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**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF RIVERSIDE**

MAE M., through her guardian ad litem  
Anthony M., SUSAN C., through her  
guardian ad litem Sabrina C., GWEN S.,  
through their guardian ad litem Ramona S.,  
CARSON L., through his guardian ad litem  
Nancy L., DAVID P., through his guardian  
ad litem RACHEL P., VIOLET B., through  
her guardian ad litem INEZ B., STELLA B.,  
through her guardian ad litem INEZ B.,  
TEMECULA VALLEY EDUCATORS  
ASSOCIATION, AMY EYCHISON,  
KATRINA MILES, JENNIFER SCHARF,  
and DAWN SIBBY,

Plaintiffs,

v.

JOSEPH KOMROSKY, JENNIFER  
WIERSMA, DANNY GONZALEZ,  
ALLISON BARCLAY, and STEVEN  
SCHWARTZ, in their official capacities as  
members of TEMECULA VALLEY  
UNIFIED SCHOOL DISTRICT BOARD OF  
TRUSTEES, TEMECULA VALLEY  
UNIFIED SCHOOL DISTRICT, and DOES  
1 – 100,

Defendants.

Case No.: CVSW2306224

**DECLARATION OF MARY HELEN  
IMMORDINO-YANG, Ed.D. AS  
EXPERT WITNESS**

Judge: Honorable Irma Poole Asberry

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**DECLARATION OF MARY HELEN IMMORDINO-YANG, Ed.D.**

I, Mary Helen Immordino-Yang, declare and state as follows:

1. I have personal knowledge of the facts in this declaration. If called upon to testify, I could and would testify competently to the following facts.

**Background**

2. I am a Professor of Education, Psychology and Neuroscience at the University of Southern California (USC). I am also the Director of the USC Center for Affective Neuroscience, Development, Learning and Education, an institute which conducts research in educational and developmental neuroscience to guide educational reforms for a healthier and more equitable society.

3. I received my doctorate in Human Development and Psychology and my Master of Education in Cognitive Development from Harvard University, and my Bachelor’s degree from Cornell University. I completed my post-doctoral training in social effective neuroscience at USC. Before pursuing my advanced degrees, I was a seventh-grade science teacher in the Boston area.

4. My scholarship focuses on the psychological and neurobiological bases of learning and development, particularly how students’ educational environment impacts the development of their sense of self, their position in society, and their social outcomes and achievements in adulthood. In 2023, I was elected to the U.S. National Academy of Education, an honorific society that elects members on the basis of outstanding and impactful scholarship. I have received awards and honors from the American Psychological Association, the American Educational Research Association, the American Association for the Advancement of Science, the Association for Psychological Science, the United States Army, and the County of Los Angeles, among other national and international organizations.

5. I authored *Emotions, Learning, and the Brain* (WW Norton) which explains a decade of emerging research on the connection between emotion and learning in educational contexts.<sup>1</sup> I have published numerous peer-reviewed articles on social and emotional

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<sup>1</sup> Immordino-Yang, M.H. (2016). *Emotions, Learning, and the Brain: Exploring the Educational Implications of Affective Neuroscience*. W. W. Norton & Company.

1 development and the impact of various instructional strategies on learning and the brain  
2 development.

3 6. I served on the National Academies of Sciences, Engineering, and Medicine’s  
4 Committee on the Science and Practice of Learning, which authored *How People Learn II*  
5 (2018), an update to the seminal 2000 report explicating the scientific research on learning for  
6 educators.<sup>2</sup> I also served as a distinguished scientist on the Aspen Institute’s National  
7 Commission on Social, Emotional and Academic Development, which worked to identify  
8 specific educational reforms that reflect new research about how students learn. In that role, I  
9 led the writing of *The Brain Basis for Integrated Social, Emotional, and Academic*  
10 *Development*, a report on how social environments, including experiences of social stress and  
11 trauma, impact learning and brain development.<sup>3</sup>

12 7. A copy of my curriculum vitae is attached as Exhibit A.

13 **Resolution 21 Endangers Students’ Development**

14 8. Resolution 21 endangers students’ emotional, social, and academic development  
15 by limiting their access to important ideas at a critical moment in their neurological  
16 development. Learning involves more than the accumulation of information. Rather, students  
17 experience the generation, pruning, and reorganization of neural connections to form networks  
18 that reflect their past experiences and help them navigate future experiences.<sup>4</sup> As students  
19 engage with new situations and problems, they create patterns of brain function that enable  
20 them to respond productively to future challenges. By limiting students’ access to ideas,  
21 Resolution 21 endangers their opportunities to grow their brains and minds in order to manage  
22 themselves in a complex society.

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24 <sup>2</sup> National Academies of Sciences, Engineering, and Medicine. (2018). *How People*  
25 *Learn II: Learners, Contexts and Cultures*. Washington, DC: The National Academies Press.  
<https://doi.org/10.17226/24783>.

26 <sup>3</sup> Immordino-Yang, M.H., Darling-Hammond, L., & Krone, C. (2018). *The Brain Basis*  
27 *for Integrated Social, Emotional, and Academic Development*. The Aspen Institute National  
28 Commission on Social, Emotional, and Academic Development.  
<https://www.aspeninstitute.org/publications/the-brain-basis-for-integrated-social-emotional-and-academic-development/>

<sup>4</sup> *Id.* at 1.

1           9.       By limiting the ideas that students can engage with, Resolution 21 stymies  
 2 students at a critical period in their development. Neuroscientific research demonstrates that  
 3 humans require exposure to certain experiences during “sensitive periods” in order to develop  
 4 to their full capacities. For example, a child whose eyes are covered during their first four years  
 5 of life may never fully develop their visual perceptive abilities. Similarly, a child who is denied  
 6 the opportunity to wrestle with complex and fraught social and historical events loses an  
 7 opportunity to grow their brain and mind in directions that research has shown promote health  
 8 and achievement in young adulthood.

9           10.       Though learning occurs throughout life, the established scientific consensus  
 10 confirms that adolescence is a sensitive period for social brain development. After infancy,  
 11 adolescence is understood as the most important period for brain development, marked by  
 12 dramatic growth in the complex neural networks that support thinking, planning, productivity,  
 13 self-regulation and relationships. Learning about complex and relevant topics in a supportive  
 14 educational environment enables adolescents to develop the critical thinking and problem-  
 15 solving skills they will need in adulthood. Grappling with these difficult issues at this sensitive  
 16 period also contributes to psychological and physiological health: research shows that the  
 17 meaning adolescents make of their experiences in the social world predicts their future brain  
 18 development, psychosocial wellbeing, and academic achievement. By wrestling with their own  
 19 and others’ opinions and sense of place in the world, adolescents cultivate resilience and  
 20 emotional self-regulation skills that help them navigate future challenges.<sup>5</sup>

21           11.       Resolution 21 deprives students of such key developmental opportunities. In  
 22 response to Resolution 21, educators have been forced to curtail opportunities for students to  
 23 learn about the important history that shapes our modern society; for example, plaintiff teachers  
 24 report purposefully truncating their lessons on books that discuss racism, removing the  
 25 historical context of books like *Just Mercy*, Bryan Stevenson’s account of representing low-  
 26 income clients of color in the South.<sup>6</sup> Young people experience and think about racial inequality

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 28           <sup>5</sup> *Id.* at 4-9.

<sup>6</sup> Declaration of Jennifer Scharf at 2-3.

1 regardless of whether educators discuss these topics in school. These restrictions serve only to  
2 rob students of opportunities to contextualize and conceptualize these issues in a supportive  
3 environment.

4 12. Resolution 21 also denies Temecula students the opportunity to meaningfully  
5 connect their learning to real-world issues. Research demonstrates that adolescents have a  
6 natural predisposition to contribute to their communities, which in turn helps them achieve  
7 important developmental milestones.<sup>7</sup> Yet, in the wake of Resolution 21, teachers are hesitant to  
8 open classroom discussions on questions relevant to their students' daily lives. By stifling  
9 discussion of real-world needs and students' own experiences and identities, Resolution 21  
10 denies students key developmental opportunities, and leaves children less well supported to  
11 think about complex issues with specially trained adults.

12 13. Denying students the opportunity to tackle topics like racial inequality in a  
13 supportive educational environment not only limits their learning; it curtails their opportunities  
14 for civic engagement and denies them access to a space in which they can be guided towards  
15 psychologically and physiologically healthy development.

16 **Resolution 21 Profoundly Harms Students of Color and LGBTQ+ Students**

17 14. Resolution 21 inflicts particularly severe harms on students of color, LGBTQ+  
18 students, and other students from marginalized groups by denying them an opportunity to learn  
19 about their communities' histories and ongoing movements for social equality. Students from  
20 these marginalized communities are also among those with the most profound mental health  
21 risks; feeling socially and emotionally unsafe at school is especially dangerous to these youth.  
22 Resolution 21 undermines these students' abilities to learn about themselves and undermines  
23 their peers' abilities to understand and support them.

24 15. Students of color, LGBTQ+ students, and other students from marginalized  
25 backgrounds often face identity-based stress that adversely impacts their education, their  
26 emotional and physical health, and their brain development. Students from marginalized groups  
27 are inundated with experiences of discrimination, micro- and macroaggression, and negative

28 <sup>7</sup> Fuligni, A.J. (2018). The Need to Contribute During Adolescence, *Perspectives on Psychological Science*, 14(3) 331-343.

1 social messaging about their identities—both in and out of school. Such stress competes for  
2 neural resources; when students’ mental energies are consumed by stress and anxiety, they have  
3 limited mental resources available for their schoolwork. For example, when students experience  
4 stereotype threat or awareness of a negative stereotype of a social group to which they or their  
5 friends belong, this can overwhelm their available cognitive resources.<sup>8</sup> Such stress shortens the  
6 sensitive period of neural growth in adolescence, an effect that is associated over time with  
7 decreased cognitive ability. Prolonged identity-based mental stress is linked to negative health  
8 consequences, like premature aging and maladaptive immune function, and can even change  
9 individuals’ gene expression to increase their risk of disease.<sup>9</sup>

10 16. At every turn, TVUSD officials have actively created new sources of stress for  
11 students, teachers, and families, instead of working to foster student wellbeing. Resolution 21  
12 renders it all but impossible for teachers to provide an education that would reduce identity-  
13 based stress. For students whose identities are not affirmed by their broader social  
14 environments, school can be yet another site of identity-based stress. Culturally responsive  
15 instructional methods counteract this by enabling students and teachers to bring their whole  
16 experiences and identities to their academic work. Consistent research establishes that students  
17 who positively identify with their racial or cultural identity are more engaged in school and  
18 perform better on academic measures.<sup>10</sup> As an example, I co-authored a literature review  
19 finding that culturally sensitive literacy instruction promotes literacy achievement—especially  
20 for students from marginalized groups—by helping connect individual and cultural sources of  
21 pride to the act of reading.<sup>11</sup> Asking students to leave part of their identity at the classroom door  
22 undermines their ability to learn and think in that class.

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23 <sup>8</sup> Immordino-Yang, *The Brain Basis* at 12-14 (citing Beilock, S. L., Rydell, R. J. &  
24 McConnell, A. R. (2007). Stereotype threat and working memory: Mechanisms, alleviation, and  
25 spillover. *Journal of Experimental Psychology: General*, 136(2), 256–276.  
<https://psycnet.apa.org/doi/10.1037/0096-3445.136.2.256>).

26 <sup>9</sup> Immordino-Yang, *The Brain Basis* at 13.

27 <sup>10</sup> National Academies of Sciences, Engineering, and Medicine, *How People Learn II* at  
28 226.

<sup>11</sup> Gotlieb, R. J. M., Immordino-Yang, M. H., Gonzalez, E., Rhinehart, L., Mahjouri, S.,  
Pueschel, E., & Nadaya, G. (2022). *Becoming Literate: Educational Implications of  
Coordinated Neuropsychological Development of Reading and Social-Emotional Functioning*

1           17.     Resolution 21’s restrictions are antithetical to providing a culturally responsive  
 2 education that fosters students’ ability to engage with their identities, experiences, and the  
 3 broader world. Culturally responsive instruction, by its very definition, recognizes and seeks to  
 4 unpack the nature of social structures and inequalities. Yet, in the wake of Resolution 21’s  
 5 vague prohibitions, Temecula teachers report steering clear of discussions about current events  
 6 that involve racism, sexism, or discrimination against the LGBTQ+ community—even avoiding  
 7 group terms like “white” altogether.<sup>12</sup> Youth are faced daily with instances of aggression and  
 8 social upheaval in society. They need tools to make sense of these situations.

9           18.     Unsatisfied with Resolution 21 alone, in the 2023-24 school year, the TVUSD  
 10 Board enacted Policy 5020.01, requiring staff to out transgender and gender nonconforming  
 11 students to parents; banned the display of LGBTQ+ flags in the classroom; and rejected a  
 12 proposed resolution protecting LGBTQ+ students from harassment and discrimination. These  
 13 policies exacerbate students’ identity-based stress, stymying their educational potential and  
 14 hindering their social and emotional health. In particular, the TVUSD Board’s coercive outing  
 15 policy renders school an immensely stressful, even dangerous environment for transgender and  
 16 gender nonconforming students who are forced to hide their identities at home and could face  
 17 devastating consequences if outed. These policies exacerbate stress for all students,  
 18 undermining the trust and safety in peer and adult relations that are the bedrock of effective  
 19 education.

20     **Resolution 21 Limits Teacher Effectiveness**

21           19.     Resolution 21’s vague provisions also limit teacher effectiveness by forcing  
 22 teachers to work in a high-stress environment. Teacher performance depends not only on  
 23 curricula or training, but also on teachers’ mental and emotional state and their professionally  
 24 appropriate emotional and social connections to students. My colleagues and I recently  
 25 conducted a first-of-its-kind study tracking physiological and psychological data, including  
 26 brain imaging, from 40 teachers in Los Angeles-area schools. Though the analyses are ongoing,

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27     Among Diverse Youth. *Literacy Research: Theory, Method, and Practice*, 71(1), 80–132.  
 28     <https://doi.org/10.1177/23813377221120107>.

<sup>12</sup> Declaration of Dawn Sibby, at 3-4.

1 preliminary results demonstrate a relationship between teachers’ biological markers of stress  
2 and students’ perceptions of care and academic challenge in class. When teachers experienced  
3 high levels of stress, they were less able to create an effective learning environment.

4 20. My review of Amy Eytchison’s, Katrina Miles’, Jennifer Scharf’s, and Dawn  
5 Sibby’s declarations confirm that Temecula teachers are experiencing considerable stress in  
6 trying to parse Resolution 21’s vague language, navigating classroom discussions while unsure  
7 of what they can say, and being forced to alter their curricula and teaching plans on short  
8 notice.<sup>13</sup> Such prolonged stress negatively impacts teachers, contributing to significant increases  
9 in professional attrition and mental health issues.

10 21. The TVUSD Board’s policies also undermine student-teacher relationships,  
11 further hindering learning. The research is clear: strong student-teacher relationships are  
12 indispensable in cultivating an effective learning environment.<sup>14</sup> For example, a systematic  
13 review of 46 studies found that strong student-teacher relationships were associated with  
14 improvements in academic performance and engagement, higher attendance, fewer disruptive  
15 behaviors and suspensions, and lower school drop-out rates.<sup>15</sup> Temecula teachers are cognizant  
16 of these challenges: for example, Amy Eytchison, a white teacher in a racially diverse school,  
17 expressed concern that the Resolution “prevents me from having open conversations with my  
18 students, which are foundational to building strong and trusting relationships.”<sup>16</sup> The TVUSD  
19 Board’s recent actions even forced the teacher advisor of a Gender and Sexuality Alliance  
20 chapter to step down out of fears of being labeled a “groomer.”<sup>17</sup> When teachers are required to  
21 out transgender or gender nonconforming students as a result of Policy 5020.01, LGBTQ+  
22 students cannot feel safe bringing their whole selves to the classroom. Within such a fraught  
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24 <sup>13</sup> Declaration of Amy Eytchison; Declaration of Katrina Miles; Declaration of Jennifer  
25 Scharf; Declaration of Dawn Sibby.

26 <sup>14</sup> Immordino-Yang, *The Brain Basis* at 14.

27 <sup>15</sup> Quin, D. (2016). Longitudinal and Contextual Associations Between Teacher–Student  
28 Relationships and Student Engagement: A Systematic Review. *Review of Educational  
Research*, 18(2), 345–387. <https://doi.org/10.3102/0034654316669434>.

<sup>16</sup> Declaration of Amy Eytchison at 4.

<sup>17</sup> Declaration of Gwen S. at 2.



1 climate, teachers—however well-qualified—cannot cultivate safe and effective learning  
2 environments.

3 I declare under penalty of perjury under the laws of the State of California that the  
4 foregoing is true and correct.

5 Executed this November 15, 2023 in Los Angeles, California.

6 *Mary Helen Immordino-Yang, Ed.D.*

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8 Mary Helen Immordino-Yang, Ed.D  
9 *Declarant*

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