think at this time we don't have nothing  
3 else to talk." You know.

4 Now, redressing to myself, I think he lacks a little, off  
5 the record, a little political motivation a little diplomacy,  
6 you know. Why he didn't throw the question to me? Because  
7 that was my intention, what to do, you know?

8 Well, okay, I mean you're here, I have three or four weeks  
9 only. Well, let's talk it over in eight weeks or what do  
10 you have in mind? He didn't ask anything like that.

11 You know, I did have something to offer, you know, why  
12 don't the community become involved on some of the classes,  
13 let the community be there, let's those kids talk to the  
14 people. We have some insight that we can help the school.

15 Another thing also, we have the -- the specialist, communi-  
16 cations under, namely Mr. Joe Zamora's position, the community  
17 specialist, relations specialist. Okay. Why don't send  
18 the man to Sacramento to get some material for in-service  
19 at the school? You know, social guests or awareness and  
20 bring some material for the school. I have some thought that  
21 it could be beneficial for him, you know, being himself.

22 A. (By Mr. Alcalá.) Do you have, I don't have one, the  
23 list of the job qualifications that he -- that he has --

24 DR. FERBER: Let me interrupt for one second, to keep  
25 you going, with point C, have they not initiated any in-service

1 program as the agreement calls for?

2 A. (By Mr. Hernandez.) As to my knowledge, I don't be-  
3 lieve so.

4 A. (By Mr. Alcala.) No, that's on C, you're talking  
5 about C.

6 DR. FERBER: Yes, C. How about D., the isolation from  
7 students from certain area?

8 A. (By Mr. Hernandez.) They open it.

9 DR. FERBER: Okay, that's okay.

10 A. (By Mr. Alcala.) That's on.

11 DR. FERBER: Okay, we've talked about students at  
12 Lopez and as far as you know, we can only, you know, ask you  
13 about to the best of your knowledge, while there are some stu-  
14 dents still there, they seem to be there voluntarily, they  
15 like it at Lopez?

16 A. They like it at Lopez.

17 DR. FERBER: Okay.

18 How about two, or -- no, Roman point III, equal opportunity  
19 employment?

20 A. (By Mr. Hernandez.) Equal opportunity employment.  
21 Well, that's one thing I can not answer because they supposed  
22 to give us an information at the end of each calendar year,  
23 a report of how intensive were they searching for more  
24 Chicano, bilingual, or bicultural teachers. I can not say  
25 anything about it.

1 A. (By Mr. Alcalá.) Do we know, I think they hired  
2 three.

3 A. (By Mr. Hernandez.) Three. But we lose one.

4 A. (By Mr. Alcalá.) We lost one. Mrs. Herrera.

5 DR. FERBER: Mrs. Herrera didn't come back?

6 A. No.

7 DR. FERBER: As a counselor?

8 A. (By Mr. Hernandez.) No.

9 A. (By Mr. Alcalá.) She moved to Washington.

10 DR. FERBER: Oh. I mean she just took a different  
11 job, there was no pressure was there?

12 A. No.

13 A. (By Mr. Hernandez.) And they move Mr. Gonzalez from  
14 Lopez Continuation to that slot there. And last night I hear  
15 Mr. Gonzalez have no qualifications to be a counselor. But I  
16 think they give him a fancy name there, I don't know if you  
17 may ask Mr. --

18 DR. FERBER: At the end of last school year, did they  
19 give you that report --

20 A. They didn't.

21 DR. FERBER: -- or was it to start this year?

22 A. Start off this year supposed to, at this time supposed  
23 to be. We're supposed to have one copy of it.

24 DR. FERBER: Are they talking with you or other members  
25 in the Mexican-American community at all about job qualifications

1 for bilingual teachers and counselors?

2 A. No.

3 DR. FERBER: On page three they had agreed to do that?

4 A. They didn't. When the selection was made for Mr.  
5 Hoagland, we inquired if the community would be there and  
6 Mr. Leu said no.

7 DR. FERBER: Mr. Who?

8 A. Leu.

9 DR. FERBER: Who is that, Charly, a board member or--

10 A. No, that's Donald J., Department of Schools at San Jose  
11 State University. It's more or less a copy of that they sent.

12 MR. ERICKSON: He was a consultant hired to help  
13 select a list of qualified --

14 DR. FERBER: Okay.

15 MR. ERICKSON: -- people and screen them. Dean of the  
16 School of Education, San Jose State University.

17 The community was not invited to participate in the selec-  
18 tion of a new superintendent or to --

19 A. (By Mr. Alcalá.) No.

20 A. (By Mr. Hernandez.) Was not -- well, we pushed to at-  
21 tend, they didn't want it, we were not invited.

22 MR. JIMENEZ: Were not invited?

23 A. No.

24 MR. JIMENEZ: Were you invited at all to participate  
25 in any selection of any of the instructors that were hired?

1 A No, no, only the school specialists.

2 MR. JIMENEZ: Just the school specialists?

3 A Yes.

4 DR. FERBER: Now, on this point, he will make himself  
5 available to PASA representatives between 2:30 and 3:30  
6 on June 13th did you meet with him then?

7 A Yes, we meet with him at that time, that was when he  
8 says no member of the community would be involved.

9 DR. FERBER: I see.

10 A (By Mr. Alcalá.) This particular time was just --

11 DR. FERBER: Find out what the problems are and such?

12 A No, he wanted to talk to us, you know, and say what  
13 he was going to do and all that, you know.

14 DR. FERBER: How about instructional aids, have any  
15 been hired?

16 Point C on page three, which seems to me a real possibility.

17 A There is, there is improvement on that. It is improve-  
18 ment and they are looking for more bilingual aids.

19 A (By Mr. Hernandez.) They have, I think, three slots  
20 open now. And we have D, is taken care of. Minus the second  
21 part.

22 DR. FERBER: And D, they didn't get the second one,  
23 then?

24 A (By Mr. Alcalá.) No, not yet.

25 DR. FERBER: They will say budget.

1 A. (By Mr. Hernandez.) Yes.

2 DR. FERBER: How about Four-A? Course in American-  
3 American cultural history.

4 A. It has been taken care of.

5 DR. FERBER: Okay.

6 MR. JIMENEZ: How about the minority relations class,  
7 in B?

8 A. (By Mr. Alcala.) No.

9 MR. JIMENEZ: Hasn't been done yet?

10 A. It hasn't been done.

11 MR. JIMENEZ: How about the teachers, do you know if  
12 they have been decided to comply with C? Whether they're,  
13 you know, they're supposed to meet with the community and the  
14 community specialist?

15 A. (By Mr. Hernandez.) They have been working.

16 MR. JIMENEZ: They've been working on that?

17 A. Yes.

18 DR. FERBER: Is Zamora working with them on that to  
19 set things up?

20 A. (By Mr. Alcala.) I think maybe, I think maybe we can  
21 -- this is why I wanted to get the job, the specifications,  
22 you know, what Mr. Zamora has to do. Now, I have a complaint  
23 about, against what he's doing, you know, the purpose, I wish  
24 I could have brought it.

25 A. (By Mr. Hernandez.) No, how they are handling him --

1 A (By Mr. Alcala.) Well, what he's doing, really. And  
2 he's not, to our knowledge, is not -- they're using him  
3 differently, in other words.

4 Now, he's getting paid by title one, and so the title one  
5 people, they have him tied up on title one, well, paper work  
6 or whatever title one has to do. So it's not really, in  
7 other words, they're not turning him loose to do the job that  
8 he was hired to do.

9 Now, this is, I talked to him about it and he says, "Well,  
10 to tell you the truth, that I feel that I have so many bosses,  
11 you know." And I says, "Well, on the job when you were hired,  
12 you only had one boss and that's the superintendent. And  
13 you supposed to work under him and report to him directly."

14 MR. JIMENEZ: You feel, then, he's not being utilized  
15 properly?

16 A Right.

17 MR. JIMENEZ: He's not providing the services that the  
18 community wanted when they talked about it?

19 A About the job.

20 MR. JIMENEZ: About the job?

21 A Yes.

22 MR. JIMENEZ: Okay.

23 Okay, let's see, so then cultural heritage, it's kind of  
24 early in the year, but have you heard anything?

25 A (By Mr. Hernandez.) May the 5th on last year they

1 did some workshops --

2 A (By Mr. Alcalá.) Yes, that was good on B.

3 Numeral B, page five.

4 A (By Mr. Hernandez.) Only on September the 16th, they  
5 did not participate, period.

6 DR. FERBER: There was nothing done on September 16th?

7 A Nothing.

8 MR. ERICKSON: You had a civic celebration, am I  
9 correct, where you invited the school?

10 A Correct.

11 MR. ERICKSON: And other people around?

12 A Correct.

13 MR. ERICKSON: Who came from the school?

14 A From the school, nobody. Nobody. We asked the school  
15 to supply us with some class, you know, some band to play in  
16 our parade and they didn't, and we talked about it, since  
17 the last part of May, exactly, with Mr. Murray and Mr. Hitchen  
18 to provide us some kind of band for our festivities, for the  
19 parade, not the festivities, you know, for the parade, period.  
20 They didn't.

21 DR. FERBER: Did you invite Hitchen or Hoagland or the  
22 board members individually to come?

23 A Yes.

24 DR. FERBER: None of them came?

25 A None of them came.



1 A (By Mr. Alcalá.) Well, the only one who was there from  
2 the board was Mr. Orrin Cocks.

3 A (By Mr. Hernandez.) Orrin Cocks, he was at our  
4 parade and he was there.

5 MR. ERICKSON: Now, did you invite other city officials  
6 and other people from the community?

7 A Yes.

8 MR. ERICKSON: What was their response?

9 A (By Mr. Alcalá.) The City Council of Pismo Beach  
10 were there, the City Council of Arroyo Grande were there,  
11 Grover City were there, that's just about it. Nothing higher  
12 than that. The school, as far as the school officials, no.

13 A (By Mr. Hernandez.) Somebody said Hoagland was there  
14 but I didn't see him.

15 A (By Mr. Alcalá.) Oh, Hoagland was there, they say  
16 they seen him there, but other than that, no. The only --  
17 the only excuse they had by not having, not being participated  
18 on the parade is say that the school just barely started what,  
19 a week or seven days before the parade and they didn't have  
20 time enough to practice in the band and march and all that,  
21 that was their -- that was the only excuse they could give us.

22 A (By Mr. Hernandez.) They then told us we want our  
23 band to play, provide us with a mariachi.

24 I told them we are too few for all the jobs we are doing  
25 and why, you know, well now, how I told I will call but please

1 do the same thing, call those people from the PASA, see if  
2 you can get one. But no.

3 MR. JIMENEZ: Six is a pretty extensive one.

4 A. Yes.

5 DR. FERBER: Let me ask a specific question there.

6 How about that new Hotin-Mitchlin (Phonetic.) Test, has that  
7 been brought in? There was material for a specific test  
8 that was being developed --

9 A. Right.

10 DR. FERBER: Are they being used in schools, to your  
11 knowledge?

12 A. Not of our knowledge.

13 A. (By Mr. Alcalá.) They sent us a list of -- of -- they  
14 have a book, you know, with all kinds of different books from  
15 all over, and they said to select certain materials, you know.

16 A. (By Mr. Hernandez.) But that was for the -- for the  
17 Chicano --

18 DR. FERBER: Culture class?

19 A. -- culture class.

20 DR. FERBER: I'm talking specifically about testing.

21 A. (By Mr. Alcalá.) No, as far as this, no, there hasn't  
22 been done nothing about it.

23 DR. FERBER: All right.

24 MR. JIMENEZ: Okay.

25 Seven, I think, how about that?

1           A.     (By Mr. Hernandez.) We don't know yet, until we see  
2 who applied and who they hire and who they didn't hire.

3           MR. JIMENEZ: Let me just, we're running short on  
4 time. Let me just ask you this: The reason that the --  
5 well, the reason that the Commission is here in the first  
6 place is because of allegations that the community, Spanish-  
7 speaking community, made with respect to their civil rights  
8 and the school district. Do you feel that since our hearing  
9 in May, and this is, you know, that there have been any  
10 changes that would -- that you feel are helping to diminish  
11 or to solve those type of -- the allegations that you made?

12          A.     Well, partially, yes. Like if we would go back on what  
13 they did and what they didn't, you know, we can say I have the  
14 feeling that, I will put name now, Mr., if Mr. Hoagland would  
15 have been more sensitive to our problem, I think we will  
16 accomplish what we have here. And I think the -- all the  
17 guns are toward that direction, if, you know, say let's --  
18 say many, we'll say for your teacher, you have to have some  
19 social studies, sensivity studies and so forth.

20          MR. JIMENEZ: Do you think the attitude is changing?

21          A.     (By Mr. Alcalá.) They talk about it.

22          A.     (By Mr. Hernandez.) Talk about it.

23          MR. JIMENEZ: I know, but I'm asking you do you, in a  
24 -- if you had to say yes or no, do you think the attitude is  
25 changing?

1 A. (By Mr. Alcala.) He will.

2 A. (By Mr. Hernandez.) I'd say it can go 50-50. I put  
3 a question mark.

4 DR. FERBER: In the light of our earlier hearings,  
5 merely the fact that it's being talked about, you know, I  
6 mean those people, it seemed to me, at one point were almost  
7 inclined to ignore the fact, they just didn't recognize  
8 there was a Chicano problem or they didn't want to talk about  
9 it.

10 How about the board meetings them-  
11 selves, either one of you can answer this, or both, when we  
12 were here last, there seemed almost a hostility at board  
13 meetings and such, do you recall somebody just asked for  
14 translation and you would have thought they'd asked for a  
15 trip to the moon. Are you attending board meetings and is  
16 it a little more, are they prepared to listen?

17 A. This all depends on the atmosphere of the meeting. We  
18 attend some of the meetings and they were pretty good about it,  
19 you know, pretty nice, they say, there was a change, but like  
20 I say, it all depends, you know.

21 And if they know, if you touch a nerve, you know, they're  
22 going to jump, you know.

23 DR. FERBER: Have you talked to board members, like  
24 say Mr. Knox or some other member, about that altercation at  
25 Francis Judkins School? For example, did you talk to the

1 board after your talk with Murray and the other people?

2 A. (By Mr. Hernandez.) No. No, we didn't talk to them  
3 yet because we were -- number one, Mr. Murray and Mr. Naumu  
4 told us at the end of the school year that they will close  
5 the books on the kids. That, I think I gave to Mr. Erickson  
6 one letter that they sent to me, and they say that there  
7 will be no prosecution or no marks on their -- what's the  
8 name of that card, I.Q. file?

9 MR. JIMENEZ: Personal file.

10 A. Nothing there, and we thought sincerely that they mean  
11 the things, sincerity. But two weeks before the school  
12 started we learned just about three weeks, three days ago,  
13 that they took those kids, two of them, to the court and they  
14 are on probation now, so again, you know, they -- they pull  
15 us a good one right there, so you know, that's why we say  
16 well, we don't bother to go to the school board, you know,  
17 we know what those people will do, because we are sincere  
18 in our talking, we thought they were the same way. But now  
19 it seems that we have to, again, go to the school board  
20 members, even though, you know, same time probably they will  
21 say, well, there you are again.

22 But we have to let them know what's going on.

23 A. (By Mr. Alcala.) I think this is, I'd like to let you  
24 see that. Now, this pertains when the kids going to certain  
25 trips, now they send home that one, that particular one comes

1 from the district. And they also send another one where you  
2 sign the consent to the kid to participate in certain field  
3 trips.

4 Now, when I seen that one, that particular one, I called  
5 the principal of that school where my kid's attending, and I  
6 told him that I was going to sign the one the school sent,  
7 you know, the Grover Elementary, but I wasn't going to sign  
8 this one and he told me that, frankly, he didn't blame me,  
9 he says, "You're not the only, not the first person they  
10 call on this one, and frankly we don't --

11 DR. FERBER: Really, if it was a rental agreement for  
12 a house you'd call it very much a landlord's lease.

13 A. And he told me, the principal told me that he, himself,  
14 particularly, you know, he doesn't go by it, he says, "Maybe  
15 this is where PASA members should inquire about this and this  
16 is not good. We don't buy it. But", he says, "We have to  
17 send it because the district sends it."

18 DR. FERBER: Okay, because you didn't sign it, will  
19 your kid not be allowed to go on the trip?

20 A. Well, this is what he told me, he says, "Even if you  
21 don't sign that one," he says, "I'm not about to tell your  
22 kid not to go on the field trip." I says, "This is what I  
23 want, you know, I don't want my kid to be held back just  
24 because I didn't sign that one, and I'm not about to sign it."

25 MR. JIMENEZ: Dr. Ferber, do you have any last questions?

1 DR. FERBER: No, I really was concerned about the  
2 agreement and about the general status of things.

3 MR. JIMENEZ: All right.

4 Mr. Hernandez, Mr. Alcala, gracias.

5 A. (By Mr. Hernandez.) Okay, Senor, thank you very much  
6 for inviting us and hopefully, you know, something will come  
7 out of this meeting, because, again, we are between and we  
8 don't want our kids, say we don't want to lose any of our  
9 kids, period.

10 MR. JIMENEZ: What do you mean, you don't want to lose  
11 them from the system?

12 A. From the system.

13 MR. JIMENEZ: From the school system because it doesn't  
14 provide them with what they need?

15 A. Right.

16 MR. JIMENEZ: I think the actions of the Committee  
17 and I think the procedures of the Committee, from what we've  
18 known and what we've heard, I think you're to be commended  
19 for your patience, for your diligence, and moreso, I think,  
20 for the concern that you have for your children, because  
21 it's too few times now that people still really get involved  
22 with what their children are doing and everything else. And  
23 education is the equalizer. So --

24 A. Once I told them at the school board that is my only  
25 asset, that is my investment, I have to watch it.

1 DR. GEORGE McDONALD

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MR. JIMENEZ: Dr. McDonald.

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I'm the Northern California Chairman for the State Committee to the United States Civil Rights Commission and this hearing is being held as a followup to a hearing, open hearing, that we had in Santa Maria on May 20th of this year. And the reason that we had that hearing and the reason for this hearing, is to determine, to the best of our ability, whether or not the allegations that had been brought forth by the Spanish-speaking community as to violation of their civil rights are in fact valid.

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So that's the reason for our open hearing, and the reason for our closed hearing, and the material that we gather from both of those hearings, the one we had and this one here, are recorded, will be transcribed, and will be submitted to the full Committee and the Committee will then study it and make recommendations to the Commission, the Civil Rights Commission.

19

20

A. (By Dr. McDonald.) I was assuming that this must be a sub-committee, for the full committee.

21

22

23

MR. JIMENEZ: It is a sub-committee, because we've got other Committee people conducting hearings also. And we'll all get together.

24

A. You mean in this same area?

25

MR. JIMENEZ: Yes.



1 A. How many constitute the full Committee?

2 MR. JIMENEZ: We have 17 members -- 15 members?

3 MR. ERICKSON: You just got a new list, right in the  
4 middle, 16.

5 MR. JIMENEZ: I think we have 16 members, but normally  
6 we -- the reason we're making changes is we have about 10,  
7 11 active Committee members, others find that they can't do  
8 it after they get on and we replace them, so --

9 A. Are they paid as well as school board members?

10 DR. FERBER: Probably about the same rate.

11 A. Incidentally, I'm an optometrist, Dr. Ferber.

12 DR. FERBER: Have you had a chance, Dr. McDonald, to  
13 read, we sent several copies of the transcript to the school  
14 district, didn't we?

15 MR. ERICKSON: They did not get a complete transcript,  
16 they got the area --

17 A. I read a transcript of your May meeting in Santa Maria,  
18 I read the part that pertained to the Lucia Mar School  
19 District.

20 DR. FERBER: Okay.

21 A. The testimony of a Mr. Gunn and Mr. Denton. Just  
22 last night. I hadn't seen it before.

23 DR. FERBER: Why don't we, in a sense, begin there,  
24 first of all, I think we ought to get clear identification  
25 into the record.

1           You are a member of the Lucia Mar School Board?

2           A.     I'm the Chairman of the Lucia Mar Unified School  
3 District Board of Education.

4           DR. FERBER:   How long have you held that position?

5           A.     Have been since July the 1st.

6           MR. JIMENEZ:   Of this year?   Of '72?

7           A.     Yes.   Previous to this, Keith Rapp was the chairman  
8 and he was chairman at the meeting that Mr. Gunn testified  
9 about, last February, I believe it was, early in February.  
10 I was ill, was in the hospital at that time, and I didn't  
11 much care about school board business.   And I wasn't at the  
12 meeting which, from what I have just heard, no one ever really  
13 told me the emotions and the acts approaching violence that  
14 occurred at that meeting.   I guess they did not.   But there  
15 were, apparently, from the accounts that I have just heard  
16 of the meeting.

17           MR. JIMENEZ:   You say just heard, you're talking about --

18           A.     Just this last week.

19           MR. JIMENEZ:   Well --

20           A.     Because I did not know -- no one of the school board  
21 members ever happened to describe to me in detail what went  
22 on that night.

23           And I've been out from school board meetings about two  
24 months.   I had not -- I have not attended any school board  
25 meeting that was anywhere near as, what would be the word,

1 got out of control, I guess that's the word, anywhere near  
2 that nature.

3 I was interested to note that Mr. Gunn apparently was in-  
4 vited to attend that particular meeting. And I did not read  
5 in the record that he had attended any more after that. It  
6 seemed like this was his impression of the district, one up-  
7 roarious meeting which no doubt it was.

8 I felt it was a little bit odd when I was reading through  
9 it that he had never attended another one and based all of  
10 his remarks on that, that is subsequent meetings. During the  
11 last year, the last fiscal year, when Mr. Rapp was chairman,  
12 there were a number of meetings which did not deal with Mex-  
13 ican-American relations with the school district, but just  
14 with interested citizens who were complaining and had some  
15 complaints about educational policies within the district.  
16 And his chairmanship does leave something to be desired.  
17 He's a very honest, direct, patriotic American citizenship,  
18 but he's no diplomat. And it showed itself in a number of  
19 meetings. And he had had enough by this June, and I have  
20 the obvious distinction of replacing him, as far as that  
21 was -- that particular type school.

22 School board members, the same as you Committee members,  
23 well, you get appointed, school board members are elected, and  
24 by and large they are all energentically, energentic, hard-  
25 working, adult business people or business women of any com-

1 munity as you well know, but they aren't necessarily unpreju-  
2 diced.

3 On almost any subject that you would think of.

4 Mr. Rapp is almost a native son, he's lived here the greater  
5 part of his life, has worked with Mexican-Americans in the  
6 produce business, in Oceano, but he does not feel that anyone  
7 should be treated any differently than anyone else.

8 And he has firm convictions about, for instance speaking  
9 another language in a school board meeting, I remember this  
10 was one of the things, he didn't want any translations made,  
11 I believe, if I remember.

12 Well, I can sympathize with his attitude, but I don't know  
13 whether I would agree with it. And that's -- that's what  
14 we're here about I think.

15 DR. FERBER: Let me prescind from that specific  
16 meeting and ask you just as we sit here talking, your own  
17 sense about the problem, or if you see a problem, in the  
18 Lucia Mar District, with regards to the Mexican-American  
19 population in the district. That is you've read enough of  
20 the testimony, our own sense or at least my own sense, is  
21 that at best, the specific meeting was a tip of the iceberg,  
22 it was merely a manifestation of tensions within the district.

23 I have several questions about your own view of the agree-  
24 ment that had been signed by Dr. Denton, but before that, I  
25 wonder if you could just enlighten us with your own sense of

1 the situation in the community at the present time.

2 Do these tensions continue to exist and your thoughts  
3 about them?

4 A. Well, if there is any continuing tension, it is not any-  
5 wheres near the peak that it was last winter and last  
6 spring. The extensive talks and discussions with the PASA  
7 leaders, the so-called leaders of the community, and that's  
8 always disputed by other persons in the community, I believe  
9 relieved, to my knowledge, nearly all of their basic problems  
10 or basic points of contention.

11 Not being close to it, I can't say for sure. But there  
12 have been no more major problems in the high school, which is  
13 the area where most of the difficulties have always occurred  
14 in the past. I feel that currently, and I felt last year,  
15 that in spite of the problems that occurred, erupted, that  
16 they were not the doing of the administration or not -- were  
17 necessarily the result of shortcomings, of school people's  
18 efforts to aid the minority group.

19 The group, I say, because the Mexican-Americans comprised  
20 the majority of the minority persons. The efforts had started  
21 several years ago, there's no point in going over them, but  
22 especially since that was brought to a peak of emotion by  
23 the several disruptive sessions in the school board meetings  
24 and, of course, the semi-riot that occurred at the high school,  
25 certainly energized all of the educators to further efforts.

1 There's no doubt about it. And I think currently that we  
2 probably are making as great or greater an effort than any  
3 comparable school district that I am aware of.

4 I think we are doing better than our brothers to the south  
5 in Guadalupe and Santa Maria in this direction, I'm pretty  
6 sure we are.

7 One hears what happens and one, through a gossipy grapevine,  
8 you learn how well other people are doing in other directions.  
9 Of course, the school district adjacent to us, the San Luis  
10 Obispo Coastal Union District, has no such racial problem,  
11 one never hears from that direction. We have made extensive  
12 efforts to hire new personnel, both as teachers, as a coun-  
13 selor at least, as teaching aides, and as instructional aides,  
14 and I think the staff will discuss with you progress that has  
15 been made in that direction.

16 We are limited, of course, by budgetary means as to the  
17 extent that we can go, to hire anybody. We are short on non-  
18 teaching administrative people and will be as long as the cur-  
19 rent method of financing school district operations continues.  
20 We're one of the low-wealth districts in the state, I think  
21 you are aware of that.

22 Be that as it may, I believe we are making great efforts,  
23 more than the so-called white community would want us to.  
24 Far more. You perhaps were told briefly about, I believe we  
25 call it the white backlash? In the spring there was a rather

1 militant white organization formed that thought that the  
2 PASA agreement was a definite concession, an over-concession,  
3 to the Mexican-American community demands or requests. Which-  
4 ever word is better.

5 DR. FERBER: Did that organization have a name?

6 A. It faded out. It didn't have much backing. A dozen  
7 or two dozen caucasians, I can't even remember the name of  
8 the chairman, but it faded out. As all organizations do  
9 that have no real basis for continuing action, it comes and  
10 goes with the emotions of the time.

11 I think -- am I answering --

12 DR. FERBER: Very much, very much so.

13 A. I think I can quote you from this, perhaps epitomizes  
14 at least a few white Americans, attitudes toward the districts  
15 so-called giving in to their demands.

16 This lady, in a memo to the board last May, she says she  
17 "doubts PASA's stated representation of the Mexican-American  
18 community, many Mexican-Americans do not belong to PASA, and  
19 definitely do not embrace their demands or feelings of per-  
20 secution. And this should be all the more evident by the  
21 small number of Mexican-American students involved in the  
22 unrest on our campus in January."

23 Well, as you may or may not know, there are between three  
24 and 400 students with a Spanish surname on the high school  
25 campus and between 25 and 50 of them were active. Well, this

1 isn't a very large percentage. This may be true of all  
2 active persons, maybe only 10 or 15% ever do any acting in  
3 any group, that probably is true. But it certainly wasn't  
4 50% of 75% that decided that this was the thing to do.

5 She says, "We, in spite of these facts, we have the ad-  
6 ministration, through the superintendent, making an unbe-  
7 lievable agreement with PASA which completely ignores all  
8 other ethnic groups, anglo included."

9 She's referring to an avowed or an agreement to recognize  
10 a couple of Mexican holidays.

11 DR. FERBER: Yes, and a number of other things, I  
12 assume.

13 A. A number of other things. She calls this a give-in  
14 to the minority pressure group. And I think this just, as I  
15 said before, epitomizes or crystalizes the opposite attitudes  
16 toward their requests for better representation, better  
17 treatment, better opportunity, etcetera.

18 I can go along and read some more things, but it's really  
19 irrelevant. That sort of says what she wants to say. She  
20 discusses if we would like to have an awareness survey made  
21 by the Patriots of the American Revolution, the labor unions,  
22 the Japanese-Americans, the French and the Irish, and so on,  
23 in equal equality. She isn't going to observe anybody's  
24 holiday but those American holidays, and I think she has a  
25 point there, right or wrong, that's her attitude.



1 DR. FERBER: Now, her comment that the board has given  
2 in, raises a problem that I was going to ask you about.  
3 At our last hearing, while Superintendent Denton had signed  
4 on behalf of the district, and suggested, I think fairly  
5 eloquently, that his signing or not was really less important  
6 than the attitudes with which he and his staff sought to meet  
7 with, whether it was PASA or whether it was the parents of  
8 any student in the school district. At that time however, the  
9 board had not taken any action on the agreement.

10 In short, I wonder if her letter to you is even factually  
11 correct or has the board taken cognizance of the agreement  
12 that had been signed by Denton on March 22nd?

13 A I was trying to find out just this morning, and I couldn't  
14 reach the superintendent, the new superintendent, to find out,  
15 to ask -- I could have asked the executive secretary and I  
16 did not do it. I have my own business to try to take care  
17 of. And I wanted to find out, had we, in the form of a  
18 motion, approved this PASA agreement.

19 I know we approved it verbally, but I do not remember right  
20 now whether we had a formal motion that are in the minutes  
21 of the board meeting. I don't know. And I wanted to find out  
22 before I came here and failed.

23 So, I couldn't tell you that.

24 DR. FERBER: No, but that's encouraging to me and very  
25 interesting, even the verbal -- in short, the agreement itself

1 which at our hearings I had a sense that board members  
2 were somewhat chary to talk about it at that time. And quite  
3 understandably, perhaps since they may not have had a dis-  
4 cussion at the board.

5 It's no longer a contentious document with the board, do  
6 I understand you correctly?

7 A. No, no. I think that the former chairman thought it  
8 went overboard, and one of our lady members, Mrs. O'Connor, I  
9 believe she thought it went too far, she's a militant Irish  
10 woman, we have --

11 DR. FERBER: Of whom there can be no more militant.

12 A. We have a Japanese-American farmer, Haru Hayashi (Phonetic)  
13 who was a Nisei who was interned during World War Two, and I've  
14 been unable to find out really how he feels toward the people  
15 he works with. He hires mostly, I think, Japanese, but he  
16 also must hire American -- Mexican-Americans. He says very  
17 little and when he talks, one can't hear him very well, be-  
18 cause it's a soft, muted voice and he really doesn't have  
19 very many verbal opinions. I don't know whether he approved  
20 it or not.

21 A fourth member, Harvey Garrison of Nipomo, who works in  
22 turkeys, I believe, he approved it, this is primarily his  
23 end of the district where there's a majority of migrant  
24 students, families, and Mexican-American population. I think  
25 he approved it. In essence.

1 I felt that perhaps it was a little more than was necessary,  
2 but these were the decisions that were made after many, many  
3 hours and hours and hours of conversations between the  
4 superintendent and those representatives.

5 We have a new member, a medical doctor, who I think, probably  
6 in essence, supports it.

7 DR. FERBER: Is that --

8 A. I think a majority of the board does, this is Dr.  
9 Motachek (Phonetic.). I think a majority of the board members  
10 do. I don't think we can hope to have 100% approval of some-  
11 thing like this. When there is another end of the community  
12 that so violently opposes any special considerations of any-  
13 body.

14 In my business, I have been rather intimately associated  
15 with many Mexican-American families over a couple of decades.  
16 So has Dr. Motachek. I see the youngsters come in and  
17 acting as interpreters for their parents, who have lived here  
18 15 or 20 years, but the families remain very close-knit,  
19 and it's obvious that they speak primarily Spanish in the  
20 home, and many of the youngsters coming to school have four  
21 strikes against them before they ever get there. This is not  
22 a new story to you. But it's certainly not foreign to this  
23 part of San Luis Obispo County.

24 We have about 25% of the population and about 50% of the  
25 A.F.D.C.-type children in school. Two thirds caucasian of

1 various migratory ancestry, and about one fourth, or higher  
2 than one fourth, probably Mexican-Americans, this is a rough  
3 amount. So we have extra problems in the basic fundamentals  
4 of education.

5 They are lucky if they learn to speak English well, much  
6 less write it, read it, do everything else that's demanded in  
7 the English language. We have the same programs that other  
8 districts do, we have Title One special reading and math.  
9 programs, that are UNRU programs, there's at least  
10 one other one that is -- has been in effect for several years,  
11 all of them have, and this group of the student population  
12 are the primary receivers of this special aid. And Dr.  
13 Hoagland and the staff can augment that later.

14 It isn't something we just started last spring.

15 MR. JIMENEZ: Let me just --

16 A. In spite of what some of the insinuations may be.

17 MR. JIMENEZ: Let me just ask you a question, Dr.  
18 McDonald. I'm sure that while you're an intelligent person  
19 and everything else, that you're not the only intelligent  
20 person in this area, so other people, you know, can look at  
21 the problems as you've seen them and interpret them.

22 Why is it, if, as you say, you know, this is not something  
23 that just started, that the school system has done so little  
24 to --

25 A. To do anything about it?

1           MR. JIMENEZ: Yes, to erradicate the problem that,  
2 you know, that -- I -- I'd like to just maybe get an opinion  
3 from you as to --

4           A. Well, I can agree with your question, wholeheartedly  
5 I can agree, perhaps you have sensed that I'm certainly  
6 perhaps more sympathetic to these minority group problems  
7 than perhaps some other persons are. Maybe I've indicated  
8 that, maybe I haven't. I think they were ignored until  
9 they -- they were ignored in the whole United States up to  
10 about 10 years ago, plus or minus. When the Black racial  
11 uprising began and as you both, all three of you know, the  
12 other minority groups and in particular in California, and I  
13 guess in New Mexico and Arizona to a lesser extent, the Mex-  
14 ican-Americans have begun to feel the same rights and for  
15 the first time have become more organized in their efforts to  
16 better their cultural disadvantages. And finally the school  
17 system's waking up and realize that more efforts have to be  
18 made.

19           And that's not going to go away, we must continue to make  
20 these efforts and we must continue to increase them, in my  
21 opinion. Not some of these other people.

22           MR. ERICKSON: Doctor, Dr. Denton indicated last spring  
23 when we spoke with him, that solutions to the problems  
24 between the Mexican-American community and the school district  
25 could probably, at that time, best be handled administratively

1 without too much involvement of the board and that he had had  
2 that freedom from the board.

3 Do you feel now that the board should participate more  
4 actively in communications and in solutions?

5 A. No.

6 MR. ERICKSON: You feel that --

7 A. I think if we have administrators who are doing a good,  
8 capable job, they should be let do it. I'm not in the posi-  
9 tion to know all of the little things that go on every day,  
10 I never will be in the position, neither will the other  
11 school board. We're stepping into an area we know not much  
12 about. We gather all of our evidence by hearsay. By other  
13 documentation. We don't know what's going on. The educators  
14 do.

15 MR. ERICKSON: When you interviewed the people to re-  
16 place Dr. Denton, did you take into consideration the fact  
17 that the new superintendent should have a background or  
18 knowledge of the Mexican-American?

19 A. We tried to. Dr. Hoagland was born and raised in the  
20 Bakersfield area. He only left there about eight, 10 years  
21 ago. He's had a varied experience in education up until  
22 recently.

23 MR. ERICKSON: And he indicated, I'm sure he was made  
24 aware of the problems that existed before he came into this.

25 A. This is one of our prime hopes in interviewing all of

1 our prospective superintendents, that they would feel sym-  
2 pathy and empathy and have a definite feeling for helping  
3 this segment of the American community which has been shunned,  
4 which has been ignored.

5 Now, you're aware that these efforts are now being made,  
6 in answer to your question, but they haven't been made until  
7 they were forced upon the school systems.

8 MR. JIMENEZ: Okay, well then, just --

9 A. Is that an answer?

10 MR. JIMENEZ: That's an answer, yes.

11 A. That's my feeling.

12 MR. JIMENEZ: Well then, just let me take it one step  
13 further and that is that, agreeing with your statement to Mr.  
14 Erickson that school board members are not, for the most part,  
15 in any school district, super-knowledgeable on education  
16 matters, because they do have other businesses and they do  
17 rely on the people they hire. But understanding the problem  
18 the way that you have expressed yourself and that you appear  
19 to understand it, it would not be too encumbent upon yourself  
20 or too great of an encumbrance that, while you not require  
21 the administrators to check with the school board every time  
22 a decision has to be made, that understanding why things  
23 haven't been done in the past and thing like this that the  
24 school board couldn't take some initiative and, under your  
25 leadership, in the direction of producing to make sure that at

1 least in one area, that maybe, you know, something, that, you  
2 know, that you deviate a little bit from the normal in an  
3 area where that had been forgotten for so many years to in-  
4 sure that the situation doesn't come back or doesn't just move  
5 as fast as the pressure, you know, when maybe more could be  
6 done.

7 A I think the school board did this last spring, he was  
8 urged and all the administrators involved were urged, to make  
9 definite efforts to see that this, to find out the basic  
10 causes, what was behind it, primarily.

11 Primarily their revolt. That's as close a word as I can  
12 come to what it might have been, it was a one- or two-day  
13 revolt and they did, this came from the school board. We  
14 said do it. Get at the root of it, try to find out what's  
15 wrong, come back to us and find out, and let us know what  
16 you have -- what decisions you have made, what facts you  
17 have found and this agreement came out of it.

18 Now, if in the absence of any large-scale problems I think  
19 I would prefer to try to leave it to the people we hire.

20 MR. JIMENEZ: I have no disagreement with that, I'm  
21 just, the question is really --

22 A My feelings may not hold true for all school boards,  
23 but I know the composition of this school board, and we're  
24 -- we're not all equally capable of being unemotional and un-  
25 prejudiced and some are and they're not going to looseen, they



1 are not going to lose their prejudices but they're on the  
2 school board.

3 DR. FERBER: I'm encouraged --

4 A. I can't do much about that.

5 DR. FERBER: I'm encouraged by --

6 A. You can hope to rule them over but --

7 DR. FERBER: Or win them over.

8 I'm encouraged --

9 A. That I'm trying.

10 DR. FERBER: -- by your comments and your sense of  
11 the problems.

12 One very short question, at this stage in the game, do you  
13 have relative confidence that Dr. Hoagland has this sensitivity  
14 towards Mexican-American aspirations and is seriously working  
15 on the field?

16 A. If he hasn't had it now, he's getting it fast.

17 DR. FERBER: Second --

18 A. He is a capable fellow, I think you will realize this  
19 two hours from now. He's coming along very well, nobody's  
20 unhappy with him, he's only been working about a month and  
21 a half.

22 DR. FERBER: The second question really goes, and I  
23 guess in part reflects my own encouragement, with somewhat  
24 different emphasis. And perhaps with lessened enthusiasm  
25 because I still see things that are problem areas.

1 I get a sense from the community that movement likewise  
2 is taking place, which corresponds to your own sense of  
3 what is taking place. I am, however, and I don't think  
4 through faulty vision, concerned about the memorandum of  
5 agreement, I'm concerned about it because I think it, while  
6 controversial perhaps, in some elements in the community,  
7 if there is majority support on the board, and if this has  
8 not been articulated, it might be helpful in the sense of  
9 getting across to your administrators that those of us who  
10 at least have a majority on this board in principle, I'm  
11 not saying every comma and every dot, accept the agreement of  
12 March 22nd, one of the problems post our last hearing, in  
13 spite of the fact there have been some improvements, was  
14 an apparent problem that at one of your intermediate schools  
15 in which, for all practical purposes, the principal simply  
16 suggested to PASA members that he'd never even been aware of  
17 the March 22nd agreement.

18 A. That's possible.

19 DR. FERBER: Yes, and this is --

20 A. It certainly is possible.

21 DR. FERBER: This why the word filtering down from on  
22 top strikes me as so very important. I think that there is  
23 budding sense from perhaps what in last March were genuinely  
24 antagonistic forces, that progress is being made, but that  
25 there is still a natural question or matter of trust when they

1 run very much after the fact into those attitudes. Not by,  
2 say, a new teacher in the district, but by a principal of  
3 a school himself.

4 If the agreement is there, why not get that word out to the  
5 administrators in your system?

6 A. You might mention this to Dr. Hoagland, or you probably  
7 will.

8 DR. FERBER: I intend to ask him.

9 A. But he has established a better direct line of communi-  
10 cation between the superintendent and the principals of the  
11 15 schools, 14 schools, than I think was present previously.

12 We are in the early years of unification, it was decided it  
13 would be more of a decentralized administrative chain of  
14 command with the local building superintendents -- building  
15 principals having a little bit more authority without direct  
16 supervision from the superintendent.

17 I don't think that's worked. And is changing in general.  
18 There must be a little bit more direct line of who's re-  
19 sponsible for what and who acts in accordance with whose  
20 commands. Not the decentralized approach, but a rather  
21 centralized chain of command.

22 I think that it's shown that it's probably necessary. I  
23 don't look for this minority race relations problem to go  
24 away. I don't think you do either. Not in this district or  
25 any other one.

1 MR. JIMENEZ: The question is can it get better?

2 A. But I think we have the attitude and the approach and  
3 the open mindedness to cope with anything that comes up in  
4 the way of militant actions. Justified or unjustified.

5 MR. ERICKSON: I have one more question, Doctor.

6 I understand that since we were here last, the free lunch  
7 program has been implemented.

8 A. Yes.

9 MR. ERICKSON: Could you tell us what brought that  
10 about this year and --

11 A. A change in the way the subsidy is being administered  
12 by the Federal Government. It was simply a financially  
13 impossible thing for us to do until this year, they're just  
14 giving us more money, that's all. This is true the nation  
15 over, which made it possible for us to go to a federal free  
16 lunch program without -- we didn't have the funds last year  
17 and the year before that and the year before that and we got  
18 periodic requests and please, why aren't you on it? We  
19 couldn't financially do it.

20 Now the subsidies have been changed to where the schools,  
21 the school system get a more generous subsidy allowance in  
22 several ways. It's possible, it's as simple as that. I  
23 think it's as simple as that, you might ask the superintendent.

24 MR. ERICKSON: He would have figures, I presume?

25 A. That's the way it was explained to us. Well, this

1 occurred before Mr. Denton left, we went over it and decided  
2 we can do it, so it's in.

3 DR. FERBER: How is eligibility determined, is that  
4 board or should we ask Hoagland?

5 A. Under the federal free lunch program all of those  
6 on any welfare program are available for free lunches. That's  
7 roughly the category. They must be completely anonymous,  
8 there must be a way of protecting their names completely,  
9 there must be no, you're in this line and you're in this  
10 line, we get our figures, our names from the county welfare  
11 department, I believe, working in conjunction with them, and  
12 there's probably about 1,000.

13 DR. FERBER: Did the system itself send out any forms -

14 A. This is kindergarten through the eighth grade, but  
15 1,000 at least free lunches.

16 DR. FERBER: To determine eligibility or is that simply  
17 automatic --

18 A. Who determines?

19 DR. FERBER: I say did the board itself or the district  
20 send out forms to selected families or all families or I'm not  
21 clear?

22 A. I'm not familiar with the basics, the specifics of  
23 how eligibility is determined, is that what you meant?

24 DR. FERBER: Yes.

25 A. I believe it is through the county welfare department,

1 as I just said, I thought.

2 I believe they furnish us the list, but I'm not sure.

3 They're the ones who say is a family poor or isn't a  
4 family poor, could they deserve a free lunch or can they  
5 afford one. It's very difficult to go into 4,000 families  
6 and decide whether they're poor enough to receive a free  
7 lunch or not. This is one of the things that kept us from  
8 doing it before, we didn't have the staff, the time, the  
9 bookkeeping, anything else to cope with it, it was going  
10 to double the costs.

11 As I say, we're not a wealthy district, there's some  
12 things you can't do. We gave out free lunches, but not nearly  
13 the extent that we will under the new federal free lunch  
14 program.

15 MR. JIMENEZ: I think you gave out what was it, about --

16 A. Not very much.

17 MR. JIMENEZ: 10 a day, or 15 a day?

18 A. We had an awful lot of youngsters working for their  
19 lunches, not just straight free, we still do, still do.

20 Have I talked too long?

21 MR. JIMENEZ: No, I want to thank you very much for  
22 coming, and I and I'm sure everybody else here is encouraged  
23 by your -- your expression of sensitivity.

24 The only thing I would like --

25 A. Well, I feel pretty strongly in favor of the programs

1 as we're -- that we are embarking upon, the extra help in  
2 spite of these caucasians that --

3 MR. JIMENEZ: The only thing that I would hope that  
4 you might do is that I think, under your leadership, the  
5 board might be able to take a stronger role in making sure  
6 that the school not only functions and stays ahead of the  
7 pressure, but try to gain some space between the pressure  
8 and what it's doing.

9 A I would hope so. I don't like to have these emotional  
10 meetings.

11 MR. JIMENEZ: So that it's not necessary for something  
12 to get done that pressure be applied, but that the reason  
13 it's done is because the leadership from the top says, come  
14 on, you're not moving fast enough in this area, we got to go  
15 or otherwise we're going to have problems.

16 A Well, I think everybody thinks they can do a better  
17 job than who's doing it.

18 DR. FERBER: I don't. I would merely buttress Mr.  
19 Jimenez's question.

20 A You don't want to be chairman of this committee?

21 DR. FERBER: No. No. Heavens no.

22 A Well, I wanted to be chairman of the school district  
23 because I felt we were dropping the ball, meeting after  
24 meeting. And now it's up to me.

25 DR. FERBER: No, I -- his last comment, I think, is

1 crucial, I have -- serving on a variety of boards of one  
2 kind or another, I share your thought that one simply can  
3 not get into the day-to-day operation, one's initially  
4 better off firing the people that are paid to do that, if  
5 you don't think it's being done well over a period of time,  
6 however, in certain areas, whether we're talking about the  
7 President of the United States or the membership of a school  
8 board, the notion particularly in moral areas, that one can  
9 establish a climate which, whether it's popular with everyone  
10 in the district or not, is really not material. A climate  
11 which administrators at least know that the sense of the  
12 majority on that board is pretty firm on this particular issue.

13 And that the board expects adherence to the principle and  
14 that's really what we do when we serve on boards, is set  
15 policies, recognizing that most of the time when we set them  
16 they're not going to be adhered to 100% but that we set the  
17 tone. If there's going to be a new direction, if Chicanos,  
18 Blacks or Japanese, I don't care who it is in the district,  
19 have aspired and have sought and it seems to me that it is  
20 fair to say have fought rather hard to stay within channels,  
21 there is, however contentious a meeting may become, a kind  
22 of a reaffirmation of the American dream, when they keep  
23 coming to you.

24 There are alternatives, none of them very attractive to  
25 contemplate.



1 All I can say is good luck, I hope you make it.

2 A. Oh, we'll make it.

3

4 (Recess.)

5

6 DR. WILLIAM M. HOAGLAND, DOUGLAS HITCHEN, THOMAS F. TALBERT

7

JOSEPH ZAMORA and NORMAN MILLER

8

9 (Official opening statement ready by Mr. Jimenez.)

10

11 MR. JIMENEZ: So, without any further -- Dr. Hoagland,  
12 if you would, for the record, introduce yourself and your  
13 associates?

14 A. (By Dr. Hoagland.) My name is Robert Hoagland, I am  
15 Superintendent of Lucia Mar Unified School District, I should  
16 say a new superintendent, having taken over this assignment  
17 around the 1st of September, so I've been on the job about 30  
18 days.

19 In talking with Mr. Erickson, I became aware of the general  
20 areas of concern of the last hearing and felt that it would  
21 be appropriate to bring with me members of the staff who could  
22 respond more specifically to factual information that you  
23 might require. So I have taken the liberty of bringing with  
24 me the gentleman on my right, Mr. Norman Miller, Assistant  
25 Superintendent, who can speak authoritatively in the area of

1 instruction and personnel. So, questions in that area he  
2 can respond to.

3 On my left is Mr. Douglas Hitchen, who is currently Principal  
4 of Arroyo Grande High School, prior to this year was vice  
5 principal of that school, and can speak to incidents at the  
6 high school and policies, procedures, etcetera.

7 On his left is Mr. Thomas Talbert, Coordinator of Special  
8 Services, whose responsibilities include the title programs,  
9 advisory committees, etcetera, and will be able to speak  
10 authoritatively in those areas.

11 And on the far left, Mr. Joe Zamora, who is our Community  
12 Relations Specialist, liason person with the community with  
13 primary emphasis on the Mexican-American community.

14 If it's appropriate, since your visit, Mr. Erickson, I  
15 have done a great deal of research in the district, and am  
16 prepared to make a short statement of things that I've dis-  
17 covered that might summarize some of the concern which I  
18 believe --

19  
20 (Discussion off the record.)

21  
22 A. Well, as I was saying, after a visit from Mr. Erickson,  
23 I did take the liberty of checking with the staff and review-  
24 ing records, etcetera, he was kind enough to send me a copy  
25 of the transcript of some of the testimony of the May hearing

1 and I read that, specifically comments from Mr. Gunn and Mr.  
2 Denton, and based on all that information, I have pulled  
3 together a statement summarizing actions which have been  
4 taken by Lucia Mar School District since January of last  
5 year.

6 I would like to say that specific questions about these  
7 generalizations can be addressed to the gentlemen who are  
8 with me and they will be able to respond in detail.

9 First, Mr. Denton did enter into an agreement with PASA,  
10 the purpose of which was to resolve existing problems and to  
11 take affirmative action to prevent future problems.

12 Secondly, in-service education programs were initiated to  
13 assist Lucia Mar teachers in becoming more sensitive to the  
14 Mexican-American student and his cultural heritage.

15 Third, a community liason specialist was employed to serve  
16 between the school district and the various segments of the  
17 community.

18 Four, a program of instruction covering Mexican-American  
19 history and culture have been initiated, that's programs,  
20 plural, have been initiated.

21 Five, affirmative action has taken place to review the  
22 number of bilingual teachers in our system with particular  
23 emphasis being given to the recruitment of Mexican-American  
24 bilingual teachers.

25 And that should be recruit or -- I think I made an error

1 there. Affirmative action has taken place to increase the  
2 number of bilingual teachers. Excuse me.

3 Similar efforts have been made in the employment of in-  
4 structional aides of various kinds, and I might add with much  
5 more success.

6 You'll find, from the statistics, when you inquire about  
7 them, that we have a much more proportion of bilingual aides  
8 than we have teachers. And we can respond to our efforts  
9 in both areas.

10 Seven, efforts have been made at the high school to open  
11 communications, clarify rules and policies, and in general,  
12 improve the interaction among all ethnic groups in the  
13 school.

14 Eight, efforts have been made to reduce to a minimum ethnic  
15 or bilingual influences on standardized test results.

16 Nine, district guidelines regarding parent advisory com-  
17 mittees for title projects are stringent and are followed.  
18 Ethnic minorities are included on the committees. For  
19 example, the current district compensatory education advisory  
20 committee exceeds parity of Mexican-American membership.

21 Ten, special education assignments have been reviewed  
22 carefully to determine that cultural bias does not operate  
23 as a factor in the placement or retention of students in the  
24 program. As a matter of fact, the students in the E.M.R.  
25 program have, if I recall correctly, all been retested or most

1 all have been retested in the last six months.

2 Eleven, the district did initiate action which resulted  
3 in a study for the creation of a human relations committee  
4 for the South County. The interim committee was chaired by  
5 the Mayor of the City of Pismo, and while I'm not aware  
6 of the current status of the committee, my understanding  
7 is that it was inactive during the summer, and that the  
8 ex-mayor of the City of Pismo is taking steps to get the  
9 committee going again at this time, isn't that correct?

10 MR. TALBERT: That's true.

11 A (By Mr. Hoagland.) I would like to say that while  
12 I have enumerated steps that the district has taken, I would  
13 not want to suggest to the Committee that we have yet done  
14 everything we can do, we feel that we need to make further  
15 steps, take further steps, in the in-service of teachers,  
16 specifically to better understand the cultures of minorities,  
17 specifically the Mexican-American, and to become more sensi-  
18 tive to the Mexican-American youngsters as they understand  
19 the background of these kids and the cultural aspects that  
20 the kids project.

21 I would like to say, too, that with respect to the memor-  
22 andum of agreement, I have reviewed it very carefully, and I  
23 note that we have, as a district, met all provisions of that  
24 with one exception, and that was we did not meet the committee  
25 to employ a second public relations specialist, public liason

1 person, and that's under review at this time.

2 I think, Gentlemen, that would be the extent of my state-  
3 ment and certainly respond to questions and the members of  
4 the staff here could amplify on any of the 11 items that I  
5 have mentioned as activities that have taken place in the  
6 last six months.

7 DR. FERBER: Well, your statement is certainly most  
8 encouraging, there's been several comments this morning.  
9 I wonder if we could focus, I think there's some overlap  
10 in the suggestion of things that have been done or been  
11 initiated and the memorandum, there are a number of points  
12 obviously --

13 A. That's correct.

14 DR. FERBER: Obviously that have not been covered.  
15 Let me back up for a moment, Dr. Hoagland, and just ask  
16 some general questions.

17 During the time that you were being interviewed, for this  
18 job, one, was the sense that there were problems between  
19 the district itself and various spokesmen for the Mexican-  
20 American community made fairly clear to you?

21 A. I was aware that some problems did exist, that aware-  
22 ness was a general one, not a specific one. I didn't know  
23 the details.

24 DR. FERBER: Were you made aware at all of the agree-  
25 ment and board support for the agreement?

1           A       I was not aware of the agreement until after I joined  
2 the staff. As a matter of fact, if I recall, it was about  
3 three weeks ago that I had an opportunity to study, in detail,  
4 the agreement.

5           DR. FERBER: Okay.

6           Is it your impression that the board, or at least a majority  
7 thereof, support the agreement? Since I gather they are  
8 your ultimate superior.

9           A       I really don't know the feeling of the board. I  
10 did do some research on the status of the agreement, I have  
11 discovered that Mr. Denton, as he indicated in his response  
12 on May 30th, had reviewed the memorandum with the board,  
13 as a superintendent's comment item.

14           My understanding and review of the minutes of the board  
15 meeting would suggest that the board has taken no action  
16 relative to the memorandum of agreement. I, personally,  
17 look on it therefore, not as a legal commitment but rather  
18 as a moral commitment. It would be my intention as superin-  
19 tendent, to live up to the agreement as Mr. Denton had  
20 indicated he would within the limits of my ability.

21           DR. FERBER: Okay.

22           Well, it's my impression that at least the chairman of your  
23 board feels that it is also board policy and that's something  
24 that --

25           A       Well, I don't want to imply that I would differ with

1 that, it's just that I'm not aware, we have not discussed  
2 this with the total board.

3 DR. FERBER: Okay.

4 Now, you've suggested that with the exception of the  
5 second community relations specialist, the other  
6 terms have been lived up to. Really, do you have a copy  
7 of the agreement?

8 A. I have it in front of me.

9 DR. FERBER: Okay, it's been alleged that certainly  
10 since March 22nd, some of the events that I'm talking about  
11 may in fact precede your arrival, please just let me know  
12 and if anyone else --

13 A. My arrival was September 5th.

14 DR. FERBER: Okay.

15 Well, this, then, did precede, but perhaps some of the  
16 other gentlemen are aware.

17 There was a confrontation at the intermediate school, I  
18 believe Francis Judkins was the name of it.

19 A. (By Mr. Miller.) Yes.

20 DR. FERBER: The end of May or June. It ~~stemmed~~, or  
21 at least the allegation is that it stemmed from a situation  
22 that had been festering for some time at that school. It's  
23 further alleged that PASA, at no time, was notified until  
24 the confrontation had actually taken place, at which time  
25 I believe there were some expulsions and two students were



1 remanded to the juvenile authorities.

2 Could somebody testify to that, whoever it might be?

3 Mr. Miller?

4 A. (By Mr. Miller.) Right, I can speak to that.

5 I did meet, when we had the problem, I did meet with the  
6 principal, Tom Murray, who brought another staff person  
7 along who had been involved, and we talked about the problems  
8 I think I would sum it up by saying that we stubbed our toes.

9 PASA was not informed, they were informed later, my recol-  
10 lection is Mr. Murray met with members of PASA and involved  
11 them in some of the final workouts, details, rather.

12 But in -- as the actions that were taken and the suspension  
13 of students, that's true, PASA was not notified. And I  
14 instructed the principal to keep his communications open,  
15 I reminded him that we did have an agreement, and I'm  
16 speaking of the memorandum of agreement, and he agreed that  
17 he had made a mistake.

18 So, I think what you say is true, I think we were in the  
19 wrong, I think the problem has been resolved since then.  
20 I'm not aware of any major problems at the Judkins School  
21 at the present time.

22 DR. FERBER: No, I didn't want to suggest that they  
23 continue, I just wanted to get the facts on that.

24 Have you met with PASA subsequent to that? Do they have a  
25 sense that no one is looking, I think to gloat over past mis-

1 takes, but a sense that the administration, not the board,  
2 feels that perhaps an error had been made by not contacting  
3 them?

4 A. Yes, I talked with Alfredo and was -- my recollection  
5 is two or three days, it may have been immediately, the day  
6 after, and informed him and told him basically the same  
7 statement I'm giving you. And he -- he made about the same  
8 statement you just made, he says, "We're not looking to gloat  
9 on anyone's mistakes, I just wanted you to know about it,  
10 I appreciate you checking into it and let's keep our communi-  
11 cations open." He did not seem too concerned.

12 DR. FERBER: Have you, since assuming superintendency,  
13 met with PASA groups?

14 A. (By Dr. Hoagland.) I had one meeting with three  
15 members of PASA, oh, about a week and a half ago. This was  
16 initiated by me, an attempt to become acquainted with members  
17 of PASA. Only three, evidently, could make it.

18 DR. FERBER: Was the agreement discussed then?

19 A. Yes. Generally.

20 DR. FERBER: And they have a sense that you have it --  
21 I'm not touchy, I'm simply not a lawyer, I don't quite know  
22 whether it's legal or moral. But that you have it within  
23 the bounds of possibility always, as binding on you as super-  
24 intendent?

25 A. Well, I think -- I'm not sure I -- could you restate

1 that question please?

2 DR. FERBER: Sure.

3 As a result of the meeting, I presume that the memorandum  
4 was a serious part of the conversation.

5 A. Yes.

6 DR. FERBER: You suggested that, as the new superin-  
7 tendent, prescinding for a moment its legality, that it's  
8 morally binding on you?

9 A. I indicated to them as I indicated to the Committee,  
10 that it was my intention to do everything I could to live  
11 up to this agreement. We did get into a difference of opinion  
12 right away relative to the fact that a second person had not  
13 been employed. And didn't set the meeting off in the right  
14 direction, I'm afraid. I did explain to the members of the  
15 committee what I discovered when I came to the district,  
16 and the situation, and what I propose to do about it.

17 My proposal did not meet with the complete agreement of  
18 the three, and so no further action has been taken.

19 Specifically what I told them, was that as I reviewed this  
20 memorandum about three weeks ago, and checked with the staff,  
21 I found, number one, that the second person had not been  
22 employed; number two, that the budget did not contain any  
23 money for a second person. As near as I can figure out,  
24 that resulted from confusions and problems as a result of  
25 the absence of the superintendent for two months in the final

1 stages of the development of the budget. As I looked at the  
2 budget at this point in time, I felt that I was in no  
3 position to move ahead. We are still in a position where  
4 we are dealing with estimated income, and known expenditures,  
5 expenditures which exceed even estimated income by \$218,000.00.  
6 We have some financial problems.

7 I did indicate to the members of PASA, that I was exploring  
8 the possibility of reassigning a person currently employed to  
9 meet this commitment. I was led to believe that that would  
10 not be a satisfactory -- that would not be satisfactory  
11 to the committee. And so I have not moved any further on  
12 that position, I did indicate that when we have a better look  
13 at income, and we have just received our assessed valuation  
14 figures within the last few days, and the business office  
15 is recalculating income for me, we're anxiously awaiting the  
16 actions of Congress to know whether or not our estimated in-  
17 come, based on P.L. 874 and other programs, is going to  
18 materialize.

19 Only when I have that information can I really make a de-  
20 cision about further expenditures to employ additional people.  
21 I was disappointed that those representatives of PASA who  
22 were present at the meeting didn't concur with me that I  
23 could perhaps have met the need for a second communication  
24 person through a reassignment of existing personnel. I be-  
25 lieve they were concerned with the position of parity.

1 DR. FERBER: On the fourth page of the agreement,  
2 there is an indication that the school system will institute  
3 a new class on minority relations. Again it's been alleged  
4 that this, in fact, has not taken place. Is that correct  
5 or not correct?

6 A. (By Mr. Miller.) I can talk to that, and give you  
7 a course outline, here's the minority relations course that  
8 is being -- will be offered next semester and we have a  
9 history course that's in existence right now.

10 Doug, how many --

11 A. (By Mr. Hitchen.) It's a semester course and it is  
12 not scheduled for instruction this semester.

13 A. (By Mr. Miller.) It's next January?

14 A. (By Mr. Hitchen.) It is scheduled for next semester  
15 and there is a sign up.

16 MR. JIMENEZ: Taking place now?

17 A. Say that again?

18 MR. JIMENEZ: That's taking place now, you say a  
19 sign up?

20 A. There is already classes established, we're a semes-  
21 terized school and because it's not taught this semester  
22 does not mean that it will not be taught, it's just that  
23 it's not scheduled for the fall semester.

24 A. (By Dr. Hoagland.) Do I understand this is one of those  
25 courses that alternates with a course being taught this

1 semester?

2 A. (By Mr. Hitchen.) Well, yes.

3 A. (By Mr. Miller.) Mexican-American history was de-  
4 veloped.

5 DR. FERBER: But the language of the agreement is  
6 for the '72-'73 year, now if it's coming in in the winter  
7 semester, instead of the fall semester, but it's scheduled  
8 as they're sign up, etcetera.

9 A. (By Mr. Hitchen.) The classes are scheduled and  
10 students are already scheduled into it, it's not taught  
11 yet this semester.

12 DR. FERBER: Okay.

13 A. (By Mr. Miller.) I might add we've hired a very  
14 excellent person, Henry Mendez, that we hired out of Sacra-  
15 mento State to teach this course, and the course already  
16 in Mexican-American history is being talked about in good  
17 favor by students. Don't you think?

18 A. (By Mr. Hitchen.) Yes, it was scheduled for six  
19 sections of the Mexican-American history, but the initial  
20 signup was rather light until Henry arrived on the scene  
21 and Hank is a young, 56-year-old dynamic person who has set  
22 it on its ear and the signup is now mushroom, kids are wanting  
23 to get into his class, some --

24 A. (By Dr. Hoagland.) I had the privilege of visiting that  
25 class with Mr. Hitchen, just about four days ago and was quite

1 impressed with the gentleman.

2 A. (By Mr. Hitchen.) Outstanding..

3 A. (By Mr. Miller.) We've offered the course in previous  
4 years but did not have a signup, it deals, obviously, with  
5 the teacher, but no course is any better than the teacher  
6 that's doing it.

7 MR. JIMENEZ: In prior years did you have Mexican-  
8 Americans teaching it also?

9 A. No.

10 MR. JIMENEZ: You didn't?

11 A. We did not. It makes a difference.

12 A. (By Mr. Miller.) We were just very lucky in finding  
13 the man we did find.

14 A. (By Mr. Hitchen.) I might add that Mr. Mendez is the  
15 first teacher that I've ever known employed in this district  
16 that came in to be interviewed and was signed on the same  
17 day he came, the very first one.

18 A. (By Dr. Hoagland.) Do I understand that at 55 years  
19 of age just finished his degree?

20 A. (By Mr. Miller.) He's a first-year-teacher.

21 A. (By Dr. Hoagland.) They refer to him as 55 years  
22 young.

23 A. (By Mr. Hitchen.) He's doing everything.

24 DR. FERBER: What about the in-service program, C,  
25 on part one of the agreement March 22nd? Can you tell us

1 what you have been doing in, you mentioned, Dr. Hoagland,  
2 I want the record to show that, that you saw that as a  
3 continuing problem.

4 A. (By Dr. Hoagland.) Yes, and I'll have some comments  
5 to make about some things we have working, but I would  
6 rather Mr. Miller talked about what has happened first, and  
7 then we might just mention to the Committee something we  
8 feel is quite exciting that we have had some discussions  
9 about.

10 A. (By Mr. Miller.) This is a list of some of the pro-  
11 grams that have been developed in relation to people that  
12 we have on the existing staff, some of these programs have  
13 been used previously, some we're planning to use in the  
14 future.

15 We have a ways to go, however, other than what you see on  
16 that document, which deals with specific kinds of materials  
17 and specific people that we have, who have expertise with  
18 those materials.

19 We have established courses through the adult education  
20 program, here's an adult education printout that you can look  
21 at, you can keep all of that, and there's an agenda on the  
22 subject of in-service education. We have a course being  
23 offered through Questa (Phonetic.) College, on Thursday  
24 evenings, started a couple weeks ago, at the North Oceano  
25 School, to help teachers and teachers aides, on the subject



1 of how to deal with the Mexican-American cultures, how to --  
2 how to provide the kinds of information that people working  
3 with the students need in order to make their education a  
4 little more profitable one.

5 We've established or worked with Cal. Poly. in offering  
6 a couple of courses, and we are working with U.C. right  
7 now, I think Dr. Hoagland could elaborate on a conversation  
8 we had just about a week ago.

9 A. (By Dr. Hoagland.) This might be an appropriate time  
10 to mention that we, Mr. Miller and I, had the privilege of  
11 talking with a Dr. Steve Bowles from the Univer-  
12 sity of California Extension, Santa Barbara, discussing a --  
13 the possibility of a joint project involving Lucia Mar School  
14 district, University of California Extension and the Depart-  
15 ment of Chicano Studies at the University of California,  
16 Santa Barbara, in a three-way joint project to develop a  
17 model program that would have two thrusts.

18 One, a model instructional program for students in the  
19 area of multi-ethnic cultures and the understanding involved  
20 in multi-ethnicness, if you will, and also the second phase  
21 being the establishment of a model in-service program for  
22 teachers in the same area.

23 We feel that we certainly have a district which is ex-  
24 perienicing, at the field level, the need for this kind of thing,  
25 we have an active citizen's organization which could help,

1 interested people, University of California at Santa Barbara  
2 has some real expertise developing now in this area, and that  
3 we just might, together, produce something that could be of  
4 value. Not only to ourselves, but elsewhere in the state.

5 We should be hearing from them within the next two or  
6 three weeks, regarding the next step.

7 Dr. Bowles advises us that he's excited about the concept  
8 and that he's hoping we can move ahead.

9 We have made the commitment to him, that if we can move  
10 ahead on this development project, that we will commit  
11 half-time, one full -- one half-time staff member to the  
12 project for development stage.

13 He will commit half-time, and the Department of Chicano Studies  
14 will commit half-time. That will be the group that will be  
15 developing the proposal.

16 MR. ERICKSON: Is there any projected time as to when  
17 this program could become effective?

18 A. I'm sorry, no. It's our hope that we could move very  
19 quickly, it's his feeling -- it's his desire and our desire  
20 and we could see possibilities of getting something really  
21 moving and maybe a pilot phase of it being implemented a  
22 year from now, but that's just tentative talk.

23 I can't be more specific than that.

24 A. (By Mr. Miller.) When we talk about in-service, I  
25 can't help but relate directly to that educational program

1 and the document that I just gave you, one of the products  
2 of our discussions in the memorandum of agreement, I don't  
3 know where it says this, but it deals with educational mater-  
4 ials. I told them that we would do our very best to try to  
5 find some updated materials.

6 The State Department put out a publication of recent ma-  
7 terials updated somewhere in, not -- you know, some are not  
8 just invented during the last year, some have been available.  
9 You'll note some names on there that probably some of you  
10 know.

11 I gave this book to Alfredo Athie and to Joe Zamora, Alfredo  
12 informed me that he passed it around to a number of the mem-  
13 bers of PASA, I asked him, check these and let us know what  
14 looks good, we'll order some. So we've ordered some copies  
15 of all of the material that I gave you. Now we have the task  
16 of reviewing the material, all of it has not even arrived,  
17 we'll have to filter through this and see how we can use it  
18 and this will be a task that I'm sure Joe can help us, any-  
19 one else that can help us.

20 MR. JIMENEZ: Do you intend to also ask the community  
21 to give you some assistance in that determination or is that  
22 something that you're going to keep at the administrative  
23 level?

24 A. No, we'll do that, we'll include the community. It's  
25 difficult to know how to do that, certainly we have a communi-

1 cation line with PASA, Joe's, one of his primary functions  
2 is to do this and we'll be leaning on him pretty heavily.

3 I am sure that it will be difficult for some of the com-  
4 munity members to make educational judgments about that  
5 material as it is for me. There's a lot of material on those  
6 four pages that I'm not familiar with.

7 MR. ERICKSON: When you contact the community and ask  
8 them to comment on the books, do you do so with any kind of  
9 feeling that any of them have ever seen these books or do you  
10 provide them with the books so that they can make some sort  
11 of a judgment on them?

12 A. The sequence I'm following is I work through Alfredo,  
13 as he talks with different people he reported to me that  
14 several people were familiar with some of the materials, they  
15 checked them and ordered them.

16 The task now is to provide them with actual copies so they  
17 can make the kind of decision you're talking about. So, in  
18 answer to your question, we'll place a copy in their hands  
19 of all of this material.

20 MR. ERICKSON: You will place a copy?

21 A. Yes.

22 MR. ERICKSON: Before board decisions are made as to  
23 what will be ordered?

24 A. When all this material arrives, I would estimate about  
25 half of it has arrived, it's in the library processing center

1 right now, I'll give this material to Joe, who will in turn  
2 work with Alfredo, and we'll try to determine, open, some  
3 communications with other people and ultimately we hope to  
4 produce some material for the classroom.

5 MR. ERICKSON: Are these all elementary?

6 A. Yes.

7 MR. ERICKSON: Do you have any materials for social  
8 studies at higher levels?

9 A. There's a printout that just arrived from the State  
10 Department in last week's mail that addresses itself to  
11 secondary materials and I'll be asking Mr. Hitchen to take a  
12 look at that, he will then, in turn, probably lean on Henry  
13 Mendez and Joe and any other, I would ask if any of you are  
14 familiar with any of those, you might shoot me a line too.

15

16 (Discussion off the record.)

17

18 MR. JIMENEZ: Just, I guess for my own knowledge, Mr.  
19 Zamora, what do you do? I mean you're -- have you got a job  
20 description, who do you work for?

21 A. (By Dr. Hoagland.) There's your job description, Joe.

22 MR. JIMENEZ: Now, you know what you do. Because too  
23 many times, the reason I ask the question is that too many  
24 times we find that we've got a brown face, a Mexican-American  
25 and really not much is being done. I know this because for a

1 while I was the only consultant in the Senate of Mexican-  
2 Americans, and while I don't do everything, the people I  
3 talked to thought I did because every time they say, okay,  
4 we got Jose, yes, sure. So --

5 A. We have Joe too.

6 MR. JIMENEZ: You got Joe too.

7 A. We're pleased at Joe, I want you to know that.

8 MR. JIMENEZ: Would you tell me just, please, what  
9 your duties are, what you do?

10 A. (By Mr. Zamora.) Well, I think the biggest thing is  
11 trying to eliminate big problems from occurring. In other  
12 words, if something happens at the high school, and I've had  
13 real close communications with Doug, if there's an incident  
14 that he feels might be misunderstood or mishandled, he will  
15 call me and ask me for a little advice or to have me look into  
16 it a little further. So, in other words, my -- I consider  
17 that to be my primary function, working with the schools to  
18 help as an adviser to the administration, and quite often  
19 I'll be involved with the students themselves.

20 And I'll act as a counselor with them. I will also meet  
21 with Dr. Hoagland or Mr. Miller, and Mr. Talbert, and give  
22 them some feedback from what I receive as far as the community  
23 concerns and needs are.

24 On the other hand, if there's certain problems or I should  
25 say certain programs that the school has that they would like

1 me to relate to the community, I will, in turn, pass that on.

2 So, here I'm serving as actually the liason, the communi-  
3 cations link going back and forth. I have worked with the  
4 Title One program, and some time of my time has gone into  
5 other specific projects.

6 MR. ERICKSON: How is your position financed, is that --

7 A. It's Title One.

8 MR. ERICKSON: It is a Title One position?

9 A. Yes, it is.

10 MR. ERICKSON: And these are the guidelines for Title  
11 One or for the position as --

12 A. I think this was a general job announcement, I didn't  
13 even look at this as it was handed to me. But I would assume  
14 from the appearance of that, that that is the original job  
15 announcement.

16 A. (By Dr. Hoagland.) It was the job announcement.

17 MR. JIMENEZ: That's the job announcement?

18 A. (By Mr. Miller.) Those specs. were developed as a  
19 result of our meetings during the time we put together the  
20 memorandum of agreement.

21 MR. JIMENEZ: But you're funded out of Title One?

22 A. (By Mr. Zamora.) Yes.

23 MR. JIMENEZ: Who do you report to, I mean where do  
24 you get your direction?

25 A. I have a great deal of freedom.

1 MR. JIMENEZ: That's not what I asked.

2 A. Which I enjoy.

3 MR. JIMENEZ: But who do you report to or -- because  
4 most Title One, if you're funded out of Title One, my under-  
5 standing is that you have to go through a Title One hierarchy,  
6 however, you know, however much it is or whatever it is, so  
7 -- are you responsible to somebody in Title One for this, or--

8 A. As far as Title One is concerned, I am responsible  
9 to the project specialist who's Mr. Thompson.

10 MR. JIMENEZ: To do what?

11 A. Depending on what he -- what is actually needed at the  
12 moment, sometime I'll work in the classroom, I'll work for  
13 in-service, teacher of in-service, sometimes to make home  
14 visits.

15 MR. JIMENEZ: Then where do you -- then you say you're  
16 advisor to Dr. Hoagland, do you also do what Dr. Hoagland  
17 wants you to do, then, too?

18 A. Yes.

19 MR. JIMENEZ: Who takes priority, because I know there's  
20 a difference in being a community relations specialist, you  
21 know, who acts as a liason between the community and part  
22 of the administrative arm to, you know, because to make sure  
23 that what the administration is doing, with regard to Chicanos  
24 and this type of thing, is in fact looked at by someone with,  
25 let's say greater sensitivity, or whatever the case may be, or



1 someone with a little bit more understanding of the problem,  
2 which may or may not occur under Title One, you know.

3 If you're working in Title One and they say, "Hey, we got  
4 a problem, go do this", then really I think what the community  
5 wanted is not being done and this is why I'm asking the  
6 question. Having just gone through this myself, working  
7 for the Senate and being a liason between the whole Mexican-  
8 American community supposedly, for the whole state, on re-  
9 apportionment. I -- my direct responsibility was to the  
10 chairman of the committee and anything that had to do with  
11 Mexican-Americans I looked at prior to anybody else because  
12 that was my responsibility.

13 If you're working for Title One and let's say doing in-  
14 service stuff and something comes up administratively, that  
15 has to do with the community, and you're not called unless  
16 there's a problem, I'm not sure that you're being utilized  
17 the way that the community envisioned this when they first  
18 started out. And this is really what I'm trying to get at.

19 A. (By Mr. Talbert.) Maybe I could clarify this to some  
20 extent, if it's appropriate, because I'm really Joe's, probably  
21 first visible immediate superior. I'm directly responsible  
22 for the operation of the federally-funded programs.

23 What we try to do with Joe, is to set up a structure that  
24 leaves him enough freedom to handle his responsibilities the  
25 way that are most appropriate, particularly with the Mexican-

1 American community because we realize that our direction to  
2 him specifically in that area might not be appropriate at  
3 some times particularly.

4 So, either directly through my dealings with Joe, or through  
5 my dealings with Mr. Thompson, who is directly responsible  
6 to me for operation of Title One program, to Joe, we try  
7 to have communication every few days on what's happening,  
8 what's going on. Oftentime the communication will be  
9 initiated by Joe to the extent that I'm involved in this  
10 I wanted to let you know what I'm doing, I want to be sure  
11 that I'm heading down the right direction. Here's how it  
12 looks like I'm going to handle it. I might offer one specific  
13 example, recently the festivities related to September 16th,  
14 the Mexican holiday.

15 Joe was very involved in the organization of those activities  
16 in the community, and we had talked about this on several  
17 occasions and I think Joe's main priority was to be sure that  
18 he was not doing something that would not be appropriate in  
19 his role with the district.

20 And I did assure him, at that time, and did communicate with  
21 Dr. Hoagland on this topic, that this was very appropriate be-  
22 cause this is exactly, this is a response to the community.  
23 He was the chairman and was very much involved in the program  
24 and the community had sought him out to play this role, so  
25 from that point of view it would be very appropriate. So I

1 use that as an example to try to show you how we are aware  
2 of this problem. We have faced this problem before, we have  
3 had other people in the past involved in similar roles. And  
4 they were fairly successful, in any areas which weren't  
5 successful were probably due to our overzealous attitude,  
6 shall we say, in terms of direction for that individual.

7 We thought we knew his role better than he did and that  
8 wasn't the case.

9 A. (By Mr. Hitchen.) Oftentimes when a job description  
10 is established in creating a new position, the job description  
11 will be totally different after, you know, after a few  
12 months than what the actions --

13 DR. FERBER: Like courses in a college catalogue.

14 A. (By Mr. Hitchen.) Yes.

15 A. (By Mr. Talbert.) However, Joe and I have communicated  
16 on this point too, to communicate regularly enough so we can  
17 reestablish in writing the kinds of things that are most  
18 appropriate as a result of the kind of things that he does  
19 most.

20 DR. FERBER: Let me pose Joe's question just a little  
21 bit different.

22 I don't want to put anybody on the spot, I think -- maybe  
23 you don't want to answer it, Joe.

24 The range of activities, I'm less concerned with formal  
25 organizational charts and who you report to, although I think

1 if there's too much competition for your time that's a problem.  
2 I think underlying what the community perceives as a need  
3 for a second person was really no comment about you, but --  
4 or anybody, but rather a question, were you spread too thin,  
5 and is it your feeling that you are or are not, or I mean  
6 I really -- as I say, I don't want it to be an embarrassing  
7 question. Certainly both at our March meetings and in meetings  
8 with PASA this last go-around, a sense, A, and I'm sure you  
9 picked up, Dr. Hoagland, that I think given the amount of  
10 time of, what I sense to be the tremendous amount of human  
11 emotion, on occasion they might be excused if even a comma  
12 seems to be violated, that's viewed as a Treaty of Ghent in  
13 this district.

14 So, it's that dimension.

15 It's said there would be a second one and there isn't, and  
16 that, per se, is a source of concern, is it already being  
17 eroded. But beyond that, the underlying premise that a second  
18 was needed was the notion that the job description, I haven't  
19 read it yet, but that the requirements on any one individual  
20 were too great. The needs perceived by at least spokesmen for  
21 the community, I don't want to get into this game as to  
22 whether or not they represent a majority of Chicanos or two-  
23 thirds or one-sixth or anything, they are obviously definitely  
24 concerned about the education of their children in this dis-  
25 trict, and my real query is, rescinding for a moment of budgetary

1 consideration, is it your feeling, maybe that's the best way  
2 to put it, is it your feeling that there is a need for at  
3 least another person directly in this area?

4 A. (By Mr. Zamora.) Yes.

5 MR. JIMENEZ: How do you feel about that, Dr. Hoagland?

6 A. (By Dr. Hoagland.) I don't have a personal feeling.

7 DR. FERBER: I'm not structuring conflict between you.

8 A. You're not, and I'm being very candid, I don't have a  
9 personal feeling one way or the other. I do respect Joe and  
10 if Joe advises me that there's a need, I can accept there's  
11 a need. What I'm saying is I haven't had enough direct ex-  
12 perience to say to you, I have that feel and know that there  
13 is that need. I'm sure six months from now I could have re-  
14 sponded, you know, much more definitely to you.

15 My concern, and -- well, you gentlemen are well-aware of  
16 the responsibility that one faces in an educational program  
17 when it deals with budgets and so forth. I would have much  
18 preferred to have found, after reading this, that the money  
19 was budgeted, and that we had moved ahead.

20 You know, that was not the case, it's a fait accompli I  
21 face.

22 My next question is, do I go ahead and hire someone without  
23 any money? Well, that's irresponsibility. I recognized  
24 when I proposed to PASA that we reassign someone that that was  
25 not the best alternative. But it was intended, on my part, to

1 convey a sense of commitment to meet that need.

2 Now, I did not move ahead because it became apparent that  
3 at least one member of the three, and I don't know whether  
4 that represents total PASA, they advised me that they were  
5 going to discuss it at PASA and let me know how they felt.  
6 I haven't heard from them since.

7 I did indicate that I do intend to reevaluate that  
8 question as soon as I get current income data. And I think  
9 you gentlemen are aware of the procedure in setting up school  
10 budgets. Our officail budget, expenditure budget, is approved  
11 in August, based on estimated income and we start finding out  
12 how much income we have about now. And then we start seeing  
13 how close we are.

14 MR. JIMENEZ: The state does that all the time.

15 A. And, you know, maybe I'm too conservative and prudent  
16 financially, but when I see a \$218,000.00 deficit budget  
17 already, and I hear all the reports that Congress may elimin-  
18 ate P.L. 874, which is a part of the income which will in-  
19 crease the deficit, I find it difficult to say right now I'm  
20 going to go hire somebody.

21 You understand that, I hope. I did not intend, nor do I  
22 think I conveyed to the group of PASA, that it was my intention  
23 not to consider that, I think I -- Joe was there, did I say  
24 specifically that if they would prefer to give me some time,  
25 I'd review the budget and if I could find the money I'd

1 employ someone?

2 A. (By Mr. Zamora.) That's right.

3 A. (By Dr. Hoagland.) But I was not prepared at that  
4 evening to say yes, I'm going to hire someone tomorrow.

5 MR. ERICKSON: Can we talk about general staffing now?

6 MR. JIMENEZ: I'd just like, before we get into the  
7 general staffing, let me just -- I've just read the job de-  
8 scription. I know what you do. Or what you're supposed to do.  
9 And one of the things --

10 A. You may keep that.

11 Do I understand that the job description is the same as that  
12 announcement for the opening?

13 A. (By Mr. Miller.) Yes, that's right.

14 MR. JIMENEZ: One of the problems that -- or one of the  
15 reasons that there are problems, in not only Lucia Mar but  
16 any district having to do with minorities, Mexican-American  
17 or whatever the case may be, is that administrators make de-  
18 cisions affecting minorities without any practical experience  
19 in what -- on what impact they're going to have because  
20 usually the minorities, and I doubt that it's a school dis-  
21 trict is any worse, Mr. Denton said it was just about iden-  
22 tical to the school district that came out in our report,  
23 and it shows that they're just not responsive to, in this  
24 case, Mexican-Americans.

25 The problem is that administrators make decisions concerning

1 these students with no really first-hand knowledge as to  
2 whether, what type of impact it's going to have. I think,  
3 my opinion would be that one of the primary job descriptions  
4 would be that when you sit down and talk about new programs  
5 and things like this, that the primary responsibility of the  
6 community liason officer or whatever, would be to sit there  
7 and to give you information and say, wait a minute, now, it  
8 may say that but that's not what happens, because this is the  
9 way it really works.

10 Because people don't have sense -- I mean if you're not  
11 really involved with it, you don't have the sensitivity that's  
12 necessary. And I think this would -- this should be a primary  
13 responsibility and I think probably one of the most glowing  
14 examples is that we, last year when we worked on reapportion-  
15 ment, the basic concept was that in the past Mexican-Americans  
16 had been split up, communities had purposely been divided  
17 up so that they would benefit incumbents and certain parties  
18 and this kind, both parties, you know, whatever suited their  
19 fancy and even though that was a basic principle and everybody  
20 understood that, everybody on that staff was sympathetic,  
21 understanding of the problem, and was going to do everything  
22 they could.

23 The first plan that was devised by someone other than,  
24 when it got down to the areas where Mexican-Americans was,  
25 split the Mexican-American community into pieces again and



1 they didn't understand -- they didn't realize, and they knew  
2 they were doing it but they said, well, hell, it's such a  
3 big district, it was a five-million-people-district, that  
4 really it's not going to make that much difference, but it  
5 does, as it turned out it would, it showed that it would.

6 And what I'm saying is that one of our primary or one of  
7 the reasons, one of the ways to keep problems from arising  
8 so that he has to go out and put them out, would be to in-  
9 clude Joe Zamora or whoever, you know, you have at that level  
10 now or later, in the decision-making process, and I think  
11 this is really what the community was talking about.

12 A. (By Mr. Hitchen.) I think we have.

13 MR. JIMENEZ: Okay, well, I read the job descriptions

14 A. Like I said, that's being changed.

15 A. (By Dr. Hoagland.) Well, perhaps you might ask Joe  
16 that very question, does he feel that he's been involved,  
17 does he feel that he's had the freedom to put input into us  
18 and call to our attention what might appear to be a lack  
19 of insensitiveness on our part.

20 Now, he's clued me already, after 30 days, you know, on  
21 some of the things that I've said that weren't taken too  
22 well, and so I assume that if he will do that to me as a new  
23 superintendent, he's done it to the rest of them.

24 I'll let him speak for himself.

25 MR. ERICKSON: You're going to ask him the question,

1 not us, I think that's better.

2 A. (By Mr. Zamora.) Well, first of all, I'd like to  
3 feel that I'm the guy that's sitting on the fence and I have  
4 to look at both sides, and from the very beginning I've  
5 liked to make myself appear as the type of guy that will  
6 say what I think. And if I feel that something is being done  
7 in an inappropriate way or in an inadequate way, then I'll  
8 go ahead and I'll call them on it and I've done it to both  
9 sides.

10 And I think I've talked to Doug, I think I've talked to Tom,  
11 and just, I just had lunch with Dr. Hoagland and I voiced a  
12 few opinions. I feel I do have a considerable amount of  
13 freedom, I feel that if I'm going to be effective in what  
14 I was intended to do, if I am to achieve what I was intended  
15 to do, I have to be this type of individual.

16 I would like to be included in other functions such as the,  
17 what do you call it, the A.S. --

18 A. (By Mr. Hitchen.) A.S.E?

19 A. (By Mr. Zamora.) A.S.E., is that what you call it,  
20 in where all the principals meet, I'd like to be included on  
21 that, I think it's -- I think it's feasible.

22 Other than that, I -- I really can't say anything. In any  
23 respect that I've been excluded.

24 A. (By Mr. Hitchen.) Let me comment there.

25 We've -- we've called him, we've kept him informed, we need

1 him, we want him, he's been, when a decision has come along  
2 he's offered, not because he's just setting here and hearing  
3 this either, but he's offered some very valuable advice to us.

4 MR. ERICKSON: Is there a cabinet, is there any part  
5 of a cabinet?

6 A. (By Mr. Zamora.) Not really. There isn't any format  
7 or any true organization that I'm a member of, but I have  
8 been called various times to, there was one incident at  
9 Lopez last year where I personally thought it was going to  
10 get out of hand, and I communicated with Denton at the time,  
11 and he told me to handle it the way I saw fit and I did,  
12 and it made me feel kind of peculiar because I felt at that  
13 particular time I was going over Mr. Hitchen's head and  
14 Mr. Miller's head, but fortunately it was the right decision  
15 and Denton backed me up and no problem.

16 DR. FERBER: Were you consulted in that fracas at  
17 Francis Judkins, whatever?

18 A. No, when you made the comment that PASA was not con-  
19 tacted or consulted, I assumed that you had meant that I was  
20 not consulted either, because I would have probably been the  
21 first one that was contacted.

22 A. (By Mr. Miller.) I don't think that's what he meant  
23 and I should have made that clear. The fact of the matter is  
24 that Joe was not consulted, he should have been, by the  
25 principal. At the point I was involved in it, I involved Joe

1 and then he, in turn, worked with PASA and I talked to Alfredo  
2 personally.

3 DR. FERBER: Now, I'm really not beating a dead horse  
4 on that, it seems, in the light of the respect that you have  
5 from your colleagues, and in the light of the description,  
6 and as I say, not beating what now has become a dead horse,  
7 it's hard to imagine a more ideal situation. I think there  
8 was a confrontation there that could have been totally avoided  
9 had someone sensitive to the problem been brought in early.

10 The number of kids ultimately involved could have been  
11 reduced, I'm not suggesting that every child involved with  
12 that was devoid of involvement in something that could have  
13 been fairly serious. I'm suggesting that that might have been  
14 handled very differently.

15 A. (By Mr. Miller.) No question about it.

16 A. (By Mr. Hitchen.) And --

17 DR. FERBER: If, through PASA, and other concerned  
18 parents had been involved --

19 A. (By Mr. Hitchen.) Doctor, let me comment on that.

20 One of the statements in the agreement says that the PASA  
21 will be contacted immediately, on three occasions I have asked  
22 PASA as to who and when, not when, but who to contact and  
23 for phone numbers and I have been unable to get that informa-  
24 tion from them.

25 I've asked Mr. Manlio Hernandez and Mr. Athie and Mr. Alcala.

1       Okay, who should we call? I said get me the names that I  
2 should call right now, if something should happen. I have  
3 not received that yet, and I asked for that not only since  
4 school started this fall, but last spring too.

5           MR. ERICKSON: Would you ask Joe Zamora for something  
6 like that?

7       A.     (By Mr. Hitchen.) I've asked Mr. Zamora --

8           MR. ERICKSON: And he hasn't delivered it either.

9           MR. JIMENEZ: Better write it down.

10       A.    (By Mr. Zamora.) I'm writing it down.

11       A.    (By Mr. Hitchen.) I don't want to say for lack of  
12 a phone number I didn't call.

13           MR. ERICKSON: I hate to see people who are paid to  
14 do something all day long, blame volunteers for something  
15 that wasn't done that will benefit the established body and  
16 we're guilty of the same thing a lot.

17           DR. FERBER: Boy, I'll say.

18       A.    (By Dr. Hoagland.) Of course, what he's trying to  
19 say is that, if I understand him correctly, is there a state-  
20 ment here, a provision that he should call, if he doesn't know  
21 who to call, he can't meet that commitment.

22           MR. ERICKSON: You don't know their phone numbers or --

23       A.    (By Mr. Hitchen.) Not their home phone numbers or their  
24 business phones. If they say call me here, that's where we'll  
25 call.

1 MR. ERICKSON: I had understood that Mr. Athie had  
2 been called a lot of times by the school over the years.

3 A. (By Mr. Hitchen.) Yes, but now you're assuming Mr.  
4 Athie is or Mr. Alcala is a spokesman, we don't know that.

5 MR. ERICKSON: Who's president of PASA, isn't that  
6 Mr. Athie?

7 A. (By Mr. Hitchen.) It has changed, hasn't it?

8 A. (By Mr. Zamora.) No, not yet.

9 MR. ERICKSON: We were talking to some students, this  
10 might be of -- something Joe could answer, kids at Judkins  
11 and I realize there's nobody here from Judkins to be responsive  
12 to this, but where they were just counting the number of kids  
13 that get paddled in the school and we're interested in dif-  
14 ferential treatment, and they could name about 20 Chicanos  
15 and about five anglos in a school that was maybe 80 or 90%  
16 anglo, you know, and would a thing like this be something that  
17 would be of -- this is last year they were talking about, that  
18 there seemed to be some sort of singling out of Mexican-  
19 Americans for certain types of discipline.

20 This is their feeling, now whether it's true or not, I  
21 don't know, but I think if it's a community attitude it's  
22 a concern, and interest.

23 A. (By Mr. Miller.) We can certainly check it, it has  
24 never been called to my attention.

25 A. (By Mr. Talbert.) Who was that information from?

1 MR. ERICKSON: Some students, Mexican-American students,  
2 who have been paddled, obviously.

3 Now can I go to staffing, Joe?

4 A. (By Dr. Hoagland.) This would be the kind of thing  
5 that we would invite Joe to explore, you know. Joe discussed  
6 with me just within the last 24 hours, a rumor that he had  
7 heard about a teacher, teacher's inappropriate activity rela-  
8 tive to Spanish-speaking children in one of our schools,  
9 so he's in the process now of checking that out. Had to do  
10 with punishing kids because they were speaking Spanish  
11 specifically.

12 Joe doesn't know it's a fact, I don't know it's a fact, but  
13 he's working on it, he's going to find out, and this is, you  
14 know, a very valuable thing for us to have someone who can  
15 do this.

16 MR. JIMENEZ: Now you can go to staffing.

17 MR. ERICKSON: Thank you, Mr. Chairman.

18 The memorandum indicates that you've got quite a job ahead  
19 of you over the next few years and I just wonder if you feel  
20 you can live up to it? And how your start has been the first  
21 year?

22 A. (By Dr. Hoagland.) We're going to have trouble.  
23 We're trying, though.

24 A. (By Mr. Miller.) There's a capsulized summary of our --  
25 the number of openings, the applications we received, the

1 recruiting that we did and when you have time to study that,  
2 you'll see that we made a net gain of six bilingual people  
3 this year. After God knows how many miles traveling. Attemp-  
4 ting to find people.

5 MR. ERICKSON: How many teachers?

6 A. (By Mr. Miller.) 293 and 1/2 on the staff this year.

7 MR. ERICKSON: You got a plus 6 on teachers?

8 A. (By Mr. Miller.) We hired six, offered contracts to  
9 nine, we lost four. So we have a total gain of six when  
10 you clear through the smoke.

11 A. (By Dr. Hoagland.) Excuse me, do I recall that it was  
12 six Mexican-Americans but nine bilingual people?

13 A. (By Mr. Miller.) Right, right.

14 A. (By Dr. Hoagland.) A net gain of six Mexican-Americans,  
15 a net gain of nine bilingual, if I recall the statistics.

16 DR. FERBER: Are we talking teachers now?

17 A. (By Dr. Hoagland.) Teachers only.

18 DR. FERBER: You mentioned in your opening remarks,  
19 Mr. Hoagland, instructional aides?

20 A. Yes, we have a report there too that shows a signifi-  
21 cantly better recruitment program in that area, and again  
22 this is because there are more people available to us with  
23 the level of training required as an aide, than there are as  
24 a teacher.

25 A. (By Mr. Talbert.) Three new aide positions this year,



1 they're all replacements. Attrition, two are Mexican-American  
2 and all three are bilingual.

3 A. (By Mr. Miller.) You'll see from that report that  
4 in the area of teacher aides and classified employees, we  
5 have a hire percentage of bilingual and Mexican-American  
6 than we do that percentage of students in the programs. So  
7 we feel we're in very good shape there.

8 I can't say that in the certain indicated area, however.

9 MR. ERICKSON: What would your percentage be now? Be-  
10 fore we were dealing with about 22% Mexican-American students  
11 and 1.7% professional staff. Right?

12 A. (By Mr. Talbert.) Our total Mexican-American percen-  
13 tage this year is 22.9.

14 MR. ERICKSON: 22.9?

15 A. Youngsters, right.

16 MR. ERICKSON: It seems to be going up about a percent  
17 a year, roughly?

18 A. That would be the case from last year to this year,  
19 almost a percent.

20 Well, it depends on the survey information you use, our  
21 October 15th report from last year indicates 22.0, some of  
22 the other research that you will have access to indicates  
23 about 21.5 Mexican-American.

24 MR. ERICKSON: Where would your other figure be, your  
25 1.7?

1 A. (By Mr. Miller.) We'd be 3% right now.

2 MR. ERICKSON: 3%, and do you have hopes of getting  
3 that up in the five-year period indicated?

4 A. (By Dr. Hoagland.) Unless we can improve our record,  
5 we will not be at 22% in five years, you know, with this  
6 number. I think I calculated that we should have had 13 per  
7 year for five years to reach that parity.

8 And we didn't make it this year.

9 MR. ERICKSON: I understand that Santa Maria as an  
10 example, hired 23 Mexican-Americans this year.

11 A. I don't know.

12 MR. ERICKSON: Are you checking with them on their  
13 techniques if you feel that yours are inadequate?

14 MR. HITCHEN: Yes, may I comment on that, please?

15 You're talking about people who are fully credentialed  
16 against some who are not. I have been a life-long resident  
17 of this area and have many friends teaching on the Santa  
18 Maria staff and when they hire a person who has had no class-  
19 room experience, just to meet the needs, I think they're  
20 defeating the purpose because no Mexican-American person  
21 wants a teacher in the classroom who is not fully qualified.  
22 And my point there being, when they come in on a provisional  
23 credential or not saying that they all are but some of them  
24 they were hired just to meet the needs, when they will call  
25 the friends that contacted me and asked them if they could

1 come over to the house and help them bail out of a situation  
2 in the classroom and how to teach a subject, I don't think  
3 that the Mexican-American community wants that.

4 Now --

5 MR. ERICKSON: I thought they were qualified when  
6 they got a credential to teach? That's what going to school  
7 was all about.

8 A. (By Mr. Hitchen.) That's what I thought, too, but  
9 maybe they're not all fully qualified credential people.

10 A. (By Dr. Hoagland.) I'm not aware of that factor--

11 A. (By Mr. Hitchen.) I am --

12 A. (By Dr. Hoagland.) But my response would be that,  
13 for next year, it's our intention to do some very early re-  
14 cruiting for this specific purpose, we're in a captive market,  
15 I think the Commission is well-aware of the fact that we're  
16 not the only district that is trying to upgrade its staff in  
17 terms of ethnic minorities.

18 And there is not a tremendous surplus of credentialed people  
19 and there's a lot of competition.

20 My review of the recruiting pattern suggests that we got out  
21 a little late last year to meet the competition, it's our in-  
22 tention to get out earlier this year.

23 A. (By Mr. Hitchen.) However, the recruiting team from  
24 the secretary point of view, visited nine colleges and inter-  
25 viewed zero candidates of Mexican-American. It wasn't until

1 they got to Sacramento that we found Henry Mendez and there  
2 was another man that was offered a contract from the same  
3 school and we interviewed the same day, and he turned us down,  
4 he stayed in the Sacramento area.

5 A. (By Mr. Miller.) We were offered, Mr. Denton and my-  
6 self, met with Joe Mendoza, we were offered an estimated 50  
7 people to screen. Joe, I believe is president of the Mexican-  
8 American Educators Association, is he president this year?

9 MR. JIMENEZ: This year he's president, right, Aguilar  
10 was president last year.

11 A. I followed that up with written communication and  
12 they had some kind of a recruiting procedure they were es-  
13 tablishing, which evidently fell through because we didn't  
14 receive any referrals from that.

15 We contacted and visited 14 campuses, competition is pretty  
16 stiff, our salary schedule is not --

17 MR. ERICKSON: Is it true that there are a lot more  
18 Mexican-Americans graduating from schools of education now?  
19 This is what we have heard.

20 A. (By Dr. Hoagland.) It's my understanding that each  
21 year it's going to get a little bit better, yes.

22 MR. ERICKSON: However, they will be first-year-people.

23 MR. JIMENEZ: Well, I don't think he voiced a concern  
24 on first-year-people, I think his full credential is what he's  
25 talking about.

- 1       A.       (By Mr. Hitchen.) That's right, and a student  
2 teaching is so important, if you're taking a provisional  
3 teacher under any conditions who has not been in a classroom  
4 and then he has to handle a full load of teaching assignment --
- 5       A.       (By Dr. Hoagland.) Are you suggesting, Doug, that  
6 they, some of the people they employed had not even had student  
7 teaching?
- 8       A.       (By Mr. Hitchen.) I am.
- 9       A.       (By Dr. Hoagland.) Or it's equivalent?
- 10      A.       (By Mr. Hitchen.) Yes.
- 11             DR. FERBER: No, I think at a philosophical level I don't  
12 want to argue that point, I except, I don't think any community  
13 is --
- 14             MR. JIMENEZ: I know what side you'd take anyway, being  
15 as you got hired before you graduated.
- 16      A.       (By Mr. Miller.) I'd like to point out we do have,  
17 for the first time this year, two time interns in the district,  
18 teaching interns, in the Mexican education program.
- 19             DR. FERBER: I want to turn to a couple of other things,  
20 Joe.
- 21             MR. JIMENEZ: Okay.
- 22             DR. FERBER: One, in our discussions with Denton, and  
23 this was certainly borne out by really some rather eloquent,  
24 one of the programs he seemed to think was important and  
25 alluded to but we really didn't get very specific, one I

1 think that was eloquently stated by one of your graduates  
2 who's now down at U.C.L.A., I don't know how much of this  
3 testimony you've been able to go over, but this guy had  
4 made it, was making, certainly a highly articulate spokesman,  
5 was the notion really two-fold.

6 One, working in the school, to do, through Joe, I suppose,  
7 and others, I suspect Mendez, as you've described him, will  
8 take on this role automatically whether he wants it or not.  
9 Essentially expanding horizons and aspirations for the  
10 Chicano community.

11 Denton had suggested the initiation of a program with  
12 colleges, that is close work so that counselors and others  
13 within your system would be in a position to advise well  
14 Mexican-American students what opportunities did exist.

15 As I saw it going through the record, but I must confess  
16 that it's a vague dream rather than anything I can point to,  
17 it was well-presented, made eminent sense and certainly re-  
18 sponded to the community's perception that more of their  
19 people ought to go to college.

20 I just wonder if anything is being pursued along those  
21 lines, Dr. Hoagland?

22 A. (By Dr. Hoagland.) I really couldn't comment on that.  
23 Norman?

24 A. (By Mr. Miller.) I think Doug could probably describe  
25 how you approach that on the Arroyo campus.

1           A.     (By Mr. Hitchen.) Well, on various occasions within  
2 the last two years, we're primarily connected with the stu-  
3 dents who go to California Poly. being so close. There have  
4 been occasions where, and I won't say any number because I  
5 don't remember, but there have been times when graduate stu-  
6 dents or students currently enrolled in California Poly. who  
7 have visited our school to try to encourage kids to stay  
8 in class, to stay in school, to point out the values of  
9 an education, the fact that there is an ideal time for them  
10 to be pursuing their education because of the financial  
11 grants going on at junior colleges and state college systems,  
12 we have been involved in a tutorial program for the last two  
13 years where a number of students have come from Cal. Poly.  
14 of all ethnic relations or -- offering their help to our  
15 students.

16           In fact, I was introduced this morning to four people, three  
17 young men and a young lady, who are currently involved in a  
18 tutoring program through Cal. Poly. on our campus, trying to  
19 encourage kids to stay. All four of these people were Mexican-  
20 American people. Our dean of boys is a Mexican-American man  
21 who came from Garfield High School in Los Angeles, our new  
22 vice principal came from Garfield High School in Los Angeles,  
23 where they have had many, many years of experience in working  
24 as counselors and some administration work.

25           I think many things are going on, the mino. organizations on

1 our campus, I'm sure, although it's not actively joined by the  
2 boys because they don't think it's the thing to do, but the  
3 girls are extremely active, and it has been a very worthwhile  
4 organization to encourage kids to get involved, to get into  
5 the act, and to stay in school.

6 Now, Dr. Ferber, have I answered your question, or have I --

7 DR. FERBER: Yes, I just --

8 A. These are some things that I see, personally, going  
9 on that I can respond to.

10 Now --

11 DR. FERBER: No, I was just wondering if Guadalupe  
12 administration, there was an effort, for example to bring  
13 together, in a single location, or several locations, material  
14 from a number of different colleges, suggested openings,  
15 suggested differential thrusts to encourage Mexican-Americans  
16 to go to those schools, either the existence of scholarship  
17 money or some sensitivity on the part of higher education that  
18 this was an object to be pursued.

19 Bringing that together and making it fairly widely available  
20 to any who come into an irregularized counseling or futures  
21 orientation with students and particularly Mexican-American  
22 students.

23 One senses, and all I can say is one senses, a kind of feel-  
24 ing on Denton's part that this was important. I can't point  
25 to anything that says this was accomplished or that this



1 structure was set up, but I just had the feeling that some-  
2 thing like this was to be encouraged and I'm wondering,  
3 following through on a variety of things, that we've  
4 talked about, if there has been a continued enthusiasm for  
5 this and greater --

6 A (By Mr. Hitchen.) I think Mrs. Hererra, who was a  
7 first-year-teacher last year, first-year-counselor, and she  
8 has left our district and moving to Washington, D.C., and  
9 she has been replaced by Mr. Gonzalez, and she was directly  
10 involved with the E.O.G. and C.O.G., and in working with the  
11 Mexican-American. I think much of this will be picked up by  
12 Al, I wish you could meet him too, he's something else, great  
13 guy, but he's new to our district, just getting established,  
14 just getting his feet on the ground, he is working as a vo-  
15 cational counselor and counseling in general.

16 A (By Mr. Miller.) See if you look at some of the  
17 people that Doug is talking about, you'll find Washington, D.C.  
18 Department of Education stole one of our people last year,  
19 Cal. Poly. has stolen Dave Sanchez two years ago, Ralph Alvarez  
20 was stolen by the State Department, he started in our district  
21 and when people do develop some expertise some of our colleges  
22 come along and take them from us.

23 MR. JIMENEZ: You just got to get more of them so when  
24 you take them you're not left without anything.

25 A That's right, we're a training ground in a lot of ways.

1       A.       (By Mr. Hitchen.) Our salary schedule provides that  
2 one thing, that we're competing with a handicap, we're  
3 running a race with a weighted saddle.

4               MR. JIMENEZ: Do you, Dr. Hoagland, have any -- I  
5 realize you're just here and, but coming from the Bakersfield  
6 area, I guess that's where you came from --

7       A.       (By Dr. Hoagland.) Originally. Most directly from  
8 La Canada, which is quite the antithesis of the Bakersfield  
9 area.

10              MR. JIMENEZ: Yes. But any way, going back to the  
11 Bakersfield, the fact that you were in the Bakersfield area,  
12 just have, you know, some, an understanding of the problems  
13 that the Mexican- American faces, and now, coming to a  
14 situation like you have now, where evidently the people that  
15 have been here before you and -- I'm not trying to cast asper-  
16 sions on anybody, but evidently the problems, and I think the  
17 president of the board said, you know, that the problem was  
18 always there. We just chose to ignore it, because nobody  
19 really cared. The system is not answering the needs of the  
20 Mexican-Americans, they're dropping out at greater percentages,  
21 they're not, you know, they're not continuing on, do you have  
22 any ideas because of your background, now, you can institute?

23       A.       (By Dr. Hoagland.) I don't come as an expert in this  
24 field.

25              MR. JIMENEZ: There's not too many of them.

1           A.     I want to say that in the beginning. I come with a  
2 sincere desire to provide the maximum opportunity for all  
3 kids, and specifically Chicanos, I feel that, and I think  
4 this Commission has said it, that while the goals of all  
5 kids are the same, really, to do the best they can to pre-  
6 pare themselves for their own futures, that I recognize the  
7 means to reach those goals have to be different as kids are  
8 different.

9           And certainly one of those differences is a difference in  
10 cultural background. I'm going to have to rely on the gui-  
11 dance and counsel of people like Joe and others, to guide  
12 and help me, I think the best I can offer this Commission at  
13 this point is sincerity in desiring to improve conditions  
14 for all kids, and for the Chicano kids, to be able to outline  
15 a proposal for you at this time, I can not.

16           MR. JIMENEZ: Thank you.

17           Well then, let me just, I asked just about basically the  
18 same question of Mr. Denton, I guess I have the report, I can  
19 go back and ask it identically. Recognizing the fact that  
20 this school system which you are the superintendent of, along  
21 with all the others but just speaking about this school sys-  
22 tem, has either chose in the past to ignore it for whatever  
23 reasons, or not been able to make the decisions, the things  
24 that had to be done in order to really include the Chicano '  
25 student into the main stream of education, so that he, when

1 finishing school, would go to college at the same numbers  
2 or whatever the reasons, recognizing those things, do you  
3 feel that catching up or helping these young children to  
4 catch up, well, let me say where do you view this in your  
5 area of priorities? Because I think this has a lot to do  
6 with it, you know, on where we are because, as you say --

7 A. (By Dr. Hoagland.) Yes, I'm not really sure I under-  
8 stand the question, Mr. Jimenez, but you know if one truly  
9 believes, as I do, that it's a responsibility of the school  
10 to meet individual needs of kids, this implies putting in the  
11 attention and resources needed to get that kid where he needs  
12 to be.

13 I'm not talking about equal attention to kids, I'm talking  
14 about equal goals. And it takes different amounts of attention.  
15 We give much more attention to a kid who needs remediation  
16 in reading than a kid who's accelerated in reading, for  
17 example.

18 And this is appropriately so. And my response to you in  
19 this other area would be the same. Yes, in a way the question  
20 sounds a little -- a little like a stacked question, you know.

21 MR. JIMENEZ: It may ver well be.

22 A. I'm waiting to see what's coming next to see, okay,  
23 are you going to spend all your money on the Chicano kids?  
24 No, I'm not going to spend all my money on the Chicano kids.

25 MR. JIMENEZ: I know the question is, it may be geared

1 as a stacked question because the system has stacked it  
2 against the guy and if we're talking about parity we're  
3 really talking about getting down to solving the problems  
4 and talking about really going out and doing these things.  
5 If we recognize the fact that injustices have been perpetrated  
6 over the years and that in the good old American way, of  
7 equal opportunity, then you know when you -- when you're  
8 doing it.

9 Our history shows that every time we've done something we  
10 find out that we're doing it wrong, we go back and we put  
11 all our money into this or whatever it is, to do it, but if,  
12 you know, if it's not that great a priority, or whatever,  
13 or if it falls into the back, let's say that well, yes, we  
14 recognize it's a problem, but you know -- and we're going to  
15 catch up the best we can, but we got all these other things  
16 to do it's not --

17 A. I realize that the path to hell is paved with good  
18 intentions. But you know, I don't know how to respond in  
19 any more sincere way than I can. I'm not philosophically  
20 I don't take the position that one should not use resources  
21 to get at a problem when recognized.

22 You know, the trouble with the kind of question you're  
23 asking is you're asking almost like a blank check, and I  
24 don't know what kind of a high priority I would give on a  
25 certain item until I'm faced with making priorities and see

1 the alternatives available, you know.

2 It's easy to say this has the highest priority, until you  
3 -- the other priority might mean that you fire half the staff.  
4 You know. What are the alternatives, what are the priorities?  
5 I don't know how to generalize that question, Joe.

6 DR. FERBER: Let me ask in a different sense, if I un-  
7 derstood your response earlier. Paraphrasing you a bit, it  
8 sounded to me like you were saying that if one is measured,  
9 if the index we're using are outputs, then you accept the  
10 notion that one may have to make differential resource inputs  
11 to achieve that --

12 A. Very definitely.

13 DR. FERBER: -- and that you recognize that constitutes  
14 as a group process a problem for the Mexican-American in your  
15 school system.

16 A. Yes.

17 DR. FERBER: I don't want to put words in your mouth,  
18 but is that what you're saying?

19 A. That's what I was trying to say.

20 A. (By Mr. Hitchen.) Joe, a minute ago we alluded to  
21 kids going on to school and getting an education and bettering  
22 themselves and etcetera. There is, you know, after '58 and  
23 all of the emphasis of the Sputnik and everything, after  
24 that, it was college, college, college, college and now  
25 people are becoming a little more realistic, I think, in saying

1 there are many good ways of earning a living without the  
2 college, the formal college training, and I don't know if  
3 you would have any idea from just, maybe it's been told to  
4 you before or not, but what percentage of kids from our  
5 high school do start college, and you know, whenever one  
6 guesses they guess quite high. Actually we, in a class of  
7 1971, 400 kids in the senior class, we had a starting college  
8 enrollment of 25.4%.

9 Now, the highest we've ever had in the last 12 years is  
10 40 some percent, like 43. And --

11 DR. FERBER: But that's relevant, only it seems to me  
12 if you give the percentages for Chicanos, however small they  
13 were emerging, that did start --

14 A. (By Mr. Hitchen.) That's true, that's true.

15 DR. FERBER: Do you have that?

16 A. No, I can not give you that, but much of the emphasis  
17 in our communities has not been college, it isn't in that --  
18 our communities don't place quite that much importance, in  
19 general, on that area.

20 MR. JIMENEZ: Well, having grown up in the Salinas  
21 Valley, --

22 A. Then you know --

23 MR. JIMENEZ: -- and having that, you know, that may  
24 be true, but had more anglo students, you know, decided that  
25 they wanted to go to college, they would have had the tools

1 to go, because they would have been taught algebra, geometry  
2 and all those things.

3 Now, having grown up in an agricultural community, I'm not  
4 going to say that you're any better or any worse, I know that  
5 Mexicans, Mexican-Americans, Chicano students, are placed into  
6 shop classes, into this or sent to continuation school or  
7 these type of things.

8 You know, people may choose not to go to college and that's  
9 a great, that's a prerogative, one of the greatness of the  
10 country you can choose to do what you want to do, if you've  
11 the tools, but if you don't have the tools, you've no choice.

12 A. Isn't it true kids choose to take algebra or not take  
13 algebra too?

14 MR. JIMENEZ: That's a choice, though, and I don't  
15 want to get into it because I get very, I don't want to get  
16 really emotional on this thing, because we can sit here and  
17 document probably more cases than you can and I can sit  
18 here and tell you where counselors, they see you're a Mexican  
19 and they, algebra, you don't need to take algebra, man, you're  
20 never going to go to school, what you need to do is to go into  
21 this kinds of classes?

22 And you may say, I know instances where it's happened, but  
23 you know, I'd really like to take -- listen, you're nog going  
24 to need it, you're, you know, you're not going to need it so  
25 it goes back into a big, big problem.



1       A.     I would say this, that I would subscribe to the con-  
2     cept, just as we have said, of an affirmative action in  
3     attempting to get as many bilingual people on our staff as  
4     we can, not just because the bilingual tend to be Mexican-  
5     Americans, but because we have a significant number of  
6     students who teach -- who speak that language and we need  
7     people working with them who can speak that language, you  
8     know? And I'm not saying that I would limit to 22.9% either,  
9     you know. We'd need as many as we can get.

10       By the same token, I would support very strongly, an  
11     affirmative action in encouraging all kids to wider horizons,  
12     if you will, to aspire to go as far as their abilities and  
13     interests and energy will take them.

14       Now, to the extent that our counselors are doing or not doing  
15     that, I really can't comment, I don't know. But talking about  
16     the position of the superintendent, that's it.

17             DR. FERBER: And I'm encouraged by that, Dr. Hoagland.

18       I'd like to comment briefly on -- I'm encouraged in the  
19     sense that I think that in the relatively short period of time  
20     between our last visit and this one, there has been some  
21     move. I sensed it talking to PASA members, I sensed it talking  
22     to the chairman of your board, I sense it now. I'm encouraged  
23     that something still emerges and I hope any of you will feel  
24     free to comment on it.

25       In one sense it goes directly to something Mr. Hitchen said.

1 Which I accept as valid. The notion that there are differing  
2 life styles and increasingly numbers of very bright kids  
3 are deciding maybe college isn't it.

4 At the point when a sufficient number of Chicano, Black or  
5 other minority, doctors, lawyers and ulcer-ridden advertising  
6 executives make that decision for alternative life styles,  
7 having already gotten to the point where they can make that,  
8 I'll feel a little more comfortable, but that's an aside.

9 My main point, whether they're taking algebra or something  
10 else, is the notion that the school may have to counteract  
11 home environment. I make no bones about that. But what  
12 emerges seems to me still a gap, a suspicion, if you like, on  
13 both parts, with regards to relations between the school  
14 board, the school administration, and PASA.

15 And this bothers me, because within the community, and as  
16 I said earlier, I really haven't the slightest care as to  
17 whether one can document quantitatively, what person of the  
18 Mexican-American families they represent.

19 What they do seem to represent is the latest strain, and I  
20 don't want to sound flag-waving, in what has classically been  
21 the American dream. They may be perceived in your community  
22 by some people as hell-raisers, outside agitators, un-American,  
23 they speak Spanish, a whole host of things, but in a very  
24 real sense, they're trying to say, it seems to me, quite  
25 clearly, that they still believe in some things a lot of anglos

1 I think have maybe lost sight of, that is the notion that one  
2 can improve himself. I don't think Mr. Alcala or Mr. Hernandez,  
3 you know, if queried about what they would like their kids  
4 to do, if given the opportunity, would even stop to think  
5 about alternative life styles. I think they would say we  
6 want them to go to college and get the best possible oppor-  
7 tunity they can.

8 And my concern is, as an outside observer in your community,  
9 that suspicion still does exist, that they are -- they are  
10 most sensitive that the agreement, and I can't emphasize the  
11 emotional quality that I sense they attach to it, way beyond  
12 perhaps, what I do, that is one says, well, we can modify  
13 this and still live up to the spirit of it.

14 And any administrator is going to, on occasion, have to  
15 do that. I think they see that as a tremendous achievement  
16 and a statement of goals, and I wonder if any of you, Joe, any  
17 of you would care to comment on why the continuing suspicion?

18 And if it's your perception that this bridge, that this  
19 gap can be bridged, because, as I say, I think they are  
20 a viable support group for goals that you seem to be artic-  
21 ulating.

22 A. (By Dr. Hoagland.) I really couldn't comment to the  
23 level of suspicion, as I've indicated, I've talked to, per-  
24 sonally, member of PASA on one occasion. And that was an  
25 occasion where we did get involved into a discussion of this

1 situation, you know, I don't hesitate to say that it didn't  
2 make me very happy to find that with an agreement, no pro-  
3 vision had been made to provide for it.

4 That still does not impose irresponsibility on me. You  
5 know I have to face a fact. I must confess I was disturbed  
6 when one of the members of PASA, when I was discussing this  
7 from the standpoint of the district, and the problems I  
8 faced, as much as said, well, I don't care about your problem.

9 Well, my problem is the problem of all of the kids in this  
10 district, is it not? And so I guess what I'm saying is,  
11 you know, if there's suspicion, I may have generated it, it  
12 could only have occurred on that one occasion because every  
13 other meeting I've had with the people in this community  
14 has been both warm and receptive and that includes meetings  
15 of other Chicano groups and so forth.

16 On one meeting we didn't get along so well. And I cer-  
17 tainly accept my share of the blame for that. But I was  
18 faced with a fait accompli. Now maybe you would have made a  
19 different decision, maybe you would have moved ahead and hired  
20 someone even though you had no money for it, I don't know  
21 how you'd pay for it.

22 MR. JIMENEZ: The same way you're going to pay for  
23 that other \$218,000.00, which isn't, you know -- but that's  
24 extremely, that's the way I think, because they're sophisti-  
25 cated enough to know that you haven't got money, I mean it's

1 not a secret that you're keeping from everybody, that you're  
2 over, and the way I'm sure they look at it is, you know,  
3 again it's the same old thing, you know.

4 They overspend on this but when it comes to doing something  
5 we want, they say, hey, we can't spend the money.

6 A. (By Dr. Hoagland.) But I would only submit the evi-  
7 dence of things that have happened since January. Now,  
8 there's one example that their criticism is valid. And I  
9 accept that criticism, we did not do it.

10 A. (By Mr. Hitchen.) But there's other examples of  
11 everything else.

12 A. (By Dr. Hoagland.) I hope to do it still.

13 MR. JIMENEZ: I'm sure further meetings with the atti-  
14 tude that you have put forth today, and everything else, that  
15 further meetings will eliminate part of the problem.

16 A. I did indicate to them it was my hope I would have a  
17 clear budget picture and I do anticipate increased income  
18 over what was projected in the budget. But I, you know, I've  
19 learned a long time ago not to make promises until I get  
20 figures in front of me. I'm sure you have too.

21 MR. JIMENEZ: I've learned it but I don't always do it.  
22 But anyway, I think we're -- Charley, have you got any more  
23 questions you wanted to ask before we close?

24 MR. ERICKSON: Do you plan -- it was indicated by Mr.  
25 Denton when he talked to us before, that he might take a look

1 at dropout rates and get some figures to work from.

2 Do you plan to do that?

3 A. In fact, I have asked those questions, and frankly  
4 our data is not good, and Mr. Hitchen and I have discussed  
5 this.

6 A. (By Mr. Hitchen.) We have started it and will have  
7 a better -- Mr. Erickson, every time someone uses a dropout  
8 figure they use a different figure. If someone will define  
9 that figure exactly, then our figures, the information that  
10 we could give you would be far more accurate. And --

11 MR. ERICKSON: We're interested in some measuring  
12 rod to show how many.

13 A. We will have a measuring rod from here on, in that  
14 we've set up and the tools to do so. Obviously, the dropout  
15 rate you're taking from the freshman class to the senior  
16 class is a large one, I don't know if it's larger than other  
17 districts or lower than other districts --

18 A. (By Dr. Hoagland.) It is large, larger than many  
19 districts.

20 MR. ERICKSON: When do you expect to have that?

21 A. (By Mr. Hitchen.) Well, it's going to take, this year  
22 would have been completed before -- we can't pursue any of the  
23 information that we haven't followed through with in previous  
24 years. We have total numbers of kids who enroll, total numbers  
25 of kids who moved and it would be -- it would be physically

1 impossible to go back and see if all the kids that moved  
2 had requested transcripts and so on.

3 MR. JIMENEZ: But you have got a program beginning  
4 for the future?

5 A. We have, it's in operation right now.

6 MR. JIMENEZ: It's something you can gear to --

7 A. (By Dr. Hoagland.) They are following up now in  
8 every time a student drops, if they get a request for a  
9 transcript, they're going to cross check and make a record  
10 so we'll know --

11 A. (By Mr. Hitchen.) It's already in operation.

12 A. (By Dr. Hoagland.)--which of those students have in  
13 fact entered school someplace else or which of those students  
14 have not apparently --

15 A. (By Mr. Hitchen.) Would you consider a student who  
16 withdraws from the day program and enrolls in the night pro-  
17 gram a dropout?

18 MR. ERICKSON: I'm not going to go into that.

19 DR. FERBER: Since it's on the table, keep it by  
20 racial background, will you?

21 A. (By Mr. Hitchen.) All right.

22 DR. FERBER: I think that that's really critical.

23 A. (By Mr. Miller.) Could I make two points before we  
24 close?

25 First I'd like to clarify a communication, not a problem

1 but a procedure that I'd like the Commission to know about.

2 We've given you some material, some of this material will  
3 go to the Board of Education Tuesday night. Our agreement  
4 indicates that we will provide PASA with the information.  
5 All of these reports that we have pulled together for you  
6 will be distributed to the proper people. To this point  
7 in time, though, they have not, and you should probably under-  
8 stand that, if you talk to someone, well how about this  
9 figure, they have not seen it.

10 MR. ERICKSON: That's an excellent point you're making,  
11 that you will distribute these to PASA?

12 A. (By Dr. Hoagland.) Yes, we felt it inappropriate, we  
13 just completed them and we felt it inappropriate to hand them  
14 to PASA until we could hand them in our own board. But  
15 they'll be getting them in the next few days, our next board  
16 meeting will be Tuesday night.

17 A. (By Mr. Miller.) The other point I wanted to close  
18 with is, I've been in this area about 14 years and I don't  
19 want to get out the crying towel, because I understand the  
20 task you have in addressing it to the problems that we've  
21 talked about today, but as I look at our staff we have a lot  
22 of dedicated people, and you're looking at some of them here  
23 today.

24 We have tremendous number of problems in the area of finan-  
25 cing, dealing with all students, we have the same number of



1 students and 100 less certificated employees than one of our  
2 neighbors, just as an example.

3 And you hear this, you know, everybody cries the sob story  
4 about money. I don't mean to do that, but just in case you  
5 haven't gotten the flavor of the district and some of the  
6 problems that we're faced with.

7 When we unified, we put seven poor districts together and  
8 made one big poor district, is really what happened.

9 A. (By Dr. Hoagland.) I would like to say, however,  
10 following up that, that I have just completed visiting all 15  
11 schools in this district, the last one this morning, and I  
12 would like you Gentlemen to visit some of our primary schools  
13 and see the resources that this poor district has put into  
14 basic education and the materials that are available for  
15 reading programs and so forth.

16 I'm not suggesting we haven't made mistakes in the districts,  
17 but I've been impressed, in fact, I've been pleasantly  
18 pleased, I've seen more than I expected to see from my initial  
19 impressions of the district.

20 DR. FERBER: Has anybody done even a baseline study  
21 of what the implications of the California Supreme Court de-  
22 cision on equalizing finance, might do for you all?

23 MR. JIMENEZ: Would it make you better off?

24 A. (By Mr. Miller.) Tremendously.

25 A. (By Dr. Hoagland.) If they do anything it helps us.

1 A. (By Mr. Miller.) We would receive a fantastic amount,  
2 no question about it.

3 MR. JIMENEZ: Well, I understand that this is one of  
4 the subjects going to be brought up when they come back on  
5 November 8th, I don't know how much they're going to do,  
6 but I understand they're going to have something.

7 A. (By Dr. Hoagland.) I wish they'd do something.

8 DR. FERBER: When I hear, and this is a thread that I  
9 don't contest, from our last hearing to this one, you're,  
10 forgetting absolutely your relative status, anything that's  
11 going to equalize across the state looks like it's going to  
12 help you a lot.

13 A. Well, relatively speaking, we can only be improved  
14 by any kind of state-wide support.

15 A. (By Mr. Miller.) Except for proposition 14, look  
16 out for that one.

17 A. (By Dr. Hoagland.) That doesn't help us at all.

18 A. (By Mr. Talbert.) I'd like to make one additional  
19 statement. I had prepared some information I want to leave  
20 a copy of with you, concerning some other topics that  
21 evidently you didn't choose to bring up today, because some  
22 of these other things probably had priority and there's only  
23 so much time.

24 But it has to do with allegations regarding the testing  
25 program in the district. The Compensatory Education Advisory

1 Committees which were referred to in the text of your pre-  
2 vious meeting, which there were some inaccurate statements  
3 in that text and I provided some substantiating documents  
4 to show you what is going on and what was going on at that  
5 time too, and some basic information about minority group  
6 in special education programs and that sort of thing.

7 It's all selfexplanatory so we don't have to discuss it  
8 unless there's something you particularly want to ask about,  
9 but I think it's good background information.

10 DR. FERBER: Well, we'll not only accept it but that  
11 will become a part of your rod, if you so desire.

12 A. Thank you.

13 MR. ERICKSON: This is the kind of material I'm sure  
14 that will help the community, again, if you share it with  
15 them.

16 MR. JIMENEZ: Let me just say that, and I don't --  
17 well, yes, I'm going to say it, because I'm chairman, because  
18 if Herman Sillas was here he wouldn't let me say it.

19 I think that in my own personal opinion, that since the  
20 March -- the May 20th meeting, based on what you've said  
21 and from talking with the community, a great deal of progress  
22 seems to have been made compared to what it was.

23 And I think that, you know, that you've got, you walk into  
24 a district and you have the same staff that Mr. Denton had.  
25 Okay. And tremendous amount -- there could be a tremendous

1 amount of difference as to the viewpoint of the person who's  
2 in charge and everything else.

3 First of all, before I forget, because I just thought  
4 about it, I would like for you, if you would, or ask you  
5 whether you intend to take that PASA agreement to the board  
6 for legal action? That just crossed my mind, I said  
7 don't forget to ask that.

8 A (By Dr. Hoagland.) I've been thinking about that.  
9 I'm not sure. I've discussed it very briefly with Mr. McDonald  
10 and-- Mr. McDonald probably suggested to you that there  
11 would be division of thinking on the part of the board, I  
12 think it's a -- it's a strategy move that I'm going to have  
13 to weigh very carefully.

14 I'd rather operate without legal sanction of the board and  
15 use the document than to have it rejected.

16 MR. JIMENEZ: Okay.

17 A And I'm going to have to feel my way through to see,  
18 you know, what the chances are of it being approved. If I  
19 felt that there would be unanimous support for that document,  
20 I would be inclined to take it as an action item to the  
21 board, requesting their official approval.

22 If I felt that they might not approve it, I think I would  
23 be tempted to do what Mr. Denton did, and then handle it  
24 administratively.

25 DR. FERBER: Have you, on precisely that point, have

1 you made clear to your 15 principals that you accepted? One  
2 of the -- and I keep using the --

3 A I have that on the agenda for my next administrative  
4 staff meeting.

5 A (By Mr. Miller.) Excuse me, we thought we had made it  
6 clear and we had not in the Judkins case, and it is darned  
7 well clear now, and we have a couple of new principals.

8 DR. FERBER: That's precisely my point, Mr. Miller.

9 A (By Dr. Hoagland.) This question was raised by PASA,  
10 a group that I did meet with, and Joe even reminded them  
11 that on two different occasions last year, it was conveyed  
12 to the administrative staff but I assured them that I would  
13 do it again.

14 DR. FERBER: Well, I again think just from the common  
15 discussion and your basic acceptance of it, that this could  
16 be important, in addition to having an agreement that wasn't  
17 lived up to, one of the -- one of the allegations that the  
18 principal at Judkins said he'd never even heard of it.

19 Now, whether that was correct or not, I'm just repeating  
20 that and to the extent that you do believe it to be an oper-  
21 ative document, it wouldn't hurt to let your principals know  
22 and let PASA know that you've let your principals know.

23 A I've no hesitation to indicate that I feel it a moral  
24 commitment on my part. Whatever other commitment I can  
25 develop.

1 MR. JIMENEZ: We're going to have to close, but let  
2 me just say that the circumstances have gotten better, and  
3 I'm sure you're aware of it, but the only way to make them  
4 even better is to realize, one, you know what the community  
5 holds to be of highest importance to them, and then do  
6 everything you can, you know, once you know this, to show  
7 them, you know, that you're aware of this and you're going  
8 to do something and the utilization of Joe and meeting with  
9 them and everything else, and I would just like to say that  
10 from the attitude that you've brought forth, it's kind of --  
11 the attitude is kind of, you know, a refreshing one.

12 A Joe, I would hope that after a year of observation,  
13 the Mexican-American community would say the same thing.

14 MR. JIMENEZ: So, but you'll just have to keep working.  
15 Okay.

16 DR. FERBER: If they don't say the same thing, we'll  
17 probably be hearing about it and seeing you then.

18

19

20 MRS. MARY MUNOZ, MRS. RENTERIA, MRS. NELLIE PEREZ,

21

MR. DEAN PEREZ, MR. STEVE PEREZ

22

23 (Official opening statement read by Mr. Jimenez.)

24

25

MR. JIMENEZ: Out of this hearing here we will not

1 make reference, we don't intend to, make reference to people  
2 by name or whatever. But, so that's the reason we're here  
3 and we just want to, we want to get the facts or your feelings  
4 as aid us, you know, in your mind and might help us better  
5 understand the situation.

6 We can start by just having you make, having you each make  
7 a statement as to your feelings about the school and the  
8 school system and how you view it and then we can ask you  
9 questions. Okay?

10 This is Dr. Mark Ferber, he's a professor of political  
11 science at the University of Santa Clara, he lives in Berkley.

12 You know Charley Erickson, he's our field staff person  
13 who's been working on this hearing, and my name is Jose  
14 Jimenez, and I'm an employee of the State Senate in California  
15 in Sacramento.

16 So, that's a little bit of our background. And so, if you  
17 want to start, we'll just start with you?

18 A. (By Mrs. Munoz.) Well, first of all, I have a son,  
19 had two sons, well, now the other one is in high school and  
20 he's a freshman, his name is Edward Munoz, and I'm dissatis-  
21 fied with the way the school, well, they got in a little bit  
22 of trouble and then, when this trouble started, I understand  
23 Mr. Murray and Mr. Naumu, is the principal, Mr. Murray,  
24 he said he was aware of what was going on, this was, I guess  
25 the beginning of the year or the middle of the year, what was

1 going on, which they called it extortion.

2 Afterwards, you know. But I didn't know until there were  
3 papers filed at the police department, they picked up my  
4 son right there in the school, he notified the police, they  
5 took him to the police station, they didn't notify me at all.

6 And I'm always home.

7 Now, until lately I've been a month now on account of the  
8 welfare I'm able-bodied and I have to work, I work out in  
9 the field. And at that time I was always home, nobody noti-  
10 fied me, I didn't know until this boy, school student friend  
11 of my son's notified me that my son was in juvenile hall  
12 and I couldn't get him out that night until the next, the  
13 following morning. And --

14 DR. FERBER: Why did they say they had arrested him?  
15 What were the facts?

16 A. Because Mr. Murray called the police, they're from  
17 Pismo, they picked him up at the school and then they took  
18 him straight to, I guess, juvenile hall, they didn't notify  
19 me at all.

20 DR. FERBER: For doing what?

21 MR. ERICKSON: This is in reference, Mark, to the 11  
22 students that were involved in taking money from other  
23 students that was referred to earlier today. That case.

24 MR. JIMENEZ: They had a collection agency. But now  
25 why -- how come they didn't notify you?



1       A.     When I went for conference, this happened about two  
2 days later, it happened on a Friday, Thursday or Friday, and  
3 then, when I went to conference Monday morning, when I went  
4 to the school, my son was there also and I had got him out  
5 already, we were there and they said they were sure they  
6 had notified me. And when they went to leave her son at  
7 the home, Mr. Murray managed to take the other students, I  
8 guess, home to the parents, and he passed, she don't live  
9 but about three blocks from my home, he could have stopped  
10 and told me.

11           MR. JIMENEZ: Why do you think he didn't tell you?

12       A.     I don't know. I don't know, maybe he just had, it  
13 was too much, I guess he just had it too much against these  
14 two boys, I guess that they were too much because he called  
15 the police department.

16       I guess it was just the, because he felt it was the right  
17 thing to do and he didn't have to let me know, but I, as  
18 a parent, was very concerned because I don't know, I was very  
19 nervous and at that time, when he told me, I said, "How could  
20 this be?" One of the teachers could have come home to tell  
21 me about it, you know, or notified me at least.

22           MR. JIMENEZ: You just feel they weren't concerned,  
23 then? They weren't concerned with you as a parent?

24       A.     Yes, I believe so.

25           MR. JIMENEZ: Do you know --

1       A.     And at the same time, they said all this was going  
2 to be off the records, you know, the school record, and  
3 also police record.

4       Two weeks later my son was called to the probation depart-  
5 ment for an interview and Mr. Murray and Mr. Naumu read me  
6 -- sent letters up there when they had said it was going to  
7 be off the record, you know, that nothing was going to be  
8 done, so the kids wouldn't have a record or file or something,  
9 against them later on within years, which now he's attending  
10 that same school, because he was a seventh grader last year,  
11 now he's an eighth grader.

12           DR. FERBER: He's still at Judkins?

13       A.     Yes, sir.

14       And he didn't go with his word, I guess you know, because  
15 I feel that they still picked up my son and still, when they  
16 said it was going to be off the records, they still set him  
17 up for probation and then a court hearing and now he's on  
18 probation for 60 days.

19           DR. FERBER: Well now, what happened at the hearing?  
20 Was he found guilty or --

21       A.     Yes, he said that he did do it. Yes.

22           DR. FERBER: What was involved? Just taking money  
23 from other students?

24       A.     Just taking money from the students. Like he's kind  
25 of short, little, I imagine other students were using force,

1 and they used to stand around other children, I guess. They  
2 called it extortion, you know, because they were doing it  
3 by force. They mainly got together a whole bunch, a group  
4 of boys.

5 MR. ERICKSON: Were these all Chicano kids?

6 A. Mainly they were all, yes, Chicano kids.

7 MR. ERICKSON: That were --

8 A. Involved.

9 MR. ERICKSON: -- picked up and --

10 MR. JIMENEZ: Were there any, there were some Anglos?

11 A. They were taking the money from the Anglos.

12 MR. JIMENEZ: Were there Anglos involved too?

13 A. No.

14 MR. JIMENEZ: None at all?

15 A. No.

16 MR. JIMENEZ: You say mainly Chicanos, who were the  
17 others?

18 A. They were all Chicanos mainly the ones involved  
19 doing this.

20 Well, right towards the end about two days before school  
21 was out, they found out that bigger boys, the other students,  
22 eighth graders which were taller and bigger were some involved,  
23 there was two Anglos.

24 MR. JIMENEZ: Did they drop the charges on the Anglos?

25 A. Yes. None of them were picked up, just my son and this

1 boy right here, Dean Perez.

2 Just two of them were picked up and taken to police custody.

3 DR. FERBER: Was there any explanation for that, Mrs.  
4 Munoz? Why were those two?

5 A. Because they called them the leaders, that's what  
6 Mr. Murray referred to them, and Mr. Naumu, that mainly they  
7 were the ones, they used to tell the other students, I mean  
8 the other students that were involved.

9 A. (By Mrs. Perez.) See, Dean and Eddy are very small,  
10 next to the other ones.

11 A. (By Mr. Dean Perez.) There was no other ones.

12 A. (By Mrs. Perez.) I mean next to the other kids that  
13 they claimed were involved. But they didn't press any charges  
14 against, like they did Dean and Eddy.

15 MR. JIMENEZ: Let me --

16 MR. ERICKSON: Dean, what were you going to say?

17 A. (By Mr. Dean Perez.) I was going to say, see, this is  
18 what they told us all the guys came in the office and they  
19 said, said something, and you know, they said that I had,  
20 that I took a dollar, and you know, I only had \$.35 on me.  
21 And then they go, and I go I can have proof that, you know,  
22 that I had \$.25, and then I just got \$.10, and he'd go, he'd  
23 go, well, he'd go well, he didn't say nothing, he'd go you  
24 just sit in the other office and we're going to suspend you  
25 for the rest of the year and later on they told us, they go,

1 did you have this money? And I go, not the \$.10, they go,  
2 well, we're going to call the police and, you know, tell,  
3 bring us in.

4 And they said, they said, -- I asked them if they called  
5 my mom, and they said, they said, yeah, but we -- and then  
6 Eddy asked if they called their mom and Eddy said that that  
7 man said that he couldn't, that if they didn't have a phone  
8 they couldn't do nothing about it.

9 And they just took us, you know, up to the juvenile hall.

10 DR. FERBER: Had you been called, Mrs. Perez?

11 A. (By Mrs. Perez.) Yes, I was called, and I went up  
12 there, oh, I was called maybe about 3:00, and I went up there  
13 later on, picked him up at Sunny Acres.

14 DR. FERBER: To juvenile?

15 A. Yes, Sunny Acres, I got up there, must have been  
16 about 5:00, Mr. Kernet (Phonetic.) took me up there.

17 DR. FERBER: Did you question why Dean and Eddy were  
18 the only ones? What were the answers they gave you?

19 There were what, Charley, 11 students?

20 MR. ERICKSON: Eleven Chicanos, apparently, and then  
21 they added three more and what were they, two Anglos and one  
22 Portuguese?

23 A. (By Dean Perez.) Them other guys they didn't get  
24 caught doing nothing, they just said they'd bum money once  
25 in a while.

1 DR. FERBER: Let me just get it straight in my mind,  
2 though, Charley, the day -- you and nine other Chicanos were  
3 picked up, ll all together?

4 A (By Mr. Dean Perez.) Yes, we were all inside the  
5 office but we all didn't go to juvenile hall.

6 DR. FERBER: Only two of you went there?

7 A Yes.

8 DR. FERBER: And the reasons they gave you, as his  
9 mother, that he was one of the leaders?

10 A (By Mrs. Perez.) Yes, and that they had their eyes  
11 on him. They caught, they said they caught Eddy and Dean  
12 with some other kids and they'd surrounded these kids and  
13 that they were more or less the main leaders, and that's why,  
14 they questioned the other kids and they said that more or  
15 less Eddy and Dean were the main leaders of it.

16 A (By Mr. Dean Perez.) See, nobody went in there,  
17 they'd go, I'm going to go get a bunch of people. They'd  
18 say, I'm going to go get a bunch of people saying you took  
19 money and they couldn't find no kids, so they made a con-  
20 ference sort of like, in the cafeteria, saying whoever wants  
21 their money back, they go whoever wants their money back,  
22 put it down on a piece of paper and everybody just put their  
23 name down. Saying they wanted their money.

24 A (By Mrs. Perez.) And they said the reason why none of  
25 the kids spoke up because Dean and Eddy and those other kids

1 made threats to them saying if they did they'd beat them up.

2 MR. ERICKSON: Mark, here is a paper that Mr. Naumu and  
3 Mr. Murray sent out to parents of those students who were  
4 accused of taking money, and there was apparently also another  
5 document here on June 1st, issued to a number of other stu-  
6 dents, any student who wanted to say that he had money taken  
7 away from him was asked to tell when and how much.

8 How many of these, how did they pass those documents  
9 around to the --

10 A (By Mr. Dean Perez.) They just handed them all out,  
11 they just handed them all out to all the classes and everybody  
12 had a piece of paper.

13 A (By Mr. Steve Perez.) Remember they took all them  
14 people in that auditorium?

15 A (By Mr. Dean Perez.) Yes, that's what I told them to  
16 question them, and afterwards they gave them all the papers.

17 MR. JIMENEZ: They questioned them and said, when no-  
18 body said anything, we'll do it by secret ballot.

19 DR. FERBER: I just want to find out what's involved  
20 here. Had you taken some money from other people?

21 A (By Mr. Dean Perez.) I didn't take it, I just asked  
22 them, they gave it to me.

23 DR. FERBER: With a group of other kids.

24 MR. JIMENEZ: Well, while I think, you know, it's  
25 something I think we're getting away from, and from what we're

1 really looking into, and while we have, you know, because  
2 we have no jurisdiction or anything else, this is something  
3 like a criminal thing and while we feel very badly, you know,  
4 just two out of 11 or whatever, were --

5 A They just told us, and then, after we got out, they  
6 go, we came to school, they said we can come back to school  
7 and we went back to school and they'd go, they'd go, if you  
8 do anything like, if you start any trouble or anything like  
9 that, you're going to get it, and first, see, he said I was  
10 talking back to this teacher and he gave me six swacks for  
11 talking back to the teacher and then they just got real mad  
12 at us again.

13 And they'd go, one day I was, they'd go, don't come to  
14 the school and I didn't come to the school until after school,  
15 after school there was a dance and I went over to the school  
16 and they caught me over there and they said they were going  
17 to call the police and tell them to take me back over there,  
18 except they go, if you be good then we're not going to do  
19 nothing and so I signed a sheet of paper saying that I was  
20 going to be good.

21 DR. FERBER: Have you been?

22 A I guess so.

23 MR. JIMENEZ: Anyway, let me just finish it.

24 Really, what we're looking for is situations or incidents  
25 that will in fact support the allegations that, you know, that



1 you're not getting equal protection under the law, as far as  
2 education is concerned, this is really what we're concerned  
3 with.

4 While the treatment of children in this case, the swatting  
5 or whatever, does in effect have some bearing on attitudes,  
6 what our determination of what the attitudes are, going  
7 into Eddy and Steve, you know, going to juvenile hall and  
8 everything else, really has nothing to do with it, and I  
9 think probably we should leave that alone.

10 Not being an attorney I'm not perfectly sure, but I'm sure  
11 Mr. Sillas would look at it that way since he is an attorney  
12 and so we'd just really like to concentrate on attitudes  
13 as you see them and why you feel that, you know, why -- is  
14 it you don't have any confidence in the school or whatever,  
15 which is what I get --

16 A. (By Mrs. Munoz.) Mainly because they said when they  
17 were going to keep it off their records what did they do with  
18 that paper where we signed where they agreed also, well,  
19 the school, I guess, and Mr. Naumu and Mr. Murray, what did  
20 they do with that paper? They could have protected the chil-  
21 dren from not getting any records, you know, or being sent  
22 on probation like they are now. What did they do with that  
23 paper? Which we signed and I mean they agreed, we both, the  
24 parents, her and I and most of the other parents which they  
25 said they were going to keep them off the records, that they

1 wouldn't be put in the folder at all, what do they do with  
2 those papers?

3 How come they didn't protect them when they should have?

4 DR. FERBER: Have you gone to the school board or the  
5 superintendent to ask that question?

6 A. Yes, we went -- no, before that, because they promised  
7 us in this meeting we had with the school board, I was one  
8 of the parents there, and they said there, in writing, and  
9 in -- members from PASA were there, Mr. Alcala and Mr. Manlio  
10 Hernandez and they spoke up all this, and they said that it  
11 wouldn't be on the records, and that it wouldn't be on their  
12 folders at the school, either. And that's what I was con-  
13 cerned why did they go ahead and set them up for probation,  
14 because when I got to the probation office, you know when  
15 they set me up an appointment, the letters were there from  
16 Mr. Naumu and Mr. Murray which they signed all that what the  
17 kids had been doing in school so that's why, you know, legal  
18 procedure I imagine, you know, they sent up the letters.

19 They could have protected, you know, like they'd told us  
20 parents they weren't going to be involved or they weren't  
21 going to be on the law record or anything.

22 DR. FERBER: Did any three of you get anything in  
23 writing from them to that effect?

24 MR. JIMENEZ: Here's something in writing, it says --

25 DR. FERBER: I don't remember --

1           A.     I signed a paper.

2           MR. JIMENEZ:  -- from Mr. Thomas Talbert, said basically  
3 the results of the meeting has been to bring about greater  
4 understanding for communications.  And home records -- between  
5 school and home.  There will be no indication on the permanent  
6 cumulative record of the suspension of the students on  
7 Friday, May 26th.

8           DR. FERBER:  That might or might not still be in  
9 effect.

10          MR. ERICKSON:  It would still be on the cumulative  
11 record as a little bit.

12          MR. JIMENEZ:  That's what he's talking about, and I  
13 think they're talking about school records.  The probation  
14 doesn't go onto the school record and this is what they were  
15 talking about.  Which may have been misunderstood by you or  
16 may have wanted you to misunderstand that they weren't going  
17 to do anything, when in effect, they were going to write the  
18 probation officer and in effect they were going to have the  
19 kids put on proagation.

20          But the whole question is now, now that's one incident I  
21 think that you know that we're interested in.  Have you any  
22 other incidents or anything like that?

23          A.     No, because Mr. Naumu asked me right there, personally.  
24 I was sitting close to him and he asked me would you like  
25 someone to help you out because I don't have a husband, to help

1 you out with Eddy, do you think you need help? I said, "Well,  
2 I can pretty much handle it", and he said, "Well, I could  
3 help you." I said, "Well, I thank you very much." That he  
4 could talk to Eddy at certain times or if he got into trouble  
5 he would talk to him. But that's all --

6 MR. JIMENEZ: Who gave you the swats?

7 A. (By Mr. Dean Perez.) Mr. Naumu.

8 MR. JIMENEZ: Is that the gentleman?

9 A. (By Mrs. Perez.) Yes.

10 A. (By Mr. Dean Perez.) He gave me around 10 swats.

11 No, he gives me around 12 swats in one day, first he gave  
12 me a swat for, he said I was running around throwing balloons  
13 and then he gave me a swat, he gave me two swats for that,  
14 and then he gave me six swats for, he said I was talking  
15 back to the teacher and then he gave me another two because  
16 he said I had a balloon in my hand.

17 A. (By Mrs. Perez.) You know, constantly he's just  
18 watching them, the kids can't even hang around in groups  
19 no more, Mexican children, they can't hang around together,  
20 he breaks them up for no reason.

21 DR. FERBER: Before this incident in late May, had  
22 any of you been contacted that there were any problems with  
23 your children at school?

24 A. No, sir.

25 A. (By Mrs. Renteria.) I -- we've been new, we were new

1 here in this area so two months before the end of the school  
2 we moved from Nipomo to Grover City, so Junior was very  
3 well, you know, just new in school, and right away he came  
4 in about two weeks after he had started school and said,  
5 "Mama, Mr. Murray wants to talk to you", so I said to him,  
6 "What about?" And he said, "Well, he's been counseling  
7 me, telling me not to hang around with a certain group of  
8 boys that I hang around with because I'm going to be involved  
9 into a problem."

10 Some kind of a trouble I don't know what he's talking  
11 about, so I said, "Well, how do you feel?" So he says,  
12 "Well, they're my friends." And so I don't know what he's  
13 talking about, he just tells, he says he'd rather talk to you.

14 So I ignore it and I said, "Well, I think I know more or  
15 less what he's trying to tell me. That this group, this group  
16 of boys are all hanging together all the time, and that  
17 there's something that they know that's going on in school  
18 so they're trying to warn either him or me, you know, so I  
19 know what's going to happen, since he was just knew in the  
20 school.

21 I guess they figure, well, he's so new in the -- at the end  
22 of the school that they were prepared to either, you know,  
23 get this group of boys and do something about it that he was  
24 -- they want to talk to me in a way.

25 So, when that happened, Mr. Murray takes Junior to the house

1 and it had been maybe about three or four days after he had  
2 said that, that this incident happened.

3 DR. FERBER: I see.

4 A. So I -- the next morning I contact Mrs. Munoz and  
5 Mary and everyone else, and I tell them something has happened  
6 in the school, so we all got together the next morning and  
7 he says, "Well, try to go in together," so that he can say  
8 the same thing to all the parents instead of just one.

9 So we all go in at one time, and he talks to all of us  
10 and he tells us the problem of all the children that's been  
11 happening, but I was so new to it at the school and the  
12 problems that they had been having in that school, that I  
13 didn't know, you know, more or less what was happening. So --

14 DR. FERBER: He did contact you earlier, though?

15 A. Yes, yes, he did contact me. But the way I feel is  
16 that when -- when he got all these mothers together, later  
17 on he says, "I want all of you to come back again, but not  
18 all together, one at a time, I want to talk to each of you  
19 individually."

20 And when I go to the conference with them, they talked to  
21 me, they don't want me to speak up for my son, they say, no  
22 democracy at all, I can't say anything, that I want to defend  
23 my rights, they or the way I was thinking.

24 DR. FERBER: This was after you'd been in together, you  
25 went back by yourself? Each mother?

1 A Yes, we all went back together again by ourselves.

2 DR. FERBER: And what did they talk to you about?

3 A They just, they repeated again over and over again  
4 what had happened and what had happened, that how they, how  
5 he saw these boys, what they were doing and everything, and  
6 then they take my son out to the hall and then they talk to  
7 me about my son and then they bring my son back in and they  
8 talk to him in front of me. And just like a little game,  
9 you know.

10 And so I said, he says, "Well, we're going to continue  
11 this, we're going to talk again to your son", he says. He said  
12 the big letter word and I said, "You're not", and that's my  
13 authority, I'm tired of all this, if you people are going to  
14 talk, talk straight, you know, tell me.

15 And Mr. Murray says, "Well, Mrs. Renteria, I think you're  
16 with us, I think you're with the school." I says, "I don't  
17 know what you're saying. It looks to me like you people  
18 are trying to tell us, you know, that we're either against  
19 each other or I don't understand, you don't have no, I don't  
20 have no explanation to what you're trying to tell me, that  
21 I'm with the schools."

22 In other words, like he was telling me that I was with  
23 them, I agree with everything they were doing. That had  
24 happened. That day, you know. So I told him so far as I  
25 know you're not going to keep my son to hang around with the

1 same crowd because they're his friends, and he has the right  
2 to choose his friends, and it's your problem in the school,  
3 and besides, you didn't, if the way Mr. Murray tried to  
4 warn my son about some kind of a problem he want to talk to  
5 me, he could have done the same thing with the rest of the  
6 parents if he knew there was a problem in the school, at  
7 the beginning of the school.

8 And it just so happened that I was just lucky that my son  
9 came to me and he told me about that, that day, and that Mr.  
10 Murray wanted to talk to me. You know, a couple of days  
11 or four days before it had happened. But I feel that if --  
12 they could have talked to the parents and everybody could  
13 have gone together and they could have solved it a long time  
14 ago, before it even happened.

15 A (By Mrs. Munoz.) Yes, because he said that he'd been  
16 observing that this was going on, he had been watching,  
17 he'd been watching the kids surrounding other kids, other  
18 students, if they were taking money and then putting the  
19 motion, putting the hands in their pockets, and I, to my  
20 knowledge, as a Mexican parent, all Mexicans believe that if  
21 he did, was observing, why didn't he contact those parents  
22 like myself and tell us ahead of time?

23 Even if he suspected, that's okay, we wouldn't have said,  
24 oh, how do you suspect? We would have put a stop to it. By  
25 taking privileged from that student, you know, from my son



1 especially if he was, I think as a Mexican parents I would  
2 have put a stop to it.

3 And that's where I was concerned, if he had been observing  
4 so long why let them go so far to where he got now, he's  
5 branded because he was over there in probation, in juvenile  
6 hall.

7 A (By Mrs. Renteria.) He also made them sign a paper  
8 and he also made them pick up their hands, their right hand  
9 and say an oath, and promise this and that and that they  
10 were going to pay if it's \$1,000.00, that they had stole,  
11 you know, after the big conference that they had there with  
12 the whole school, that they all had to share the expenses,  
13 not only just the two boys, but all the boys that were in-  
14 volved and he accused us of being so poor that how could we --  
15 sometimes there was a group of boys that used to come to  
16 school with a certain amount of money, say like five or ten  
17 cents, and they used to go out of the school at lunch and  
18 spend it around, you know, with just stuff, like buying,  
19 you know, big -- like maybe a hamburger or milkshake or some-  
20 thing else, or maybe just go out and uptown and buy stuff,  
21 and well, I don't think that -- I don't see why he should  
22 accuse them because in that way, because as far as I know,  
23 that same day when my boy was caught, he had a \$5.00 bill  
24 in his pocket and I gave it to him that morning.

25 And he did, if he did, you know, search them and he found

1 that \$5.00 bill there and he was trying to put more and add  
2 more to it, well, I -- I was -- that day I just happened to  
3 give him that \$5.00 that morning.

4 DR. FERBER: What did your son say, Mrs. Renteria? Did  
5 he take money from other students?

6 A. He said that he was with his friends and that he did,  
7 that's all. He didn't say how or who or anything, but he  
8 said, "We're just all in the same group."

9 DR. FERBER: I really don't see what we can pursue --

10 MR. ERICKSON: No, I think a couple of things I'd like  
11 to pursue, either with one of the parents or with Eddy.

12 Dean, I'm sorry.

13 Before -- you go to Judkins --

14 A. (By Mr. Dean Perez.) Yes.

15 MR. ERICKSON: -- which is about 20% Mexican-American,  
16 would you say?

17 A. Yes.

18 MR. ERICKSON: About one out of five students maybe?

19 A. Yes.

20 MR. ERICKSON: Do you see any difference in the patterns  
21 of discipline, in paddling, in breaking up groups that hang  
22 around together or anything that way, by the principal or  
23 the administration?

24 A. Yes.

25 Well, what do you mean by that, you mean do they do anything

1 to the other guys?

2 MR. ERICKSON: Do you think he's rougher on Chicano  
3 kids than he is on Anglo kids?

4 A Yes. He is.

5 MR. ERICKSON: How?

6 A Because when he go into the office, he never goes into  
7 the office except he doesn't even, he's not even around, but  
8 every time we go in the office he always comes in there and  
9 gives us swats, and he never gives them other guys swats, he  
10 only gives us swats.

11 See, Mr. Murray gives them other guys swats, but when we  
12 come into the office, he tries to take care of us. I mean  
13 he tries to think that he can, you know, tell us what to do  
14 and everything. And give us swats and stuff.

15 MR. ERICKSON: We discussed this a little bit yesterday  
16 as to how many Chicano kids you know that have gotten, have  
17 received swats, and how many Anglo kids you can recall.

18 Would you repeat that for me?

19 A Well, around 20 guys, 20 Mexicans and around five or  
20 10 white guys.

21 MR. ERICKSON: Do you think that many, before we were  
22 talking about four and five and you were naming them.

23 A I think around five that I know. I haven't heard of  
24 none of the other guys.

25 MR. ERICKSON: Is there, in your opinion, a pattern

1 where if five or six or ten Chicano kids get together that  
2 a teacher might tend to break them up, where if there's five  
3 or 10 Anglo kids that they're left alone?

4 A Yes, they are. They are. Because they think we do  
5 something, they think we go around wrong people and stuff  
6 like that.

7 MR. ERICKSON: And was this -- how long has this --  
8 maybe your older brother would know if this has been a pattern  
9 in the school over some time, where they break up the Chicano  
10 kids when they get together in a group?

11 A (By Mr. Steve Perez.) I don't -- when I was there  
12 they did it, you know.

13 MR. ERICKSON: They did the same thing?

14 A Yes.

15 MR. ERICKSON: How about swats, would it basically be  
16 the Chicano kids that would get the swats or that they would  
17 get different punishment than the Anglo kids?

18 A Yes.

19 MR. ERICKSON: Can you think of any examples or any,  
20 mostly with swats or are there other things that they would  
21 do?

22 A They would give them swats, you know, and sometimes  
23 suspend them or something.

24 MR. ERICKSON: What kind of things would they do to the  
25 Anglo kids for the same, you know, you do the same thing wrong

1 so the Chicano kid gets a swat, what does the Anglo kid get?

2 A I don't know.

3 MR. ERICKSON: Do you know or don't they get caught?

4 A (By Mr. Dean Perez.) This year, well, this year,  
5 let me see what happened.

6 Well, when I got in a fight they said they were going to,  
7 they said they were going to kick me out of the school for  
8 the rest of the year and then, when some other guy got in a  
9 fight, some white guy got in a fight, they didn't do nothing,  
10 they didn't even give them a swat.

11 A (By Mrs. Perez.) Tell them what Mr. Naumau told you  
12 about putting his foot? No, that's serious now, not some-  
13 thing to laugh about.

14 A (By Mr. Dean Perez.) He told Mike that, not me. He  
15 told Michael that, he said when I was fighting this guy, he  
16 said when I was fighting this guy that the rest of the guys  
17 jumped in. See, they didn't jump in, I fought a guy and  
18 then Eddy told me to leave and we started walking off and  
19 then I guess, I don't know what went on back there, but any-  
20 way, he said that they jumped him and then they go, you guys  
21 are just like a bunch of little rats, a bunch of little rats,  
22 he goes, he goes I ought to put my foot up your ass.

23 MR. ERICKSON: Who was that that said that?

24 A Naumu. He said he ought to put a size 12 foot up our  
25 ass. He told that to Michael.

1 MR. ERICKSON: Were you there when he said that?

2 A I was in the other room. I heard him say it. And  
3 Michael told me that he said it too.

4 MR. ERICKSON: Do you have anything else, Mrs. Perez,  
5 that you'd like to mention?

6 A (By Mrs. Perez.) Yes.

7 Dean said that, like he said, they've been keeping an eagle  
8 eye on him, and he said every time he gets a chance to, he  
9 will tell Dean, well you better start paying that money back.

10 A (By Mr. Dean Perez.) Yes, like one day all of us were  
11 together after school, we were going to go out for football  
12 and he goes, he saw us and he goes, he goes, you guys  
13 better start saving up all of your money that you're going  
14 to have to pay it back.

15 MR. ERICKSON: Have they indicated how much was taken  
16 all together? How many --

17 A (By Mrs. Munoz.) They haven't yet, sir.

18 MR. ERICKSON: They haven't told you anything about  
19 that? But they have indicated that they will tell you how  
20 much you're going to owe?

21 A Yes, I signed that paper, I remember, and my son also  
22 that he's willing to pay it back, how much, they were going  
23 to divide it a certain amount, I guess, into all the students,  
24 they have to pay so much, they haven't said how much yet,  
25 though.

1 DR. FERBER: Have you seen a lawyer, Mrs. Munoz?

2 A No, sir, just to the probation department, when they  
3 interviewed my son in front of me.

4 MR. JIMENEZ: I think if you're going to suggest any-  
5 thing, you should do it when we're not being recorded.

6 DR. FERBER: I'm not. I just asked a question.

7 Where did you sign the paper, with the probation or with the  
8 school? That you agreed to pay back?

9 A When Mr. Naumu went to the home, he went to my home  
10 and I signed it where, any my son, where he said he's going  
11 to, willingly to pay that money, amount, when they added it  
12 up, to see how much it was.

13 And they haven't let us know yet. But I guess now, con-  
14 stantly, he keeps reminding the kids.

15 A (By Mr. Dean Perez.) I don't see why they make, they  
16 want to make us pay when we're on probation for it. I'm on  
17 probation for it. They said that lawyer, I mean not the  
18 lawyer, but the judge, said that, he said that we're on pro-  
19 bation for taking them guys' money and if we're on probation  
20 for that, I don't see why we have to pay it when we're, you  
21 know, sort of like paying it by on probation.

22 MR. ERICKSON: Well, that's the law.

23 MR. JIMENEZ: The law allows for that, Dean. The law  
24 allows for you to do both. They can impose a fine and to do  
25 both.

1 Do you have any other comments that you would like to make?  
2 If not, Mr. Erickson, Charley --

3 MR. ERICKSON: No more.

4 DR. FERBER: Nothing.

5 MR. JIMENEZ: Okay, then we'd like to thank you for  
6 coming and the meeting --

7 A (By Mrs. Perez.) Yes, one more comment.

8 I'd like to have Naumu stop spanking the kids. Last time  
9 Mr. Kline (Phonetic.) hit Dean, left a lot of black and blue  
10 marks, and I told Mr. Wright, you know, for him not to be  
11 hitting Dean or, and leaving those kinds of marks, I said,  
12 or I'll take him to court. I said, "I won't do it this time,  
13 but next time I would", and Mr. Naumu's been hitting --

14 A (By Mr. Dean Perez.) He hasn't hit me this year.

15 A (By Mrs. Perez.) No, but I mean saying if he does, if  
16 he does hit him, I will take him to court, I'll take pictures  
17 of the bruises --

18 A (By Mr. Dean Perez.) You ain't taking pictures of my  
19 butt.

20 A (By Mrs. Perez.) I won't do it, I'll get a man to do  
21 it, and I'll take him to court.

22 I don't think, actually where does spanking get? It doesn't  
23 get them anywhere.

24 A (By Mr. Dean Perez.) You know that gym teacher, he  
25 goes on, I have a, he goes, I always used to cuss at people in



1 the gym room and he goes, now, he goes, now I have a friend  
2 and he shows us the paddle and he goes, if any of you guys  
3 talk back to me, I'm going to make you pull down your pants  
4 and he goes, I'm going to give you three swats, he says he's  
5 going to make us pull down our pants.

6 A (By Mrs. Perez.) I really don't see where spanking  
7 accomplishes anything, I mean in high school or in college,  
8 if a kid does that, they don't say pull down your pants,  
9 we're going to spank you, they're not kindergarten anymore,  
10 they're eighth graders.

11 DR. FERBER: I don't think it's inappropriate to comment  
12 on that. I would really suggest, with regards to spanking  
13 at all, that you at least raise that with the superintendent  
14 of the whole district, Mr. Hoagland. The people from PASA  
15 have access to his office and I think you may want to raise  
16 that whole question.

17 I'll leave it there. I don't think we can talk about  
18 whether a potential suit is appropriate or not.

19 MR. JIMENEZ: No, but that is something you should  
20 discuss with him, you know.

21 A Yes, because he worked as a guard at a men's colony  
22 and was a probation officer in L.A. area, he thinks he's  
23 dealing with adults or criminals. These are all students  
24 he's dealing with. Juvenile students, they're not dealing  
25 with adults.

1 MR. JIMENEZ: Okay, thank you very much for taking  
2 the time to come by.

3  
4 (Short recess.)

5  
6 DONALD W. HAYNES

7  
8 (Official opening statement read by Mr. Jimenez.)

9  
10 MR. JIMENEZ: So, if you'll identify yourself for  
11 the record, and then just give us a statement, or tell us a  
12 little bit about what you -- what your feelings are, and what  
13 you perceive, then we will ask any questions that may arise  
14 from that.

15 A (By Mr. Haynes.) My name is Donald Haynes, I'm an  
16 attorney. I practice in San Luis Obispo County in the Town  
17 of Arroyo Grande. My primary involvement in the problems  
18 this year has been an attorney of record for the majority of  
19 the people, I represented, I think eight of the juvenile and  
20 all of the adults in court.

21 I also acted as counsel in terms of advising a lot of the  
22 groups on their negotiations with the school board and on their  
23 problems subsequent to the arrest and the court proceedings.

24 My prior experience, I was for two and a half years directing  
25 attorney of C.R.L.A. in Santa Maria, I've been in this area

1 since about 1966. I'm not too sure which specific areas you  
2 want, I could tell you three or four hours worth of things  
3 easily. About the community, the problems, I'm not sure  
4 which --

5 DR. FERBER: Leading up to the Arroyo Grande thing,  
6 but with that background, both your residence here and your  
7 C.R.L.A. experience, I wonder if you might enlighten us just  
8 with your sense of the school policies generally, before that  
9 time, whether there have been changes with the substitution  
10 of Hoagland for Denton, a general sense.

11 I recognize that's highly impressionistic, but right now  
12 we're just, I think it's particularly important given in a  
13 sense your removal at least by one, that is we can get to the  
14 involvement with the defendants subsequently, but I am  
15 interested because we've tended to hear interested parties,  
16 we've heard a number of Chicano parents and we've heard the  
17 establishment.

18 Now, in a sense, we've got a different perspective.

19 A I think it's too early to tell whether the Hoagland  
20 or Denton change makes any real difference. I tend to sus-  
21 pect it won't. That most of the problems that the people  
22 are complaining about, are the problems that bother them the  
23 most, aren't the things they're talking about.

24 The problems are attitudes a lot of times of teachers who  
25 feel that, you know, this kid is only going to be good for

1 vocational training, you know, they -- the attitude that if  
2 a group of Chicano students is in the hallway, that they're  
3 in trouble. If a group of other students in the hallway  
4 they're not going to get in trouble. You know, and it's  
5 a lot of more subtle type of things rather than the specific  
6 instances they talked about that I really think are the real  
7 difficulty, and you'd have to change a lot of factual items,  
8 you have to change a lot of community attitudes to get at  
9 that type of situation.

10 You've got the further problem that when you have a farming  
11 community, a lot of the high school students, their parents  
12 are the growers, the Chicano students, their parents are the  
13 workers, you've had farm labor strife in the area, you've  
14 had strikes, lot of arrests, problems there and it carries  
15 over. And what you get on that campus is two very identi-  
16 fiable groups, the children of the growers who dress dif-  
17 ferently than the normal student, at the high school, both  
18 in terms of jackets, the boots, their hats, and they're  
19 identified as the aggies and the Chicano students and both  
20 groups are very, very well-identifiable, and tend to segregate  
21 into their own areas.

22 And you get a built-in friction there, very, very severe  
23 friction between those two groups. The power structure of  
24 the community is with the growers. Both in terms of con-  
25 trolling the board of supervisors, the local city councils,

1 the school board, and you know, in answer, I don't really  
2 feel changing the superintendent, unless he turns out to be  
3 a extraordinary man, can rework a community. I just don't.

4 DR. FERBER: Okay.

5 With that by way of background, thank you very much, Mr.  
6 Haynes. Focusing on the immediate incident at Arroyo Grande,  
7 and I'm particularly concerned with the capacity for a rela-  
8 tively unified establishment to mobilize a number of different  
9 mechanisms. Now, here you are an attorney, so it is helpful  
10 information. My impression is that perhaps the arrests, per  
11 se, were as much harassment as anything else. Harassment in  
12 the sense that for a typical family, Mexican-American family,  
13 one, this is an emotional strain to be involved directly  
14 with the law.

15 Secondly, the necessity of merely retaining counsel for  
16 a lower income person, provides tremendous barriers that we  
17 in the middle class just don't encounter. You got a problem  
18 with the law, hell, yes, you get a lawyer and sue, or arson,  
19 or are sued. I just wondered if this corresponds with your  
20 sense of what took place there?

21 Were the arrests, given whatever tensions had arisen, perhaps  
22 legitimate?

23 A. Okay.

24 My feeling is that, what happened is that the week before  
25 the arrests, particularly on the Thursday and Friday, there

1 there was violence on the campus. Substantial violence and  
2 the principal kept the police out during that period of time.  
3 There was fighting, no major injuries of any sort, I don't  
4 think any hospitalization but there's people that got banged  
5 around and hit and a lot of tension on campus.

6 They also had an incident where they found a number of  
7 fire bombs planted in the back of the school. This all got  
8 a lot of play on the radio, the TV, the press. During this  
9 period the school was negotiating with the students, with  
10 some of the parents, and was trying to keep things calm. I  
11 think the pressure from the Anglo community built up to the  
12 point over the week end that to my determination, it was  
13 decided on Sunday that arrests would be made on Monday morning.

14 There were arrangements to discuss problems with the Chicano  
15 community on Monday morning which were cancelled out late.  
16 The decision was in fact made Sunday to bring in the sheriff's  
17 tactical squad.

18 This came out in a number of the court hearings.

19 To give you an idea, one of my secretaries, who's an Italian,  
20 received a call on Monday morning to get her daughter out of  
21 school because the sheriff's tactical squad was on the way  
22 to make mass arrests. And I think what had happened is that  
23 the pressure had built up upon the school board, the district  
24 attorney, the sheriffs, to do something, you got to get out  
25 there, you got to stop this, you got to do something, make

1 some arrests, take some action. They then got themselves in  
2 a very embarrassing position of what they did is they, in  
3 effect, close off the campus. At 9:00 o'clock or 8:00  
4 o'clock, I think it was, the doors were locked at the class-  
5 rooms, any Chicano who was not in class was locked out and  
6 told to leave the school grounds, whether they were tardy,  
7 whether they were part of a demonstrating group or whatever.  
8 They then congregated --

9 DR. FERBER: Excuse me for interrupting, Anglos in  
10 the same situation were allowed to enter the school?

11 A. As far as I know nobody else was sent off. If anybody  
12 else was, it's not to my knowledge.

13 They congregated across the street from the school and  
14 from all the testimony I have heard, it was the most peaceful  
15 demonstration of all time, there was no yelling, no shouting,  
16 no blocking of traffic, there was only one or two signs,  
17 nothing happened.

18 I mean it was -- except on about three or four times,  
19 students went over and said may we please go back to class.  
20 The vice principal testified at one of the hearings that  
21 they didn't let them go back to class because it would have  
22 been more trouble to give them late passes and work them  
23 back into class than it was to have them stand over on the  
24 corner, that's how much of a disruption it was.

25 Finally, they brought over the buses, and that hit a sore

1 point because of a busing problem the week before, offered  
2 to bus them away and then they came over and announced that  
3 this is an illegal assembly, you must disburse.

4 MR. JIMENEZ: They weren't even on the school grounds?

5 A. No, they were across the street.

6 MR. JIMENEZ: Who came over and announced?

7 A. The principal and the Arroyo Grande, who's now the  
8 police chief but he was the captain at the time, Captain  
9 Clark, now Chief Clark.

10 This was on advice of the district attorney's office at  
11 the county. I can not imagine a more peaceful gathering.  
12 I know of no, in my opinion there was no violation of the law  
13 at all, none.

14 Arguably, you could say that being across from the school  
15 where you could be seen, is disruptive to the school affairs,  
16 but it's a minimal disruption at most.

17 The testimony was that during a break period, four or five  
18 students walked out to the parking lot to see what was going  
19 on, and were told to go back and they did. No noise, nothing.  
20 Well, they were all gathered up and then they came and they  
21 made their arrests, is my feeling, you know. They had the  
22 tactical squad there, they'd made their decision to make  
23 their arrests and they just, they got their momentum going  
24 and never stopped it. That's my feeling.

25 The justice court judge, to my great surprise, released



1 everybody on their own recognizance, without an attorney  
2 appearance. Which helped a lot. That helped a lot of the  
3 situation but they were very slow in processing, it was 8:00  
4 o'clock until most of them got out and that's an 11:00  
5 o'clock in the morning arrest.

6 But I felt it was more in response to community pressure  
7 to do something, make some arrests. There had been large  
8 meetings of Anglo parents, there was one, in fact, that we  
9 felt was so close to being a situation that was going to cause  
10 riots and violence in the community that I talked every  
11 attorney in the South County into attending the meeting, and  
12 we also got some off-duty sheriff officers to show up and then  
13 spread out through the crowd, just as a quieting effect.

14 It's a lot harder to be too much of a rabble-rouser when  
15 you have all the attorneys there and some law enforcement.

16 MR. JIMENEZ: Whose meeting was this?

17 A. It was Anglo groups, Anglo community. And it was  
18 very, very clear that they considered it, you know, to be a  
19 threat to the very fabric of society, and also that they felt  
20 that it was an outside agitator situation, that, you know,  
21 it wouldn't happen locally unless somebody was stirring it up  
22 and -- it was an extraordinary meeting.

23 But I just think it was community pressure, the D.A. and  
24 the sheriff and the law enforcement were in a position where  
25 they felt politically they had to do something.

1 DR. FERBER: Now, what actually happened, obviously,  
2 I can't and I'm sure you'll tell me where I'm overstepping,  
3 I certainly don't want your relations with your clients, but  
4 was it then settled between you and the D.A. or did you get  
5 all the way into court and the judge throw it out? The  
6 thing was ultimately dismissed, as I understand it?

7 A Of my eight, I think I had, I made so many appearances,  
8 it was either eight or nine juveniles I represented, four  
9 of them the judge said they'd violated nothing and just dis-  
10 missed, threw it out entirely.

11 The other juvenile court cases the judge said that  
12 I believe, that there is jurisdiction, which means that he  
13 feels technically there was a violation of the law, but the  
14 case is now hereby dismissed. On the grounds that these  
15 are not juvenile delinquents and there's no reason for  
16 the juvenile court to take any control over these kids, give  
17 them any counseling or anything.

18 So, on the others he made a finding, a technical finding,  
19 that they'd violated some law and then dropped it.

20 As to the adult cases, there were originally five arrested,  
21 I represented all of them. One of those I call up the  
22 district attorney and my representation as to the facts it  
23 was dismissed before charges had been filed on him.

24 A second one I made a motion and had her case transferred  
25 to juvenile court, she was 18 at the time of the arrest and

1 it was dismissed in juvenile court.

2 The other three were dismissed at the motion of the district  
3 attorney and with the request of the principal of the school,  
4 just last month, September.

5 Now, the reason they went from February to September was  
6 my fault, it was absolutely intentional. On the adult court  
7 cases I stalled them. I filed motions for change of venue,  
8 I stalled them, I did everything I could to let community  
9 feelings die down before letting them go to trial. It would  
10 have been too hot to try otherwise. We would have had, you  
11 know, a packed courthouse, radio, TV and the situation would  
12 have been much more explosive. And it just -- with somewhat  
13 reluctant clients who wanted to go to trial because they  
14 felt they were innocent, I stalled them, frankly, because  
15 I just, I thought we were most likely to have a happy reso-  
16 lution.

17 So, that's what happened on the cases.

18 My personal opinion is that everybody who was charged was  
19 in fact innocent. I can't read the cases on freedom of  
20 assembly any other way. With the exception of one boy, I  
21 had charged in juvenile court with hitting a teacher, and he  
22 in fact did hit a teacher. That's an entirely different thing.

23 MR. JIMENEZ: Did they drop the charge on him too?

24 A He was found to have hit the teacher and was put on  
25 probation.

1 MR. ERICKSON: I'm sure you read the articles that  
2 accompanied the recent dismissal of charges against the last  
3 three, where basically the school district took credit for  
4 the dismissal, saying that a letter from, was it Mr. Hitchen?  
5 Saying that it was in the interests of justice to dismiss  
6 charges against these three persons, including Alfredo Athie.

7 A. What happened was, the district attorney's office  
8 did not want to request the dismissal on their own, for  
9 political reasons, and asked the school if they would write  
10 such a letter. The article in the newspaper was a press  
11 release from the district attorney's office.

12 MR. ERICKSON: That's what I wondered.

13 A. Again, purposefully, I didn't -- I didn't put out any-  
14 thing to dispute that or to cause any more, but that's what  
15 happened. The D.A. went to them and said, "Look, would you  
16 write such a letter?" That is not an inconsistent position  
17 for Hitchen, he'd asked the juvenile court cases be dis-  
18 missed before they went to trial. He had requested that as  
19 had Escamillo, before the first day of the hearing on the  
20 juvenile court cases, and the D.A. refused, at that time. So,  
21 he was not being -- I think he was -- it was an extraordinary  
22 step for him.

23 Escamillo had asked that the arrests not be made.

24 DR. FERBER: Has anyone been able to pin down conver-  
25 sations at that point in the school? I suppose one is dealing

1 with Frankenstein's monster, having once committed to the  
2 arrival of the police, were Hitchen or anyone in a position,  
3 I'm obviously asking for opinion, basically, Mr. Haynes,  
4 is it your sense, and in the light of what you've said, maybe  
5 you've already answered the question, once there, once in  
6 a sense the show of force, is there a certain grief-tragic  
7 inevitability to what took place?

8 A That's my feeling, that at the point where they got  
9 the sheriff's tactical squad on campus in full gear and  
10 everything, the school board's there, the press is running  
11 around, it just moved. I -- the principal at that time was  
12 Mallard. Technically they put the decision upon him to make  
13 the arrests.

14 Practically, I think if he hadn't made some arrests that  
15 day, he would have been fired.

16 DR. FERBER: If he hadn't?

17 A Yes. He had a heart attack and a physical breakdown  
18 shortly after this. And is now a principal at an elementary  
19 school. I had quite a bit of dealings with him, Hitchen and  
20 Escamillo prior to the juvenile court filings, because they  
21 had expelled a number of students from the school, and I  
22 was then appearing before them in the initial administrative  
23 hearing to try to get the students reinstated in class.

24 And what it worked out to, was a situation where they revoked  
25 their expulsion and put them in a continuation school, which

1 was not satisfactory, but was the best I could negotiate  
2 in February of this year.

3 MR. ERICKSON: Do you feel, from your working with  
4 these cases, that there is differential treatment for Mexican-  
5 American students in the Lucia Mar District, in the way of  
6 punishment, as an example?

7 A. In some occasions, yes, definitely. There's a lot in  
8 terms of just attitudes. Just terms of -- of attitudes and  
9 feelings that I don't think are thought out or even believed  
10 by the people in that school. They don't realize their  
11 attitudes. The school board is, I think, very bad.

12 MR. ERICKSON: Any other? We've got some other testi-  
13 mony supportive of that.

14 A. Yes, the school board --

15 MR. JIMENEZ: Do you have any more questions?

16 MR. ERICKSON: None specific, other than I think  
17 perhaps Mr. Haynes has something.

18 A. I have, and I don't know whether this is useful to  
19 you, the various memorandums from school on figures that  
20 they wrote on what was going on, --

21 DR. FERBER: Are those extra copies?

22 A. Yes, I have some, and for instance, here's one by Mr.  
23 Hitchen that he wrote, an extra copy --

24 MR. JIMENEZ: We can have those ready into the record.

25 A. I don't know whether any of these are of -- I have all

1 the documentation of the various agreements and the things  
2 back and forth, I have also, I know, the -- a statement of  
3 the principal at that time, Mallard, as to how he saw things  
4 as they occurred. In fact, I have at least six files bigger  
5 than this in my office, broken down by clients, but I don't  
6 know whether you have that documentation or would want it.  
7 If you do, I can go through and mail it to you.

8 DR. FERBER: Well, I'd like to pursue just briefly  
9 this matter of the coercive, if you like, nature of a fairly  
10 unified establishment.

11 I gather family income determines whether you would get a  
12 client or whether an agency set up to deal with low income  
13 clients would get them.

14 A I'd say that almost all the people who retained me  
15 would have been eligible for the public defender.

16 MR. ERICKSON: Why did they retain you?

17 A I've represented them in the past for the most part,  
18 or I knew them, none of them paid me any money in advance,  
19 and they had some fund-raising dances and things of this sort.  
20 But they came to me and asked me to represent them as opposed  
21 to actually retaining an attorney in the normal sense.

22 MR. ERICKSON: At the time they retained you, I'm sure  
23 their fears were a lot greater than they are today, as to  
24 whether they could go to jail or just what could happen to  
25 them, weren't they?

1       A.     At that time, the community feeling was strong enough  
2 that I would have expected somebody to go to jail.

3           DR. FERBER:     This is my point, although I'm glad  
4 to have that clarified. I assumed that the fact that you  
5 didn't have all of the cases, some fell below and had, you  
6 know, public defender, whether it was C.R.L.A. directly or  
7 the public defender there. Others went.

8       This is touchy, but please don't take it in any sense as  
9 embarrassing. My concern as I first opened my comments, are  
10 that when you have a situation like that, in fact, the arrest  
11 itself becomes a, I don't want to sound paranoid myself, but  
12 becomes in a sense a coercive tool --

13       A.     Very definitely.

14           DR. FERBER:     -- that is a group and I suppose the  
15 upper range would still fall well below what we conceive of  
16 as middle class income, now has to go out, generate funds,  
17 you know, I'm glad it was dances and I hope they have a de-  
18 fense committee, but generate funds, you're in the position  
19 and from your own testimony, you know, an immense amount of  
20 work had to go in and essentially it was a facade, not your  
21 work, don't take me wrong, but essentially this was one more  
22 effort at keeping this group in its place, and really serious  
23 harassment.

24       There is, with my own limited experience with the Mexican-  
25 American community, tremendous personal embarrassment and



1 real fear of having been involved with law enforcement agencies.  
2 There is, then, from whatever I've been able to observe of the  
3 people we talk to, you know, this hard-headed concern now  
4 about debts to be repaid, and, well, I just, I shouldn't say  
5 that. I don't know what the D.A.'s notions were at the be-  
6 ginning.

7 It seems to me that to have picked these people up comes  
8 awfully close to doing this really for harassment.

9 A That was from the top in the district attorney's  
10 office. It wasn't a low-line deputy. That was -- it was, in  
11 fact, it was Tate, the district attorney, and Minier, his  
12 criminal chief deputy, who were down there, made the decision.  
13 So it wasn't somebody just out of law school that did it.

14 But you're right. Freedom of assembly for that group in  
15 the community is hampered. You know, because of this occur-  
16 ring. I think it clearly is. It's a very bad situation.  
17 I have to agree with that.

18 MR. ERICKSON: Are you aware of other methods that  
19 are used to keep the Mexican-American in his place, so to  
20 speak, here educationally or in other areas, social areas?

21 A Well, a lot of people who are employees of the school  
22 are really trying to do things. I -- my feeling is that prob-  
23 ably the school officials are several steps above the general  
24 community in their feeling and their attempts. And there's  
25 a lot of limitations placed upon them by the community.

1       There will be allegations, if you talk to people in the  
2 community, they've been favoring the Chicano students for  
3 years and giving them preferential treatment and, you know,  
4 they want to have them start being treated like everybody  
5 else and not better.

6       Now, I could parade, you know, 500 people in here on short  
7 notice that will tell you that. There's just no understanding.

8       One school board member was quoted in the paper as saying  
9 that his ancestors had been here longer than the Mexican, if  
10 they didn't like it they ought to leave, which I thought was  
11 a remarkable thing. If I'm not mistaken, he's Swiss. But,  
12 you know, I don't feel so much, you know, there's problems  
13 in employment, you never see a Chicano box-boy at the  
14 grocery store around here, you know, you don't see a lot of,  
15 you know, you don't see shoe salesmen, you don't see clerks  
16 in stores, outside of C.R.L.A. I think there's one Spanish-  
17 speaking legal secretary, for instance, from Lompoc to Pasa  
18 Robles, you know, one.

19       Lot of job opportunities aren't there, and that has its  
20 carryover in terms of what the students going to do in  
21 school.

22       I've got a lot of kids tell me why should I bother? If I  
23 get the education I won't get the job anyway. And they're  
24 probably right.

25       MR. ERICKSON: I'd like to just reserve coming back and

1 maybe checking something in your files later on, if we need  
2 it. As of now I would like to keep Doug Hitchen's account,  
3 I think that's vital, since he's now the principal there,  
4 but beyond that, unless you had anything --

5 A. I had Mallard's but I don't see it in this particular  
6 file. It was written at the same time.

7 MR. ERICKSON: We're really looking to the future more  
8 now than we are to the past, but we do need the past for  
9 reference.

10 A. There are people that made good faith efforts, that I  
11 was surprised at, both Keith Rapp and Georgie O'Connor on the  
12 school board went farther in terms of resolving problems than  
13 I would have expected, you know, much more.

14 The school officials bent farther in terms of trying to do  
15 things than I would have expected, originally. I was surprised  
16 at that.

17 The law enforcement, some of them are quite supportive of  
18 students, Chief Clark, of Arroyo Grande was the best witness  
19 I had, consistently, he was an absolutely marvelous witness  
20 for the defense.

21 DR. FERBER: In terms of the peaceful nature of the  
22 demonstration?

23 A. Yes, yes. I couldn't have thought of better testimony  
24 than he would put on. The superior court judge started off  
25 with an extremely negative attitude towards the cases in terms

1 of point of the first day's hearing, I was so mad I couldn't  
2 see straight, and completely reversed his position by the  
3 time he'd heard all of the evidence.

4 That was -- that was an amazing change in attitude. On  
5 his part. And he did a lot of good, I think, in his handling  
6 of the cases. You may have heard this from some of the  
7 people who have testified, but his switch was remarkable.

8 DR. FERBER: We haven't.

9 We really didn't get much into the case itself.

10 A. I was amazed, he's a recent appointee, he was from  
11 Pasa Robles, wasn't familiar with the situation, very con-  
12 servative, very, very conservative, and the change in him  
13 after hearing the evidence was just absolutely amazing, and  
14 it's carried over to subsequent cases I've had in his court  
15 room.

16 DR. FERBER: Have you received physical or psychological  
17 abuse for your C.R.L.A. work and now for the fact that you  
18 are still prepared to regularly defend Mexican-American  
19 clients?

20 A. No, no. I never have. There's reason for that. One,  
21 I, to the community I just don't look like a radical. If  
22 my hair was longer my mode of dress was wilder, I would get  
23 physical problems, I'm sure, in terms of, you know, ostra-  
24 cism.

25 But I don't. You know, it just hasn't happened. It makes

1 a difference in my clientel in the office, I think. I  
2 think that happens, I don't get, you know, any wealthy  
3 clients. But --

4 DR. FERBER: The growers don't flock to you for  
5 advice?

6 A. Never represented a grower. I do represent a bank,  
7 though, surprisingly. But that happens.

8 But other than that, there's no problems. In fact, I think  
9 attorneys have it backwards, I think it's really good for  
10 an attorney's practice to be involved in the controversial  
11 areas in his community.

12 DR. FERBER: Sure.

13 A. Most of them are afraid of it but I think they're  
14 wrong, you know, they should be involved in them.

15 So, personally, no problems at all.

16 DR. FERBER: I don't have anything more.

17 MR. ERICKSON: Nothing.

18 MR. JIMENEZ: I want to thank you for coming, Mr. Haynes,  
19 and we appreciate it and your testimony has been very helpful.

20 A. Thank you.

21

22

23

BURTON D. FRETZ

24

25

MR. JIMENEZ: We are running a little bit short of time,

1 so I'll dispense with a lot of flowery stuff and may we just  
2 have you give us, I'm sure you're aware of why we're here,  
3 because of allegations that were lodged by the Spanish-speaking  
4 communities that their civil rights, in essence, were being  
5 violated.

6 And we're here to determine whether they are or not, so  
7 we can make recommendations to the Civil Rights Commission.

8 But if you could kind of give us, in your words, your feel-  
9 ings on -- how you're involved and what you perceive the  
10 community problems to be, or whatever, then we can ask some  
11 questions on that.

12 A. Fine.

13 I came prepared to talk specifically about the incident at  
14 Arroyo Grande High School this last January.

15 I understand Mr. Haynes has briefed you fairly thoroughly  
16 on that. There are one or two points that I'm going to try  
17 to cover in my narrative about which I have personal knowledge  
18 and Mr. Haynes does not, and at that point perhaps we can  
19 just throw it open to questions.

20 If my recollection is correct, we're talking about January  
21 17th of this year, when a number of juveniles, 20 or more,  
22 were arrested across the road from Arroyo Grande High School  
23 The arrests occurred sometime about or after 11:00 a.m., and  
24 I was called on the scene by Alfredo Athie, who was a parent  
25 counselor to the group, about 8:00 o'clock that morning.

1       When I got there, I arrived on the campus, oh, five or six  
2 minutes after the first hour beginning school, I was informed  
3 by students that they had just become tardy to the first  
4 class, that the principal of the school had indicated that  
5 because of their tardiness they would not be permitted to go  
6 into the school late or to begin their classes at the next  
7 regularly-scheduled hour.

8           DR. FERBER: Query at that point, were these all Chicano  
9 students or were they Anglo as well?

10       A.     Those were all Chicano students.

11       The students had been told by the principal or the assis-  
12 tant principal, to leave the grounds, they must either go  
13 home or at least be off the school grounds.

14       Accordingly, the students, I think probably 50 or 60 in  
15 number, along with Mr. Athie and most went over and adjourned  
16 to a place that was across the road, it was really at an  
17 intersection still off the paved roadway, but the sandy part  
18 of the road next to an orchard. Actually, I arrived on the  
19 scene after the students had gone over to this spot. At  
20 that point the students were simply talking about what they  
21 should do and recognized my presence, the fact I was an  
22 attorney and asked what my legal advice was.

23       At that point, I recommended that they make all efforts to  
24 try to return to school at the next class hour. There was  
25 some debate about whether the students wanted to do that, the

1 majority of students decided that they would try to make  
2 such a request, and a delegation from the students, accompanied  
3 by myself, went over to try to speak with the administrator  
4 in charge. We got approximately halfway from the road to the  
5 main building when we were stopped by a number of sheriff's  
6 officers, who were on duty at the time, and were told we had  
7 to leave the grounds once again.

8 I identified myself to, I believe it was the captain of  
9 the sheriff's guard and indicated our purpose in trying to  
10 talk to the administrator and seeing if we couldn't get the  
11 students back in school at the beginning of the next class  
12 hour.

13 The captain indicated to me that he was sorry but that he  
14 was under explicit instructions not to let anyone come onto  
15 the school grounds, including the students who were purportedly  
16 tardy, and that we had no choice but to remove ourselves  
17 from the grounds. I asked the captain whether it would be  
18 satisfactory for the students to remain across the road, the  
19 captain indicated to me that it would be satisfactory.

20 We went back across to the original point on the other  
21 side of the school grounds adjacent to the orchard, I advised  
22 the students informally of what I'd been told, that there  
23 appeared to be no way that they were going to be able to go  
24 back to school that morning, that they were under legal order  
25 not to return to the school grounds, but that according to the



1 sheriff's captain they could remain where they were.

2 At the same time, informally, I advised some of the students  
3 that they would probably be best off if they could find a  
4 way home, although there didn't appear to be transportation  
5 readily available for most of them. I then advised them  
6 that I was going to go back to my office and try to talk  
7 to Mr. Mallard, principal at the school and see if I could  
8 persuade him to let any remaining students come back into  
9 class, at the beginning of the next period.

10 I did that, and went back to my office in Santa Maria,  
11 left a message for Mr. Mallard in, who was not in, who  
12 called me back, I guess about 10:00 o'clock. I indicated  
13 to Mr. Mallard that I was calling at the request of several  
14 students, I didn't name them, they had advised me that they  
15 were not being permitted to return to class at all that day,  
16 because they were tardy the first hour.

17 I told Mr. Mallard that I had very briefly researched the  
18 education code and I didn't find any legal or statutory basis  
19 for refusing students the power to come back into school.  
20 And I asked him if he had any legal basis that he knew of  
21 and Mr. Mallard told me that, no, he didn't, but that he  
22 felt this was just the best thing, and I asked him why, and  
23 he said, "Well, we've had a number of threats of violence  
24 from some of the more militant Anglo people in the community  
25 and I'm just afraid to let these Chicano students back in,

1 there might be some violence from the Anglos."

2 I asked Mr. Mallard whether this wasn't some kind of reverse  
3 thinking, that quite properly he could admit the Chicano  
4 students and if there were some unlawful conduct on the part  
5 of Anglos he could take appropriate sanctions against them.  
6 And he simply said that in his judgment, based upon his  
7 experience as an educator, he felt that this was the best  
8 way to proceed. And I thanked him and hung up, and then,  
9 about 11:30 or 12:00, I was advised by phone that the students  
10 had been arrested.

11 I, again, don't want to try to duplicate what you already  
12 know and what Mr. Haynes has told you.

13 At any rate, Mr. Haynes represented about half of the  
14 juveniles and I represented roughly the other half. And I  
15 won't try to describe all the intricacies and the details  
16 of the evidence presented before the juvenile court, I might  
17 indicate that -- could we go off the record?

18

19 (Discussion off the record.)

20

21 A I understand that the juveniles involved in this court  
22 case are not and will not be identified, and as far as I'm  
23 concerned, I think I'm free to speak generally about what  
24 transpired provided that there's no identification of the  
25 juveniles. I would like just to refer to what appears to have

1 been highly singular pressure upon the probation department  
2 of the county to press the juvenile charges against these  
3 youngsters, against these students.

4 As you may know, the welfare and institutions code in Cali-  
5 fornia provides that the decision about whether or not to pro-  
6 ceed in a juvenile case is left within the discretion of the  
7 pertinent probation officer.

8 The role of the prosecutor, that is the district attorney,  
9 is limited to the presentation of evidence once a matter  
10 actually comes to hearing in the juvenile court.

11 Nonetheless, we were given opportunity to conduct a voir  
12 dire, which is a side interrogation of Mr. King, the chief  
13 probation officer.

14 In the judge's chambers immediately prior to the hearing  
15 in this case, and after some questioning, Mr. King admitted  
16 that he had had at least four different conversations with  
17 the first assistant district attorney about the prosecution  
18 of this case. We asked Mr. King why he had such -- well,  
19 first of all strike that.

20 First of all we asked Mr. King whether it was customary  
21 at all for a probation officer to have conversations about  
22 juvenile charges with the district attorney before the matter  
23 went to court, he indicated that it was not customary,  
24 normally charges were prepared by his probation officers and  
25 filed.

1 We asked him why the rule was broken in this case, why the  
2 exception in this case, and Mr. King indicated that he had  
3 had some difficulty in framing the language of the charge,  
4 by that he was referring to the normally one-sentence charge  
5 against each student that appears in the juvenile petition.

6 The charge simply summarizes the violation which purportedly  
7 brings the students within or the juvenile within the juris-  
8 diction of the court. I conducted this interrogation and  
9 recall asking Mr. King whether it was not in fact usual for  
10 him and his probation officers always to charge, in the  
11 petition, in the exact language of the statute under which  
12 they would proceed and he indicated that it was.

13 I asked him whether he had not himself determined what  
14 sections of the penal code he was going to be proceeding under;  
15 he indicated that he had made that determination. And I  
16 asked him whether he called the district attorney simply to  
17 determine the language to be used in charging under the already-  
18 selected provisions of the penal code; he indicated that that  
19 was the purpose.

20 Then I asked whether or not -- whether it was in fact true  
21 that the charges on all the juveniles were the exact language  
22 of the statute under which he was proceeding, as is the  
23 regular policy, and he indicated that they were, but that  
24 nonetheless, in this case, it was necessary to talk to the  
25 district attorney on four different occasions at least.

1           At a later point in the trial, we asked permission of the  
2 superior court judge to interrogate the chief probation  
3 officer further, along this line, and based upon charges of  
4 apparent, undue political pressure in the district attorney's  
5 office, which in turn was relayed to the probation officers,  
6 but we were denied this request.

7           We had been informed, informally, again by a junior pro-  
8 bation officers, that they had recommended that there be no  
9 prosecution at all in these cases, that the matter not even  
10 go to court. Unfortunately, the delicacy of their position  
11 was such that we were not free to call them to testify.

12           Well, that, thank you for listening to that narrative. It's  
13 somewhat longer than I had anticipated. Perhaps you may have  
14 questions at this point.

15           DR. FERBER: I have a line of questioning that is  
16 obviously inferential but please feel free to respond or say  
17 something you don't know and this further buttresses Haynes'  
18 testimony, who either was not privy to what you've just let  
19 us know, or if he was, didn't tell it to us.

20           I'm concerned that in effect, and this would seem to be  
21 strengthened by the testimony you couldn't use from the junior  
22 probation officers, that arrest, per se, can become a serious  
23 tool for coercion. That may sound oversimplified, my point  
24 is that when you -- when you have what apparently was a peace-  
25 ful demonstration, when in fact, informally, the students had

1 been assured that they could stay over on the other side,  
2 and I don't think we've had any testimony suggesting between  
3 the time you left and the time they were arrested there had  
4 been anything approaching overt violence, arrest at that  
5 point, particularly for people known to be economically de-  
6 prived, becomes an end to itself.

7 One need not worry about conviction. The harassment of  
8 being made public, and God knows in that community there was  
9 a great deal of publicity given to this, the necessity or ap-  
10 parently the necessity felt at the moment by a number of  
11 those arrested, to retain private counsel, and this was  
12 obviously a somewhat sensitive question with Haynes, and go  
13 to what we have been led to believe were several thousand  
14 dollars worth of debt collected fees -- collective fees of  
15 the number of people involved here.

16 It just seems to me that between the school district  
17 officials and the district attorney's office responding  
18 obviously to a seriously emotional state in the community,  
19 at least in the Anglo community, arrest itself becomes not  
20 law enforcement, but an act of repression in and of itself.

21 I don't want that term to pick up emotional connotations,  
22 it seems to me that we have a case where the establishment,  
23 in fact, perceived arrest not merely as a means of disbursing  
24 a clear and present danger, but as a way of making a statement  
25 hopefully, futuristically, that this was simply intolerable

1 behavior and would not be accepted.

2 Long and windy and I apologize, would you care to respond  
3 to that at all?

4 A I certainly would -- would draw the inference that the  
5 arrest of these juveniles, in the context with which it  
6 occurred, had the effect of chilling the exercise of first  
7 amendment rights in the students and their parents involved.  
8 It had that predictable effect at the time it occurred. In  
9 as much as you've indicated there was not even a suggestion  
10 of imminent violence, school administrators I might say in  
11 fairness, did talk about an explosive situation during this  
12 one-week period, and problems and tension in the air, but in  
13 the prosecution of these juveniles there was no suggestion  
14 that at 11:00 o'clock on January 17th, violence was about  
15 to erupt.

16 Instead, I think that any observer reasonably could infer  
17 that the act of arrest had the effect that a -- the pre-  
18 dictable effect, of discouraging those persons arrested and  
19 the family members from dissenting, from voicing opinions  
20 which opinions were in sharp contrast to those held by  
21 members of the school administration and other prominent  
22 people in the political community.

23 I've spoken about predictable effect, that prediction was  
24 in fact borne out, to my observations, since the arrest took  
25 place. The Chicano students at Arroyo Grande High School have

1     been dulled, if not completely silenced, in their dealings  
2     with the administration. I'm not privy to these dealings  
3     on a day-to-day basis, but certainly from my contacts in  
4     the Chicano community I would make this statement.

5         Is that a fair response?

6             DR. FERBER: Yes.

7             MR. JIMENEZ: Charley?

8             MR. ERICKSON: Just one question and I'm not sure  
9     whether you can answer it. Because I guess the one case is  
10    still being, pending. What parallel do you see between what's  
11    happening in Guadalupe and what had here, with the resolution  
12    here of all charges being dismissed and the case of the  
13    Guadalupe 7, and the overall patterns there and in the Anglo  
14    community of reprisal and of putting down?

15         A. Before I answer that question, it -- I just want to  
16    make sure there's no factual misunderstanding. The charges  
17    agsint the 20 Arroyo Grande juveniles were not dismissed,  
18    all right? The petitions eventually were dismissed. What  
19    happened in that case, and let me go over it because I think  
20    it is somewhat significant.

21         The juvenile court found itself to have jurisdiction over  
22    the juveniles, and after that finding, the petitions were dis-  
23    missed as to all the juveniles without any further recommen-  
24    dation. What that is analogous to is, in criminal law, a  
25    finding that the persons he's charged are guilty, that they



1 in fact committed the offense or offenses charged, but that  
2 the sentence was simply suspended, that is to say no fine, no  
3 prison sentence was imposed.

4 As a result, each of the students have a criminal -- have  
5 a juvenile record, I'm sorry, they simply aren't serving out  
6 a juvenile disposition. I say that because ti does make  
7 a difference, I think, to the juveniles and certainly made  
8 a difference to the prosecutor.

9 Well, the Guadalupe experience, and I'm referring to the  
10 arrest of the so-called Guadalupe 10, at a public meeting  
11 at which a gentleman by the name of Melokampo spoke, those  
12 arrests, whether intended or not, have had the indisputable  
13 effect of instilling absolute fright into a large number of  
14 parents of Guadalupe children, and I say that because the  
15 effect has been much more severe than I would have ever  
16 predicted. And the effect has been much more observable  
17 than one would ordinarily imagine.

18 From time to time members of our C.R.L.A. office staff and  
19 myself have been asked to attend community meetings in  
20 Guadalupe to talk primarily about matters of education and  
21 other things that may touch on legal questions, and I have  
22 had several different parents ask me, usually privately,  
23 whether they are likely to be arrested if they go to a  
24 public meeting. I've been astounded. I've had people ask  
25 me if they're going to be arrested or put in jail if they

1 don't pay a debt, and I often attribute this to some con-  
2 fusion with the law that governs things like a father's duty  
3 to pay child support, that one area the father potentially  
4 faces jail sentence if a lot of things go wrong.

5 I really couldn't believe that parents would seriously worry  
6 about being arrested simply for their attendance at a public  
7 meeting, without speaking. We have tried to make it clear  
8 to parents that they are free to consult informally with the  
9 school officials in Guadalupe or to attend public meeting  
10 which they say nothing, and that such actions are completely  
11 immune from any kind of sanctions, criminal or otherwise.

12 I must say that I don't think I've been very persuasive to  
13 some of the parents in Guadalupe, --

14 DR. FERBER: Is it the arrest, Mr. Fretz, or the sub-  
15 sequent disposition? You recall we were there in May, and  
16 there was a continuing line of questioning from several of  
17 us, I was sort of impressed with the gutsiness (Phonetic.)  
18 of many of the members, particularly parents who'd been  
19 active in Comite. Now, that was post-arrest, pre-conviction.  
20 And they assured us, you know, if any pressure was put on  
21 they'd let us know, etcetera, etcetera. When were the  
22 causes disposed of, approximately, do you recall?

23 A. I can't give you very specific dates. I know that  
24 the sentences were imposed, I think about three weeks ago,  
25 possibly four, and I believe that the convictions were returned

1 about two or three weeks before that.

2 DR. FERBER: Well, did that become a significant  
3 date rather than the mere arrest or had their sense of in-  
4 volvement in the schools been eroded even before then?

5 You see, I base my own perceptions on it from our hearing,  
6 and I sensed, you know, a good deal of kind of -- a sense that  
7 they really were proceeding down the right track, whether  
8 our presence added to that or not, I don't know. And it's  
9 terribly discouraging to me to just downhill it from there,  
10 I guess.

11 A. My own feeling is that probably this chill took effect  
12 even from the time of arrest. I was able to distinguish no  
13 precipitous break at the time of conviction or sentence. One  
14 word of explanation might be that the -- there are a few mem-  
15 bers of El Comite, who are parents who are really quite re-  
16 markable and courageous. And maybe somewhat unrepresentative  
17 of other parents. But the other is even perhaps those per-  
18 sons who testified recognized the power and, as well as the  
19 understanding that this group provides in contrast to the  
20 more hostile local political groups in Guadalupe, and the  
21 very contrast may have emboldened them to speak out, whereas  
22 in a more normal local situation they might not.

23 MR. JIMENEZ: Anything else?

24 MR. ERICKSON: No.

25 MR. JIMENEZ: I'd like to thank you very much for taking

1 your time.

2 A Thanks very much.

3

4

5

JERRY CRONIN, RICHARD RAVICH, JOHN COLLINS

6

7

(Opening statement read by Mr. Jimenez.)

8

9

10 MR. JIMENEZ: We've talked to community members, we've  
11 talked to members from the school system and other people  
12 trying to gain different perspectives by which our results  
13 will be as honest and factual and valid as can be, so for that  
14 reason we're glad that you're here. You will offer a per-  
15 spective that we have not had to this point, and we would  
16 like to, I guess the best way to start would be just with a,  
17 maybe a statement from each of you and have you identify  
18 yourselves for the record, and then we will ask questions  
19 as we proceed, as you hit a nerve on something we want to  
20 ask about, or something we need to know, and then we can do  
it that way.

21

So if you want, we'll start with you, sir?

22

A (By Mr. Cronin.) Okay.

23

MR. JIMENEZ: If you'd state your name and address?

24

25

A Jerry Cronin. I live in Grover City. And I've been  
teaching at Lucia Mar for two years. I'm chairman of the

1 foreign language department, and adviser to Mexican-Americans  
2 for New Opportunities Club at the high school. Coach tennis  
3 and whatever.

4 Anyway, teach E.S.L., that will do it for that.

5 Anyway --

6 DR. FERBER: Excuse me, is the high school Arroyo  
7 Grande High School?

8 A. Yes.

9 When I was originally hired at the school, I was told that  
10 there was a slight problem with Mexican-American students  
11 and part of my job would be working as an adviser to a club  
12 for the Mexican-American students. At that time, I was told  
13 that they were quite docile, and that really there were no  
14 real problems with the Mexican-American kids but they had a  
15 club, and I was to be the adviser of the club.

16 At that time there was only one other Mexican -- there  
17 was only one Mexican-American teacher, one other bilingual  
18 teacher rather, so I started working with the Mexican-  
19 American kids. And I found out that the previous year there  
20 had been a walkout at the high school. And that the demands  
21 that were made at that time were more bilingual teachers,  
22 courses which would teach Chicano culture, employment of  
23 bilingual aids, this type of thing.

24 So, there had been a history of problems of the Mexican-  
25 American, only they had been deemphasized and they wanted to

1 avoid any unfavorable publicity. So, as I started working  
2 with the group of kids in this MANO club, we had different  
3 activities, to raise money for scholarships and we had a  
4 Chicano symposium and the purpose of which was to inform  
5 the community and the faculty some of the problems of the  
6 Mexican-American and introduce to the Chicano community  
7 and to the Anglo community members who were currently working  
8 within the community to try to solve some of their problems.

9 The symposium was a success financially, we raised over  
10 \$300.00 for scholarships, except it was not successful in  
11 its attempt to instruct the faculty and students to the  
12 problems of the Chicano. In fact, there was only about four  
13 or five --

14 A (By Mr. Ravich.) There were eight that made at least  
15 token appearances. Three of them are here.

16 A (By Mr. Cronin.) That's including administrators too,  
17 right?

18 A (By Mr. Ravich.) Right.

19 A (By Mr. Cronin.) Who at least showed up --

20 A (By Mr. Ravich.) Out of 86.

21 A (By Mr. Cronin.) Eight out of 86, which is not a very  
22 good percentage.

23 Anyway, it's the first time we had ever had a thing of this  
24 sort. We had representatives from Brown Beret, we had police,  
25 we had farm workers, we had representatives from all segments

1 of the community, and we felt that it was somewhat successful  
2 in as much as the first thing of its type.

3 Well, that year we, at the May 5th, we had a dinner to raise  
4 money and in total we had over \$500.00 for scholarships which  
5 we gave, and also the U.C.C.M. gave some money too.

6 Well, anyway, the following year, things, you know, things  
7 were, you know, there was an idea that things weren't --  
8 things didn't really, were going as well as people thought  
9 it would, in other words, nothing had been done as far as  
10 hiring more teachers, same curriculum, and I don't know,  
11 I felt that things needed to be improved a little bit.

12 So, eventually, they had the, more or less the walkout,  
13 and at that time it was rather a bad situation for the dis-  
14 trict, it was very embarrassing for the district, a lot of un-  
15 favorable publicity, but it was a replay of what had happened  
16 the previous year, that September 16th, when they had their  
17 first walkout, it was identical, you know.

18 And so it really was nothing new and again there was no  
19 policy to cope with problems of, say violence or any con-  
20 frontations at the district, there was no policy.

21 A (By Mr. Ravich.) The one thing is I think the community  
22 became involved the second time a lot more than they did the  
23 first time.

24 A (By Mr. Cronin.) True, but as far as like confronta-  
25 tions between students and students, and students and teachers,

1 and this type of thing, there was no policy.

2 A (By Mr. Ravich.) That's the same old stuff, right.  
3 But the big difference the second time around was the com-  
4 munity then made their move.

5 A (By Mr. Cronin.) Oh, yes, the thing is, though, they  
6 -- the community really wasn't called in, like I placed a  
7 call to Dave Sanchez on my own, you know, he wasn't even  
8 consulted, and so different people were brought in but only  
9 at the last resort.

10 MR. JIMENEZ: Why, Jerry, why do you think that that's  
11 the case? Why aren't -- why wasn't the community contacted  
12 before? Why weren't parents contacted?

13 A I guess they felt that it wasn't -- that it was just  
14 going to be a minor confrontation, because of the previous  
15 walkout they had. In other words, maybe they didn't feel, it's  
16 just that people were really serious at this time and maybe  
17 that's the reason. I really don't know exactly what their  
18 reason is. I don't know, they didn't know who to call.

19 DR. FERBER: Let me ask a different question. Had you  
20 expressed your dissatisfaction, your sense of frustration  
21 to the principal and to, you know, administrative people in the  
22 system?

23 A I had told Mr. Mallard that I felt that there needed  
24 to be some changes in the curriculum, I mean to have Mexican-  
25 American history, to have, you know, some teachers or to have



1 Mr. Escamillo get involved in the community. And I told Mr.  
2 Escamillo that myself, I said when he first came there, I  
3 told him that if he was going to have to -- if he was going  
4 to work as representative of the Chicano community he was  
5 going to have to know who they were, he was going to have to  
6 get involved with them, in case of emergency he would know  
7 who to get in touch with.

8 But unfortunately, when the confrontation happened, he was  
9 in the middle and he didn't know what to do because he had  
10 his job and he had, you know, he had to try to solve some  
11 of the problems because he was then, then they could always  
12 point the finger at him and say, look, you failed, therefore  
13 we're never going to hire a Chicano again.

14 DR. FERBER: I really want to back up from the con-  
15 frontation, that is during the course of that year had you  
16 been, you know, attempting to sensitize your principal and  
17 others, that there are some problems here, let's try to provide  
18 -- what I'm speaking is what kind of a response you then got  
19 from them, if any?

20 A I didn't see any real response, and I think the pre-  
21 vious year we had that symposium and that was an example there  
22 of people, you know, lack of concern by the faculty and by ad-  
23 ministrators as to, you know, real substantial changes as  
24 far as, you know, curriculum went and this type of thing.  
25 Although they did consent to a class for native speakers.

1 You know, which I --

2 A (By Mr. Ravich.) Which you had to do on your own time.

3 A (By Mr. Cronin.) See, I'm chairman of the language  
4 department, I don't get any reimbursement whatsoever for it,  
5 so I had to do this on my own. So, you know, I had mentioned  
6 in department head meetings about the necessity of meeting  
7 the needs of people who, of students there, who have, you  
8 know, who didn't know any English.

9 DR. FERBER: Well now, that's good, can you character-  
10 ize the response in department chairmen meetings?

11 A Well, they finally, you know, they gave the okay on  
12 that, on the course that I had developed. In other words,  
13 they said it was already on the records, you see, it had  
14 been on the records for many years, you know, they'd like  
15 an E.S.L. that was on records, but I had a full load so I  
16 couldn't teach it and no one else was capable of teaching it,  
17 so they just kind of let it go, in other words.

18 When things are on the record, they feel that they've made  
19 their commitment, as long as it's on the record, you know,  
20 then that's -- then, you know, it's there.

21 The problem is getting somebody to teach different courses  
22 that are on, you know, on record. And also they had offered  
23 a Mexican history course and they had that on record see,  
24 but unfortunately the course was offered on a ninth grade level  
25 and it's content was such that it didn't really involve the

1 Mexican-American. It involved more cultural things. In  
2 other words, not social things, but cultural highlights  
3 of --

4 A. (By Mr. Ravich.) Strictly Mexico.

5 A. (By Mr. Cronin.) Strictly Mexico.

6 The title was Mexican History, therefore they could say,  
7 well, it's not, you know, Mexican-American history is not  
8 really what the course was intended to

9 A. (By Mr. Collins.) But it really wasn't, it wasn't  
10 the course, we have the same outline using now, but we have  
11 a Mexican-American teacher teaching it and it's really being,  
12 it's appreciated now, whereas with an Anglo woman teaching be-  
13 fore, who knew the language and knew the history, but --

14 A. (By Mr. Ravich.) She had a bunch of slides of Mexico  
15 and that was the course.

16 A. (By Mr. Cronin.) But as far as the district goes,  
17 it did have, you know, certain courses, the success of which,  
18 you know, they weren't successful but they still more or less  
19 had them on record.

20 A. (By Mr. Ravich.) They'd always refer to those.

21 A. (By Mr. Cronin.) I think this year, because of what  
22 happened last year, he has six full classes of Mexican history  
23 whereas before they couldn't get enough students to fill  
24 one section hardly, you know, this type of thing.

25 So this, to me, is, I see it as a change and I feel badly

1 that in order to get any substantial change there, that  
2 there had to have confrontations rather than negotiations.

3 MR. JIMENEZ: How do you feel about it now, with a  
4 new superintendent and everything else, do you feel that  
5 change can be brought about through negotiations rather  
6 than having to resort again to confrontation?

7 A. If he adheres to the memorandum of agreement. I -- I  
8 can see that he will be successful. If he does not adhere to  
9 the memorandum of agreement, which was signed by the super-  
10 intendent and the members of the school board, it was agreed  
11 to by them, that I feel that they aren't going to, they're  
12 going to have troubles if they don't continue this, and one  
13 of the main things I just noticed here is instructional aides.  
14 They need bilingual instructional aides. We have students,  
15 I was talking to my students this morning and I said what could,  
16 what should I tell the Commission as to, you know, some prob-  
17 lems? And that was one of the main problems.

18 Last year they had an aide who went there and tutored them,  
19 I don't know, three hours a day. This year she's not there.

20 A. (By Mr. Collins.) There's no way that the Mexican-  
21 American community can sit back and relax, they've got to  
22 continue pressure of, like they have not just two or three  
23 as I think that's what it's narrowing down to now, but if it  
24 narrows down to Manlio and Mr. Athie, and one or two others,  
25 we're going to slip back into the same thing. We started a

1 union here several years ago and the teachers fight, we get  
2 things. When we sit back, we get nothing. Our school  
3 reflects the community, and it's an agricultural community,  
4 and the school board is in control, or the agriculture is  
5 in control of the school board and --

6 A. (By Mr. Ravich.) It's in control of the county.

7 A. (By Mr. Collins.) So I think our Mexican-American  
8 community is going to have to work politically and have to  
9 work, get into the union and work there before the kids in  
10 the classroom are -- there was a, I heard yesterday that there  
11 was a class of 25 students in the Mexican history course and  
12 one Anglo in there and she's a confused girl and she was  
13 elected as a representative, the man who told us this yes-  
14 terday did a much better job of telling it but you know, it's  
15 -- it's going to have to be --

16 A. (By Mr. Ravich.) Things like that happen, man.

17 A. (By Mr. Collins.) It's going to have to work from all  
18 angles. We're going to have to keep the administrations on  
19 their toes and it's going to have to be pressure, not only  
20 from the faculty but from the community and the best pressure  
21 will come from the community.

22 A. (By Mr. Ravich.) The most success we had, it was a  
23 couple factors came into play, the confrontation, and the  
24 superintendent knew he didn't have to return the fees but he  
25 began to. He made those comments out loud, too, the point

1 was, okay, I'll agree to 21%, you know, brown faculty in  
2 five years, I'm not going to be here so I'm not too worried  
3 about that, so I don't think some of the success we're seeing  
4 is the fact that he wasn't too worried about it, and I don't,  
5 you know, I think we did make a lot of breakthroughs because  
6 we had timing on our side.

7 We had the Civil Rights Commission, the fact that you  
8 arrived on the scene because, you know, you were asked to  
9 come, the fact that, you know, that.

10 But I don't think that if he was going to be around here  
11 we would see some of this stuff that's going on right now.  
12 We ran a Mexican heritage when Jerry, Jerry's at the Valley  
13 Road Campus and I'm at the Crown Hill Campus, and we put  
14 on every Mexican-American piece of film we could find,  
15 whether it's made farmers feel good or bad, in terms of farm  
16 workers, we ran it for a week and it was like a saturation  
17 at my school, my campus is smaller so I could do it.

18 Anglo teachers that were both ways were running that film  
19 and he got a lot of flak, but we went through a whole week  
20 and got faculty members saying, how come those Chicanos get  
21 a week? I said, "Because those Anglose get 37 weeks."

22 This is the sensitivity, I think, in the end, after every-  
23 thing is done, the sensitivity of the community and the  
24 faculty is the big thing, and there isn't anything changing  
25 there.

1       A.     (By Mr. Collins.) Now, I called up Manlio and I  
2 think Jerry mentioned that you did too, told them to get  
3 on the phone and tell them that that's great, if they got  
4 12 phone calls from the Anglo, get 24 from the Mexican-  
5 American community to balance it out, and I think that they  
6 did call in.

7       A.     (By Mr. Cronin.) Yes, they did.

8       A.     (By Mr. Collins.) I didn't hear any other feedback  
9 after --

10           DR. FERBER: Let's focus a minute on the agreement.  
11 The record is open, there's nothing private on there.  
12 Hoagland claims that he accepts that as a commitment for the  
13 school district.

14       A.     (By Mr. Ravich.) Good.

15           DR. FERBER: A new guy, I would have thought it fairly  
16 difficult not to accept it since Denton has signed it, but  
17 there might have been language suggesting, you know, sneaking  
18 around it and he didn't.

19       I don't know if I'm -- let's go off the record.

20

21           (Discussion off the record.)

22

23           DR. FERBER: The board, through its chairman, suggests  
24 -- not the board, excuse me. The administration suggests that  
25 most of the points covered in the memorandum agreement of

1 March 22nd, '72, have in fact been met.

2 MR. JIMENEZ: Let's be more specific, Mark, because  
3 I think Dr. Hoagland said that every point except the second  
4 one had been met or are being met.

5 A. (By Mr. Ravich.) Well, you don't have extra copies  
6 of that we can go through it.

7 A. (By Mr. Cronin.) I think the fact that the school  
8 board made concessions at all pointed out that there were  
9 problems within the district, you know, and this is something  
10 that I see as successful as far as bringing about social  
11 change is that the fact that I think that they knew that  
12 there were certain problems and unfortunately it had to be  
13 a threat of property or some type of threatening situation  
14 to bring about a confrontation.

15 And as far as --

16 A. (By Mr. Ravich.) Well, they didn't meet C yet.

17 A. (By Mr. Cronin.) Instructional aides, which is a  
18 very important thing.

19 MR. JIMENEZ: I think one thing you have to keep in  
20 mind that he's talking about the entire 15 schools that he's  
21 got, when he talks about implementing these, and while it  
22 may not be implemented in one school, he may have started it  
23 in another school and this, in fact, means that he's trying  
24 to comply with it. So, I think this is --

25 A. (By Mr. Ravich.) They did have one program one after-



1 noon.

2 MR. JIMENEZ: I think this is what he's talking about  
3 when he says we've complied with everything, you know, ex-  
4 cept the hiring of that secondary --

5 DR. FERBER: When you said C, Mr. Ravich, did you mean  
6 1-C?

7 A. (By Mr. Ravich.) Yes.

8 A. (By Mr. Cronin.) They did that.

9 A. (By Mr. Ravich.) There was a program by a Spanish  
10 teacher and a woman that lived in South America, showed a  
11 film, and voluntary elementary teachers came.

12 DR. FERBER: Let me show you something, the school  
13 district, this is labeled for the Lucia Mar Unified School  
14 District in-service program, the following in-service train-  
15 ing programs will be provided at target schools on a demand  
16 basis during the 1972-'73 school year. I'd really like to draw  
17 your attention to Roman Numeral III on page 4, teaching the  
18 Mexican-American, and on the basis of your own knowledge,  
19 ask you whether or not that program has been implemented and  
20 to what extent that program has been implemented?

21 A. (By Mr. Cronin.) That's for this year, right? That's  
22 supposed to be, will take place this year?

23 DR. FERBER: Yes.

24 A. (By Mr. Ravich.) Herb Thompson is a puppet.

25 A. (By Mr. Cronin.) There's no E.S.L. program in our

1 schools.

2 A (By Mr. Ravich.) They seem to be talking strictly  
3 in terms of elementary. Now, the one program that they talk  
4 here was an elementary program volunteering, the serious out-  
5 break was at the high school. The older teachers at the  
6 high school, the "racists" are at the high school, racist  
7 teachers are there.

8 DR. FERBER: Well, to the extent that you know per-  
9 sonally about it, has that program not been implemented at  
10 the high school?

11 A (By Mr. Ravich.) I don't, have we ever had any pro-  
12 gram where they talk about increasing the awareness in the  
13 nature of special learning problems of the Mexican-Americans?  
14 They couldn't stage it, we'd have a right amongst the  
15 teachers.

16 A (By Mr. Cronin.) I know E.S.L. instruction material's  
17 available through Title One materials center, that's avail-  
18 able and initiated, and they've a woman who's in charge of  
19 it and her attention is on elementary level, which I think  
20 is important because it's elementary level where the kids,  
21 you know, learn their basic skills and I think that's an  
22 importnat place to start.

23 However, you can't neglect the kids who are in the high  
24 school, so I think there's a necessity to provide E.S.L.  
25 students at the high school.

1           A.       (By Mr. Ravich.) The real, the human crush comes,  
2 the little kids aren't fighting, you know, the teachers,  
3 they're not staging demonstration in the fifth and sixth  
4 grade, it's happening at the high school where you know,  
5 some people say the ballgame's all over with, but that's  
6 where the human crunch is coming at and that's where the,  
7 that's the intangible part, you know, that their colleagues  
8 at my school, we've younger teachers who are not as fixed in  
9 our ideas, but, you know, that seems to be where the  
10 friction, the real friction, that's where the 25 Molotov  
11 cocktails were found behind the, one of the buildings during  
12 the week of disturbances.

13           DR. FERBER: Let me see if I understand you, Mr.  
14 Ravich, the intent certainly of 1-C in the memorandum of  
15 agreement, is for the whole district, and secondly, regardless  
16 of specific, perhaps it seems to me the clear intent is to  
17 suggest an increasing sensitivity to the problems of Mexican-  
18 American children.

19           A.       (By Mr. Ravich.) Not done on the ninth through 12th  
20 I would say.

21           A.       (By Mr. Cronin.) Well, the schools only been in  
22 session for a month.

23           A.       (By Mr. Ravich.) Right, but last year they'd the dis-  
24 turbance and they started talking, they hired Joe Zamora shortly  
25 after that, they could round up the money for that. We

1 haven't had any in-service attempt to talk to teachers about  
2 working with Mexican-American students in the ninth through  
3 12th, have we?

4 A. (By Mr. Cronin.) As of this school year, nothing.

5 A. (By Mr. Collins.) As of the 29th of January, whenever --  
6 did we last school year?

7 A. (By Mr. Cronin.) They had that, as Dick mentioned,  
8 they had that little program one afternoon which was --

9 A. (By Mr. Ravich.) No secondary teachers went.

10 A. (By Mr. Cronin.) It was very poorly publicized and  
11 it was a voluntary thing.

12 A. (By Mr. Ravich.) Mainly the teachers from the one  
13 school where the program was held at, an elementary school.

14 A. (By Mr. Cronin.) If they carry this out, I would say  
15 it's definitely a step in the right direction, but as of  
16 this date, there's nothing.

17 A. (By Mr. Ravich.) But the basic thing that I think  
18 that, the one hard thing is the sensitivity thing, this is  
19 the breakthrough.

20 You know, I think we can put courses on the books, probably  
21 there will be a dropoff in the Mexican history course, even  
22 though the guy's a good teacher and all this just like there's  
23 a dropoff in Black studies, after they got it at the university.  
24 The big thing is the sensitivity thing and I don't see these  
25 people moving at all. I brought a couple things up here, here

1 are the names of the candidate running for homecoming queen,  
2 18, there is not one Spanish surname on that whole list  
3 and one fifth of our school is Mexican-American.

4 Okay, they have a procedure. They'll say we followed  
5 the procedure, no names appear. When based on the procedure  
6 they have now, I guess that's, the football team nominated  
7 them from the different levels of football, the polo team  
8 nominated candidates, this is how they did it, the classes  
9 didn't nominate them, the general student body didn't nomin-  
10 ate and the other nomination was from cross country, so  
11 freshman cross country nominated a freshman candidate,  
12 freshman football nominated a candidate, so you got three  
13 candidates, I think, per class, except for seniors, they  
14 ran a double thing there.

15 Rubio, I don't think, Rubio's not Mexican, is she?

16 MR. JIMENEZ: How about Denby Soto?

17 A. That's Portuguese.

18 A. (By Mr. Cronin.) The whole thing is you have to keep  
19 in mind that many of the Chicanos don't participate in the  
20 athletic programs. Their main emphasis is in wrestling.

21 A. (By Mr. Ravich.) But there's no lack of attractive-  
22 ness in American girls.

23 A. (By Mr. Cronin.) But the thing is, that homecoming  
24 setup is always for girlfriends of the athletes and so if  
25 there aren't any Chicano athletes, then obviously there aren't

1 going to be too many Chicano girls, so that's one of the  
2 problems, although I think this year there's increasing  
3 participation by Chicanos.

4 A (By Mr. Ravich.) But the basic thing is we got  
5 20% of the student body, their parents are paying taxpayer  
6 money and they're coming, in my feeling they're coming to  
7 a foreign territory. They ride those buses up there and  
8 there isn't anything they see around there reminds them of  
9 their culture or their political culture or whatever you  
10 want to say, you know, that type of thing.

11 You got Henry Mendez to look at now, they got Raul Escamillo  
12 whom they call --

13 A (By Mr. Collins.) You don't think there have been  
14 any improvements this year?

15 A (By Mr. Ravich.) I think -- I don't think there's  
16 been -- we got Mendez, okay, that's an improvement, okay. I  
17 don't think that there's really been any shift away from what  
18 we've always had, business as usual. I -- do I think there's  
19 a really -- a real concerted effort to include those people  
20 in our student body? I mean really going out of their way  
21 to readjust themselves to think, well, there's a fifth of  
22 those people there we're trying to serve and we're not  
23 serving them.

24 A (By Mr. Cronin.) Well, I think one thing as far as  
25 changes go, and I just mentioned about the fact that I think

1 there are more Chicano athletes participating, is that this  
2 year the football coaches got on record where there will  
3 be no racist remarks ever on the football field or any place,  
4 if there are, they're off.

5 And the other --

6 A. (By Mr. Ravich.) The other guy got fired.

7 A. (By Mr. Cronin.) -- would call you no names and he  
8 had no rapport whatsoever with Chicano athletes, with anybody,  
9 really, but he -- you know, he'd make jokes of, you know, of  
10 racial remarks and this type of thing, and the coach, this  
11 year's coach, I think is very business-like and he won't toler-  
12 ate any of that.

13 A. (By Mr. Ravich.) He's a real human being.

14 A. (By Mr. Cronin.) And consequently, they're getting  
15 more Chicano athletes out.

16 A. (By Mr. Collins.) And that's the way you're going to  
17 get the sensitivity, faculty, when one leaves you get one in  
18 there.

19 DR. FERBER: Let me respond, Mr. Ravich, and I don't  
20 think we've been overawed by the administration.

21 A. (By Mr. Ravich.) No, I hope not.

22 DR. FERBER: They adduced statistics to show that, I  
23 think there have been six that they made an effort, there are  
24 six new Mexican-American teachers, credentialed teachers in  
25 the system this year, --

1 A. (By Mr. Ravich.) This is what, one percent?

2 DR. FERBER: About three now. I make --

3 MR. ERICKSON: They said they were well under what  
4 they had intended to get and it puts them behind.

5 DR. FERBER: I make no suggestion that at the level  
6 of personal values that would satisfy me. I could only re-  
7 peat what they said.

8 A. (By Mr. Ravich.) Okay, just because you bring --

9 DR. FERBER: Let me finish.

10 That they're not satisfied either, my point is you suggested  
11 like business as usual, no changes, and I think they might  
12 refute that by bringing out those --

13 A. (By Mr. Ravich.) But that doesn't make the people  
14 that are here more sensitive, because a brown person showed  
15 up. This, you know, the crux of my feeling is that the es-  
16 tablishment people here aren't really reevaluating themselves,  
17 they're not shifting, and you know, okay, all you Mexicans  
18 go over and take the Mexican history, that's what they sort  
19 of helped --

20 DR. FERBER: Yes.

21 No, with regard -- and you've clearly given an answer, with  
22 regards to the best of your personal knowledge, in so far as  
23 in-service training might be sensitizing existing faculty --

24 A. (By Mr. Ravich.) They're scared to death to do that  
25 at the high school.



1 DR. FERBER: I don't know that for a fact, but I'll  
2 accept your view.

3 A. I feel they would be scared to do that.

4 MR. ERICKSON: What would be the repercussion?

5 A. (By Mr. Collins.) Why --

6 A. (By Mr. Ravich.) They get a lot of flak. Why do  
7 we have to have a special class about those people, they should  
8 be just like the rest of them. The big thing that most of  
9 the Anglo point of view is why don't those Mexicans start  
10 acting like the rest of us. They don't want to make any  
11 special effort, they see that as a special effort to have to  
12 do something because these people happen to be Mexican-  
13 Americans.

14 DR. FERBER: Do you mean from your faculty colleagues  
15 or the community at large?

16 A. Faculty. The common comment, you know, we had the  
17 Mexican heritage week. What the hell are those Mexicans  
18 having that heritage week for? I said, "Well, we can keep  
19 school until July 4th and we can have American heritage week  
20 during that week, or something." That's the kind of comments  
21 you have and these teachers, I don't even consider those  
22 racist teachers, those people, but that kind of stuff, that  
23 sensitivity. People would show the, like we had the week,  
24 you know, we showed the films and some of those films aren't  
25 too good, I mean I, you know, if you could get better, you

1 wouldn't use some of them because they are pretty slanted  
2 and stuff and one teacher showed it, I'm not showing that  
3 thing again, that shows Chavez to be good, that kind of  
4 stuff.

5 DR. FERBER: Have you talked to the principal or to,  
6 if not the superintendent --

7 A. I got statistics here on how they feel about them.

8 DR. FERBER: Wait a minute.

9 And the community liason, Mr. Zamora, about the possibility  
10 since it seems to be written into the agreement of starting  
11 this year, sensitivity training for the faculty at the high  
12 schools?

13 A. He says certain things are supposedly in the works.  
14 Now, faculty --

15 DR. FERBER: You haven't been told no? I'm really  
16 plumbing for attitudes, --

17 A. But there is no specific thing he's got going, we  
18 asked him, we were talking to him yesterday, he didn't say  
19 anything specific for the high school. He didn't say any  
20 certain program was going to be underway. Or any of that,  
21 did he?

22 A. (By Mr. Cronin.) No, I don't really -- this is a sur-  
23 prise to me, this --

24 MR. JIMENEZ: They just put it out today.

25 A. That's why it's a surprise.

1           No, but if this is going to happen, then I see it as a step  
2           in the right direction. I think another thing that the ad-  
3           ministration has done is they have given three units of credit  
4           for taking Spanish, conversational Spanish, which I teach.  
5           In other words, anything that comes up, I end up teaching,  
6           I'm teaching three different night classes.

7           A.       (By Mr. Ravich.) He's Mr. Spanish.

8           A.       (By Mr. Cronin.) I've got E.S.L., I've got conver-  
9           sational Spanish and this teacher's aide, they couldn't get  
10          anything to teach that so I'm teaching that class.

11          A.       (By Mr. Ravich.) And he never had any training in  
12          teaching that.

13          A.       (By Mr. Cronin.) So this type of thing, they should,  
14          you know, make a complete, a real effort to try to, you know,  
15          to find people that work, say in night school where people  
16          can become trained so that they can work as aides, this type  
17          of thing.

18          But I think if they can get this, if they can get this in-  
19          service training program going, I think that's definitely  
20          a step in the right direction.

21          And I think, also, Mr. Hitchen, I think, at least has come  
22          to me personally and said that he will do anything he can in  
23          his power to help. And that's an all-time first, you know.

24          DR. FERBER: Have you talked to him about the possi-  
25          bility of sensitizing fellow faculty members at the high school

1 level?

2 A No, I haven't mentioned it to him.

3 A (By Mr. Ravich.) I asked our principal who would be  
4 sort of the number two principal, I says, "How come you don't  
5 have a faculty meeting and introduce Mr. Zamora?" He said,  
6 "Well, it will come up."

7 The first time he was introduced was at our faculty meeting  
8 at the beginning of this year, in September. I was sitting  
9 in the front row and I had a student teacher with me and  
10 Zamora was introduced and there was one other new counselor  
11 or he's a different title, okay, introduced and a woman be-  
12 hind, older faculty member, God, where are all these Mexican-  
13 Americans coming from? That gives us five out of six on  
14 that faculty and so that was the first time that his name  
15 was mentioned in newspapers, he was never introduced to the  
16 faculty as a whole.

17 A (By Mr. Cronin.) All the faculty was at that meeting.

18 A (By Mr. Ravich.) Right, that's the first time he was  
19 introduced. I asked him last year, I says, "Why don't we  
20 have, you know, bring together the faculty", and we always  
21 use a phrase, voluntary, because, you know, we got people  
22 that you couldn't get there with a steam shovel, I guess.

23 So I says, "Why don't we have a voluntary assembly, get  
24 Zamora there, maybe Dave Sanchez somebody, he said okay, it's  
25 an all right idea.

1       It never did take place, and I mentioned it several times  
2       and it never did take place.

3       Those kind of things don't happen because those aren't the  
4       things they were doing before and they're not doing them now.

5       The big thing is they, the principal stays out of the  
6       classroom, the teachers stay out of, you know, the classroom's  
7       your business, I'm not going to bother you that much, we're  
8       too busy with the modular schedule which is another phase  
9       that we went into last year and I don't see anything.

10       They haven't talked about any sensitivity or sensitizing  
11       teachers to Mexican-American needs or anything yet. I think  
12       a lot of that stuff is window dressing, only it's great, good  
13       timing and all that stuff, you know, but the real issue is  
14       we got -- we got human beings showing up at that school  
15       and supposedly we got human beings teaching them, and they're  
16       not relating at that level.

17       They see these people as different, and they have a great  
18       deal of trouble.

19       Now, some of the younger ones would like, if, you know, it  
20       was done for them to find out more about how to work with  
21       these kids, this is at my school, because we've mostly young  
22       teachers. Now, I can't say at the other campus, you know,  
23       what the sentiment is there.

24       There are people, there are younger women teachers that if  
25       we could develop a course talking about, you know, maybe real

1 life, getting into some of the meat of the culture, the  
2 Mexican culture, the family concepts and these things, I  
3 think it would be broadening for them, but I don't see the  
4 district doing that.

5 And those are, I think that's the whole, the whole thing  
6 there. And all this other stuff I think is additional, is  
7 additional. Because these kids, they start the ninth grade,  
8 they come from different schools, they come in from three  
9 different feeder schools, they come into that school, they  
10 come pretty positive, I have them in the ninth grade, they  
11 come positive, you know, they don't see this as a negative  
12 experience.

13 Now they've been at schools where they might have been the  
14 majority or near the majority, they come, they all of a sudden  
15 are not anywhere near a majority, they are visibly, you know,  
16 in a minority position.

17 Okay, so then they start going through the process, they  
18 run for cheerleader, they don't make cheerleader, they par-  
19 ticipate, a few of them ride the rooters' bus away to the  
20 football games and these things. And then I see them next  
21 year or the year after, the other campus, and I don't see  
22 that same optimism anymore. I don't know, maybe somebody is  
23 going to say that's ingrain, or ingrained or something like  
24 that. Now, it comes over there, then they start dealing with  
25 them over there. And in that process they sort of learn, you

1 know, this is your place, this isn't your place.

2 John mentioned a case, Mexican history class, they got,  
3 elect a representative, 25 people in that class, one Anglo,  
4 the Anglo wins the election.

5 A (By Mr. Collins.) Well, I think it's true that the  
6 administration in the high school has not taken the leader-  
7 ship role in making the faculty sensitive, but we haven't,  
8 I feel now that I haven't lived up to my responsibility to,  
9 if they're not going to do it we can at least bring it up.

10 A (By Mr. Cronin.) You have to be continually pushing,  
11 you have to be continually pushing, and it has to have the  
12 continual push from PASA.

13 A (By Mr. Ravich.) And you push with a few people you  
14 know are sensitive to that and you avoid the racists, you  
15 know. And that's the kind of things, but you do that on an  
16 individual level and I don't think, I think it's the responsi-  
17 bility of the administration to do some of this stuff, it's  
18 not our responsibility. We had to get out to get all the  
19 films together and we got in trouble with different people  
20 because we had the films overdue and stuff. We had to get  
21 out there and hustle it. They were willing to let us use  
22 the ditto machines or something, that kind of stuff, but the  
23 dean of student activities wouldn't help us much, would he?

24 Did Fretz try to do anything for us?

25 A (By Mr. Cronin.) It was difficult just to play Santana

1 album, they said, what's that, we don't want any Mexican  
2 music, I said Santana is Chicano music, you know.

3 It's all the same. Well, this type of attitude is re-  
4 flected by many of the old type, some teachers that have  
5 been there for many years and everything's been fine until  
6 all of a sudden this last year, what's oing on with these  
7 people, but they weren't paying attention for years because  
8 the minute I arrived on the scene I saw all this, you know.  
9 These kids and it was weird, you know, like the faculty or the  
10 administration is pretending like there's nothing wrong and  
11 it's right there below the surface, a lot.

12 You know, eventually it blew up, you know, the bus incident  
13 blew the top off it. And they blew the top off before.  
14 But it's there a lot.

15 You got friction, every once in a while there'll be a  
16 fight and the friction will start building up. It will  
17 start building up and they, Denton, I want to call a teachers'  
18 council, which is you meet with the superintendent every  
19 month, a representative from each of the buildings in the  
20 district, and first meeting will be at the superintendent's  
21 house, which will be nice, you know, but the point is on  
22 questions, you know, carefully worded questions, asking him  
23 about that, no problems in this district, no problems.

24 You know that kind of, that kind of attitude. Until we  
25 started, until PASA made the demand they didn't attempt to



1 make any real effort for Spanish-surnamed teachers and I'm  
2 not even saying anybody that's sympathetic, I'm just saying  
3 Spanish surname, they didn't do anything.

4 If a name happened to appear on a list, they'd interview  
5 that person. If a name, they'd go to San Jose, say, there's  
6 a Spanish surname. That kind of stuff.

7 We started talking, the secretary of the recruiter is my  
8 friend. I said, "Jim, don't you think that maybe you should  
9 make special efforts, you know, any kind of thing, because,  
10 like people like Dave Sanchez.

11 He says, "I can round you up a list of 50 people that would  
12 be interested in being at that high school," but their general  
13 pattern is you go to the placement office at San Jose State,  
14 and you interview eight or 10 people. If there happens to be  
15 a Spanish surname there, fine, but, and they admitted that,  
16 they didn't make any special efforts till last year.

17 DR. FERBER: Okay, you know you slice in at some point  
18 in time, my query would be are they making special effort now  
19 to state you need PASA putting on pressure or not, is a  
20 statement of opinion.

21 A (By Mr. Ravich.) Right.

22 DR. FERBER: You can accept it, it's in the record.  
23 Regardless of what it takes, they contend, and it seems to  
24 me you've just corroborated, that since last year, they have  
25 made an effort, their recruiting effort has not be so success-

1 ful and they will admit this.

2 A (By Mr. Ravich.) Yes.

3 DR. FERBER: My point is, you know --

4 A I would accept that. I would accept that. You guys  
5 will accept that, won't you?

6 MR. JIMENEZ: We're going to have to close up pretty  
7 soon, but John, I just wanted to give you an opportunity  
8 to say something, you haven't -- we never got around all the  
9 way, I wanted to give you an opportunity, I didn't want you  
10 to feel you'd sat there and didn't have an opportunity at all?

11 A (By Mr. Collins.) Not at all, I think most of it's  
12 been said here. I've been here for 14 years and I'm growing  
13 up, you know, I've become somewhat sensitive to the problem,  
14 I still haven't lived up to my responsibilities like this  
15 thing, I think we could have talked to Dough more this year  
16 down at the lower campus.

17 A (By Mr. Ravich.) We're afraid to partly --

18 A (By Mr. Collins.) I get to talk now.

19 A (By Mr. Ravich.) Go ahead, I'm sorry.

20 A (By Mr. Collins.) When Richard came, which was three  
21 years ago, that's when things had started to come to a head,  
22 and it is true that many of the faculty are insensitive to  
23 what's happening. My personal opinion is that it's very dif-  
24 ficult for people to change and one way for a change to occur  
25 is that when they move out, bring in the sensitive teachers.

1       There is, in the teacher's lounge, last year, there was a  
2       great deal of bigotry that came up through people, you know,  
3       good people in the community or teachers in the community  
4       who don't believe that there's any bigotry in their souls  
5       at all, until our funny jokes. I really don't --

6       A.       (By Mr. Ravich.) There's one other thing, that we  
7       could add, John is the president of what we call a Social  
8       Studies Council of Teachers for the county, and I'm treasurer  
9       and then we change offices. But anyway, after it happened,  
10      we decided we would have a program for social studies teachers  
11      interested.

12      We would stage this program in, although the California  
13      policy seems to be the focal point we moved it south because  
14      most of the Mexican- Americans in the south part of our county  
15      and the north part of Santa Barbara County, so we had it in  
16      Santa Maria.

17      We paid a good deal of money to bring up a college professor  
18      whose specialty is cultural conflict. He came. We then in-  
19      vited every administrator in the county, particularly our ad-  
20      ministrators, we made personal calls to them and written  
21      things. We then invited all the PASA people, and we then had  
22      a turnout of about 60 I guess? 60 people. We were there,  
23      the PASA people were there, and one administrative person  
24      was there, brown representative of the dean of boys who was  
25      there, and that was it.

1       Period, no superintendent, nothing. Santa Barbara County  
2 who helped us a lot, the assistant superintendent of the en-  
3 tire county schools was there, drove 90 miles to participate  
4 in that meeting so I'd say that's kind of an indication  
5 of who cares and who doesn't care.

6       Now, we personally enjoyed that meeting and I felt tre-  
7 mendous that those community people came there, and you know,  
8 we had that kind of thing, and now -- but we didn't see any,  
9 we didn't see any Lucia Mar people from the superintendent  
10 down, except for that one guy that didn't bring his wife,  
11 everybody else brought their wives.

12       I think he saw it as a business call rather than as a  
13 social gathering, I think that represented his sentiment  
14 at that time.

15       Now, maybe Hoagland would show up.

16             DR. FERBER: May I interrupte?

17       One, the document you've been looking at was given to us in  
18 confidence until next Tuesday when it is presented to the  
19 board and at that time it will be presented to the public,  
20 and made available to PASA and to other groups, so --

21       A       (By Mr. Cronin.) We'll keep quiet until then.

22             MR. ERICKSON: We'd appreciate it if you don't dis-  
23 cuss it until that time, at which time we have been assured  
24 that it will be made public property.

25             MR. JIMENEZ: I just like to say that we're way over

1 and the man wants to get in here, I know, I would like to  
2 acknowledge at this time, the presence of the -- the belated  
3 presence of our distinguished chairman, Mr. Herman Sillas,  
4 and one of our other more distinguished members, Mr. Robert  
5 Spivak, of Spivak, Spivak and Spivak.

6 So, thank you very much for coming, your testimony is very  
7 helpful and we appreciate it.

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9 (Hearing adjourned at 6:30 o'clock p.m.)  
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1 STATE OF ARIZONA )  
2 COUNTY OF PIMA ) SS  
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8 I, James E. Bouley, do hereby certify that I am an Official  
9 Shorthand Reporter; that I was present at the hearing of the  
10 foregoing matter; that I took down in shorthand all proceedings  
11 had and testimony adduced at said hearing; that the same was  
12 thereafter transcribed under my supervision, and the fore-  
13 going 227 pages represent a complete and accurate transcrip-  
14 tion of my shorthand notes so taken.

15 WITNESS MY HAND this 19th day of October, 1972.  
16  
17  
18  
19

20   
21 Official Shorthand Reporter  
22  
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24  
25