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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 TYRONE  
 HOWARD, Ph.D. AS EXPERT  
 WITNESS**

Judge: Honorable Irma Poole Asberry

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**DECLARATION OF TYRONE HOWARD, Ph.D.**

I, Tyrone Howard, 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 in the School of Education & Information Studies at UCLA. I am the Faculty Director of UCLA’s Center for the Transformation of Schools, which pursues systemic reforms to support equitable educational outcomes for historically underserved students. In 2009, I founded the Black Male Institute, which engages in research and offers practical interventions and programs designed to enrich the educational experiences and life chances of Black males in the United States.

3. I am the President of the American Educational Research Association (AERA) for 2023-24. I was elected to this position in 2022 by members of the AERA. The AERA is the largest interdisciplinary research organization dedicated to the scientific study of education in the U.S., comprising more than 25,000 national and international members. As President, I oversaw AERA’s research programs, professional development opportunities, various committee appointments, and outreach to community entities and federal government agencies.

4. I received my Ph.D. in Curriculum and Instruction from the University of Washington, Seattle, my Master’s in Education from CSU Dominguez Hills, and my Bachelor’s in Economics from UC Irvine. I am a native of Compton, California, where I also served as a fifth-grade teacher.

5. My research focuses on issues related to race, culture, access, and educational opportunity for marginalized student populations. I received the 2022 AERA Social Justice in Education Award, awarded to an individual who has advanced social justice through educational research, after receiving other AERA awards in 2017, 2007, and 1998. In 2021, I was named to the National Academy of Education, an honorific society which elects members on the basis of outstanding scholarship on education. Since 2016, I have been consistently named to Education Week’s Edu-Scholar Public Influence Rankings, a list highlighting the top

1 200 education scholars in the nation whose work influences educational practice and policy. I  
2 have also been honored for my teaching, including through the 2015 UCLA Distinguished  
3 Teaching Award, which is the university’s top teaching award.

4 6. I am the author of *Why Race and Culture Matter in Schools: Closing the*  
5 *Achievement Gap in America’s Classrooms*, which prepares educators to respond to the needs  
6 of students of color.<sup>1</sup> It is a best-selling book. I have also authored multiple peer-reviewed  
7 journal articles on culturally relevant teaching, school culture, and equity in access to higher  
8 education.

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

10 **Resolution 21 Harms Students**

11 8. Resolution 21 limits students’ right to learn about systemic racism without  
12 advancing any pedagogical purpose. Rather than teaching students to grapple with challenging  
13 issues like racial inequality, Resolution 21 demands that schools deny the existence of these  
14 issues in our society. In my decades as an educational researcher and in my role as President of  
15 the AERA—the largest organization dedicated to the study of education—I am not aware of  
16 any research supporting the pedagogical value of curricular restrictions like Resolution 21.

17 9. In fact, educational research demonstrates just the opposite: As educational  
18 scholar Rudine Sims Bishop explained, students need both “windows and mirrors.” Students  
19 benefit from both exposure to the histories and experiences of others (windows) and seeing  
20 themselves reflected in their curriculum (mirrors).<sup>2</sup>

21 10. Resolution 21 denies students access to both types of information: When  
22 accurate information about the experiences of Black people, other people of color, and members  
23 of the LGBTQ+ community is excised from schools, all students are deprived of an  
24 understanding of the challenges that these groups have overcome to strengthen our democracy  
25 and how these struggles continue today. In a pluralistic society, students must learn to imagine  
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27 <sup>1</sup> Howard, T.C. (2020). *Why race and culture matter in schools: Closing the*  
28 *achievement gap in America’s classrooms*. (2nd edition). New York: Teachers College Press.

<sup>2</sup> Bishop, R.S. Mirrors, Windows, and Sliding Glass Doors. (1990). In *Perspectives: Choosing and Using Books for the Classroom* 6(3).

1 the perspectives of those different from their own. Exposing students to affirming stories about  
2 communities of color helps eliminate misinformation that leads to stereotyping or prejudice.

3 11. Resolution 21 further harms students of color by denying them access to the  
4 resources they need to learn effectively. As a fifth-grade teacher in Compton, I struggled to  
5 engage my students in reading—until one year, we read *Roll of Thunder, Hear My Cry*, by  
6 Mildred D. Taylor. My students, who were often disengaged from the assigned reading, were  
7 engrossed in the novel’s portrait of a Black family’s struggle to maintain their integrity and  
8 independence in the 1930s Deep South. My work as an educational researcher confirmed what I  
9 first learned as a teacher: Students learn most effectively when teachers use their existing  
10 cultural knowledge as starting points to engage them in academic content.<sup>3</sup>

11 12. I was troubled to learn that at Temecula Middle School, all but one of the sixth  
12 grade teachers removed *Roll of Thunder, Hear My Cry* from their curriculum. In light of  
13 Resolution 21’s passage, Temecula teachers feared punishment simply for teaching a book  
14 portraying the legacies of slavery, discrimination, racism and Jim Crow. Far from engaging  
15 students in their and others’ histories and cultures, Temecula teachers express fear of even using  
16 terms like “white.” Decades after my own breakthrough as a teacher, Temecula students are  
17 denied the experience my own former students, as well as students across this state and country,  
18 received: an education which both reflects their experiences and expands their horizons.

19 **The Need for Culturally Responsive Pedagogy**

20 13. Resolution 21 denies students their fundamental right to an education.  
21 Resolution 21’s prohibitions harm all students by failing to provide an education consistent  
22 with California’s state standards, and harms students of color (and white students) by  
23 obstructing efforts to deliver culturally responsive curricula.

24 14. The Board’s efforts to excise mentions of race from Temecula’s classroom does  
25 not eliminate its existence, or its impact on students. Unlike Board members, educational  
26 researchers overwhelmingly recognize the existence and salience of racism, both within our  
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28 <sup>3</sup> Howard, *Why race and culture matter in schools*, at 73.

1 educational system and society at large.<sup>4</sup> Students or their families often arrive at school with  
 2 personal experiences of police violence, interpersonal racism, housing discrimination, or  
 3 employment discrimination, or have witnessed racialized violence on television and social  
 4 media. Schools themselves are sites of racial stress for many students of color. Students of color  
 5 are aware that peers, teachers, and administrators “see” their race, and many believe that their  
 6 race causes teachers to view them negatively.<sup>5</sup> As my research demonstrates, Black boys are  
 7 especially subject to both subtle and blatant forms of racism, like racial microaggressions,  
 8 lowered expectations, unsubstantiated surveillance, unfair discipline, and even overt racism.<sup>6</sup>  
 9 Despite efforts in Temecula and across the country, educational researchers remain committed  
 10 to studying the impact of structural racism and remedying its effects.<sup>7</sup>

11 15. The educational scholarship is clear: To provide students of color with an  
 12 education equivalent to that of their white peers, educators must affirmatively mitigate the  
 13 effects of structural racism both outside of and within school. Educators must adopt culturally  
 14 relevant pedagogy (CRP), which incorporates knowledge from students’ cultural background  
 15 into their instructional strategies and course content.<sup>8</sup> CRP addresses not only curriculum and  
 16 instruction, but also teacher-student interactions, classroom climate, and school culture.

17 16. My co-author and I studied the effectiveness of CRP practices in an intervention  
 18 program aimed at increasing the college-going rates for Black students. The program connected  
 19 UCLA undergraduates who themselves attended school in working class communities with  
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21 <sup>4</sup> American Educational Research Association (2020). Statement in Support of Anti-  
 22 Racist Education. Press Release. <https://www.aera.net/Newsroom/Statement-in-Support-of-Anti-Racist-Education>.

23 <sup>5</sup> Saleem, F., Howard, T.C., & Langley, A. (2022). Understanding and addressing  
 24 racial stress and trauma in schools: A pathway toward healing and resilience.  
*Psychology in the Schools*, 59 (12) 2506-2521.

25 <sup>6</sup> Howard, T.C., & Howard, J.R. (2021). “Radical care” to let Black boys thrive.  
*Educational Leadership*, 78(6) 22-29.

26 <sup>7</sup> American Educational Research Association (2020). Research Organizations  
 27 Announce Joint Commitment to Advancing Scholarly Study of Racism.  
<https://www.aera.net/Newsroom/Research-Organizations-Announce-Joint-Commitment-to-Advancing-Scholarly-Study-of-Racism>.

28 <sup>8</sup> Howard, T.C. (2012). Culturally responsive teaching. In J.A. Banks. (Ed).  
*Encyclopedia of diversity in education*. Thousand Oaks, CA: Sage Publishers.

1 students attending a high poverty school in Los Angeles County. The program used a culturally  
2 informed idea of care, connecting with students' families, providing tutoring and transportation,  
3 and support for students' financial and emotional needs outside of school. Use of these CRP  
4 practices increased student graduation rates and college-going rates.<sup>9</sup>

5 17. In recognition of the value of CRP, California curriculum and teacher  
6 performance standards require teachers to connect academic content to students' experiences  
7 and backgrounds. For example, the California Standards for the Teaching Profession direct  
8 educators to "connect subject matter to meaningful, real-life contexts."<sup>10</sup> An educator using  
9 CRP practices might draw from students' own experiences of racial discrimination to teach "the  
10 long term costs of slavery," as required by the California History-Social Science Framework.<sup>11</sup>  
11 Similarly, a CRP-informed educator might approach the History-Social Science Framework's  
12 directive to teach about compromises at the Founding to "preserve[] the institution of slavery"  
13 by engaging students, including Black students, in a discussion of what the United States means  
14 to them.<sup>12</sup>

15 18. Resolution 21 hinders educators' ability to meet state standards, let alone fully  
16 implement CRP. I struggle to imagine how educators could teach about "the long term costs of  
17 slavery," without running afoul of the prohibition on teaching that individuals are members of  
18 an "oppressed class because of race." Even a discussion about students' conceptions of our  
19 national project may broach the verboten question of whether the advent of slavery "constituted  
20 the true Founding of the United States." Resolution 21 denies students not only a culturally  
21 relevant education, but even the very basic education that the state requires.

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24 <sup>9</sup> Howard, T.C. & Terry, C.L. (2011). Culturally responsive pedagogy for African  
25 American students: Promising programs and practices for enhanced academic performance.  
*Teaching Education*, 22(4), 345-362.

26 <sup>10</sup> Cal. Comm'n Teacher Credentialing. (2009). *California Standards for the Teaching*  
27 *Profession* 4–6, [https://www.ctc.ca.gov/docs/default-source/educator-prep/standards/cstp-](https://www.ctc.ca.gov/docs/default-source/educator-prep/standards/cstp-2009.pdf)  
28 [2009.pdf](https://www.ctc.ca.gov/docs/default-source/educator-prep/standards/cstp-2009.pdf).

<sup>11</sup> Cal. Dep't of Educ. (2016). *California History-Social Science Framework*,  
<https://www.cde.ca.gov/ci/hs/cf/documents/hssframeworkwhole.pdf>.

<sup>12</sup> *Id.*

1           19.     In addition to adopting curriculum that engages students’ identities and cultures,  
2 educators can incorporate CRP by building a classroom culture rooted in care. The culture in  
3 most classrooms is based on middle class, white values, resulting in a cultural mismatch that  
4 results in students of color, particularly Black boys, being excluded from the classroom.  
5 Instead, classroom culture should be created *with* students of color.

6           20.     However, Resolution 21 obstructs teachers’ efforts to build such a culturally  
7 informed classroom culture, by preventing them from even recognizing central aspects of their  
8 students’ lives. Students are more engaged in learning when their cultural knowledge and racial  
9 identity are incorporated and valued. Yet, in the atmosphere of fear created by Resolution 21,  
10 Temecula teachers report eschewing discussions of race altogether, missing key opportunities to  
11 connect with students. Such avoidance of the topic of race denies students an essential part of  
12 their being and lived experience.

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

15           Executed on November 28, 2023.

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18    Tyrone Howard, Ph.D.  
19    *Declarant*  
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