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ELIEZER WILLIAMS, etc., *et al.*

17 SUPERIOR COURT OF THE STATE OF CALIFORNIA

18 COUNTY OF SAN FRANCISCO

19 UNLIMITED JURISDICTION

20 ELIEZER WILLIAMS, a minor, by SWEETIE  
WILLIAMS, his guardian ad litem, *et al.*, each  
21 individually and on behalf of all others similarly  
situated,

22 Plaintiffs,

23 v.

24 STATE OF CALIFORNIA, DELAINE EASTIN,  
State Superintendent of Public Instruction,  
25 STATE DEPARTMENT OF EDUCATION,  
STATE BOARD OF EDUCATION,

26 Defendants.

ENDORSED  
FILED  
San Francisco County Superior Court  
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No. 312236

DECLARATION OF CARLOS MORENO

Hearing: August 25, 2003  
Time: 3:30 p.m.  
Department: 20, Hall of Justice  
Judge: Hon. Peter J. Busch  
Date Action Filed: May 17, 2000  
Trial Date: August 30, 2004

## Declaration of Carlos Moreno

I, Carlos Moreno, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows:

2. I am a teacher at Jurupa Valley High School ("JVHS") in Mira Loma, California. I teach Spanish II, French I, and the first level of English Language Development. I have been teaching at JVHS for two years.

3. The textbooks in my Spanish II class are over 15 years old and are in extremely poor condition with missing covers and pages, graffiti and other markings. As a teacher, I am embarrassed that my students have to use these books. I heard from a teacher at a Foreign Language Department meeting that JVHS obtained these books after another school discarded them. I don't let my students take textbooks home because they are in such poor condition and they in turn are not careful to bring them back and forth to class. At the beginning of the school year, I opted to generate my own packets rather than using the book because of my embarrassment and because visually, the books are not very inspirational for my students. Furthermore, the books are outdated. The pictures used in the text are of the late seventies and early eighties. Students are less inspired to learn when they are faced with unsightly books. However, more recently, I have had to let the students use the book because generating the packets uses up a lot of paper and xeroxing. There are times, however, when the students run into problems while using the books because the books are missing pages or the words are illegible because of markings. When this happens, students have to share books or I will make copies of the missing and marked pages. I am given a monthly xeroxing limit of 2000 copies that I cannot exceed. Because I have to make up for the lack of supplemental resources and for having such old and worn-out textbooks, I frequently reach my limit before the month is over. As a result, I have to seek alternative xeroxing sources, such as going to the district copy center, which is not located at JVHS. I have requested new books, but have been told by my department chair and by the district instructional materials coordinator that JVHS currently does not have enough money to buy new books although the current books are in need of replacement, but that

1 if the budget allows, we will be getting new books in the fall. I have been using these old books  
2 for the last two years. Having new books will have a great impact on my students because I am  
3 certain that they will be more inspired to learn with new books.

4 4. I also lack supplemental materials and tools for my Spanish II class. I do not have  
5 supplemental tools, such as language cassettes, CD-Roms, videos, and workbooks for my  
6 students. These supplemental tools are all part of a complete foreign language curriculum.  
7 Without them, students get less visual, audio, and hands-on language activity. Because I  
8 recognize the importance of providing this experience for my students, I try to be as creative as  
9 possible to provide these resources for my students. For example, I create my own visual aids by  
10 cutting pictures out of magazines. I supplement the audio practice with my own in-class phonetic  
11 projects. I have also tried to supplement my students' curriculum with handouts by making  
12 copies of old workbooks. However, doing all this is extremely time consuming and it is not  
13 enough to make up for not having the supplemental tools and materials. Also, it is not fair to my  
14 students that they do not have the same tools available to other students.

15 5. Level I classes in the foreign language department received new books and  
16 supplemental tools and materials this year.

17 6. JVHS is overcrowded. Last year academic school year, there were approximately  
18 twelve traveling teachers because JVHS did not have enough classrooms for all the students and  
19 teachers. I was one of them. I had to switch classes every period for five periods the entire year.  
20 I carried most of my teaching materials with me as I moved from class to class. Break periods  
21 are important times for teachers to answer student questions before and after class and/or  
22 prepping for the next class. Because I was traveling in between every period, I was not able to do  
23 this. This year there are approximately two traveling teachers. The number has been reduced  
24 because portable classrooms were added to JVHS.

25 7. The foreign language department at JVHS has a high turnover rate. Since I have  
26 been at JVHS we have hired several new teachers, some of whom are still teaching at JVHS and  
27 some whom are not. At least one teacher told me she left JVHS because of the problems  
28 associated with traveling in between classes.

