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8	SUPERIOR COURT OF THE STATE OF CALIFORNIA	
9	CITY AND COUNTY OF EAST FRANCISCO	
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11	ELIEZER WILLIAMS, et al.,	Case No. 312 236
12	Plaintiffs,	Hearing Date: August 25, 2003
13	vs.	
14	STATE OF CALIFORNIA, DELAINE)	F
15	EASTIN, State Superintendent	Department: 16
16	Of Public Instruction, STATE) DEPARTMENT OF EDUCATION, STATE)	Judge: Hon. Peter J. Busch
17	BOARD OF EDUCATION,	
18	Defendants.)	
19)	
20	AND RELATED CROSS-ACTION.	
21		
22		
23	DECLARAMION OF TAXABLE	
24	DECLARATION OF HAIDEE 1. FOUST IN SUPPORT OF DEFENDANT STATE OF CALIFORNIA'S OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY ADJUDICATION	
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I, Haidee I. Foust, say:

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1. I am the principal of Richmond High School in West Contra Costa Unified School District. I have been the principal of Richmond High for five years. Prior to that, I was the Assistant Principal of Homestead High for Fremont Unified School District. I have extensive knowledge of the students, teachers, and facilities at Richmond High School, and am familiar with the curriculum and instructional materials provided to the students during the time I was principal. 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 know Magaly de Loza who is a student at Richmond High School and have read her declaration concerning the instructional materials and other conditions at this school.

 3. Magaly de Loza alleges that she did not have books to use in class or to take home in her ELD classes during the 2002-2003 school year. This is not correct. Ms. de Loza's two ELD teachers for this past school year were Ms. Hertzberg and Mr. Mannix. Ms. Hertzberg taught her ELD class with the following district-approved Highpoint series textbooks: "Making Connections," "Voices in Literature," and required supplemental materials, "Globe Literature" and "Grandfather's Journey." Each student in this class was provided with their own copy of "Making

Connections," "Globe Literature," and "Grandfather's Journey" to use in class and to take home. In addition, students were given "Voices in Literature" texts and supplemental books such as "Out of the Dust" and "Magic Paper" to use in class. Furthermore, it is my understanding that these books are aligned to State content-standards. Mr. Mannix taught his ELD class using novels which were provided to the students to use in class and to take home. These novels included, "Fahrenheit 451," "That Was Then, This is Now," "1984," I Know Why the Caged Bird Sings,"
"Chocolate for Water," and "Of Mice and Men," and each student was provided with their own copy. Mr. Mannix did not utilize textbooks in teaching his class because he believes that his instructional method just using novels is more effective.

4. Magaly de Loza further alleges that in one of her two ELD classes, the students did not even have Spanish-English dictionaries to use. It is true that Mr. Mannix did not provide the students with Spanish-English dictionary. However, Spanish-English dictionaries are not required for his class and he, therefore, chose not to use them. Spanish-English dictionaries are required for Ms. Hertzberg's class and a class set of the Spanish-English "Heritage Dictionary" was provided to the students along with a class set of the American English "Longman Dictionary."

5. Contrary to Ms. de Loza's allegation, her Algebra class had a classroom set of the Algebra I, Forrester, standards-aligned math textbooks to use in class from the beginning of the

school year. Moreover, starting in January of 2003, students were given their own copies of the Algebra I, Essentials textbooks to use in class and to take home.

6. Richmond High School provided enough biology textbooks for the students to have their own copy to use in class. biology textbooks are district-approved and in adequate condition. The students were also taught using photocopies of district-approved supplemental instructional materials in biology. Richmond High chose not to order additional copies of biology textbooks because the current textbooks, although they are the most recent district adoption, were published in 1985. We decided, therefore, to wait for the district to approve new biology texts before purchasing individual copies of textbooks. Richmond High also chose not to purchase additional copies of the supplemental materials because the biology teachers felt individual copies were not necessary and they could effectively instruct the students by providing them with photocopies.

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

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Executed this ____ day of July, 2003 at Santa Clara County, California.

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Haidee I. Foust