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11 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 CITY AND COUNTY OF SAN FRANCISCO  
13

14 ELIEZER WILLIAMS, et al., ) Case No. 312 236  
15 )  
16 Plaintiffs, ) Hearing Date: August 25, 2003  
17 )  
18 vs. ) Time: 3:30 p.m.  
19 )  
20 STATE OF CALIFORNIA, DELAINE ) Department: 16  
21 EASTIN, State Superintendent )  
22 Of Public Instruction, STATE ) Judge: Hon. Peter J. Busch  
23 DEPARTMENT OF EDUCATION, STATE)  
24 BOARD OF EDUCATION, )  
25 )  
26 Defendants. )  
27 )  
28 )  
AND RELATED CROSS-ACTION. )  
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DECLARATION OF VIRGINIA DALE IN SUPPORT OF DEFENDANT STATE OF CALIFORNIA'S OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY ADJUDICATION

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**DECLARATION OF VIRGINIA DALE**

I, Virginia Dale, say:

1. I am the principal of Cali Calmecac Charter School in Windsor, California. I have been the principal since 1998. Prior to 1998, I was an assistant principal and teacher at Cali Calmecac and with the Windsor Unified School District since 1978. I have extensive knowledge of the students, teachers, and facilities at Cali Calmecac, and am familiar with the curriculum and the educational opportunities that are provided to Cali Calmecac students. I have personal knowledge of the facts set forth in this declaration; and if called as a witness I would and could testify competently thereto.

2. I am generally familiar with the Williams lawsuit and understand that plaintiffs' cite Cali Calmecac's "Initial Report of Findings" (II/USP action plan) dated January 2000 in support of their motion for summary adjudication re instructional materials. Plaintiffs' suggestion that Cali Calmecac currently lacks instructional materials is incorrect.

3. I am familiar with Cali Calmecac's II/USP action plan dated 2000. In fact, I was heavily involved in preparing the action plan, which was done in connection with our participation in the II/USP. Cali Calmecac was first selected to be an II/USP school in the 1999-2000 school year. During that year, we used II/USP funds to review our student needs and

1 formulate an "action plan" that addresses ways to resolve those  
2 needs and improve student achievement. In the following two  
3 years, with the assistance of additional II/USP funds, Cali  
4 Calmecac has implemented the action plan. Indeed, I believe that  
5 in the last three years we have achieved many of the goals we set  
6 out to meet.

7  
8 4. Among other items, Cali Calmecac's 2000 action plan  
9 identified a "critical[] lack of textbooks and curricular  
10 materials across all grade-levels and subject areas." The action  
11 plan also states that:

12  
13 "Teachers in early grades noted that the creation of small  
14 classes without adequate resources for materials had forced  
15 them to spread leveled reading books very thinly across  
16 classrooms. We also found very limited in-classroom  
17 collections of books, reference materials, and periodicals  
18 in the 4<sup>th</sup> through 8<sup>th</sup> grades, and in many classrooms there  
19 was not even one complete set of texts for the grade level.  
20 (Reading and reference materials that were available in  
21 these grades were often in poor condition.) As noted  
22 earlier, students without texts were generally unengaged,  
23 while in other grades, valuable instructional time was lost  
24 so that students could complete worksheets since there were  
25 not sufficient texts to bring home. Teachers in upper  
26 grades continue to use outdated textbooks, and sometimes  
27 rely on text-based assessments that are unaligned to  
28 standards or inappropriate for the given grade level.  
Consistently, teachers and students in all focus groups  
expressed the desire to have more and newer reading  
materials. . . . Additionally, there were very few science  
manipulatives and no science equipment seen in classrooms."

25 These comments are from the external evaluator after observing a  
26 few classrooms at Cali Calmecac. At that time, we had not yet  
27 updated our instructional materials to reflect the State's recent  
28 adoptions. We were in the process of identifying needs and

1 reviewing new state adopted textbooks. We wanted to match our  
2 purchases with the state's textbook adoption cycle. We did not  
3 want to purchase new textbooks from the old adoption list. In an  
4 effort to achieve increased student literacy, we identified all  
5 needs with respect to instructional materials.  
6

7           5. Over the last three years and as a result of  
8 II/USP funds and Charter School state funding, we have invested  
9 approximately \$200,000.00 in purchasing new textbooks and  
10 instructional materials that are aligned with the State adopted  
11 content standards. In particular, Cali Calmecac purchased new  
12 textbooks for all grades in spelling, English-language arts,  
13 English Language Development for English learners, literacy,  
14 Spanish-language arts, and math. We also purchased new science  
15 textbooks for our seventh and eighth graders, handwriting  
16 textbooks for K-3 graders and new social studies textbooks for  
17 the fifth and eighth graders. Moreover, each Cali Calmecac  
18 student has a textbook to use in class and to take home for  
19 purposes of doing homework in each core subject. In addition,  
20 Cali Calmecac purchased computers and new technology, and science  
21 lab materials that are aligned to the State's content standards.  
22

23           6. To further achieve our goal of student literacy,  
24 Cali Calmecac also invested a significant percentage of its  
25 II/USP funds into professional development programs. The  
26 programs we offered were designed to train our teachers in the  
27 recently adopted content-standards and to provide them effective  
28 teaching strategies therein. Cali Calmecac offered workshops

1 that focused on courses ranging from reading and writing to math  
2 and required all teachers to participate. Other professional  
3 development courses were offered on a voluntary basis in the  
4 summer and throughout the school year.  
5

6           7. Cali Calmecac's efforts, with the support of  
7 II/USP, have proven successful. A review of numerous measures  
8 demonstrate that student achievement at Cali Calmecac is on the  
9 rise. Report cards and individual progress reports of Cali  
10 Calmecac students show significant improvement in the majority of  
11 subject areas. An assessment of our students' individual SAT 9  
12 and CAT 6 test scores also reveals that they are demonstrating  
13 increased aptitude in the content standards. Indeed, Cali  
14 Calmecac's API score has dramatically increased (over 50 points)  
15 since we were identified as an II/USP school. Furthermore,  
16 results of the CELDT exam - the test used to measure the progress  
17 of our English Learners - reveals an increase in the overall  
18 English proficiency of Cali Calmecac's English Learners.  
19

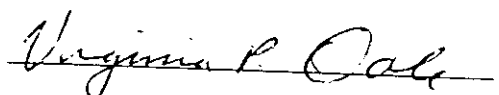
20           8. As with any school, there is still room for  
21 improvement. For instance, we would like to purchase new social  
22 studies and science textbooks for 6th graders. However, given  
23 that a new State adoption is due next year, we are waiting until  
24 after that adoption to purchase materials in these subject areas.  
25 Furthermore, as noted in the 2000 action plan, Cali Calmecac does  
26 not have a separate science lab. Teachers, however, are able to  
27 conduct effective science experiments in their individual  
28 classrooms. Indeed, the administration purposely decided not to

1 allocate resources into building a separate lab because we  
2 recognized that there are both advantages and disadvantages to  
3 having one. Specifically, many teachers prefer having control  
4 over the materials they use for experiments and do not want the  
5 inconvenience of having to use certain materials in another room  
6 that is shared with multiple teachers. No doubt some teachers  
7 still want a separate lab. However, since students are able to  
8 engage in effective labs and experiments in classrooms, building  
9 a separate lab simply is not a priority in light of more pressing  
10 goals such as student literacy.

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I declare under penalty of perjury that the foregoing  
is true and correct.

Executed this 6 day of August, 2003 at Windsor,  
California.

  
Virginia Dale