

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

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LATESHA GONZALES, a single woman,)
)
 Plaintiff,)
)
 vs.) No. 04-2-09023-2
)
 KILLEBREW/DALTON, INC., d/b/a)
 CROWN COLLEGE; and DOES 1 through)
 10,)
)
 Defendants.)

DEPOSITION UPON ORAL EXAMINATION OF MARY ANN BARDONI-BARBE

3:00 p.m.
Monday, September 26, 2005
8739 South Hosmer
Tacoma, Washington

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(No exhibits marked for identification.)

1 MARY ANN BARDONI-BARBE, being first duly sworn by the Court
Reporter, testified as follows:

2

(Deposition commenced at 3:18 p.m.)

3

4

EXAMINATION

5 Q Would you please state your name for the record.

6 A My name is Mary Ann Bardoni-Barbe, it's B-a-r-d-o-n-i,
7 hyphen, B-a-r-b-e.

8 Q What is your address?

9 A Currently I'm at, we moved not too long ago, 7006
10 279th Street East, Graham, Washington 98338.

11 Q Where is Graham?

12 A It's rural Pierce, the other side of Puyallup heading
13 towards Mt. Rainier.

14 Q Have you ever had your deposition taken before?

15 A No.

16 Q The purpose is, I'll ask questions or be asking
17 questions that are transcribed by the reporter, and
18 you give answers and she'll transcribe, write down the
19 answers as you give them.

20 You'll be given the chance, if you wish, to read
21 the transcript when it's done to make sure it comports
22 with your understanding or recollection of your
23 testimony. She's pretty accurate but, nonetheless,
24 people often take advantage of the opportunity to do,
25 and that's read it.

1 The reason we have subpoenaed you is because you
2 have been listed as a witness by the attorneys for
3 Latesha Gonzales in a lawsuit that's pending in Pierce
4 County. I don't know what your testimony will be.

5 And to shortcut this whole process, I'll ask you:
6 What is it your understanding that you have knowledge
7 of that is of some import or benefit to the
8 plaintiff's case that would list you as a witness?

9 A I think my connection would be that at one point I
10 used to teach for Crown College.

11 Q Yes.

12 A And I do believe it's the late 2001, early 2002 time
13 frame I taught several classes, just two classes for
14 Crown.

15 Q Which classes did you teach?

16 A I remember teaching -- my first class was in the human
17 resource management program and then I believe that
18 the second course was something to do with public
19 administration.

20 Q Did you enjoy your time teaching?

21 A I do and I don't. I say that because I enjoy
22 teaching, that's one thing I do enjoy, whether it's
23 enjoying the curriculum of teaching versus the
24 physical location. So yes, I do enjoy teaching. I
25 enjoy seeing students achieve. So in that respect,

1 yeah.

2 Q Did you teach here at the school? Was it online?

3 A It was here. In fact, it was the classroom right
4 behind us and the classroom right downstairs, so it
5 was the Crown College with the -- I guess they call it
6 the Cloud Room.

7 Q Is that photographed and it is sent out over the
8 Internet?

9 A We didn't have photographs in 2001-2002. It was
10 strictly microfilm.

11 Q Following up on an earlier with question, yes, I do
12 believe that the reason you were listed as a witness
13 is because you were an instructor here.

14 But my question is: What's your understanding of
15 what beyond that you can bring?

16 A Other than being an instructor for Crown?

17 Q Yes.

18 A Can I confer with Alphonso and his crew for a minute?
19 Because I have a question I need to ask them before I
20 answer that. Not that it's important, I just want
21 clarification.

22 Q That's fair because it'll move things along.

23 (Brief recess.)

24 A Currently I am employed with another university within
25 the area and I think this is the role, as well as

1 being a one-time instructor for Crown.

2 I work now in an education plan in dealing with,
3 once again, teaching, as well as advising students,
4 and part of that advising is career planning or, as I
5 say, education planning.

6 And part of that comes into play that when
7 students come to see me, because we're building an
8 associate's degree into a bachelor's degree and,
9 hopefully, into a master's degree, so part of what I
10 see, outside of my role as an instructor, but part of
11 what I see is students coming to different schools and
12 trying to build on their degree to go forward into a
13 bachelor's or master's program.

14 Unfortunately, the problem with that is that the
15 transferability of Crown's credits being a nationally
16 accredited institute are limited in transferability,
17 and I think that's the concern and the issue.

18 Q And what is your understanding of this issue, and by
19 "this issue," the transferability of credits?

20 A The education community is very complex and there's
21 many different education opportunities out there. To
22 narrow it down, there's really two accreditations
23 within the academic window, ones being regionally
24 accredited institutions and the others being
25 nationally accredited institutions.

1 The regionally accredited institutions, I'll talk
2 there first, those are institutions and colleges --
3 the regional accreditations can come from many --
4 Northern, Central, Western, Southern. I mean, there's
5 just about, I want to say, eight or nine major
6 regional accrediting bodies.

7 And what those mean are those schools that have a
8 program that the breadth of the information is really
9 just that, the breadth of the information. It's a
10 combination of everything from your humanities, your
11 social science, your natural science, your physical
12 science, your electives, your majors. It's very
13 complex. Those schools that offer regional
14 accreditation have that have breadth, they have that
15 academic stature.

16 In that, when schools go to pass or admit students
17 or accept students for transfer, they're looking at
18 that academic breadth to, once again, to move through
19 the academic community or through the education
20 community.

21 So when you look at a regionally accredited
22 school, part of that gives you the breadth of being
23 able to transfer your academic portfolio, so to speak,
24 from one school to the others because of the
25 accreditation that guarantees that breadth of

1 education.

2 In a nationally accredited institution, the
3 schools that are nationally accredited, they have the
4 breadth, but they also what you call stovepiping. A
5 stovepiping, to my understanding, would be is if
6 they're only teaching in one department, they pretty
7 much stay in that one discipline.

8 In my dealing with Crown, and once again I'm
9 trying to think of any one program that they offer
10 now, but I know they have a national accreditation.
11 What that leads to is the fact of the transferability
12 from a nationally accredited institute into another
13 school is very limited because schools don't take
14 national accreditation, although some do, but it's not
15 the broad stroke of all schools.

16 That's the best way I can say it.

17 Q Have you seen issues of the acceptance of credits
18 occurring between regional schools? For example, I
19 think it's ACCSTC versus regional look just at
20 regional. If you've got two regional schools maybe in
21 different parts of the country, different sectors,
22 have there been any issues and are there any issues of
23 transferability between those institutions?

24 A Regionally accredited schools because -- yes and no.
25 It's very complex. Good point.

1 English, let's just do English. Let's just say
2 you came from the east coast to the west coast and
3 you're taking an English course and the school that
4 you currently took it from, you took that course from
5 -- let's just say they gave you that English in a
6 humanities area. Now here you are on the west coast
7 and you want to transfer that same program. It's up
8 to the gaining institution as to how they'll transfer
9 the classes.

10 So maybe in that case it was a humanities, but
11 maybe you come here and it's not going to fall into
12 the humanities, it may fall into a basic subject or a
13 general elective. So will it transfer equally from
14 school to school? Not necessarily. Will it transfer?
15 Generally yes. But into the academic program, it's up
16 to the gaining institute on how to accept those schools
17 as credits.

18 Q Have you seen instances where ACCSTC schools enjoyed
19 some credit given based on the discretion being
20 exercised by the receiving or gaining institution?

21 A So you're asking the school transferring the credits
22 to a regionally accredited school. Once again it goes
23 back to that next school to the acceptance of how
24 they'll accept the credits.

25 Q Is it in their discretion typically?

1 A Yes.

2 Q Isn't it true that there is, I'm guessing this, that
3 there's politics going on on the part of regionally
4 accredited schools in terms of any unwillingness to
5 exercise any discretion? It may not be true. I'm
6 just asking.

7 A I'm just thinking. I'm thinking from what I see in
8 working with the education community, I don't -- I
9 would say -- I can't say yes, I can't say no because I
10 don't know because you use the term "politics" and
11 that's very obtuse.

12 Q Politics are obtuse.

13 A I just know generally when you look at schools and
14 educations and transferring college or credits,
15 they're looking for the accreditation from the
16 previous school to be that of somewhat the same
17 transferability, that academic rigor.

18 Q When you were at Crown, isn't it safe to say that you
19 had a good relationship with the people at Crown?

20 A I think so.

21 Q And that you didn't see anything when you were at
22 Crown that struck you as a deliberately deceptive or
23 dishonest practice?

24 You're sharing that with Karen. I want your
25 answer.

1 MS. LUNDAHL: I object as a leading question.

2 Q You can answer it. They don't control you. You just
3 have to give your testimony.

4 A I will rely on them because that is -- that could
5 go -- that is. That's too leading.

6 Q Who were the admissions reps while you were here at
7 Crown?

8 A I could not tell you who the admissions reps were. I
9 worked mostly with -- he's in that office. Mr. Drury.
10 He was my main point of contact. And then there was
11 one other gentleman that was mostly here in the
12 evenings when I was here and he was with the CJ and I
13 can't remember his name. Mr. Drury was mostly the
14 person I worked with.

15 Q Did you have a good relationship with Mr. Drury?

16 A I thought so.

17 Q And what position did Mr. Drury hold?

18 A At that time I know he was in charge of hiring
19 faculty. I do believe he had a relationship with the
20 guidance of the students, so their program advisor or
21 their academic advisor, I think he had that role as
22 well. So I think he had a couple roles.

23 Q How long have you been working in post-secondary
24 education?

25 A For five years now.

1 Q Where at?

2 A Do I have to say? I am with the Chapman University
3 College.

4 Q That's nothing to be embarrassed about. That's a good
5 school.

6 You received your education there, didn't you?

7 A Yes, I did.

8 Q Didn't you get a master's degree there?

9 A Yes, I did.

10 Q In what?

11 A Organizational leadership.

12 Q Where are they located?

13 A The main campus is in Orange, California, it's a
14 regionally accredited institution, and we have
15 satellite campuses at the McCord/Ft. Lewis office.

16 Q Didn't you do something involved with teaching there
17 before you came to Crown? It looked like there was an
18 advisor status?

19 A Well, at the time I was with Chapman, I was also -- I
20 use the term moonlighting and teaching a class here.
21 So I was employed with them advising at that time,
22 yes.

23 Q So it's safe to say, I think from what you've said,
24 and correct me if I'm wrong, you didn't attend the
25 enrolling of the student between the student and

1 Crown?

2 A Exactly.

3 Q So you don't personally know what was said?

4 A That would be fair to say, yes.

5 Q Did you get to know Jessie McMullin?

6 A Can I ask for a physical description? I'm better at
7 faces than I am at names.

8 MR. EDMUNDS: Off the record.

9 (Discussion off the record.)

10 A Is it a male or female?

11 Q Do you remember an Aubrey? Angela? Is it safe to say
12 you didn't have a personal relationship with the
13 person --

14 A Yeah. I can name a few. I remember a -- I can tell
15 you where they sat. I remember a Joel. Aubrey rings
16 a bell. Tall blond girl, I think.

17 Some of the other issues, too, some of the
18 students actually had classes and some were online.

19 Q But it's safe to say that you didn't attend any
20 enrollment sessions where someone was being advised
21 about the school before they enrolled?

22 A No.

23 Q And have you reviewed any of the written materials
24 generated by Crown in terms of that which they shared
25 with students who are enrolling?

1 A No.

2 Q So you haven't seen what Crown says about the
3 transferability of credits?

4 A No, I have not.

5 Q Did you leave on good terms?

6 A I don't know. It's up to Crown. I don't know.

7 Q Try this. From your vantage point was it good terms?

8 A I like to think so, yes. Faculty generally are hired
9 per course. And although I taught two courses, I
10 never was asked to come back for another course.
11 That's not to say I did a good or bad job. But
12 whether or not those courses were continued in the
13 program or my expertise was no longer needed, I can
14 only assume because I did not hear anything
15 derogatory.

16 Q What's your best estimate of how the plaintiff's
17 attorneys found you? In other words, you have been
18 named. You taught here for one or two years. How did
19 you end up here on a witness list, would you estimate?

20 A I would say it was published knowledge, the fact that
21 there was an issue going on with Crown.

22 Q Understood. Did you respond to that?

23 A In that way.

24 Q Did you call them?

25 A Yes.

1 Q What did you say to them?

2 A I just let them know that at one point I was an
3 instructor with Crown College and --

4 Q And what else?

5 A And basically that I was an instructor with Crown
6 College at that time frame and how could I help them
7 or what is it they're trying to -- maybe I have some
8 information, I don't know.

9 Q Understood. Did you think that there was something
10 broken? That's a colloquial phrase.

11 But to generate the motivation to call someone
12 involved in a lawsuit, and I'm looking at you
13 personally, and it doesn't -- you just look like a
14 very matter-of-fact person who does a good job at what
15 she does, and I'm trying to figure out what motivated
16 you.

17 Someone might call, for example, if they thought
18 something was wrong.

19 A Okay. Can I ask Alphonso a question?

20 Q No, not on this one. It's a fair question.

21 A I would say I'll go back to the same issue, that the
22 issue would be working in the academic community we do
23 from time to time get students that will want to go
24 further their education and it's -- I am very
25 committed to my students and it's very frustrating

1 when you see someone spend a lot of money for two
2 years or four years of an education and then to say
3 I'm sorry, we can't help you with this because the
4 transferability of your degree is limited and not
5 accepted by our institution. Whether or not other
6 institutions take it, they're out there.

7 But that's part of the frustration. The look in
8 somebody's eyes when you say, You just spent a lot of
9 money and time and it's very limited in where it can
10 take you.

11 And I've had several students, I could say
12 prospects, come in and inquire about furthering their
13 degree, from master's degrees to bachelor's degrees,
14 and I've had to look them in the eye and say, I'm
15 sorry, I can't help you with this.

16 That's part of what motivated me because it is
17 very frustrating to tell someone that you learned a
18 lot of information, but the building on that is
19 limited in trying to continue on with certain schools.

20 Q And in the instances you gave me of people who came to
21 you that, it sounds like, struck a chord with you,
22 were they from Crown or from other schools?

23 A Yes.

24 Q Both of them?

25 A Yes, Crown. And I don't have all their names. I have

1 basically recollections. But at least -- I'd say over
2 the course of a year, probably about two or three a
3 year that were calling me about Crown College. Mostly
4 phone calls. They're looking to find what they can do
5 with their degree.

6 Q Do you remember any names?

7 A I'm good at faces, but not names.

8 Q My job is just to ask questions. If you don't
9 recollect or can't, don't worry about it.

10 A I just know one middle-aged lady, I think her name is
11 either Maggie or Margie, and this was in 2003, and she
12 came in and she was looking to build on her degree.
13 And someone had told me she had ended up being a
14 waitress working at a restaurant in Puyallup, but I
15 don't know her personally, so I don't know.

16 Sometimes they don't even leave their name.
17 Sometimes they just call to say I'm inquiring. So
18 some of them are just general, I'm here, I'm trying to
19 find out, and I don't get their names sometimes or
20 sometimes they give false names.

21 Q Is there a bill pending before the Congress in
22 Washington, D.C., to your knowledge, that relates to
23 the transferability of credits as it pertains to the
24 ACCSTC and regional universities?

25 A That I could not tell you. I'll be honest with you, I

1 have not heard about that.

2 MR. EDMUNDS: Off the record.

3 (Discussion off the record.)

4 Q What type of degrees does Chapman offer?

5 A We have master's degrees and we have bachelor's
6 degrees. Master's degrees in psychology, marriage and
7 family therapy counseling, we have master's degrees in
8 human resource management, and we have master's
9 degrees in organization leadership.

10 Q How about bachelor's?

11 A Bachelor's degrees in organizational leadership. But
12 these are campus by campus. This is the local campus.
13 The main campus in Orange County, once again it's more
14 extensive to include even a law degree program
15 doctorate.

16 Q Would a criminal justice degree from Tacoma Community
17 College transfer to you?

18 A The DTA or plain associate's.

19 Q Associate's.

20 A Well, once again, there's different kinds.

21 Q So the question doesn't have a clear answer. It's
22 something you have to look at, isn't it?

23 A Exactly, because it goes to the same thing. I'll just
24 give you a synopsis. A four-year degree is basically
25 41 classes. Junior college -- I'd say 40 to 41, it

1 can even be 43, it just depends on how many credit
2 hours. Junior college teaches the first two levels,
3 general education. General education is about 20-some
4 classes.

5 Then you're also talking credit hours varying.
6 You're talking semester credit hour, you're talking
7 quarter hours. Once again, big difference.

8 So if you're looking -- a lot of schools in the
9 area have what's known as a DTA, direct transfer
10 agreement. Direct transfer agreements mean that
11 schools have an articulation agreement with the junior
12 colleges on their transferring to their programs.

13 So if you're talking from Tacoma having a direct
14 transfer agreement, that would be something different
15 than having a plain associate's degree. Because what
16 it means is -- let's just say you're going to transfer
17 in and let's just say you're a social science class
18 short, but because you have a direct transfer
19 agreement, schools would honor that regardless if
20 you're short that class in the fact of having done
21 your two years of general education. So it would vary
22 as to where you're at.

23 And then, too, it's up to the gaining institution,
24 going back to how the transferability of those courses
25 -- if you don't have a DTA, direct transfer agreement,

1 it would depend then, too, on the gaining institution
2 and the transferability of those credit classes into
3 the program.

4 Q And unless it's an onerous description or a number,
5 with whom does Chapman have a direct transfer
6 agreement?

7 A Currently I would say Pierce.

8 Q Pierce College?

9 A Pierce Community College. Locally or how far out do
10 you want to go? I'd really have to have my
11 computer --

12 Q Stick with the state of Washington for now.

13 A I'd have to have my computer in front of me.

14 Q Just do the best you can.

15 A Mostly it's those colleges that we get -- we call
16 feeder schools, so it's those colleges that would give
17 us the junior college credits, the associate's
18 students.

19 Q Are those liberal arts only?

20 A Well, that's what associate's degrees generally are.

21 Q Isn't it true that most community colleges offer
22 career-oriented degrees?

23 A That's correct. Those aren't necessarily associate's
24 degrees, those are sometimes technical degrees. And
25 that goes back into -- I'm going to use Clover Park,

1 for example. Clover Park is a regionally accredited
2 school, but a lot of their programs are technical in
3 nature. What that would mean in the transferability
4 of something from, let's say, Clover Park, is up to,
5 once again, the discretion of the gaining institute in
6 transferring classes.

7 Your general classes, like your English and math,
8 you can probably transfer. But now you're trying to,
9 let's say, transfer paramedical or paralegal. Once
10 again those would not necessarily transfer in under an
11 academic plan. Those would probably transfer in maybe
12 as a general elective because that --

13 Well, you have to understand the breakdown of the
14 three major or areas of the degree plan; general
15 education, major, general electives. So hopefully
16 you'd want to take it in, of course, under the general
17 education, but if not, it could fall into the general
18 elective, but it generally would not fall into the
19 major area.

20 Q Is there criteria with respect to what the grade is to
21 whether or not the class can be transferred or
22 accepted?

23 A Yes.

24 Q What's the criteria at Chapman, for example?

25 A At Chapman we would want at least a two point -- I say

1 2.0, but 2.0 is probably the last --

2 Q You can't get a "D"?

3 A No.

4 Q If you get a "D", you're not going to be transferring
5 that credit very far?

6 A You got it. 2.0 is probably like a C-minus.

7 Q So technical classes might very well have more of an
8 uphill battle with the gaining institution?

9 A Definitely.

10 Q Did you ever or have you ever read the Crown College
11 catalog?

12 A Which year?

13 Q It sounds like you've read some. So if you could
14 frame the answer for me, rather than have me go year
15 by year?

16 A I'm only familiar -- but then, too, that was 2001,
17 four years ago. I would probably have to open it up
18 again.

19 Q Do you recall anything being in the catalog about the
20 transferability of credits?

21 A To the best of my recollection I do not.

22 Q And that's the one you remember seeing, if ever?

23 A I think -- well, anybody going into it would look at
24 something like that.

25 Q It would be important?

1 A It would.

2 Q To both the student and the teacher?

3 A Uh-huh.

4 Q Did you observe at the time you were here any
5 representative of Crown misrepresenting the
6 transferability of credits?

7 A As hearsay or as in fact? Third party?

8 Q This is a discovery deposition and so the judge always
9 makes decisions about how far removed something is.
10 But when you're trying to discover something, someone
11 can say I heard it from someone who said they heard it
12 from someone because we're trying to just trace it.

13 A Go back to your original question, if you could repeat
14 your question.

15 (Pending question read back.)

16 A Any representative of Crown misrepresenting credits?
17 As dealing mostly with Mr. Drury, not really. Talking
18 to the admin or to the counselors, I'd probably have
19 to say no.

20 Q But this is an issue that's important to you?

21 A I think anybody obtaining a degree it would be
22 important to know.

23 Q Understood. The process of transfer from custom when
24 someone presents their transcript, would it then be
25 reviewed by the gaining institution and then the

1 gaining institution would report back on what they are
2 willing to take?

3 A Uh-huh.

4 Q "Yes"?

5 A Yes.

6 Q You've been great so far today. People say "uh-huh"
7 or start to nod, and when they get tired and start
8 doing that, she has the toughest job in the world.
9 "Um-hum" sounds too much like "uh-huh."

10 A If someone is going to take a degree -- it's kind of
11 like buying a car. And I don't mean to make it sound
12 so lightly, but think of it this way. If you're going
13 to move further in your education, if you're going to
14 embark on sales, I think a key thing would be from
15 anybody in the academic community or in trying to put
16 together what's best for the student -- forget the
17 car, it doesn't fit. But if you're looking to help
18 that student and you want to build on their education,
19 you kind of need to know where they've been before you
20 can tell them what they need in order for where they
21 need to go. So it's a building-block process. Before
22 you can help someone achieve a degree, you need to
23 know what they've already accomplished so you can move
24 forward rather than going backward.

25 So going back, a good place to start would be what

1 do you already have to do, what I can help you to do
2 so that we can get to the end state.

3 Q Do you consider yourself an expert on the issues
4 surrounding transferability of credits?

5 A No. Can I say no but yes? In my field, in the degree
6 programs that I work with, yes.

7 Q In the degree programs you work with at Chapman?

8 A Yes. But outside of that, I would say probably no.

9 Q You are you an expert in accreditation? You get to
10 give your own answer. It's subjective.

11 A Yeah, it is, isn't it? Give me an Internet, I'll find
12 it for you.

13 Once again I could only refer back to having that
14 knowledge that's applicable to the education programs
15 I work with. And that's why, going back to some of
16 the other questions, there's some information that --
17 the best thing I'd say is reading, having the
18 knowledge, understanding why there's two different
19 accreditations to begin with and how they came apart,
20 and that's a class unto itself as to why the
21 accreditations are like what they are.

22 (Recessed 3:54 p.m. to 3:59 p.m.)

23 Q I think you've already answered this, but I just want
24 to make sure. Do you remember the identities, the
25 specific identities, names of people from Crown that

1 came to you at Chapman with a desire to transfer?

2 A Well, the one, I guess her name is Maggie or --

3 Q Margie?

4 A Margie or Maggie. As recent as today, and I wish --
5 there was an individual that today contacted me and
6 she, too, is trying to look forward into a master's
7 degree as early as today.

8 Q Who was it?

9 A I have just a first name of Tisha, that's all I have,
10 but I don't have much information on her. I kind of
11 told her, just kind of told her that the degree, Crown
12 College's credits would not transfer. She was looking
13 for a master's degree and trying to look to build on
14 that. She's now at City U. That's all she's told me
15 at this time.

16 Q Does City U accept Crown's credits?

17 A According to what she told me, yes.

18 Q Would you accept City U's degree or credits?

19 A That's totally different. You don't sign a
20 three-party --

21 Q But to get a master's, you've got to have a
22 bachelor's; we agree on that?

23 A True. We would take her credits from City U, but we
24 won't take her credits from Crown.

25 Q Would you accept her bachelor's degree from City U?

1 A The bachelor's degree itself? That's where I left it
2 up to the registrar's office before I came here.

3 Q In their discretion?

4 A At their discretion, exactly. When you have that
5 issue of two schools with different accreditations,
6 that now becomes a registrar issue rather than an
7 academic advising issue, and that's where I left it.

8 MR. EDMUNDS: Thank you. No further
9 questions at this time.

10 MS. LUNDAHL: I have a few questions.

11 EXAMINATION

12 BY MS. LUNDAHL:

13 Q You taught two classes during the period that you
14 taught at Crown. Human resources management was one?

15 A Yes.

16 Q What program at Crown did that fit into, do you know?

17 A I do not know specifically what program. It could
18 have been a required class under one of their degrees
19 or it could be an elective, I do not know.

20 Q What about the public administration class?

21 A Being they have a public administration degree, I'm
22 only assuming it probably went into their degree plan
23 as one of their required subjects.

24 Q Were the classes you taught evening classes?

25 A Yes.

1 Q You mentioned one person on the administration,
2 Mr. Drury, that you had contact with. So you were
3 mostly here in the evenings; is that correct?

4 A Correct.

5 Q During the time that you were here, were admissions
6 reps here on the campus?

7 A I would believe they were, but because they're in that
8 side of the building and I come in through this side
9 of the building -- so I'll be honest, other than
10 knowing where their offices are, they would come and
11 go to where I would eyeball them and I would have no
12 idea.

13 Q You would normally not have contact with admissions
14 reps?

15 A That would be fair to say, yes.

16 Q What contact, if any, did you have with other faculty
17 at Crown during the time you were here?

18 A In the evenings, break time, especially where your
19 classrooms are located -- I know when I was teaching
20 in the back room back there, not that much activity on
21 the second floor, but on the first floor, because the
22 break area and sometimes -- especially if the Cloud
23 Room was down, the connection was down, sometimes one
24 of the instructors would pop their head in and go, Do
25 you have a class, do you have conductivity. Because

1 if it was raining really bad or if there was something
2 in the system -- so that would be the only contact is
3 in the fact of the technology being askew.

4 Or in the evenings -- you did get a Crown e-mail
5 account because sometimes students, those online
6 students would have to send their papers to you via
7 e-mail, so I would check my student e-mail downstairs
8 in, I guess it was, the faculty office. And at the
9 time frame I would check it in the evening, there was
10 a -- and I think he was with the CJ program. I just
11 remember he wore boots and I think he had a very solid
12 criminal justice background. I can look at his face,
13 but I just remember he wore cowboy boots.

14 Q You mentioned the Cloud Room. There were occasionally
15 problems with the Cloud Room?

16 A Yes, ma'am.

17 Q Did that cause problems for you as an instructor?

18 A Yes.

19 Q What type of problems?

20 A Okay, let's start with the technology. Sometimes the
21 technology, like I say, either a rainstorm -- because
22 I taught the human resource course first and that was
23 upstairs. But mostly when I taught the public
24 administration course, I remember a few times there
25 was some good rainstorms and the system would just not

1 boot up or the system would get booted off the air,
2 because at that time we just had the microfilms and
3 you get a lot of static. So the technology piece, I
4 think it was conductivity driven or technology driven.

5 The student side was a whole different issue. As
6 an instructor, the face time, the connection with the
7 students, getting them to understand the information,
8 and the only way -- you could say, Okay, Susie, we're
9 talking about the three principal points in this,
10 let's go into that. Susie? Susie, are you there?
11 Susie? Well, Susie's not with us right now. Let's
12 get back to Susie.

13 And that was the issue is the fact that a student
14 could actually come into the Cloud Room, sign in,
15 Hello, I'm here, and you may not be able to get them
16 the rest of the class because their mike was turned
17 on, they were showing they were there, but whether or
18 not they cared to participate in the class was a whole
19 other story. That was very hard because you're trying
20 to, as an instructor, embrace the people in the room,
21 trying to transition them into the learning points,
22 but at the same time frame, you're trying to
23 transition somebody who's on a network system that may
24 or may not be with you.

25 I've had one incident as an instructor that was

1 kind of funny. A lady logged in and during the class,
2 we also had in the Cloud Room at the time a place
3 where you could write in your questions or
4 information, and as we're sitting there in class and
5 talking about the course, we're looking at the monitor
6 and we have all these squiggles and all these just
7 kids' drawings. And as the instructor to the class, I
8 said, Excuse me, whoever is playing on the computer,
9 would you please stop. And what it was was one of our
10 students online with the Cloud Room had let her child
11 onto the keyboard and she was off cooking dinner.

12 So it was just kind of interesting because there
13 was no real control over the online in the Cloud Room
14 or online as well as you can connect with your
15 students in a classroom.

16 Part of that is very frustrating for the students
17 in the classroom because here they are trying to get
18 an education, committed to being there, yet they felt
19 that the students online were getting over because
20 nobody was monitoring their progress because they were
21 hard to monitor. So were there problems? I'd say
22 from an academic point, yes, I would feel that rigor
23 of the challenge of the course couldn't be as well as
24 if you were sitting in the classroom.

25 Q Did students who participated via the Cloud Room

1 achieve the same credits as students participating
2 actually physically present in the classroom?

3 A I do believe it was the same amount of credits, yes.

4 Q During part of your questioning earlier this
5 afternoon, Mr. Edmunds gave you a number of names and
6 asked you if you remembered them or you could describe
7 them. The people that you were describing, were they
8 students or staff members, to the best of your
9 recollection?

10 A I'd say the only staff member that I really came in
11 contact with while at Crown was Mr. Drury, other than
12 the gentleman wearing the boots. Anybody else would
13 have been a student. Like I say, show me a face, but
14 names --

15 Q So when Mr. Edmunds asked you to describe someone
16 named Aubrey, would you have been -- when you were
17 talking about that person, you would have been
18 thinking of a student rather than a staff member?

19 A Definitely.

20 Q To your knowledge, has Chapman ever accepted any
21 credits from Crown College as counting towards a
22 Chapman degree?

23 A No. In fact I could share another story on that.
24 Before I even started to work at Chapman, I was told
25 through a coworker that, once again in trying to

1 transfer credits from one school to the other, she at
2 the time, she's no longer there, I don't know where
3 she's at, but at the time she was there she had
4 actually taken a Crown student in thinking that it was
5 good as far as transferability.

6 And what had happened was when everything got
7 forwarded to the registrar, the registrar said no, we
8 do not take a nationally accredited school, we do not
9 take their credits. We had to return the money to the
10 student and basically say no, we can't continue to
11 have you as a student if we can't transfer your
12 credits. This was one of the stories I had heard
13 coming in, that we would not take Crown and we just
14 couldn't take their credits.

15 Q And basically then, to the best of your knowledge,
16 Chapman would not accept any credits from any
17 nationally accredited school?

18 A Exactly.

19 Q And then just to clarify one point that we were
20 talking about, you were questioned about earlier. I
21 believe the example you gave earlier related to, for
22 example, an English credit from one regional school to
23 another regional school, and correct me if I'm wrong,
24 but basically it might be credited by one school as a
25 humanities course and might be accepted by another

1 school as a general education requirement?

2 A It could go -- let's go to English. English you could
3 take and -- it could even be a pre-req. Math is
4 another good one. There's so many different maths,
5 algebra, finite math, geometry, statistics, I mean you
6 can go on and on. Maybe at the school where you took
7 it it was considered, let's just say an algebra
8 course, but in trying to transfer that to another
9 school as an algebra course, it may transfer in as a
10 prerequisite to an algebra course.

11 So it's the same thing. It's up to the school and
12 the transferability of credits as to how they transfer
13 in. Math and English generally would be those that
14 you would look at because of the fact you look at
15 several different areas. It just depends. The
16 transferability would depend.

17 Q But in general, for example with respect to the
18 English course that you were talking about, there
19 would be some credit given, it would just depend on
20 whether it was perhaps upper division, lower division?

21 A Providing the credit was from a regionally accredited
22 school.

23 Q Did you have any responsibility while you were here at
24 Crown College for providing advice to students
25 directly as to the academic advising or --

1 A No, no direct student advising requirements.

2 (Brief recess.)

3 MS. LUNDAHL: I think I'll just ask one or
4 two more questions.

5 Q To your knowledge did Crown College have a direct
6 transfer agreement with any other institution?

7 A I do not know. I do not know if they had one or not.

8 Q One further question. What accreditation did Crown
9 College have during the time you were here?

10 A To my knowledge it was the national accreditation.
11 What accrediting body it was, I would have to refer
12 back to the catalog, but I know it was national
13 accreditation.

14 MS. LUNDAHL: No further questions.

15 FURTHER EXAMINATION

16 BY MR. EDMUNDS:

17 Q Somewhat of a hypothetical just for education
18 purposes. If I was a student at a school, a two-year
19 school getting an AA degree, and let's assume that
20 Chapman did accept credits from that school, would I
21 be able to transfer to Chapman a course, for example,
22 in torts if I'd taken -- we're not using Crown as an
23 example, we're using a hypothetical.

24 A Is the class torts?

25 Q Yes, it's a class on torts to educate the student

1 about what a tort is.

2 A And the school that you're using hypothetically, is it
3 a regionally accredited school?

4 Q Yes.

5 A A regionally accredited school, a class on torts.
6 Would I be able to transfer that into an academic
7 program at my current school?

8 Q Yes.

9 A How many credit hours is the class?

10 Q Three.

11 A Well, what I would have to do in looking at that --
12 first off, it was a class on torts. It would probably
13 be something maybe under criminal justice, I would
14 think, so it may be something -- is it a CJ course, is
15 it a public administration course?

16 Q Paralegal.

17 A Paralegal. Probably not necessarily. Because just
18 because they're named paralegal/criminal justice, keep
19 in mind you could still have social science
20 connotations, humanities connotations. What would
21 happen at that point in looking at its transferability
22 and to where it would be transferred, that would be
23 the issue.

24 Q The reason for my asking the question is I'm also
25 getting educated myself, I'm talking about the topic

1 here.

2 Let's say I had received 60 credits at an
3 institution where they could transfer to Chapman, but
4 of those 60, 40 were related to classes that were more
5 specific in nature, like torts, like juvenile justice,
6 like introduction to criminalistics, things that might
7 have value if I wanted to get a degree and go get a
8 job. And it sounds to me, correct me if I'm wrong,
9 like there's a possibility that that student wouldn't
10 get 60 credits to transfer, they'd get who knows how
11 many.

12 A It's up to the gaining institution in acceptance of
13 transfer of credits to that institution in receiving
14 those credits and how to apply them to the program.

15 Q Understood.

16 MR. EDMUNDS: Thanks.

17 FURTHER EXAMINATION

18 BY MS. LUNDAHL:

19 Q So again, just to make sure that we understand this,
20 it might be possible that it would transfer, a course
21 like that might transfer as an elective?

22 A Exactly.

23 Q Depending on what was appropriate?

24 A Exactly.

25 Q Let me put another hypothetical. If a student took

1 the same course, say, for example, in a paralegal
2 program in torts at a nationally accredited school,
3 would that credit transfer to Chapman?

4 A No. Regionally accredited schools transfer credits.
5 Nationally accredited, no.

6 MR. EDMUNDS: One thing we do agree on,
7 though, is that you can't have a "D" and hope for any
8 grace?

9 THE WITNESS: A "D" or below.

10 MR. EDMUNDS: Thanks very much.

11 (Deposition concluded 4:21 p.m.)

12 (Signature reserved.)

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CERTIFICATE

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STATE OF WASHINGTON)

) ss.

COUNTY OF KING)

I, the undersigned Notary Public in and for the State of Washington, do hereby certify:

That the annexed and foregoing deposition of the witness named herein was taken stenographically before me and reduced to typewriting under my direction;

I further certify that said witness was afforded the opportunity to examine, read, and sign said deposition after the same was transcribed, unless indicated in the record that the parties and the witness waive the signing;

I further certify that all objections made at the time of said examination to my qualifications or the manner of taking each deposition, or to the conduct of any party, have been noted by me upon the said deposition;

I further certify that I am not a relative or employee or attorney or counsel of any of the parties to said action, or a relative or employee of any such attorney or counsel, and that I am not financially interested in the said action or the outcome thereof;

I further certify that the witness before examination was by me duly sworn to testify the truth, the

1 whole truth, and nothing but the truth;

2 I further certify that the deposition, as
3 transcribed, is a full true, and correct transcript of the
4 testimony, including questions and answers, and all
5 objections, motions and exceptions of counsel made and taken
6 at the time of the foregoing examination.

7

8

9 IN WITNESS WHEREOF, I have hereunto set my hand
10 and affixed my official seal this 10th day of October, 2005.

11

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ELAINE K. RIPPEN

Cert/Lic No. 2742

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Notary Public in and for the

State of Washington,

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Residing at Seattle

Commission Expires: 6-24-09

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DECLARATION OF WITNESS

STATE OF WASHINGTON)

) ss.

COUNTY OF _____)

Pursuant to the laws of the State of Washington, I
declare under penalty of perjury the following to be true:

I have read my deposition and the same is true and
accurate save and except for changes and/or corrections, if
any, as indicated by me on the CORRECTIONS or CHANGES page
herein.

Signed at _____, Washington on the _____ day
of _____, 2005.

MARY ANN BARDONI-BARBE

(Reported by: Elaine K. Rippen)

1 NORTHWEST COURT REPORTERS Gonzales v. Killebrew/Dalton
 Elaine K. Rippen Pierce County No. 04-2-09023-2
 2 1415 Second Avenue
 Suite 1107
 3 Seattle, WA 98101 Depo: Mary Ann Bardoni-Barbe
 (206) 623-6136 September 26, 2005

4
 5 Please make all corrections, changes or clarifications to
 your testimony on this sheet, showing page and line number
 6 and the nature of the change. If there are no changes,
 write "none" across the page. Sign this sheet on the line
 7 provided.

8	Page	Line	Reason for Change
9	____/____/	_____	_____
10	____/____/	_____	_____
11	____/____/	_____	_____
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13	____/____/	_____	_____
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21	____/____/	_____	_____

22 See: Wash. Reports 34A,
 Rule 30(b), USCA 28,
 23 Rule 30(e)

24 Signature: _____
 MARY ANN BARDONI-BARBE

1 NORTHWEST COURT REPORTERS
1415 Second Avenue, Suite 1107
2 Seattle, Washington 98101
(206) 623-6136
3

October 10, 2005

4
5 TO: Mary Ann Bardoni-Barbe
6 RE: Gonzales v. Killebrew/Dalton
7 DEPOSITION TAKEN: September 26, 2005

8 Dear Ms. Bardoni-Barbe:

9 Your deposition taken regarding the above-referenced
10 case has been transcribed and is ready for you to read and
sign.

11 You have the right to review your transcript and make
12 whatever changes or corrections are applicable, or you may
waive that right under the Court rules. If you wish to read
13 your deposition, I will make it available at my office at a
time convenient for you to come in, or you may advise me if
14 you wish to waive that right.

15 Please be aware that the Court rules provide that
signature must be accomplished within 30 days of receipt of
16 notice or before trial, whichever occurs first.

17 Please call me at (206) 623-6136 if you have any
questions.

18 Thank you for your cooperation in this matter.
19

Sincerely,

20
21
Elaine K. Rippen, RPR
22
23

24 cc: Court file
Wesley Edmunds
25

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NORTHWEST COURT REPORTERS
1415 Second Avenue, Suite 1107
Seattle, Washington 98101
(206) 623-6136

DATE: October 10, 2005
TO: Wesley Edmunds

NOTICE RE FILING OF ORIGINAL DEPOSITION

RE: Case Name: Gonzales v. Killebrew/Dalton
Venue: Pierce County Superior Court
Case No.: 04-2-09023-2
Deposition of: Mary Ann Bardoni-Barbe
Taken: September 26, 2005

Enclosed is the original sealed transcript of
MARY ANN BARDONI-BARBE.

The original signature page and changes, if any,
received by this office will be forwarded to all counsel.

Elaine K. Rippen

cc: File
Karen Lundahl