

Sue Ann Salmon Evans, State Bar No. 151562
sevans@DWKesq.com
Keith A. Yeomans, State Bar No. 245600
kyeomans@DWKesq.com
DANNIS WOLIVER KELLEY
115 Pine Avenue, Suite 500
Long Beach, CA 90802
Telephone: 562.366.8500
Facsimile: 562.366.8505

David R. Holmquist, State Bar No. 179872
david.holmquist@lausd.net
LOS ANGELES UNIFIED SCHOOL DISTRICT
OFFICE OF GENERAL COUNSEL
333 S. Beaudry Avenue, 24th Floor
Los Angeles, CA 90017
Telephone: 213.241.6601
Facsimile: 213.241.8444

Attorneys for Plaintiff-Intervenor
Los Angeles Unified School District

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

STATE OF CALIFORNIA, et al.,

Plaintiffs,

v.

WILBUR L. ROSS, JR., et al.,

Defendants.

Case No. 3:18-cv-01865-RS

**TRIAL DECLARATION OF PIA
ESCUDERO**

*Assigned for all purposes to Hon. Richard
Seeborg, Courtroom 3*

Complaint filed March 26, 2018
First Amended Complaint filed May 4, 2018

Trial: January 7-15, 2019

TRIAL DECLARATION OF PIA ESCUDERO

I, Pia Escudero, declare as follows:

1. I am the Executive Director of the Division of Student Health and Human Services for the Los Angeles Unified School District ("LAUSD" or "District")

2. LAUSD's Division of Student Health and Human Services ("SHHS") provides a comprehensive array of services and programs that support the physical health, mental health, academic achievement, and overall well-being for all of the District's half-million students.

3. SHHS oversees the Nursing Services Department who assume a pivotal role for LAUSD students as first responders, primary health care providers, case managers, health services coordinator, child advocate, health educator and supervisor of health care in the educational setting. SHHS also oversees the Student Medical Services Department—a team of school physicians, nurse practitioners, optometrists, and medical support staff working together to provide needed health care to students who have no access to a regular doctor.

4. SHHS operates the District's School Mental Health Department, offering a range of mental health services that provide effective treatments and supports to help children, youth and families become better equipped to thrive and live successfully. These services are rendered at the District's schools, clinics, Wellness Centers and through various programs in LAUSD. The District's School of Mental Health provides counseling to all of the District's students.

5. SHHS also oversees a number of offices and programs which seeks to promote a diverse and welcoming learning environment and individual student support for all District students. For example:

a. The District's Student Support Programs Department identify and assist students to overcome barriers arising from physical or sexual abuse, criminal or disciplinary issues, homelessness, trauma, or other hardships; serving 18,000 homeless students and their caregivers.

b. The Restorative Justice Department focuses on early behavioral intervention and student discipline issues;

1 c. The Pupil Services Department offers a number of services which target
2 and offer academic support to help improve student attendance and graduation rates, particularly
3 as to Economically Disadvantaged students as defined by the California Local Control Funding
4 Formula as well as other at-risk students;

5 d. The Human Relations, Equity, and Diversity Department operates several
6 programs which support student issues relating to sexual orientation, gender identity and
7 expression, racial and ethnic diversity, religious beliefs, bullying, discrimination, and school
8 safety; and,

9 e. The School Enrollment, Placement, and Assessment ("SEPA") Center
10 identifies and assists immigrant students and families, helping them to enroll and providing them
11 with the services they need to succeed.

12 6. The District's SEPA Center assists students and their families with the enrollment
13 process and coordinates with schools to ensure these students receive the necessary resources
14 available to them. More broadly, the SEPA Center provides advocacy, training, outreach to
15 students, families, schools and the community.

16 7. The SEPA Center program staff include a coordinator, a pupil service and
17 attendance counselor, a school psychiatric social worker, a nurse practitioner, a medical assistant,
18 an immunization nurse, a Children's Health Access and Medi-Cal Program advocate, two
19 interpreter aides and an office technician.

20 8. The overall goal of the SEPA Center program is to identify and meet the unique
21 needs of LAUSD's numerous immigrant students and their families. As LAUSD is located
22 within one of the country's densest immigrant populations, these tailored services are critical to
23 achieving LAUSD's core educational functions.

24 9. SHHS effectively serves as the bridge between students and the District. Given its
25 purpose and numerous student functions, it is imperative that SHHS and each of its offices
26 understand who the District's students are, where they come from, and what issues they are
27 facing.
28

DANNIS WOLLIVER KELLEY
115 PINE AVENUE, SUITE 500
LONG BEACH, CA 90802

DANNIS WOLVER KELLEY
115 PINE AVENUE, SUITE 500
LONG BEACH, CA 90802

10. Towards that end, I have regularly used and relied upon the District's student demographic records and data in the thirty years working for LAUSD to drive initiatives and services, allocate resources and for funding purposes. The District maintains student enrollment and demographic data for its own student population as well as the surrounding community in which the District sits to help shape District policy and operations.

11. Throughout my career, I have relied on LAUSD's student demographic records and data to identify and aid at-risk youth. In my capacity as Executive Director for SHHS, and before that as LAUSD's Director for the District's School of Mental Health, I routinely use this information to identify student needs and to help shape the District's student health and wellness programs, policies, and practices. This data also serves to allocates federal, state and local funding for services.

12. In my long career working for LAUSD, I am also familiar with many general characteristics and operations of LAUSD.

13. Although individual student records are not publicly available, at the District level and the Board District level, much of the District's student enrollment and demographic data is publicly available on the LAUSD Open Data website, at <https://my.lausd.net/opendata/dashboard>. I have the reviewed the documents marked as PTX-849, PTX-850, PTX-851, PTX-852, PTX-853, and PTX-854, which are correct copies of the pages from LAUSD's Open Data website reflecting accurate District student enrollment and demographic data.

14. The following representations concerning LAUSD's enrollment and demographic data are based my experience working with the District for thirty years as well as my familiarity and review of the District's available enrollment and demographic data and records.

15. LAUSD is the second largest school district in the United States.

16. For the 2018-19 school year, the District's enrollment as measured on the fifth Friday of the school year ("Norm Day") was 499,077 students. This included:

- a. 409,897 Economically Disadvantaged students (82.13% of enrollment)
- b. 234,748 English learners (incl. reclassified) (47.04% of enrollment)
- c. 365,730 Hispanic/Latino students (73.28% of enrollment)

DANNIS WOLVER KELLEY
115 PINE AVENUE, SUITE 500
LONG BEACH, CA 90802

- d. 51,239 White students (10.27% of enrollment)
- e. 38,597 African American/Black students (7.73% of enrollment)
- f. 18,581 Asian students (3.72% of enrollment)

17. For the 2017-18 school year, the District's enrollment as measured on Norm Day was 513,592 students. This included:

- a. 422,239 Economically Disadvantaged students (82.21% of enrollment)
- b. 248,282 English learners (incl. reclassified) (48.34% of enrollment)
- c. 65,886 students with disabilities (12.83% of enrollment)
- d. 377,142 Hispanic/Latino students (73.43% of enrollment)
- e. 51,588 White students (10.04% of enrollment)
- f. 40,081 African American/Black students (7.8% of enrollment)
- g. 19,204 Asian students (3.74% of enrollment)

18. For the 2016-17 school year, the District's enrollment as measured on Norm Day was 523,099 students. This included:

- a. 435,537 Economically Disadvantaged students (83.26% of enrollment)
- b. 257,709 English learners (incl. reclassified) (49.27% of enrollment)
- c. 66,349 students with disabilities (12.68% of enrollment)
- d. 386,897 Hispanic/Latino students (73.96% of enrollment)
- e. 52,536 White students (10.04% of enrollment)
- f. 41,903 African American/Black students (8.01% of enrollment)
- g. 19,681 Asian students (3.76% of enrollment)

19. LAUSD consists of 7 separate Board Districts, each of which is represented by a different Board member.

20. In Board District 1, over half (61%) of the population are renters, almost a quarter (21.4%) of residents live in apartment buildings, and over 2,000 students experience homelessness.

21. In Board District 2, the vast majority of residents are renters (80%) and Hispanic/Latino (70.9%). A high proportion of Board District 2 residents live in multi-unit

1 housing (40.6%), have limited English proficiency (32.5%), and over 3,000 students experience
2 homelessness.

3 22. In Board District 3, almost half of residents (44%) are renters, almost a third
4 (28.7%) of residents live in apartment buildings, and more than 1,500 students experience
5 homelessness.

6 23. In Board District 4, over half (54.08%) of residents are renters, over a third
7 (34.27%) of residents live in apartment buildings, and more than 800 students experience
8 homelessness.

9 24. In Board District 5, over a quarter (25.85%) of families have children under age 6
10 and are Latino (68.87%), and more than 2,000 students experience homelessness.

11 25. In Board District 6, many residents are renters (42.39%), almost a quarter of
12 families (21.5%) have children under the age of 6, and more than 3,500 students experience
13 homelessness.

14 26. In Board District 7, more than half (55.2%) of residents are renters, over a quarter
15 (28.4%) of families have children under age 6. The neighborhood of Watts has a census block
16 group with the highest Low Response Score (44.2) in the City of Los Angeles, and more than
17 3,500 students experience homelessness.

18 27. As compared to other school districts within the United States, LAUSD has a
19 disproportionately high number and percentage of students that come from immigrant families,
20 students whose families rent apartments, students whose families reside in multi-unit housing, as
21 well as homeless students, Economically Disadvantaged students, English learners, and
22 Hispanic/Latino students.

23 28. LAUSD, through SHHS, has established a comprehensive program designed to
24 support the District's large immigrant student and family population—We Are One L.A. Unified
25 Standing with Immigrant Families. Through the program, LAUSD offers informational resources
26 and workshops to our immigrant students and families. During these sessions, caregivers and
27 families express their fear of current immigration reform efforts and accessing services that are
28 provided by LAUSD and external partners such as health, mental health, dental, vision and other

1 services.

2 29. Prior to serving as the Executive Director of SHHS, I was the Director of
3 LAUSD's School of Mental Health for nine years. In both my current and former positions with
4 LAUSD, I regularly receive updates regarding issues and topics that impact student mental health,
5 including concerns being expressed by students and/or staff. I also receive updates from the
6 SHHS's SEPA Center about issues impacting immigrant students.

7 30. Based my receipt of this information as well as in my capacity working with the
8 District's We Are One L.A. Unified program, I know that student concern with federal
9 immigration policies and practices is rising at an alarming rate, particularly among LAUSD's
10 immigrant and Latino students. These impacted students and families are sharing their fears
11 about the Trump Administration's highly publicized immigration policies and political rhetoric,
12 which have collectively generated an environment of fear and distrust towards the federal
13 government within LAUSD's immigrant and Latino populations.

14 31. I have personal knowledge of the facts set forth in this declaration.

15 I declare under penalty of perjury, under the laws of the State of California and the United
16 States, that the foregoing is true and correct.

17 Executed December 20, 2018, in Los Angeles, California.

18
19 
20 Pia Escudero

DANNIS WOLVER KELLEY
115 PINE AVENUE, SUITE 500
LONG BEACH, CA 90802