

1
2 THE HONORABLE KARENA KIRKENDOLL
3 Motion for Summary Judgment
4 Hearing date and time: Friday, October 22 at 9 a.m.
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6
7 IN THE SUPERIOR COURT OF WASHINGTON IN AND
8 FOR PIERCE COUNTY

9 GILLIAN MARSHALL,

10 Plaintiff,

11 vs.

12 THE STATE OF WASHINGTON,
13 UNIVERSITY OF WASHINGTON, a State
14 Agency, DIANE YOUNG, individually, and
15 JILL PURDY, individually, and MARK
16 PAGANO, individually,

17 Defendants.

Case No.: 19-2-11120-3

DECLARATION OF JULIA AGUIRRE

18 I, Julia Aguirre, make the following statement based on personal knowledge.

19 1. I am a full professor in the School of Education at UW Tacoma.

20 2. Exhibit 1 is a true and correct copy of the March 17, 2017, peer review I did
21 for Dr. Gillian Marshall. I hereby incorporate by reference the content of that review into
22 this declaration.

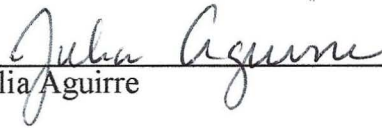
23 3. After I sent the teaching evaluation to Interim Director Tom Diehm, I never
24 heard back from him.
25

DECLARATION OF JULIA
AGUIRRE - 1

SHERIDAN LAW FIRM, P.S.
Hoge Building, Suite 1200
705 Second Avenue
Seattle, WA 98104
Tel: 206-381-5949 Fax: 206-447-9206

1 I declare under penalty of perjury under the laws of the State of Washington that
2 the above statements are true to the best of my knowledge.

3 DATED this 11th day of October, 2021 in Renton; King County
4 Washington.

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7 _____
8 Julia Aguirre

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DECLARATION OF JULIA
AGUIRRE - 2

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705 Second Avenue
Seattle, WA 98104
Tel: 206-381-5949 Fax: 206-447-9206

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CERTIFICATE OF SERVICE

I, Tony Dondero, certify that on October 11, 2021, I served the document to which this Certificate is attached to the party listed below in the manner shown.

Mary Crego Peterson, WSBA #31593
Jake Ewart, WSBA #38655
Hillis Clark Martin & Peterson
999 Third Avenue, Suite 4600
Seattle, WA 98104-3188
Tel: 206-623-1745
Fax: 206-623-7789
Attorneys for Defendant State of
Washington

- By United States Mail
- By Legal Messenger
- By Facsimile
- By Overnight Fed Ex Delivery
- By Electronic Mail To:

mary.peterson@hcmp.com
jake.ewart@hcmp.com

Dated this 11th day of October, 2021.

s/Tony Dondero
Tony Dondero, Legal Assistant

DECLARATION OF JULIA
AGUIRRE - 3

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Hoge Building, Suite 1200
705 Second Avenue
Seattle, WA 98104
Tel: 206-381-5949 Fax: 206-447-9206

EXHIBIT 1



Date: March 17, 2017

To: Tom Diehm, Interim Director for Social Work Program
Fr: Julia Aguirre, Ph.D., Associate professor

Re: Peer Teaching Evaluation for Gillian Marshall, Ph.D.

Observation Date: February 28, 2017
Observation Time: 7:00-8:30 pm
Observed Course: TSOCWF503a: Human Behavior and Social Work

I was requested to conduct a peer evaluation by Dr. Marshall to fulfill third year review requirements for tenure track assistant professors. Social work does not have a structured form or assessment criteria for faculty peer evaluations. Therefore, this review will comment on the equity-based inclusive practices documented in the literature and present in the Dr. Marshall's teaching. The observation will summarize instructional strengths and areas of growth.

The observation took place in the Master's seminar course called TSOCWF503a: Human Behavior and Social Work. According to the syllabus, this course examines "the dynamics and processes of individuals, families, small groups, organizations, and community systems" from a systems perspective as socializing forces and as targets for change. Implications for social work practices are emphasized.

The peer observation was conducted during the 9th week of the quarter. Dr. Marshall's instruction was observed for about 2 hours of a 2.5 hour course. The course topic for the session was health disparities and the relationship to place. The session included three main activities: an interactive mini-lecture with discussion about neighborhoods; 30 minute documentary called Unnatural Causes – Place matters, and a debriefing activity that linked major ideas from the documentary, readings, and professional work.

The observation began during the first activity. Dr. Marshall posed three questions for the class to brainstorm: *How does your neighborhood limit or expand healthy choices? What would you like to see improved in your neighborhood? What will it take to make that happen?* There was a range of responses written on the board including food deserts, access to clean water and air, sidewalks, pollution, and transportation. Dr. Marshall effectively facilitated this launch activity recording each participant response on the board without judgment ensuring student voice and participation. A key equity-based inclusive strategy documented in the educational literature is to activate prior knowledge and specifically students' funds of knowledge about their own lived experiences. This stands in sharp contrast to traditional college lecture-style instruction in which information flows one-way and renders participants passive recipients of their learning. By engaging in this participant-driven neighborhood discussion, Dr. Marshall surfaced and validated participant knowledge about the topic before watching a documentary on health disparities in specific neighborhoods. This connection to participant's lived experiences was intentional as she

anticipated that many of the points raised in this launch discussion would be present in the documentary.

The documentary, titled *Unnatural Causes: Place Matters*, was viewed in class for 30 minutes. An important inclusive strategy to note is that Dr. Marshall turned on the close captioning feature on the video so that participants had multiple ways to experience the documentary. Students took notes during the video.

After viewing the documentary, Dr. Marshall organized the participants into small groups to debrief the documentary. Each person was randomly assigned to a small group to minimize status issues (e.g. cliques). Each group was given a different handout with discussion questions to maximize participant attention to key conceptual dimensions of public health and place. The handouts shared three general questions and then differed by subtopic: children's development, health, policy, and neighborhood response comparison (see appendix). The shared general questions were:

1. According to epidemiologist Ana Diez-Roux, what conditions do affluent neighborhoods take for granted that promote better health?
2. The documentary asks, "How do you make an unhealthy neighborhood healthy?"
3. What health threats does Gwai face that are beyond his individual control?

Work groups were directed to create a poster that summarized their discussion of the questions on the handout. By requiring a group product to be shared, Dr. Marshall employed an important formative assessment strategy that facilitated student accountability of the concepts and provided a written record about what the students know and can do. It was clear that the participants understood both the assignment and small group discussion expectations. They quickly formed groups and engaged in discussions making connections between the examples presented in the documentary, their own neighborhoods, and their professional knowledge about the clients they served. During this time, Dr. Marshall would join discussions, asking probing questions to deepen critical thinking of the students. She made sure to check in with each group during this time.

After a 15 minute break, Dr. Marshall facilitated a whole class discussion on reactions to ideas presented in the documentary. Several different students offered ideas related to "poverty tax" – pay more for less quality and less access of essential items like healthy food, water, and air. Other students raised follow up questions such as, "how do you revitalize a neighborhood without gentrification"? Dr. Marshall wrote connecting statements and questions encouraging student-to-student responses. She also offered additional regional examples to punctuate the complexities about place and health. For example, when people move out while renewal is taking place, do those community members move back? What if they do not want to? What happens to those communities? The whole class discussion was professional and respectful, with graduate students continually making connections to the film, discussion questions, and their own social work practice.

In the last 30 minutes, the groups presented their summary posters highlighting important ideas discussed. Dr. Marshall listened to each group's presentation asking other groups to comment or question. Thus fostering a critical and collaborative discussion among the course participants. Dr. Marshall wrapped up this part of the session summarizing the implications for social work practice. Reiterating the importance of practitioners to consider the zip code of their clients and

its link with holistic assessment of their health and well-being, levels of stress and physical and social environments in which they live.

The strengths of Dr. Marshall's instruction include her ability to facilitate complex class discussions that encourages student voice, collaboration and critical thinking. Consistent with the syllabus description, participant discussions reflected a systems approach to understand and analyze human behavior. Participants evaluated multiple forces at once in trying to understand the relationship between place and health with clear implications being drawn to effective social work practice. Dr. Marshall was intentional in connecting participant experiences to their professional experiences and to their client's experiences. Her instruction fostered active student engagement throughout the session with participants pushing each other to consider perspectives that moved away from deficit and/or individualistic frames of their clients to social and environmental frames that support a more strength based approach to social work practice. An area of instructional growth would be to build on the group poster summaries as a formative assessment to include individual reflection component compelling each course participant to highlight their key takeaways of the session and its connection to professional practice. That way, Dr. Marshall has group and individual feedback of what participants are learning.

Dr. Marshall's instruction, particularly her capacity to facilitate critical professional discussions and connect to participant lived and professional experiences, is an exemplary model for faculty to learn from. If you have any questions or need additional information, please feel free to contact me at jaguirre@uw.edu.



Julia Aguirre, Ph.D.
Associate Professor
School of Education