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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
CITY AND COUNTY OF SAN FRANCISCO

|    |                                |   |                               |
|----|--------------------------------|---|-------------------------------|
| 11 | ELIEZER WILLIAMS, et al.,      | ) | Case No. 312 236              |
| 12 |                                | ) |                               |
| 13 | Plaintiffs,                    | ) | Hearing Date: August 25, 2003 |
| 14 |                                | ) |                               |
| 15 | vs.                            | ) | Time: 3:30 p.m.               |
| 16 |                                | ) |                               |
| 17 | STATE OF CALIFORNIA, DELAINE   | ) | Department: 16                |
| 18 | EASTIN, State Superintendent   | ) |                               |
| 19 | Of Public Instruction, STATE   | ) | Judge: Hon. Peter J. Busch    |
| 20 | DEPARTMENT OF EDUCATION, STATE | ) |                               |
| 21 | BOARD OF EDUCATION,            | ) |                               |
| 22 |                                | ) |                               |
| 23 | Defendants.                    | ) |                               |
| 24 |                                | ) |                               |
| 25 |                                | ) |                               |
| 26 |                                | ) |                               |
| 27 | AND RELATED CROSS-ACTION.      | ) |                               |
| 28 |                                | ) |                               |

DECLARATION OF SHARON SWAN IN SUPPORT OF DEFENDANT STATE OF  
CALIFORNIA'S OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY  
ADJUDICATION

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DECLARATION OF SHARON SWAN

I, Sharon Swan, say:

1. I am the principal of Lincoln Elementary School in San Bernardino City Unified School District. I have been the principal of Lincoln Elementary for twelve years. I have extensive knowledge of the students, teachers and facilities at Lincoln Elementary, and am familiar with the curriculum and instructional materials that are provided to Lincoln Elementary 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 familiar with Lincoln Elementary's March 2000 II/USP Action Plan. In fact, I was involved in preparing and drafting the Action Plan, which was done in connection with our participation in the Immediate Intervention/Underperforming Schools Program. Lincoln Elementary volunteered and was selected to be an II/USP school starting in the 2000-2001 school year. Since being selected to be an II/USP school, Lincoln Elementary has achieved tremendous academic success. In 2000-2001, we tripled our API growth targets and in 2001-2002, we doubled our API growth targets.

3. I am generally familiar with the Williams lawsuit. I am also aware that the plaintiffs in this case have quoted a portion of Lincoln Elementary's II/USP Action Plan which

1 identifies "outdated texts and ad-hoc supplementals" as a barrier  
2 to student achievement in mathematics. In spring of 2000, at the  
3 time we were formulating the Action Plan, the teachers at Lincoln  
4 Elementary expressed a need for State-adopted math books so as to  
5 ensure that students had access to the State's new content-  
6 standards. In addition to wanting new math textbooks, teachers  
7 at Lincoln also believed that the students needed more  
8 supplemental math materials such as manipulatives.  
9

10 4. In the spring of 2001, the district adopted and  
11 purchased math textbooks that were aligned to the State's  
12 content-standards and the accompanying supplemental materials.  
13 For the 2001-2002 school year, each student at Lincoln Elementary  
14 was provided a copy of this new textbook to use in class and to  
15 take home for purposes of homework. In addition, Lincoln  
16 Elementary purchased for the 2000-2001 school year a  
17 supplementary math program called Math Steps with our II/USP  
18 funds. This program was used to supplement our math texts until  
19 the State-adopted texts arrived in the fall of 2001. Lincoln  
20 Elementary also hired a Math Program Specialist to assist  
21 teachers in the use of Math Steps and to optimize their  
22 instructional strategies in mathematics. Furthermore, with the  
23 additional funds provided by the II/USP program, Lincoln  
24 Elementary has purchased many additional reading books, ELD  
25 materials and other supplemental learning materials for all  
26 subjects.  
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5. The district's adoption of the new math textbooks and purchase of the accompanying supplemental materials resolved the teachers' concerns which are set forth in Lincoln's II/USP Action Plan. Even more, all students at Lincoln Elementary have textbooks to use in class and to take home in all core classes. Indeed, at no time have any students at Lincoln lacked textbooks in any core subject, including math.

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

Executed this 1st day of August, 2003 at San Bernardino, California.



Sharon Swan

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