

MS. DENNY: Jenny Denny with Liebert Cassidy Whitmore on behalf of the district.

MR. WILLNER: Good morning, your Honor. Arthur Willner on behalf of respondent.

JUDGE CHIN: I see that respondent, Matthew Garrett, is also present.

Mr. Maddox, who will be your next witness?

MR. MADDOX: Your Honor, the district calls Dr. Paula Parks.

JUDGE CHIN: Dr. Parks, if you would raise your right hand.

DR. PAULA PARKS,
called as a witness, after being duly sworn,
was examined and testified as follows:

JUDGE CHIN: Dr. Parks, you will have to unmute yourself.

THE WITNESS: Yes, I do.

JUDGE CHIN: I'm going to readminister the oath again, so if you would, please raise your right hand.

DR. PAULA PARKS,
called as a witness, after being duly sworn,
was examined and testified as follows:

JUDGE CHIN: Please lower your hand. Please spell and state your name for the record.

THE WITNESS: Paula Parks, P-a-u-l-a, P-a-r-k-s.

Page 1206

district on a part-time basis in 1996?

A. I have a bachelor's in English lit from UC Irvine. And then I went to Columbia University Graduate School of Journalism, and I earned a master's in journalism. I worked as a journalist for a few years, and then I started teaching.

And then I earned a master's in education curriculum and instruction because I wanted to do my job better. I thought that if I could write, I could teach people how to write, and it didn't end up being the case. So I got a master's in education. And then later on, I went back and got a Ph.D. in post-secondary and adult education.

Q. Other than your experience working for the district, have you had any other employment with any other institutions to teach?

A. I did some teaching when I was in grad school, which was more informal. And then I did a lot of tutoring when I was in college.

Q. Okay. Are you familiar with a program at Bakersfield College called the "Umoja program"?

A. Yes, I started the program and I coordinate the program.

Q. And what is the Umoja program?

A. Umoja stands for "unity" in Kiswahili, and it's a

Page 1208

JUDGE CHIN: Mr. Maddox, your witness.

MR. MADDOX: Thank you, your Honor.

DIRECT EXAMINATION

BY MR. MADDOX:

Q. Good morning, Dr. Parks.

A. Good morning.

Q. Are you apprehensive about testifying today?

A. Yes.

Q. And why is that?

A. This was -- I'm reliving a difficult period in my life that I would prefer not to relive.

Q. And where are you currently employed?

A. Bakersfield College.

Q. And is your employer the college or is it the district?

A. Technically, it's the district.

Q. And how long have you been a district employee?

A. I started part-time in 1996. And I was full-time in 2001. And I've been employed since then.

Q. And has it all been on Bakersfield College campus?

A. Yes, it has.

Q. And what discipline do you teach?

A. I'm in the English department.

Q. All right. And how about any -- did you have any education experience before becoming employed with the

Page 1207

program designed to increase the success and retention of African-American students and other students as well.

I learned about the program probably in the early 2000s. I was sent to a conference. It was myself and someone from the math department. And we were sent to this conference with our data in hand about the success rates of different demographic groups.

And I learned that -- at that conference that there's a program at Chabot College to -- that was successful in increasing the success and retention of African-American students.

And they put me in touch with the coordinator of that program, who was a white man who was an English professor. And he -- his program was called "Daraja" at Chabot College. And they were just then starting the Umoja community program. And he made numerous trips to Bakersfield College to help start the program. And he was part of a group of other educators who was laying the foundation for this program.

So there were other schools that were successful in reaching African-American students, and they were forming kind of a coalition and helping other schools also start these programs. It was important that the programs be at community colleges because students of color and low-income students are more likely to start

Page 1209

at the community college, so that's why the community college was considered the best place to start. And he ended up being one of co-directors of the program.

(Reporter interrupts to clarify the record.)

BY MR. MADDOX:

Q. Dr. Parks, sorry to interrupt you. That was the court reporter asking for clarification of the -- just the spellings just for the record. She's taking everything down, so she just needs to create a clear record.

A. Okay.

Q. And I think you might have just answered this question, but I'm not sure, so I'll ask it anyway.

What made you start the Umoja program at Bakersfield College?

A. Well, our data was consistent with data from around the state in that African-American students were not as successful as we knew that they could be. And so the conference was about coming up with strategies.

And from what I was hearing at the conference, this was the very best strategy, because it was a full-service program. It involved coursework. Tom DeWitt taught the English classes. There was often a counseling class, a student development kind of class, and then there was also a counseling component.

Page 1210

movement of acceleration and shortening the path.

And then when we got our new president, Sonya Christian, she was interested in the success of all students. And she heard about me. She reached out to me and she said, "Tell me more about this idea that you have."

And then I told her. I was surprised it was still on my computer.

And she said, "Go for it."

And so that was the spring of 2015, so I started recruiting students then for that first group that started in fall of 2015.

Q. Okay. And you mentioned the population of African-American students on campus, I think, in general.

Do you know what the percentage of the student body was at Bakersfield College that was African-American?

A. It's about five percent.

Q. All right. And your Umoja program, where does the funding for the program come?

A. It comes from --

Q. I'm talking specifically about the Umoja program on Bakersfield College campus.

A. It comes from state funding. When Umoja started,

Page 1212

So the co-statewide director was a counselor, because we knew that students didn't just need kind of one service. They needed a wraparound program that had coursework that was relevant to their lives, as well as counseling support, academic guidance, making sure they are taking the right classes, making sure they are getting out in a timely manner and forming a community. So students needed to support each other, because on very many campuses, black students are the minority. So to have each other as a support system was very important.

Q. Okay. When did you start the Umoja program at Bakersfield College?

A. Well, when I first learned about it, that's when I wanted to start it. And my dean was sending me to these conferences, and I was learning about it. And there was a counselor at Bakersfield College who was interested in doing it with me, and we put together a proposal, and we took it to the president that we had then.

And since my dean was sending me to conferences, I assumed that this was kind of a done deal, just getting him on board and signing the MOU. But he was hearing about it for the first time, and he was like, "No."

So then I just kind of sat on it. I maintained contact with Tom DeWitt, got active in the whole

Page 1211

it was a volunteer organization. And they were traveling around the state, helping people just out of their own pocket. And as it became more successful, they lobbied the State of California for specific funds for the program. And so now Umoja is a line item in the state chancellor's budget.

Q. And you talked a little bit about the program, and you mentioned that there are courses offered. What type of courses are those?

A. Specifically at Bakersfield College?

Q. Yes.

A. At Bakersfield College we have an English class that I teach. We have public speaking. We've had small group communication. A year ago we had art appreciation. So the goal is required courses, like English 1A to graduate, as well as very common gen ed classes that students need, because these classes are moving students towards graduation. These aren't extra classes.

Q. What makes those classes, English, public speaking, small group, art appreciation, what makes those courses different in the Umoja program from the courses that are offered just generally through Bakersfield College campus?

A. The curriculum. So in my English class, they

Page 1213

still have to write essays and master MLA and do research, but the books that I use are around the African-American experience.

Q. And are those courses only open to African-American students?

A. No. They are open to any student. And the mission statement of Umoja is -- I'll just read the first sentence. "Umoja, a Kiswahili word meaning 'unity' is a community and critical resource dedicated to enhancing the cultural and educational experiences of African-American and other students."

So it's -- and I told you that Tom DeWitt, a white man, was one of the founders, so he certainly wouldn't design a program where white students couldn't be in it, because he is one of the coordinators. Umoja has a set of practices that guide how we operate, and one of them is "the ethic of love." One of them is "the porch," where honest communication happens. One of them is "occupy study spaces on campus," because research has shown that students of color need spaces that are supportive to them.

One of the Umoja practices is encircling diversity, because we know that students of all races are going to be in our program. My students bring their friends. So students of all races are welcome in Umoja.

Page 1214

about it. They enroll in courses that they need. Or if they don't need courses, then they don't enroll in courses, they just participate in activities.

Q. Have you had any students who are not students of color that have applied for and been admitted to the Umoja program?

A. I think most common would be Hispanic students who have been interested and have applied and have participated in the program and have taken classes within the program.

Q. You mentioned that part of the club or part of the program is to have an occupied space on campus. Is that referred to as a "village"?

A. Yes. The study space is called "the village" or "the study space," yes. And so that would be people in the program -- people in the club can utilize that space, their computers, and they can get their work done. And it's also -- having a study space is a requirement of the Umoja program. It's one of the practices.

And it's written into the MOU that programs that are at least four years old are required to have a study space. And that's a requirement for the schools to get funding through Umoja. That's one of the requirements along with having a coordinator. All of those things

Page 1216

And one of the -- in terms of encircling diversity, we appreciate our oneness and diversity becomes a resource and a strength to our Umoja community. So it's one of the founding practices. It's in our mission. Umoja, in no way -- in the statewide organization to each of the programs -- excludes anyone on the basis of anything.

Q. And in addition to kind of the program with the courses, is there also an Umoja club on the Bakersfield College campus?

A. The club was started about one or two years later. And that's a student organization out of the Office of Student Life, and those have elected student officers.

Q. And are you affiliated with that club?

A. I'm the advisor of the club, yes.

Q. How does a student become part of the Umoja program?

A. They might hear about it during registration events. The counselors and the Office of Outreach go to high schools to let them know about starting -- coming to BC and what we offer, so they might come that way. They might find about it once they get there. They might be on the website and they see that Umoja has a website. And then they apply to the program, and I reach out to them.

I invite them to an info session. They learn more

Page 1215

are requirements that the school has to do, has to provide, because best practices show that that's part of the effectiveness of the program.

Q. All right. And so the village or the space that you have on the Bakersfield College campus as part of the Umoja program, is that limited only to African-American students?

A. No, it is not. And students of all races are there, yes. It's open to everyone.

Q. You testified about "porch" being part of the Umoja program. Can you explain what "porch" is?

A. Porch is an open, honest discussion. So kind of, if you think of the South and people sitting on the porch and being comfortable, maybe drinking some iced tea and being able to say what they think and being able to share how they feel.

So it's also described in the Umoja practices, "A learning environment should be open, respectful, playful. There should be argument, dissection, revision. Should be personal, political, philosophical" --

Q. Dr. Parks --

JUDGE CHIN: You need to slow down. We do have a court reporter who's typing down everything you say. And also keep in mind a lot of the documents that you

Page 1217

are referring to will be admitted into evidence. You can just begin, but you don't have to read the entire document.

THE WITNESS: Okay.

MR. MADDOX: Thank you, Judge.

THE WITNESS: So a porch can happen in class. A porch could be scheduled. A porch could just pop up.

BY MR. MADDOX:

Q. Okay. And so we'll come back to that. But I want to kind of switch topics and talk to you about the Academic Senate.

Are you familiar with the Academic Senate?

A. Yes.

Q. And were you on the Academic Senate at one point?

A. I was the English department representative for about three years. And then I ran for the secretary position, and I'm in my third term, one-year term as senate secretary.

Q. Okay. When you were the English representative, what time period was that?

A. I think that was about '18 -- 2018 to about 2021.

Q. And then when did you run for the secretary position with the Academic Senate?

A. In '21.

Q. And did you win the election?

Page 1218

And so I suggested to senate that we have a task force and look more into the results. And so senate considered it. It was an E-Board for months. And then E-Board said, "Well, since this kind of overlaps with what EODAC is doing, would you take this to EODAC and see if they support it? And then, if they do, then we will take it back to the full senate." So I was at the EODAC meeting to present my proposal.

Q. Were you part of the EODAC before October 11, 2022?

A. I had been part of it on and off for a period of time.

Q. And can you describe what happened when you got there at the meeting?

A. When I got there, I think all of the members were already seated. And I was told where to come in and where to sit, since I was presenting. And so I sat there. And I had been talking to my students about the Racial Climate Survey, the task force that I wanted to have, and telling them I wanted to do this to look more into how students were feeling.

And one thing that Tom DeWitt had told me was that he really liked to take students to meetings, and he thought that that was a really good thing. He said there were times he couldn't go to a meeting, and he

Page 1220

A. Yes.

Q. Obviously, now that you are in your third term.

Who ran against you for that election?

A. Matt Garrett. He was the current secretary.

Q. All right. So he was an incumbent. There was an election and you unseated him?

A. Yes.

Q. And that election was in 2021?

A. I think so.

Q. Are you familiar with what an EODAC meeting is?

A. Yes.

Q. Did you attend an October 11, 2022, EODAC meeting?

A. Yes.

Q. And why were you there?

A. I was there to present a proposed Racial Climate Task Force. I had brought it up in senate. And based on the results of -- and I guess this is in the record too.

The NACCC survey that was administered to students in '21, I was concerned with the results. I was concerned with what students were saying and what they were saying that they were experiencing; the discrimination that they were experiencing. And one of the suggestions in the report was to look further into the results.

Page 1219

would send a student in his place. He said other times he took students to meetings so they could just learn how the campus worked, how committees worked, so they would be more likely to be involved.

So I thought, "You know what? I've been telling them about this task force that I want, that I care about what they think. And so why don't I invite them to come and see what goes on in a committee meeting? Why don't they hear how I present something and what a committee meeting is like?" So I invited some of my students to attend the meeting as well.

Q. And how many students from your classes came to that meeting?

A. I think about seven or eight.

Q. And what happened when the students arrived?

A. They came a little after I did. Because the way the Umoja classes are, there was a library class before my class and there was, like, a space of 30 minutes. So I left the library class -- and I didn't mention that was one of the classes we offer. So I left that class a little early and I said, you know, "If you guys want to come, this is where it is. This is what room it's in."

So they finished their library class, and so they got there after I got there. And so when I came in, there were no seats, but there was a space along the

Page 1221

wall. So they came in. They didn't know where to sit, so they just kind of stood there. So I got up; I started unstacking the chairs, lining those chairs up along the wall. The guys, of course, helped because they are gentlemen. And then the students sat down.

Q. And the students that attended, were they African-American students?

A. Yes.

Q. And did you happen to see where Dr. Garrett was seated during that meeting?

A. He was seated on a table to my left and directly in front of the students.

Q. And I was going to ask you where did the students sit in relation to Dr. Garrett?

A. They were in a row of chairs right behind him.

Q. Approximately how far?

A. There was just enough space to pass. So, I mean, they weren't like -- like a couple feet.

Q. Okay. Now, I think you explained the reason why you were there.

Now, you mentioned when you were talking about the reason -- speaking about the racial climate task force. I think you said "NACC [sic] survey results"?

A. Yes.

Q. And then you later said "Racial Climate Survey."

Page 1222

say they were experiencing intimidation.

So those things were concerning to me. And since people were questioning whether it was real, I wanted to first --

JUDGE CHIN: Dr. Parks, we're going to go briefly off the record.

(Off the record.)

JUDGE CHIN: We are now back on the record.

We went briefly off the record because Dr. Parks' -- her sound was starting to echo. That has been resolved.

If you recall where you were in your answer, please continue. If not, I could ask Mr. Maddox to repeat the question.

THE WITNESS: You were asking me why I was starting it and what concerns I had.

BY MR. MADDOX:

Q. What you wanted to accomplish with the Racial Climate Task Force.

A. I wanted to thoroughly understand student experiences, and more than data, I wanted to hear their stories, hear any examples, and then, if what I was hearing was consistent with the survey results. And the results came with suggestions.

I wanted to explore some of those suggestions in

Page 1224

Is that the same survey?

A. Yes. I should have said "NACCC survey" --
(Indiscernible cross-talk.)

THE WITNESS: -- campus racial climate. Listening to student voices.

BY MR. MADDOX:

Q. Okay. And what was the survey?

A. It was administered to more than 40 colleges, and it was done April and May of 2021.

Q. And do you know who conducted it?

A. Our Office of Institutional Effectiveness administered it, but they didn't create it. It's a survey that was administered to 40-plus colleges.

Q. And what were you hoping to accomplish with the Racial Climate Task Force that you were presenting to the EODAC about?

A. I wanted to know -- well, people were questioning the results. They were questioning. Were they real? Were students really feeling the way they said they were feeling? Were they really going -- so one of the questions was, "How often are you asked to speak for your race?"

And students -- black students were more likely to say they were. I think it was 22 percent. And then black students and students of color were more likely to

Page 1223

terms of campus conversations, in terms of any programming, in terms of bringing in a speaker, in terms of any professional development, in terms of involving the community or any of those things that might be helpful. If what I was hearing was consistent with the survey.

Q. All right. And you said that people were questioning the results. Was that questioning going on at that EODAC meeting?

A. Yes. It was going on at the meeting. It had -- those questions had been raised in senate, and those questions were also raised at the meeting in terms of the response rate. In terms of the fact that it had been done during COVID. So those were the same concerns that were being raised at the meeting.

Q. Did anyone at the meeting -- strike that.

Who were the people that -- at the EODAC meeting that were questioning the results of the survey?

A. EODAC is made up of faculty, staff and administration, so it's a mix. So the people who were questioning it were faculty and faculty who are part of the Renegade Institute for Liberty. So Joe Saldivar, Ximena, Matt Garrett, Catherine Jones. So they were faculty.

Q. After the meeting ended, did you have an

Page 1225

opportunity to discuss the meeting with the students who attended the meeting?

A. Yes. So after the vote -- and the vote was closed, but the vote did support forming the Racial Climate Task Force. So after the vote, I had to leave because I had class and I was already a tad late. So I went straight to class. Some of the students in the meeting were in my class; some of them weren't.

And when I got to class, there were some people in my class who had been at the meeting and people in my class who weren't in my class but who had been at the meeting. And so when we got there, one of the students who wasn't in my class, Umoja student said, "Can we have a porch?"

Q. Okay. And so did you have a porch?

A. Yes. So a porch can be called -- a faculty could call a porch because they want to discuss something. A student can call a porch. A porch can be scheduled. So this was a student saying, "Can we have a porch?" And so I said yes. And so we spent at least an hour with them talking about the meeting.

Q. Now, does a porch interrupt the class time instruction?

A. Yes. So class -- the instruction of English 1A started an hour late, because they needed to talk,

them, because they are protective of me. And they knew what that meant for them; that if me, as a faculty member, was treated that way by other faculty, what does that mean for them who are not in as privileged a condition?

They heard Catherine Jones whisper to Matt Garrett, "What the f are they doing here?" And she said the word; she didn't just say "f." She said the word. And they didn't feel welcome. They knew they were not welcome.

As I said, Tom DeWitt had encouraged me to take students to meetings so they can see how the college works, so they could be involved. Maybe they want to be in the student senate. And I take them to a meeting and they are treated that way. They are not welcome. Students should be welcome at any meeting, but here they are mistreated. They -- makes them not want to get involved at all, not want to be part of the campus community.

Q. Did they tell you what it was about how you were being treated that led them to feel like you were being treated in a racist manner during that meeting?

A. They heard the survey results questioned. They knew that since they questioned the results of the survey, they were questioning students' experiences.

because they were so upset.

Q. Okay. And do you remember what the students told you during the porch about what they saw at the meeting or heard?

A. They said they didn't feel comfortable at the meeting. They said they didn't feel safe at the meeting. They said that the way people looked at them -- faculty -- the way -- all of those things made them feel uncomfortable and unsafe. And they said that it bothered them to see faculty behave that way, because faculty were people that they looked up to and admired. And one person wanted to be a teacher, and to see faculty behave that way upset her and made her question whether she wanted to go into education.

Students see faculty as accomplished, intelligent. And, of course, there's the power differential. And seeing faculty look at them that way, act that way, treat me that way, upset them. They knew that I was being treated in a racist manner. They knew they were being treated in a racist manner.

My students love me. I just showed you the ethic of love is one of the practices. I demonstrate love towards them; they return it. And to see me, someone they respect, someone who runs a successful program, who is educated, the subject of that type of treatment upset

So if students in the survey were saying, "I'm asked to speak for my race in a class" or students were saying faculty members are telling supposed jokes and they are not funny -- that was one of the survey questions. Well, I have a student who went to that meeting, and she was in class and the professor made a joke about a rope and a lynching.

So she knows from personal experience that what's in the survey reflected the perceptions, the experiences of students, because she experienced that herself. And to have those results questioned is to question their experiences and the validity of those experiences.

So that was, like, how can you, as faculty, not know? How can you be blind to what students are going through? How can you tell jokes about "Let me go get a rope," and it's not funny. How can faculty not know that? And how can these results not be believed, when the students' experiences tell them these are real experiences?

The percentages -- the data was questioned. And the students were like, "These faculty are in the sciences. How do they not understand surveys and numbers and data? Why are they questioning it when that's their field?"

There was a comment made by Matt Garrett about the

village space, that it does -- I think it was "does more harm than good" or "causes more problems." It was something like that.

And at that point, I looked at the students like, "Do you understand he is talking about our space?" And they looked back at me, and they couldn't believe he was criticizing their space, when they know how much that space means to them. They know how isolated they feel, how many times they are the only black student in their courses and how much they need a sense of community, how they need that space.

They need a place to study. They need that safe space to connect with other people because of what they go through outside that room across the campus. They know how important that space is, and they know it's one of the practices. They know all these things, and here he is making that statement.

And they were just like, "These are educated people. How -- they can look up best practices. They can do research. How are they making these statements?" When they are thinking of faculty as people they look up to, people who have power over them, people who teach, people who give them grades. So all of that was very upsetting. And they had to do -- they had to process seeing that and feeling it.

Page 1230

is hard as well, so there are things that are further in the front of my mind than others. So it's a -- recalling.

JUDGE CHIN: Thank you.

Mr. Maddox, please continue.

MR. MADDOX: Thank you, your Honor.

BY MR. MADDOX:

Q. Did you then, aside from the porch, also have a discussion about what had happened at the EODAC meeting at village?

A. Yes, because some of the students didn't go to my class, and so there were students who were not part of that porch. And so in village the conversations continued. And other students were told. And so, yes, the conversation continued because they were so upset.

Q. All right. And were the comments and feelings and sentiments that were being shared at the porch similar to what was being shared at village, or was there a difference?

A. I would say they were the same kind of comments and feelings about how upset they were and what they saw and how the environment was racist.

Q. Did you give -- or did you entice the students who attended the EODAC meeting to attend with extra credit?

A. No. I did not give them extra credit to do

Page 1232

Q. You mentioned that they told you that Catherine Jones made a comment to Dr. Garrett and said, "What the f are they doing here?" Did they tell you when Ms. Jones made that comment to Dr. Garrett?

A. When during the meeting?

Q. Yes.

A. Well, it was during the meeting, but I don't -- I didn't hear it because of where I was, but they were all behind her, so they heard it. So I think -- I imagine it's when they came in.

JUDGE CHIN: Dr. Parks, I don't want you to speculate. So unless they've told you, try not to testify to that.

And I understand this is an emotional subject to you, but I need you to focus in on the questions that Mr. Maddox is asking so that you don't end up having to be here all day. So I do understand you are upset, but you need to just answer Mr. Maddox's questions so that you don't have to sit here all day. Okay?

So, Mr. Maddox, please continue.

MR. MADDOX: Thank you.

THE WITNESS: The statement was made when they came in.

JUDGE CHIN: Dr. Parks, how would you know that?

THE WITNESS: That's what they told me. I -- you are right. This is emotional and difficult, so reliving it

Page 1231

anything related to any of this.

Q. Did you have your students write letters after this experience?

A. Yes. I wanted the students, as their minds were fresh -- and then, of course, being an English teacher, I'm going to think that it's going to be a good thing to write, so, yes, I asked them all to write something after the meeting. And some of those became letters or statements that they made to Academic Senate or letters that they submitted to the Board of Trustees.

Q. All right. And so that kind of gets me to the next topic. It's related. But did you attend the Academic Senate meeting immediately following the EODAC meeting? And when I say "immediately following," I'm talking about, you know, within a couple weeks of that EODAC meeting.

A. Yes. I attended, yes.

Q. All right. And was that meeting in person?

A. No. We were on Zoom.

Q. And did you ask your students to speak at the Academic Senate meeting?

A. Yes. I asked them to -- I -- because that meeting -- and I'm not saying that it was the very next meeting, but it was a subsequent meeting. I asked them to share their experiences. Other things happened in

Page 1233

that meeting after I had left that were the subject of discussion as well. So, yes, I wanted my students to share what they went through. I thought it was important that Academic Senate know what happened and the experiences of students.

Q. And I want to show you some exhibits; the first one is in District Exhibit 1. And the number is A81. And I will share my screen so you can see it, Dr. Parks, when I get to it.

Dr. Parks, can you see my screen?

A. Yes.

Q. And is this one of the letters that your students wrote?

A. Yes.

Q. And I wanted to go to A83 in Exhibit 1.

And is this one of the letters that your students wrote?

A. Yes.

Q. Now I'm going to A85. And this letter actually goes from A85 to A86.

Is this one of the letters that your students wrote?

A. Yes.

Q. And did your students submit these letters to the Academic Senate?

Page 1234

So what they experienced was shocking to them and it was upsetting to them. And so to experience it and then to process it, to write it down and maybe do something with it, like talking in public about it, was a lot to them.

So the Board of Trustees meeting was in December. And lot of them -- I checked in with them over break, and they were just -- they needed that time to just relax because of what they had gone through was so upsetting. And so to ask them to relive it and talk publically again was more than they were capable of doing.

Q. And you mentioned the December 2022 board meeting. Did you speak at that meeting?

A. Yes.

Q. And what -- let me ask you, why did you speak at that meeting?

A. I thought the Board of Trustees should know what the Renegade Institute was doing that was impacting myself, the program, and especially my students.

Q. And did you ask your students to speak at that meeting?

A. Yes.

Q. And why did you do that?

A. Because I felt the Board of Trustees needed to

Page 1236

A. I'm not sure which went to Academic Senate and which went to the Board of Trustees. So they may not have both gone to both, but the date may tell us. So I'm not sure which letters went to which.

Q. Did you ask the students -- well, first of all, let me ask you how many students wrote letters like this, approximately?

A. Most of them.

Q. Meaning how many?

A. At least five, six.

Q. Did you ask any of the students who wrote these letters to come and testify at this hearing?

A. Yes.

Q. And how many of the students who wrote letters did you ask to come testify at this hearing?

A. Two.

Q. And what was their response?

A. The first one I asked said it was just too much. It was just too much. She had spoken at one of the -- one of those. And it took such a toll on her and she saw herself attacked in the media and the students weren't expecting the kind of reception that they got. They were at the meeting; they were expecting kind of just what I said, "I'm going to a meeting; I'd like you to go too."

Page 1235

hear from students. I felt they needed to hear student voices. They professed to care about students. The school is about students. We're not -- as faculty, we're not for ourselves; it's about students and that's what's important. And they needed to hear a student -- students' -- as many who would speak -- perspective.

Q. So you had one student who spoke at that meeting, right?

A. Yes.

Q. And she spoke in open session, right?

A. She spoke in the public comments, yes.

Q. So that will be one of the exhibits to this hearing.

What is the name of that student?

A. Jordan.

Q. Okay. And she identifies it in the public comment, but there were several speakers, so I wanted to clarify which one was your student.

Let me show you another exhibit. This is Exhibit 10, page A188.

Dr. Parks, this is a February 7, 2023, article that appeared on foxnews.com. In the first line of this article and throughout the article, it mentions Dr. Garrett characterizing the events that occurred at EODAC and kind of the racial fallout of that meeting as

Page 1237

"completely fabricated."

Had you seen this article before?

A. Yes.

Q. And what were your feelings, or how did you perceive this?

A. It was upsetting, because it was accusing me of lying and it was accusing my students of lying and completely disregarding what they said and what they felt and what their experiences were. No one, whether faculty or students, want to be accused of lying, of making something up. That damages anyone's reputation, their sense of self, when you know you are bringing -- when you are being honest and someone says the whole thing was made up. That hurt me and it hurt my students.

Q. Now, at the bottom of this -- the first page of this article, in A188 there's a quote from Dr. Garrett that says, "Our campus has been really radically transformed."

Do you see where I'm at?

A. Yes.

Q. And toward the end of the quote he says that "We've adopted racially segregated classes."

Do you see that?

A. Yes.

Page 1238

Q. Have you seen this email before?

A. It may have been sent to me, but I have seen that quote before.

Q. And now I'm going to direct your attention to Exhibit 16, which is at A298. And, again, it's an email from Dr. Garrett, this one to Matthew Jones, saying, "Race hoax debunked."

Do you know who Matthew Jones is?

A. Yes. He is currently the vice president of Academic Senate.

Q. And I'm going to show you another exhibit. This is Exhibit 15. And it's at A297. And it's a Facebook post by Matthew Garrett on January 21st, 2023, saying, "Paula Parks race hoax allegations against me debunked by Daily Wire."

Do you see that?

A. Yes.

Q. Have you seen this before?

A. Yes.

Q. When you hear Dr. Garrett accusing you of creating a race hoax, how do you interpret that?

A. He is accusing me of making something up that's not real.

Q. Now, has the comments that he made in relation to you misrepresenting or creating a hoax, has that had --

Page 1240

Q. Are you aware of any classes that have been adopted at Bakersfield College that are racially segregated?

A. No. He also put that on Facebook, that there are classes where white people couldn't be in the classes. And that upset me, because, one, it's against the law. So he was accusing me of breaking the law. It's against what Umoja stands for. So it was maligning the statewide organization, and it was accusing the college of breaking the law by allowing this as well. So there were several layers of lies to this statement. This is not true.

They could risk Bakersfield College getting in trouble, the statewide organization. The statewide organization thought I was doing something against what they say is their mission. So there were a whole lot of problems with putting out that lie.

Q. And I want to show you a couple more exhibits; the first one is Exhibit 13. This is an email from Dr. Garrett to someone named Mark Salvaggio.

Do you know who Mark Salvaggio is?

A. I don't know who he is.

Q. And it says, "Paula Parks race hoax debunked." Do you see that?

A. Yes.

Page 1239

do you feel like it's had an impact to your reputation?

A. Yes. Whether it's been on Facebook or whether it's been in the media, it's upsetting, because both of them have a very wide audience. And it's upsetting for people around the country to read something like that and possibly believe it.

Some of the posts on Facebook -- like, take the one about the village space. He challenged people to go to the space, white people to go to the space and see if they'll be turned away. So that meant that the Umoja space, which is supposed to be a safe space, is not really a safe space, because people in the community are being fed lies and encouraged to act on those lies and come to the space and see what will happen.

So it made me afraid for my physical safety. It made -- it affected my reputation. It tarnished my reputation, by extension the reputation of the program, by extension Bakersfield College. And it called my students liars. And they aren't liars either, and their experiences are real.

So it was really upsetting on a whole variety of levels to have that put on social media and to be put in the newspapers. And then the many interviews that he gave, where he repeated those same lies. And people all over town are reading them, hearing them. Yes, it's

Page 1241

very upsetting.

Q. And has this had a personal impact on you?

A. Certainly the stress. It's been very stressful. Affecting me, affecting the program. The worst part was: affecting my students, because the program is about my students. I do what I do for students, because I love my students. And seeing what they went through, how difficult this was for them, it hurt me, it upset me, it stressed me.

[REDACTED]

MR. MADDOX: Thank you, Dr. Parks.

Your Honor, can we take just a short break? Just two minutes just to make sure that I've covered everything.

Page 1242

five seconds, I think. And I think you might be again.

JUDGE CHIN: That does appear to be true.

But, Dr. Parks, after you stated that -- Dr. Parks, maybe you should repeat your answer in case we did not fully hear it, because at a portion your video froze.

THE WITNESS: I'm looking at an article that I wrote.

JUDGE CHIN: Okay. Dr. Parks, why don't we hold off on that?

THE WITNESS: Yes.

JUDGE CHIN: Please don't look at that.

Mr. Maddox, is that article in the district's evidence?

MR. MADDOX: I don't think it is. Actually, I know it's not.

JUDGE CHIN: Okay.

MR. MADDOX: I'm 98 percent sure, because I'm pretty familiar with everything in ours. I don't know whether it's in respondent's.

JUDGE CHIN: So let's go briefly off the record.

(Off the record.)

JUDGE CHIN: We are now back on the record.

Off the record I had Dr. Parks share the article that she was referring to in her testimony with Mr. Maddox. And Mr. Maddox provided a copy to

Page 1244

JUDGE CHIN: Yes. We're off the record.

(Off the record.)

JUDGE CHIN: We are now back on the record.

Mr. Maddox, any additional questions?

MR. MADDOX: No, your Honor. Thank you.

JUDGE CHIN: Thank you.

Mr. Willner?

CROSS-EXAMINATION

BY MR. WILLNER:

Q. Good morning, Dr. Parks.

A. Good morning.

Q. Dr. Parks, have you ever publically called for Dr. Garrett to be fired either orally or in writing?

A. No.

Q. Have you ever publically stated that Dr. Garrett is unfit to teach at Bakersfield College?

A. Using those words?

Q. Or something to that effect.

A. Similar.

Q. Can you describe what you've said in that respect and in what context you've said it?

A. Given how he has traumatized students, that perhaps his role at the college shouldn't be to spend time with them in a professional capacity.

Q. Dr. Parks, I think -- you were frozen for about

Page 1243

Mr. Willner.

So with that, Mr. Willner, please continue with your questioning.

MR. WILLNER: Well, I'm not sure -- can we have the court reporter read back the last question? It's been so long; I'm not sure where we were.

JUDGE CHIN: Yes.

Reporter, could you please read the last question?

MR. WILLNER: And the answer, to the extent that there was one.

JUDGE CHIN: Yes.

THE REPORTER: One moment.

(Record read.)

JUDGE CHIN: Mr. Willner, did you want Dr. Parks to add to her testimony?

MR. WILLNER: I think she answered my question.

Your Honor, I believe the witness answered my question. My recollection is that Dr. Parks then began referring to the article.

BY MR. WILLNER:

Q. And so I guess my question now is, do you want to refer to an article that you've written?

A. Yes. The one in Kern Sol News, the last sentence of it is, "Those who actively fight college core values of equity, student engagement and student success should

Page 1245

not serve on decision-making committees nor teach our students."

Q. Was it your intent, when you wrote this article and wrote that sentence, that Dr. Garrett was included in that group of people?

Were you referring to Dr. Garrett when you wrote that last sentence? I guess is the better way of asking it.

A. Yes.

Q. Were you referring to any other Bakersfield College faculty members when you wrote that sentence?

A. I was referring to all of those who actively fight the college's core values of equity, student engagement and student success. All of those that it would apply to. Not, of course, saying that people can't change, but from -- and people do grow and change, but from the past, those that it applies to. I did not name him. I did not name him. I did not say he should be fired.

I'm looking to see if his name is even -- his name is in there as leading RIFL. I did not ask for him to be fired. Any of those that it applies to who did not want to change.

Q. Can you identify, as you sit here today, the other faculty members that this sentence refers to?

A. I didn't say who it refers to.

Page 1246

strike the last answer as unresponsive to my question.

JUDGE CHIN: That motion is granted.

So, Dr. Parks, when Mr. Willner is asking you a direct question, you really should answer, unless Mr. Maddox objects to any questions. And so, I guess, if you have hesitancy regarding your answer, you can state that. We can deal with that. But I want you to actually answer the question unless there's an objection. Okay?

THE WITNESS: Yes.

MR. MADDUX: And, your Honor, I'm going to object on foundation grounds.

JUDGE CHIN: I don't see there's any issue with foundation; however, I do wonder about the relevance of this.

Dr. Parks, do you have any ability to institute any disciplinary proceedings against professors at Bakersfield College?

THE WITNESS: They are fellow faculty. I don't supervise them, so no.

JUDGE CHIN: Do you have any role in the firing process for faculty?

THE WITNESS: No.

JUDGE CHIN: If Dr. Parks feels that other faculty should not be teachers, I don't believe is relevant.

Page 1248

Q. I understand. That's why I'm asking.

A. People who are working against the college's core values should not be on decision-making committees or teach our students.

Q. I understand that that's what the sentence says. And you've indicated that Dr. Garrett would be -- would qualify under that sentence.

So my question is, were there any other faculty members that you can identify, in addition to Dr. Garrett, who you believe fall within that sentence?

A. There are faculty in RIFL who this could apply to. Again, people who have decided not to change. Sometimes when things are pointed out to people, they decide, "Oh, I didn't realize I was working against the college's core values. Now that it's pointed out to me, I won't do that again."

Q. And so my question is, does this sentence apply to all faculty members of RIFL?

A. No.

Q. Okay. So can you identify faculty members of RIFL that this sentence applies to?

A. Can I? My goal in writing that sentence is the safety of my students and for my -- and for the college and everyone who works there to uphold the core values.

MR. WILLNER: Your Honor, I'm going to need to move to

Page 1247

But, Mr. Willner, I will -- I'm willing to hear any argument.

MR. WILLNER: Your Honor, it's clear from the witness's prior testimony and from what she's written here, that she regards certainly Dr. Garrett, and as she's indicated, any number of other faculty members as individuals who are not fit to teach Bakersfield College students.

The district has called her as a witness in support of their case and they've asked her questions regarding the actions by other faculty members, and just generally questions with respect to her views on the conduct and speech, et cetera, of various faculty members.

And I think it's -- if she's going to single out Dr. Garrett as falling within this category, I think I'm entitled to know what other faculty members fall within this category as well, because I think it's certainly probative as to what she's communicating to the Bakersfield College community, which would include the administration and the Board of Trustees.

And the fact that Dr. Parks herself doesn't have the power to fire anyone doesn't necessarily mean that her article or her speech or her testimony in other venues can't influence others. So it strikes me that

Page 1249

it's a relevant question for those reasons.

JUDGE CHIN: Dr. Parks, this testimony regarding her own experiences, what she experienced and her actions are relevant for this hearing. Her opinions on whether or not respondent is fit to teach, however, that's -- is not dispositive of this matter. It actually -- Dr. Parks isn't an expert. I don't -- it is simply her opinion. And the weight -- I'm not going to say that that has much weight.

In addition, her opinions on respondent's ability to be a teacher doesn't -- it has no weight, honestly, neither has the decision by the district to terminate respondent. Those are decisions that I make.

So yes, the article is important in the fact that it may have informed some of respondent's actions; however, the opinion that Dr. Parks holds that perhaps respondent should not teach or hold a position in a decision-making committee is just an opinion.

MR. WILLNER: Okay. Your Honor, I'll move on from here.

JUDGE CHIN: Okay. Thank you.

MR. WILLNER: Are we on the record?

JUDGE CHIN: Yes. We've been on the record.

MR. WILLNER: Okay. That's fine.

BY MR. WILLNER:

Page 1250

of the individuals.

A. The person who was the interim president, Dr. Dadabhoy.

Q. And when did you have this conversation with Dr. Dadabhoy?

A. I don't know the date.

Q. Can you give me the year?

A. It would have been after the meeting. So that would have been in '22.

Q. After the EODAC meeting or after the board meeting?

A. After the EODAC meeting.

Q. So sometime after mid-October of 2022?

A. Yes.

Q. And was that conversation in person or over the phone or in some other context?

A. It could have been in person or the phone.

Q. And what was Dr. Dadabhoy's response to your concerns, if any, expressed in that conversation?

A. What was his response?

Q. Yes.

A. Concern for my students.

Q. What did he say regarding his concern for your students?

A. I don't remember the exact words he used as he

Page 1252

Q. Dr. Parks, have you at any time communicated your opinion, as set forth in that sentence in your article, to any other members of the administration at Bakersfield College or at the district?

A. About actively fighting college core values?

Q. About Dr. Garrett falling within the category that's covered in this last sentence of your article.

Let me ask it this way; it might be easier for you: Have you ever communicated, either orally or in writing to any individuals in administration at the district or at Bakersfield College, your belief that Dr. Garrett should not be teaching Bakersfield College students for the reasons you set forth in this sentence in your article?

A. I expressed concerns. So that's different from your question. I expressed concerns about him serving on decision-making committees and teaching students, my concerns.

Q. And in what context have you expressed those concerns to members of the college administration or the district?

A. Private conversations.

Q. And with whom?

A. Administration.

Q. Okay. I'm -- what I'm looking for are the names

Page 1251

shared concerns about my students.

Q. Did he, in his response, make a connection between his concern for your students and Dr. Garrett?

A. What do you mean?

Q. Well, did he say anything about Dr. Garrett in his response to you?

A. Like what?

Q. Like anything.

I mean, did he mention Dr. Garrett's name? And if so, what's your best recollection of what he said regarding Dr. Garrett?

A. I told him about the meeting and what happened. So I'm sure bringing up his name would have been part of what I said. He listened to my concerns and he was concerned as well about my students.

Q. I understand that. And so -- but my question is, did Dr. Dadabhoy say anything specific about Dr. Garrett in his response to you?

A. I don't remember his specific response other than he was also concerned about my students.

Q. Other than this conversation with Dr. Dadabhoy, have you had any other communications with members of the college administration or the district concerning your concerns regarding Dr. Garrett teaching students?

A. After the article came out, colleagues -- probably

Page 1253

my dean said something. I think after the article came out there was more conversation in general. I don't remember all the conversations that I had.

JUDGE CHIN: Dr. Parks, when you say "the article came out," are you referring to your article, your op-ed?

THE WITNESS: Yes, the op-ed that I wrote.

BY MR. WILLNER:

Q. And the op-ed that you wrote, that Mr. Maddox emailed to me a while ago, is dated November 15, 2022, which I gather was roughly after the EODAC meeting, correct?

A. Yes.

MR. MADDUX: Can I just -- I'm sorry to interrupt you. I don't know that we did it on the record. Can we add that this article is in respondent's exhibits?

JUDGE CHIN: Yes. The article is in -- what's been uploaded by respondent on -- beginning on page B1412.

MR. WILLNER: Your Honor, I'm not -- I don't have the exhibit in front of me. And I'm not sure that that's entirely accurate in that what was emailed to me by Mr. Maddox and what the witness is looking at, an article published in Kern Sol News. What I was looking at and what I think is in our exhibits is an article of the same title that appears to have been published in something called "National Newspaper Publishers

Page 1254

A. I'm pretty sure my dean -- my dean was either Jennifer Jett or Andrea Thorson.

Q. During your conversations with either of them, did Dr. Garrett's name come up?

A. Yes.

Q. And what do you recall being said by you and by either these other individuals regarding Dr. Garrett?

A. I don't remember.

Q. You just remember that his name came up during the conversation?

A. I know RIFL came up, because that's in the article. He came up, because he's in the article. But people were concerned about my students.

Q. Was there any discussion in your conversation with your dean about approaching people in administration or at the district to do something about either Dr. Garrett in particular or RIFL in general?

A. Around letting people know what happened.

Q. At the EODAC meeting?

A. And previous Facebook posts that were upsetting to me and that misrepresented the program, misrepresented village, misrepresented me.

Q. And, again, focusing on your conversation with your dean, whichever one it was, for lack of a better term, did you come up with any sort of plan of action or

Page 1256

Association."

JUDGE CHIN: I'm sharing what's on page B1412. And you'll see that --

MR. WILLNER: I stand corrected.

JUDGE CHIN: Thank you.

MR. WILLNER: Thank you.

JUDGE CHIN: Mr. Willner, there was a lot of back and forth. Do you recall your last question?

MR. MADDUX: I think I interrupted it.

MR. WILLNER: Yeah. I think I remember what my next question was going to be.

BY MR. WILLNER:

Q. Dr. Parks, I think you've just indicated that after this article came out on November 15th, 2022, that there were -- you had further conversations with various individuals, perhaps your dean, regarding the subject of Dr. Garrett and whether or not he should be teaching Bakersfield College students.

A. Well, I didn't say that. They discussed the article and what happened at the meeting and the effect on my students.

Q. Okay. I apologize if I misstated your prior testimony.

Who was your dean that you had the conversation with?

Page 1255

agenda in terms of taking those concerns to individuals in college administration or at the district?

MR. MADDUX: Objection. Relevance.

JUDGE CHIN: I will allow it.

Dr. Parks?

THE WITNESS: What do you mean by "plan"? Am I remembering that question correctly?

BY MR. WILLNER:

Q. Yes. I guess what I'm asking you is, since your article was -- you and the dean were discussing your article, you were discussing your concerns about RIFL, about Dr. Garrett, your concerns for your students, did -- was there any discussion about a specific approach of some kind to members of the college administration or at the district to get them to take any kind of action?

A. We wanted to let them know what was going on, but not a plan as to what they should do. Just let them know.

Q. Okay. And was there any discussion about how you were going to let them know? And for example, testimony at other hearings coming up, emails, memos, something else.

Was there any discussion as to how you were going to let your concerns be known to the administration at

Page 1257

the college or at the district?

A. Yes.

Q. And what was the substance of those comments?

A. To speak at the board of trustee meeting.

Q. And that's what you ended up doing?

A. I did.

Q. All right. You've told me about your conversation with Dr. Dadabhoy. You've told me about your conversation with your dean.

Can you recall conversation or conversations with anyone else in administration either at the college or at the district regarding the substance of your article, your concerns, and Dr. Garrett?

A. I shared my concerns with the vice president of instruction.

Q. And what's that person's name?

A. Billie Jo Rice.

Q. When did you speak with Ms. Rice?

A. I think that would be after the December Board of Trustees meeting in 2022.

Q. And was that conversation in person, over the phone or through some other means?

A. Either on the phone or in person.

Q. And do you recall Ms. Rice saying anything to you about Dr. Garrett in that conversation?

Page 1258

response to my question, was that the article that was published in Kern Sol News? Was it a draft of the article or was it something else?

MR. MADDOX: Objection. Relevance.

JUDGE CHIN: I'm going to allow it. Dr. Parks was reading the article, so it would be helpful.

THE WITNESS: I had an old version on my computer of this article. And I'm now referring to the one that was published, that I've revised and sent in and was published.

MR. WILLNER: Can we go off the record your Honor?

JUDGE CHIN: We are off the record.

(Off the record.)

JUDGE CHIN: We are now back on the record.

Mr. Willner had requested a copy of Dr. Parks' draft. It was during discussions Mr. Parks indicated that draft had not been shared with any members of the Bakersfield College administration or faculty. She believed the only other individual who looked at her draft may have been her husband, who is not employed by Bakersfield College.

Dr. Parks, is that a correct statement regarding your draft?

THE WITNESS: Yes, it is.

JUDGE CHIN: As that's the case, Mr. Willner, your

Page 1260

A. She shared my concerns for my students.

Q. Do you recall her saying anything specifically about Dr. Garrett?

A. No.

Q. Do you recall her saying anything specifically about RIFL?

A. No.

Q. Have you ever received any response from anyone in the college administration or from the district regarding your concerns about RIFL and Dr. Garrett that you haven't already told us about?

A. No.

Q. And when I say "the district," I'm also -- I'm including the Board of Trustees.

Has any trustee ever expressed any opinion to you or made any comments to you regarding Dr. Garrett?

A. No.

Q. The article we've been looking at that you sent by email to Mr. Maddox, is that the same document that you began reading from when you began your answer?

A. When I began my answer --

Q. Yeah. When -- a little while ago, when this whole issue about -- when you started reading. And then we began talking about your op-ed piece.

My question is, when you first started reading in

Page 1259

request to look at this article is denied. Please continue with the questioning.

MR. WILLNER: Thank you, your Honor.

BY MR. WILLNER:

Q. Dr. Parks, earlier in your testimony in response to Mr. Maddox's questions, I think you testified that the Renegade Institute supports racism; am I correct?

MR. MADDOX: Objection. Misstates her testimony.

BY MR. WILLNER:

Q. I wasn't attempting to quote you.

Was the import of what you were saying, essentially, that you believe that the Renegade Institute supports racism?

A. I did not say that.

Q. Is that your belief?

MR. MADDOX: Objection. Relevance.

JUDGE CHIN: The objection is overruled.

THE WITNESS: What was that verb again? That it does what? What about racism?

BY MR. WILLNER:

Q. Supports racism.

A. "Supports." It's not the phrasing I would use. That's not how I would word it and put it, so I guess the answer is no, because that's not --

Q. Fair enough.

Page 1261

Let me ask it this way: Do you regard the Renegade Institute's social media site as a racist site?

A. The site itself?

Q. Well, the content of it.

A. No.

Q. Have you seen posts on that site -- and I think we're talking about their Facebook page, just so we're saying the same thing.

Have you seen posts on the Renegade Institute's Facebook page that you believe are racist?

A. They were lies.

JUDGE CHIN: The question was did you see posts that you believed were racist on the site?

THE WITNESS: Not -- I think the lies were promoting or encouraging racism.

BY MR. WILLNER:

Q. Were any of the lies that you are referring to posted by Dr. Garrett himself?

A. It said "administrator."

Q. Is it your belief that a Facebook group's administrator is responsible for all the posts, whether lies or not, that are made by other individuals?

A. The administrator of the account is responsible for what is on the page and what is posted.

Q. So is it your belief that the administrator of the

Page 1262

that you communicated to the Bakersfield College administration or individuals at the district?

A. Not the district. Yes, people on campus.

Q. For example, at the December 2022 board meeting, in your statements to the board, did you take that position, that there were lies on the Renegade Institute's Facebook page and that those lies are attributable to Dr. Garrett?

MR. MADDOX: Objection. Best evidence.

JUDGE CHIN: Is there something -- is it an exhibit, Mr. Maddox? If you could direct me to it.

MR. MADDOX: That's -- we are going to add the exhibit of the public comment portion of the December 13, 2022, board meeting.

JUDGE CHIN: Okay. But it's not currently up for me to look at it?

MR. MADDOX: Correct.

JUDGE CHIN: If that's the case, then I will allow Mr. Willner to ask the question.

MR. MADDOX: Thank you.

BY MR. WILLNER:

Q. Dr. Parks, do you remember my question?

A. Would you repeat it, please.

MR. WILLNER: Can have the court reporter read it back, please?

Page 1264

page has the responsibility to determine what posts are true and what posts are not true?

A. The administrator is in charge of the content. So if that administrator is letting other people post, the administrator is responsible for the content. That's their post. And he is in charge of the Renegade Institute. He is in charge of their page, so he is responsible for the content.

Q. Do you believe that what you considered to be lies on the Renegade Institute's Facebook page are, therefore, attributable to Dr. Garrett?

A. It's not what I consider a lie. It is a lie that courses don't allow black -- don't allow white people to register. That's not supposed. That's a lie. He is the administrator. It was posted.

Q. Okay. So let's assume for the moment -- and I don't want to get into an argument with you about what is a lie and what isn't a lie.

Let's assume for a moment that you are right and what you regard to be lies that are posted on the Renegade Institute's page are lies.

Is it your belief that those lies are attributable to Dr. Garrett as administrator?

A. Yes.

Q. Is that position that you just explained something

Page 1263

JUDGE CHIN: Reporter, can you please read the question?

(Record read.)

THE WITNESS: The answer is no.

JUDGE CHIN: Dr. Parks, is respondent, Matthew Garrett, the administrator for the Renegade Facebook page?

THE WITNESS: He was at that time.

JUDGE CHIN: Mr. Willner?

MR. WILLNER: Do you have any other questions, your Honor?

JUDGE CHIN: No. We were just referring to the administrator, and I wanted some clarity on that.

MR. WILLNER: Okay.

BY MR. WILLNER:

Q. Dr. Parks, have you ever heard Dr. Garrett utter a racial slur?

A. No.

Q. Have you ever hear Dr. Garrett utter what people euphemistically refer to as a "four-letter word"?

A. I've had very few conversations with him, so -- if any. So I don't know that we've exchanged more than a few words here and there.

Q. So the answer would be no?

A. Right. Yes. The answer is no. We've had very

Page 1265

few conversations.

Q. Back during the period of 2021-2022, how frequently would you look at the Renegade Institute's Facebook page?

A. Infrequently.

Q. Can you give me an estimate? Once a week? Once a month? Twice a month? On average.

A. Only when directed, so I guess zero times did I go to their page just to look.

Q. When you say "only when directed," directed by someone else?

A. Yes.

Q. By whom?

A. Faculty would see it and they would tell me that it was there, and then I would look and see it.

Q. Do you have any knowledge or awareness that the Renegade Institute's Facebook page has promoted videos, interviews, books, by African-American scholars?

A. I don't know the race of the people who have written articles that they have referenced.

Q. For example, are you familiar with John McWhorter?

A. No.

Q. Glenn Loury?

A. No.

Q. Thomas Sowell?

Page 1266

BY MR. WILLNER:

Q. And is it your understanding that Professor Miller is a RIFL member?

A. Yes.

Q. Let's talk about the -- well, before we get -- I was going to start talking about the EODAC meeting.

But just to kind of tie this loose end up, I think you had testified a few minutes ago that certain faculty members would occasionally direct you to the Renegade Institute's Facebook page.

Do you have any recollection as to who those faculty members were?

A. They would direct me to a post. Andrew Bond.

Q. Anyone else?

A. Perhaps, but not that is coming to mind right now.

Q. Let's talk about the EODAC meeting in October of 2021. So it's my understanding -- and correct me if I'm wrong, because I'm not the greatest note taker.

It's my understanding that you were attending that meeting to present the results of a Racial Climate Task Force survey that was -- had looked into allegations of racism as experienced by students.

Is that a fair way of putting it or --

A. No, you are not.

Q. Correct me.

Page 1268

A. No.

Q. Carol Swain?

A. No.

Q. Jason Riley?

A. No.

Q. I may be pronouncing this wrong.

Do you know something called "the Levan" or "the Levan Colloquium"?

A. Yes.

Q. What is that?

A. It is a forum for faculty to present their scholarship. It's a competitive process. You apply and you are chosen. And if you are selected, then you provide a lecture on your area of scholarship.

Q. Did you apply for that in 2021?

A. I think that's the right year.

Q. Were you accepted for that?

A. Yes.

Q. Isn't it true -- well, strike that.

Isn't it true that Professor Erin Miller gave you a pretty glowing introduction in favor of your acceptance to that?

MR. MADDOX: Objection. Relevance.

JUDGE CHIN: I'll allow it.

THE WITNESS: Yes. She introduced me.

Page 1267

A. I was proposing the creation of a Racial Climate Task Force based on my concerns from an NACCC survey that was administered by Bakersfield College's Institutional Effectiveness department.

Q. Thank you.

And what entity was it that had conducted the survey?

A. NACCC is the National Assessment of Collegiate Campus Climate [sic], a quantitative national survey of undergraduate students developed and administered by the USC Race and Equity Center.

Q. So is the NACCC a part of USC, if you know?

A. I don't think so.

Q. Okay. Does the NACCC do quantitative analyses of anything other than racial climate issues?

MR. MADDOX: Objection. Speculation.

BY MR. WILLNER:

Q. If you know. I don't want you to guess.

Obviously, it's only if you know.

A. It just says "National Survey of Undergraduate Students."

Q. And what are you reading from?

A. The slide show presentation that Craig Hayward and Sooyeon Kim presented to Academic Senate.

JUDGE CHIN: Mr. Maddox, is that an exhibit in the

Page 1269

exhibit index?

MR. MADDOX: It is not.

JUDGE CHIN: Okay. So, Dr. Parks, I'm going to direct you in the future not to look at documents unless directed to. As you can see, it does cause considerable delay, because Mr. Willner is entitled to see any documents you are referencing.

Let's go off the record.

(Off the record.)

JUDGE CHIN: We are now back on the record.

Off the record we dealt with the PowerPoint presentation and how that's going to be handled.

Mr. Willner, please continue with your questioning.

MR. WILLNER: Thank you.

BY MR. WILLNER:

Q. Dr. Parks, I think you testified earlier that when you arrived to present your proposal, the member -- you said the members were already seated.

By "members," are you talking about the members of EODAC?

A. Yes.

Q. Is EODAC -- are EODAC meetings public meetings?

A. Yes.

Q. Do you know whether there were any members of the

Page 1270

Mr. Willner, please continue.

BY MR. WILLNER:

Q. And where was Dr. Garrett seated in relation to you?

A. He would have been on the table to my left.

Q. Can you give me an estimate as to how many feet away from you he was?

A. Not very accurately, no.

Q. Okay. Do you recall how many people were seated in between you and Dr. Garrett?

A. Probably two on my row and then maybe two or maybe three on his table.

Q. So he might have been four or five people away from you to your left?

A. That's a good guess.

Q. And do you know the identities of any of those individuals who were seated in between the two of you?

A. Not without referring to my notes from the meeting.

Q. Okay. Other than public comments made by Dr. Garrett in connection with the actual meeting, do you have any recollection of --

A. What do you mean the -- I don't know what you meant by the "public comments made by him."

Q. Okay. Let me explain.

Page 1272

public present in the room?

A. I don't think so.

Q. Can you give me a rough estimate as to how many people were in the room?

A. 15 to 20.

Q. Okay. So it was not a big crowd.

And I think you testified earlier that you had invited your students and that about seven or eight attended.

Is that -- am I right about that?

A. Yes.

Q. And I think you also testified that they arrived after you did. Is that also correct?

A. Yes.

Q. So when you arrived, where did you take your seat?

A. The chairs -- the tables were in a square shape, so -- I don't know how the reporter is going to get this. So if you think of a square like this, I was seated here in the middle of one of the shapes of the square.

Q. Okay. Thank you. I think we can all picture that pretty well.

JUDGE CHIN: Let the record reflect that Dr. Parks was indicating a square with her hand, and she was pointing to the bottom side of the square.

Page 1271

Other than comments made -- strike that.

During the course of the meeting, did Dr. Garrett make any comments to the group as a whole?

A. Yes.

Q. He spoke at the meeting, correct?

A. Spoke at the meeting.

Q. Other than those comments, did you at any time overhear any conversations that Dr. Garrett was having with any other individuals at the meeting?

A. No.

Q. How soon after you arrived did your students arrive?

A. Maybe five minutes. Maybe 10. Not -- I don't think it was more than 10.

Q. And did they all arrive together, or did they sort of dribble in one at a time or two at a time or something like that?

A. They all came in together.

Q. And I think you testified that they were seated in a row behind Dr. Garrett; is that right?

A. Yes.

Q. So picturing the square that you showed us before and where you were seated, it sounds as though they were -- were there rows of seats behind you?

A. No. The window was behind me.

Page 1273

Q. Were there rows of seats behind Dr. Garrett's table?

A. One row.

Q. Other than that one row, were there any other seats behind Dr. Garrett's table?

A. One row with my students in it.

Q. Had that row been set aside for your students?

A. No. There were no chairs. There was nothing there when they walked in. I got up and there was a stack of chairs. I got up and took -- unstacked the chairs and the students helped, and we created a place for them to sit.

Q. Okay. Thank you. That really gives me a better picture of the whole thing. Thank you.

And was Dr. Garrett seated in a chair at a table, or was he seated on the table? And the only -- that might sound like a ridiculous question. The only reason I asked that is because I thought when you testified earlier -- and it may have been a slip of the tongue, I felt like you had said he was seated on a table. But was he just seated in a chair at a table?

A. Yes, at the table.

Q. And during the course of the meeting, I think you testified that Dr. Garrett and others questioned the results of the NACCC survey; is that right?

Page 1274

MR. WILLNER: I'm sorry, your Honor.

JUDGE CHIN: Dr. Parks, do not be looking at any other documents. We're going to run into the same issue. If you don't recall, you don't recall, and we can deal with that at that point.

THE WITNESS: I remember a statement -- I remember questions in general and I remember a statement he made.

BY MR. WILLNER:

Q. Let's start with the statement he made.

What's your recollection of the statement he made?

A. About the village space that I've already testified to, that either it does more harm than good or something along those lines.

Q. We'll talk about that in a few minutes.

What do you recall, if anything, about the questions he raised regarding the results of the survey?

A. Questions raised were about its validity, since it was done in COVID, about its response rate.

Q. Anything else?

MR. WILLNER: Your Honor, I think we need another instruction on --

THE WITNESS: Yes. That's the main -- that's what I remember right now.

BY MR. WILLNER:

Q. Okay. Would you agree that COVID had a major

Page 1276

A. Yes.

Q. Do you know when the NACCC survey was done that you are referring to?

A. Yes.

Q. When was it done?

A. April and May of 2021.

Q. And I think you testified earlier that Dr. Garrett questioned the results of the survey, Professor Da Silva questioned the results of the survey and maybe some others questioned it as well; is that correct?

A. Yes.

Q. Now, the survey that was done, was this a survey of students?

A. Yes.

Q. Was it a survey of students nationwide or just in California or just at certain universities, if you know?

A. Certain universities across the country.

Q. What's your best recollection of what Dr. Garrett's questions were regarding the survey?

Let me ask it this way, because I'm not sure that you testified that he asked questions about the survey: What was your understanding of the comments made by Dr. Garrett questioning the survey or questioning the results of the survey? If you remember. If you need to look at a transcript --

Page 1275

impact on universities and colleges across the country in general during --

MR. MADDOX: Objection -- I apologize.

MR. WILLNER: That's okay.

BY MR. WILLNER:

Q. -- during the period of 2021?

MR. MADDOX: Objection. Vague.

JUDGE CHIN: The objection is overruled.

Mr. Willner, I'd like to ask Dr. Parks a couple of questions, if I may.

How is -- how is anyone expected to -- Dr. Parks, was it your concern that people were questioning the results of the survey?

THE WITNESS: My concern was that they were questioning the validity of student experiences. I didn't mind answering questions about the administration or when it was done or who did it or the response rate.

I think what bothered me was questioning whether students really feel that way and if those are really their lived experiences.

JUDGE CHIN: If there were any concerns that the survey did not accurately reflect the experiences of Bakersfield College students, how else was respondent and others expected to inquire into that?

THE WITNESS: How were the committee members to find

Page 1277

that information?

JUDGE CHIN: Yes.

THE WITNESS: Beside asking me if it was real or not?

JUDGE CHIN: Right. Because, Dr. Parks, my understanding is this is a survey, a nationwide survey.

Wasn't it appropriate for committee members to inquire if this nationwide survey was actually reflective of the experience of students at Bakersfield College?

THE WITNESS: If they had very little contact with students of color, then I would understand -- then I understand their questions.

JUDGE CHIN: Mr. Willner, please continue.

BY MR. WILLNER:

Q. Dr. Parks, you testified earlier that students -- the students who accompanied you to the meeting were upset regarding what they heard and saw at the meeting, correct?

A. And felt.

Q. And felt, correct?

A. Yes.

Q. And I think you also testified that they reported to you that they didn't feel comfortable or safe. Am I right?

A. Yes.

Page 1278

Q. So then the answer would be no?

A. "No."

Q. But one or more that did report to you that Professor Jones -- what's her first name? Catherine?

A. Catherine.

Q. One of them or more reported that Catherine Jones -- let me back up for a second.

Do you recall where Professor Jones was seated?

A. Next to Professor Garrett.

Q. So it's my understanding that one or more of the students reported to you that Professor Jones whispered to Dr. Garrett something to the effect, "What the fuck are they doing here?"

A. They reported that, yes.

Q. Okay. And, obviously -- I guess, if it was a whisper, it was certainly sufficiently audible to the students, correct?

A. Yes.

Q. Did the students who heard this report to you any response that they heard Dr. Garrett give to Professor Jones?

A. No.

Q. Is it your belief that questioning the results of the survey in and of itself was racist?

A. No.

Page 1280

Q. Was that reported to you by all seven or eight of the students?

A. Yes.

Q. And what specifically was it that they reported to you that they heard or saw that made them feel unsafe?

A. The looks when they walked in, the comments when they sat down, the questions to me.

Q. And did any of them accuse Dr. Garrett of giving them looks that made them feel uncomfortable or unsafe?

MR. MADDIX: Objection. Speculation.

JUDGE CHIN: Dr. Parks -- Mr. Willner is asking for what was reported to Dr. Parks, so the objection is overruled.

Dr. Parks, did any of the students report to you that respondent ever gave them a look or made a comment that made them feel uncomfortable?

THE WITNESS: Yes.

BY MR. WILLNER:

Q. And what comment did -- was reported to you that Dr. Garrett made that made students feel uncomfortable?

A. His comment about our village space.

Q. And I think you testified -- strike that.

Did they report to you that Dr. Garrett had given them looks that made them feel uncomfortable or unsafe?

A. His back was to them.

Page 1279

Q. Is it your belief that questioning the results of the survey cast doubt on the respondents' lived experiences?

Let me ask it differently, because I used the word "respondent," and I don't want anyone to be confused.

Is it your belief that questioning the results of the survey equated to questioning the survey respondents' lived experiences?

A. There were questions specific to whether it was accurate.

Q. And is it your belief that that line of questioning was racist?

A. I think the denial of their lived experiences is racist, not simply the question.

Q. At any time did Dr. Garrett deny the lived experiences of any of the respondents to the survey?

A. I remember questions in general, so I would have to refer to my notes as to which questions were his.

Q. Is it your recollection -- putting Dr. Garrett specifically aside, is it your recollection that any of the individuals at the EODAC meeting actually questioned the lived experiences of the survey respondents?

A. Yes.

Q. Do you have any recollection as to how they did that? And before you answer, I guess what I'm saying

Page 1281

is -- let me lay some foundation to this.

Do you have any recollection as to the number of respondents there were to this NACCC survey?

JUDGE CHIN: Again, Dr. Parks, don't look at any document.

THE WITNESS: I have notes. Do you like me to look at my notes about the response rate?

JUDGE CHIN: No.

THE WITNESS: Okay.

BY MR. WILLNER:

Q. Without looking at your notes, are you able to recall enough to give me a ballpark estimate? Are we talking about 1,000 respondents? 20,000 respondents? 50 respondents?

A. I remember that during the presentation we were told that the response rate was typical.

Q. Okay. But we don't know what that means?

A. I can look at my notes. I can turn my head to the right and down and tell you the exact percentage.

Q. Okay. Is there any way that anyone at that meeting could possibly have known what an individual survey respondent's lived experience was such that they could question the validity of it?

MR. MADDOX: Objection. Speculation.

JUDGE CHIN: The objection is sustained.

Page 1282

MARCH 8, 2024 - AFTERNOON SESSION

(Thereupon, the following proceedings were held remotely, in the presence of the Administrative Law Judge, Counsel, and Respondent:)

-oOo-

JUDGE CHIN: We are now back on the record.

Dr. Parks, I'm going to remind you that you are still under oath.

Mr. Willner.

MR. WILLNER: Your Honor, as I indicated to the Court when we were off the record, I received the NACCC PowerPoint presentation from Mr. Maddox. I have a couple of questions for Dr. Parks regarding one or two of the slides.

Is it all right if I ask her to look at those slides?

JUDGE CHIN: Yes.

BY MR. WILLNER:

Q. Dr. Parks, could you please take a look at -- and just for the record, I'm referring to the NACCC survey that's in this PowerPoint presentation.

Could you take a look at slide number 3?

A. Yes.

Q. And I'm going to read from the slide and then ask

Page 1284

Actually, I've let this go on for half into our lunch period. So, Mr. Willner, I wanted to give you an opportunity to finish this section, but how much longer do you think this will take?

MR. WILLNER: On this particular point?

JUDGE CHIN: Yes.

MR. WILLNER: Well, we're talking about the EODAC meeting. Maybe another 20 minutes or so. So if you'd like to take a lunch break before, that's fine.

JUDGE CHIN: Let's go off the record. We're going to take our lunch break.

(The noon recess was taken.)

Page 1283

you a question.

Do you see the slide has sort of a red box on the left?

A. Mine is printed in black and white.

Q. Well, mine has white print with a red background. And the box I'm talking about begins "NACCC was administered to BC students."

Are we looking at the same box?

A. We are.

MR. WILLNER: So for the record, what I want to read is this: It says, quote, "NACCC was administered to BC students (N=22,792) in spring 2021."

The next sentence below it says, "In total, 1,440 students were surveyed (3.6 response rate.)"

BY MR. WILLNER:

Q. Have I read that correctly?

A. Yes.

Q. Now, I'm not expert in these things. I'm curious whether you have any knowledge as to whether a 6.3 percent response rate would be considered to reveal accurate data?

A. That meeting says that it was a good size sample and it was a typical percentage.

Q. Okay. Remind me who Craig Hayward is.

A. At the time -- his name is on the very first page.

Page 1285

And it says "Dean of Institutional Effectiveness."

Q. Did you have a conversation with him specifically regarding the response rate and the reliability of the response rate?

A. This was presented at senate and he gave that information at -- the two of them presented and shared that information at the senate meeting.

Q. Okay. Thank you.

Was there any discussion between you and Mr. Hayward or any comments by him at the senate meeting as to whether COVID could have in any way skewed the results?

MR. MADDOX: Objection. Relevance.

JUDGE CHIN: The objection is overruled.

Dr. Parks, you can answer.

THE WITNESS: So did he speculate -- do you mind reading that -- repeating the question?

JUDGE CHIN: We'll go off the record.

(Off the record.)

JUDGE CHIN: We are now back on the record.

We dealt with some sound issues that we were experiencing. And the court reporter repeated the question for Dr. Parks.

Dr. Parks, if you could answer.

THE WITNESS: No.

Page 1286

A. Yes.

Q. And what did you tell them the meeting was about?

A. That I was presenting to EODAC my proposal to form a Racial Climate Task Force.

Q. Was this EODAC meeting that was taking place irrespective of your presence to make your proposal? In other words, the meeting wasn't taking place because you had requested it. Am I right?

A. That is correct.

Q. This was a scheduled EODAC meeting. Am I right?

A. Correct.

Q. I guess at any time before the meeting did you explain to your students what an EODAC meeting is?

A. Yes.

Q. Did you explain to them that it involves a deliberative process where decisions are made by a group?

A. Not in those words.

Q. Or something to that effect.

And what -- just so you understand what I'm driving at, I'm trying to get a sense as to what -- if you know, what their expectations were of this sort of meeting apart from your involvement in it.

A. I explained to them what EODAC -- I explained to them it was a committee meeting of faculty, staff and

Page 1288

BY MR. WILLNER:

Q. Okay. Thank you.

Those are all my questions with respect to the survey.

Dr. Parks, I'd like to ask you -- going back to Professor Jones' whispered comment to Dr. Garrett at the EODAC meeting, at any time after she made that comment or after the meeting, did Dr. Jones -- did Professor Jones ever approach you regarding her comment to try to explain it to you?

A. She emailed me about the comment.

Q. Okay. And what was the gist of that email, if you remember?

A. One email was asking to meet with the students and explain to them what she meant.

Q. And did you respond to that request?

A. Yes.

Q. What was your response?

A. That the students were not interested in having a conversation with her about her comment.

Q. Okay. Prior to the EODAC meeting, what did you explain to your students was the purpose of the meeting? And what I mean by that isn't your purpose in being there. Did you explain to them what the meeting itself was about?

Page 1287

administration, and they were going to listen to my proposal.

Q. Did you ever -- did you have any kind of conversation with them that they might expect to hear debate on certain issues?

A. Discussion.

Q. Did you explain to them that they might hear questions or comments that they might find disagreeable or offensive or that they might not understand?

A. Not in those words.

Q. In similar words?

A. I told them there would be a discussion about my proposal.

Q. Did you indicate to them that there might be opposition to your proposal?

A. Yes.

Q. And that they might -- that they could expect to hear questions and comments that might disagree with your proposal?

A. Yes.

Q. Now, I think you testified earlier that the comment made by Dr. Garrett that your students reported to have found uncomfortable or unsafe was his comment -- his negative comment regarding the village space. Am I right?

Page 1289

A. Yes.

Q. Do you generally recall what he said about the village space?

A. What I previously testified to, that it was along the lines of -- and I could check the article, because it was in one of the articles -- does more harm than good or more negative than positive, or something along those lines, which I could look up and give you the exact wording.

Q. And, honestly, I wasn't working for the exact words. I wanted the gist of it. And I think you gave it to me.

So was the village space supposed to be a, quote/unquote, "safe space" for your students?

A. Yes.

Q. Are -- the phrase "safe spaces" is -- strike that.

Is it your understanding that the phrase "safe spaces" is something that's been heard more and more frequently in academia over the past 10, 15 years or so?

A. Possibly.

Q. And when people -- when you've heard the term "safe spaces," would you agree that they haven't only been used in connection with racial groups? For example, there are gender-based groups that have talked about safe spaces and other groups that might fall into

Page 1290

comfortable.

Q. Okay. And I appreciate that. And I thank you for explaining that to me, because, as I said earlier, "safe spaces," quote/unquote, has become a term of art. And it's not clear to me that you ever presented the village space as a safe space the way it's necessarily understood in other contexts.

And I realize that wasn't a question. That was sort of my observation.

Is there anything that you disagree about what I just said?

A. I think that's a term that you brought into the discussion. It's the village study space.

Q. Okay. When Dr. Garrett questioned whether the village space might do more harm than good, do you know what he was talking about?

A. Not specifically.

Q. Did -- do you have any recollection of him explaining why he even raised the question? In other words, why it might do more harm than good?

A. He posted something on Facebook, but in that meeting he didn't elaborate.

Q. Did he post something on Facebook or did -- was that -- did somebody else post it on the Renegade page?

A. The administrator.

Page 1292

protected classes that have also talked about safe spaces?

A. Well, the term "safe space" is not part of the Umoja practice. I'm just saying that they consider the village space a space of studying, a space of community, a space of conversations. And that in that space they feel safe.

Q. I think I understand.

Was the village space ever presented as a, quote/unquote, "safe space" to the Bakersfield College community?

MR. MADDIX: Objection. Speculation.

JUDGE CHIN: Mr. Willner, if you could please rephrase the question.

MR. WILLNER: Yes.

BY MR. WILLNER:

Q. Dr. Parks, did you ever express the village space to be a, quote/unquote, "safe space" for your students?

A. Not as a primary function. I mean, you are introducing this term. This isn't a term that I've used predominantly to discuss the village space. It's a place where they do feel safe, but they study. They are in community. When I have speakers, the speakers are there. When we have club meetings, the club meetings are there. And it's a place where they feel

Page 1291

Q. Posted it? Okay.

And was he the administrator at the time?

A. I think so.

Q. Prior to the EODAC meeting, did you have any discussion with your students, whether at a porch meeting or elsewhere, specifically regarding Dr. Garrett?

A. Specifically as in focusing on him?

Q. No.

Did you ever mention him to your students prior to the EODAC meeting?

A. Yes.

Q. In what context?

A. In the context of the Renegade Institute for Liberty.

Q. And what did you say about him to your students?

A. That he was the head of the Renegade Institute for Liberty.

Q. Why did you bring him up at all to your students prior to the EODAC meeting?

A. The Facebook posts.

Q. What did you tell your students about the Facebook posts prior to the EODAC meeting?

A. I showed them the Facebook posts.

Q. And why did you do that?

Page 1293

A. I like my students to know what's going on around campus and -- period.

Q. Were these -- the Facebook posts that you showed your students, did those specifically relate to the village space issue?

A. That was one that was posted, yes.

Q. Did you tell your students who were going to attend the EODAC meeting that they might expect to hear negative comments from Dr. Garrett?

A. No.

Q. Did you tell your students that they might expect to hear negative comments from other Renegade Institute faculty who might be at the meeting?

A. I don't know if I said for Renegade Institute members, or maybe just in general what they might expect to hear based on what I had heard at senate.

Q. Would it be fair to say that you warned your students that they might hear comments at the EODAC meeting that were negative toward either -- toward your proposal or village space issues or perhaps other issues that you felt were important?

A. Towards the Racial Climate Task Force.

Q. Okay. Earlier in your examination by Mr. Maddox, Mr. Maddox showed you a Fox News article dated January 17th, 2023.

Page 1294

Q. Was it KGET? Was that one of them?

A. Is that the one right across from the district?

Q. I have no idea.

A. If that's the one right across from the district office, then that was one of them.

Q. Did you reach out to these outlets, or did they reach out to you?

A. They reached out to me.

Q. Was Jose Gaspar one of the reporters who interviewed you?

A. Yes.

Q. Did he contact you, or did you contact him?

A. He contacted me.

Q. You testified earlier that one of the Renegade Institute Facebook posts that you found objectionable was one in which, whoever the author was, encouraged people to go to the village space to see if they would be turned away. Am I right?

A. Encouraged white people to go.

Q. Encouraged white people to go to see if they would be turned away?

A. Yes.

Q. Did any white people show up, to your knowledge, in response to that?

MR. MADDUX: Objection. Speculation.

Page 1296

Do you remember that?

A. What was the headline?

Q. I don't remember what the headline was. I just remember it being a Fox News headline having to do -- well, I don't want to characterize it. It was a Fox News article. And I wrote down the date as January 17th, 2023.

Do you recall Mr. Maddox showing that to you?

A. What was the headline of that?

Q. I think it had to do with the race hoax issue.

A. Yes. I recall.

Q. Okay. Prior to January 17th, 2023, had you given any interviews to the press regarding Dr. Garrett or the Renegade Institute or any of these issues?

A. Yes.

Q. Who did you give interviews with?

A. Two local TV stations. One -- and two print outlets.

Q. Do you recall which ones?

A. One was, I think, Inside Higher Ed. I don't remember the other print one. I could find it, but I'm discouraged from doing that. I'm sure it's right here next to me. The TV station one was KBAK. And I don't remember the letters of the other one. They were both Bakersfield stations.

Page 1295

BY MR. WILLNER:

Q. Obviously only if you know.

A. I was told by someone that there were -- that someone came by.

Q. And was that person turned away, if you know?

A. Like, not allowed to come in? Like, I don't --

Q. Well, you testified earlier that the Facebook post encouraged white people to go to the village space to see if they would be turned away. So I guess by "turned away" we mean would be denied access, not allowed to enter, something like that.

A. I was told somebody came by asking questions.

Q. And do you know what the response was to that person?

A. The questions were answered. I didn't get a play-by-play of the conversation, but someone came by who was not familiar and was asking questions.

Q. Did that -- to your knowledge, were you told that that person caused any trouble?

A. Trouble?

Q. That's a general word.

Let me ask it this way: Was it reported to you that that individual was threatening in any way?

A. No.

Q. Was it reported to you that that individual was

Page 1297

nasty or mean in any way?

A. Nasty or mean? No.

Q. I gather you weren't there at the time, correct?

A. I was not.

Q. Was it reported to you that the person was invited in to participate in the village space?

A. Well, students were studying, so I don't understand -- by "participate" -- I don't -- it wasn't like a meeting. People were studying, so there's nothing to participate in.

Q. Okay. Fair enough.

Is it your understanding -- was it reported to you that once the person's questions were answered, that individual left?

A. They left.

Q. And do you know the name of that person?

A. No.

MR. WILLNER: Dr. Parks, those are all of my questions. Thank you very much for your time.

THE WITNESS: You are welcome.

JUDGE CHIN: Mr. Maddox, any questions for this witness?

MR. MADDOX: Yes, your Honor.

MR. WILLNER: I'm sorry, your Honor, before Mr. Maddox starts, can we just go off for about three minutes.

Page 1298

California and each of those have a regional coordinator. And then there are a few programs in Washington State. And then there's the statewide office. At the statewide office there's a program director and then there's a CEO of the organization. There's a board of directors.

Q. Did you say Washington State?

A. Yes. There are three programs in Washington State and all of the rest are in California.

Q. Okay. Do you know whether any of those levels -- I'm just going to say above the college campus level. Do you know whether any of those Umoja -- people from those Umoja levels reached out to the district about what was going on with Dr. Garrett and RIFL on the campus in 2022?

A. Yes. I shared with the statewide organization and my regional coordinator some of the challenges that I was having. And the statewide office did write a letter to the Board of Trustees and administration -- campus administration about their concerns about the program and about his ability -- or RIFL's ability to use campus space and have an account at the foundation. And the degree to which it looked like the campus was supporting his -- the RIFL's programming efforts.

Q. And did you tell -- was it the state level of the

Page 1300

JUDGE CHIN: Yes, let's go off the record.

(Off the record.)

JUDGE CHIN: We are now back on the record.

I actually recall that there was an issue that I did want to address. There was a request to observe the hearing made by Michael Einhaus. I was advised by respondent's counsel, Mr. Willner, that Mr. Einhaus may potentially be a witness. I advised Mr. Willner if that decision is made to make him a witness, Mr. Einhaus could not be present to watch the hearing; however, if Mr. Einhaus is not going to be called, that Mr. Willner, for respondent, could forward the invitation link to Mr. Einhaus so he could watch the proceedings.

With that, Mr. Maddox, please proceed with your questioning.

MR. MADDOX: Thank you, your Honor.

REDIRECT EXAMINATION

BY MR. MADDOX:

Q. Dr. Parks, there was a -- well, let me ask you this: Do you know -- are there different levels in the Umoja program? And when I say "levels," you know, is there a college campus level, maybe a regional level, a state level, a national level?

A. Yes. There are program coordinators at the campus. There are seven regions in the state of

Page 1299

Umoja program that did that?

A. Yes. It was the CEO of the organization.

Q. And did you tell the CEO what the CEO should write to the district?

A. No. I didn't tell him what to write. He was actually transitioning on and being hired during some of this process, so I was also working with the board and letting them know what was going on. And the chair, the board and I were discussing, and she wrote the letter with their concern, shared it with the board. And then when Dr. Mayes was hired, shared it with him and he signed it.

Q. And why did you reach out to the state level of Umoja?

A. One was that my students were traumatized. In Umoja we put students first. We're here for students. And if something is impacting our students, the regional coordinators need to know, the statewide organization needs to know. And they need to be able to work with administration to resolve whatever issue there is.

So -- and the comments on the Facebook post where he is the administrator were also maligning the statewide organization. So there was lies about the statewide organization. So the statewide organization had to become involved, because he was also -- he wasn't

Page 1301

just attacking BC's program. He was lying about the statewide organization.

Q. What did the Facebook post say?

A. The ones that said there were classes that white people couldn't take, that's a lie. That's against the mission statement. It's not consistent with the organization. It's not consistent with our founding, how he characterized village space. He said the organization was a militant black nationalist organization. And that's not true.

So he is maligning the statewide organization, and we are a line item on the chancellor's budget, so those kind of lies have an impact. They have an impact on how we're seen, our reputation and potentially our funding.

Q. And when you are talking about the Facebook post that referenced the village space, was that Facebook post made before or after the October 2022 EODAC meeting?

A. That was before.

Q. And so I think Mr. Willner asked you if you knew what Mr. -- or Dr. Garrett meant during the EODAC meeting when he referenced the village space. What was your interpretation of what he meant when he spoke at that meeting and referenced the village space?

A. I would -- at minimum, it showed a lack of

Page 1302

22,792 students in spring of 2021. And 1,442 students participated, which is a 6.3 response rate.

Q. So where it says "NACCC" -- let me show you.

Can you see my screen?

A. Yes.

Q. So here on slide 3 in the box on the left-hand side, where it says, "NACCC was administered to BC students in spring of 2021," does that mean that the survey was administered to Bakersfield College students?

A. Yes.

Q. So were the results of the survey that you were presenting to the EODAC results from the survey that was conducted on Bakersfield College?

A. Yes.

Q. Now, there were nonmembers present at the EODAC meeting that you attended in October of 2022, right?

A. Members who are not on EODAC?

Q. Yes.

A. I don't know.

Q. Do you know the difference of the attendees, who was a member of the committee and who was not a member of the committee?

A. I think most of them were members. Certainly, only those who voted were members.

Q. All right. And did you have an understanding of

Page 1304

understanding of students' experiences. And as a faculty member, kind of being out of touch with what students need, what they go through. A misunderstanding about the purpose of the space, a misunderstanding about the value of the space, the need that students have to form community and how that impacts their success -- positively impacts their success. There are numerous studies on it. Doing the research is not difficult.

Q. Do you remember the slide number 3 that Mr. Willner showed you during cross-examination?

A. From the survey?

Q. Yes.

Please don't look at notes, just from your memory.

Do you have the slide show there?

A. Yes.

Q. So page 3 of the slide show that he showed you.

A. Yes.

Q. And then in the box on the left-hand side, there was a reference to a survey done at BC.

Do you see that?

A. In total, how many participated and --

Q. In the left-hand side there's a box.

A. Yes, I see that.

Q. And what does that box say?

A. That the survey was administered to BC students,

Page 1303

whether Dr. Garrett was attending as a nonmember, who was interested in the subject, or who was attending as a voting member?

A. He was a member.

Q. Now, when you were presenting the results of the survey as part of your presentation, were you asking the committee to vote on accepting the results of the survey?

A. I was asking them to -- no, I was not.

I was asking them to give their "blessing," quote/unquote, to the Racial Climate Task Force as a recommendation to the Academic Senate.

Q. And were you present for the vote on the -- on whether you could move forward to the senate with the idea of a Racial Climate Task Force?

A. Yes, I was.

Q. Okay. And did you see the individual members' vote?

A. Yes.

Q. Did Dr. Garrett vote in favor or against the Racial Climate Task Force?

A. Against.

MR. MADDOX: Those are all the questions I have, your Honor.

JUDGE CHIN: Mr. Willner, any follow-up?

Page 1305

MR. WILLNER: No, your Honor.

JUDGE CHIN: Dr. Parks, I have a few questions. This is in regards to the EODAC meeting where the task force was being discussed.

Having briefly reviewed the letters of the students, it seems that the two issues -- or actually the main issue that was discussed is the fact that the survey results were questioned by EODAC members.

My question to you is, is the discussion of -- isn't hearing opposing views part of academic discourse?

THE WITNESS: I don't know that I agree that their main concern were the questions that were asked.

JUDGE CHIN: So what, in your opinion, were the main concerns in -- from your recollection?

THE WITNESS: How they were looked at, how they were treated and next -- how they were looked at, how they were treated, how they saw me as being treated, and then the questions.

JUDGE CHIN: And this is -- and I understand that it's a more amorphous type -- kind of response. But what exactly did they say -- did the students say they were looked at and how were they treated? Were they able to describe anything concrete other than the statement by Professor Jones to Professor Garrett?

THE WITNESS: The looks -- they felt that they were

Page 1306

THE WITNESS: I think I was prepared for their questions and comments more than the students were. And I was prepared -- they weren't prepared to have me spoken to in that tone.

JUDGE CHIN: And then let's turn to the questions -- and this is irrespective of how the students felt.

Did you feel any of the questions that were being posed to you were inappropriate?

THE WITNESS: That's hard to have a yes-or-no answer. I think some of the questions -- some of the questions I didn't object to. Some of the questions I did.

JUDGE CHIN: So has it been your experience -- in your experience in committees and senate meetings, that these meetings can become contentious and spirited?

THE WITNESS: Yes.

JUDGE CHIN: Those are all my questions.

Mr. Maddox, do you have follow-up?

MR. MADDOX: Yeah. Thank you for those questions, your Honor. It did prompt another question in my mind, if I could ask it.

CONTINUED REDIRECT EXAMINATION
BY MR. MADDOX:

Q. Dr. Parks, after that EODAC meeting, at any point in time did you tell or insinuate to those students who were there that what they had experienced at that

Page 1308

given dirty looks. I think the fact that when they came in I was the only one who got up to get them chairs, and there were other people and men who were closer and no one was helping them, except me. They noticed that.

And then they said the looks that they got, the comment that they heard. Professor Garrett didn't counter the comment. He didn't say, "Well, of course they should be here. They are students. We want students." He didn't dispute her comment. And I think that bothered them as well.

And you can just kind of sense how welcome you -- a person is or isn't, and they felt it. And then, of course, the questions as well. But yes.

JUDGE CHIN: Again, Dr. Parks, I understand there was a general feeling in a sense. And I'm asking you to put those aside so that I can just focus on the actual actions that took place.

So you also said that they -- another part of the concern is about how you were treated. What exactly about the way you were treated at the EODAC meeting -- did you feel that you were treated poorly at the EODAC meeting?

THE WITNESS: Not worse than I was treated at the senate meeting when I presented my idea before.

JUDGE CHIN: And --

Page 1307

meeting had been based on their race?

A. I did not tell them that, no.

MR. MADDOX: That's my only question, your Honor. Thank you.

JUDGE CHIN: Mr. Willner?

MR. WILLNER: No further questions, your Honor.

JUDGE CHIN: Thank you.

Thank you, Dr. Parks.

THE WITNESS: You are welcome.

JUDGE CHIN: You are released.

MR. MADDOX: Thank you, Dr. Parks.

THE WITNESS: Thank you.

JUDGE CHIN: Let's go off the record while you call your next witness, Mr. Maddox.

(Off the record.)

JUDGE CHIN: We are now back on the record.

Ms. O'Hare-Anderson will be conducting examination of this next witness.

Dean McCrow, if you would please raise your right hand.

RICHARD MCCROW,
called as a witness, after being duly sworn,
was examined and testified as follows:

JUDGE CHIN: Please state and spell your name for the record.

Page 1309