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15 Attorneys for Plaintiffs
ELIEZER WILLIAMS, etc., *et al.*
16

17 SUPERIOR COURT OF THE STATE OF CALIFORNIA

18 COUNTY OF SAN FRANCISCO

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

21 Plaintiffs,

v.

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

25 Defendants.
26
27
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No. 312236

**SUPPLEMENTAL DECLARATION OF
JACK W. LONDEN IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF SETTLEMENT**

Hearing: March 23, 2005
Time: 9 a.m.
Department: 210
Judge: Hon. Peter J. Busch
Date Action Filed: May 17, 2000

CLASS ACTION

ENDORSED
FILED

MAR - 8 2005

1 I, JACK W. LONDEN, declare as follows:

2 1. I am a partner in Morrison & Foerster LLP, and a member of the State Bar of California.
3 I make this declaration in support of Plaintiffs' Motion for Approval of Final Settlement

4 2. Plaintiffs carried out their obligations under the order for notice to the class. Plaintiffs
5 have maintained a toll-free voicemail information line, in English and in Spanish, disseminating
6 information about the settlement, directing callers to the *Williams* website, www.decentschools.org,
7 that identifies more information, and providing a means for callers to request that information about
8 the settlement be mailed to them. Callers could speak to a live attendant and could request to speak
9 to an attorney or legal assistant involved in the case. A small number of callers, not all of whom
10 were class members, did so.

11 3. Plaintiffs posted notice of settlement on the *Williams* website, www.decentschools.org,
12 which received approximately 32,000 visits during the period after notice to the class was published,
13 more than one-third higher per day than before publication of the Notice of Settlement. Plaintiffs
14 also posted the notice of settlement on www.publicadvocates.org and on www.aclu-sc.org, and issued
15 two press releases announcing the notice to a broad list of relevant media sources. Plaintiffs received
16 a small number of e-mail comments regarding the settlement via the "feedback" feature on
17 www.decentschools.org, including questions, favorable comments, and a concern from a teacher
18 about whether the complaint process would be used by teachers because of lack of confidentiality.
19 We received one request for further information regarding the final attorneys' fees amount, to which
20 we responded that there has been no agreement yet about the amount of attorneys' fees.

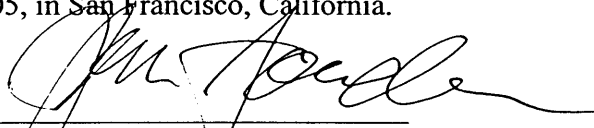
21 4. Plaintiffs' counsel disseminated the notice to plaintiffs' full contact list of persons and
22 organizations with interest in the case, including over 2000 addressees.

23 5. Plaintiffs distributed the notice, by electronic mail, to the California State PTA and the
24 individual district PTAs and requested that they publish notice of the settlement on their websites or
25 provide a link to the notice on the California Department of Education's website. Plaintiffs also
26 requested the California State PTA to publish the notice in their newsletter and plaintiffs requested
27 that the district PTAs request their school PTAs provide parents with the toll-free number to the
28

1 voicemail information line at PTA meetings that took place during the notice period or in PTA
2 newsletters that were distributed during the notice period. I have received information from an
3 official of the California PTA to the effect that the state PTA widely distributed the notice to PTAs.
4 The California PTA distributed both the notice and the summary in English and Spanish to the
5 District PTA Presidents in January. The notice was also published in the latest issue of PTA in
6 California, as well as in the January issue of Sacramento Update. Both of those publications are
7 available on the California State PTA web site.

8 6. We are aware of only one written comment on the settlement submitted as invited in the
9 class notice. That was a document submitted to Judge Peter J. Busch by three "Parent Advocates,"
10 Mrs. Patty Lopez, Ms. Carolina Perez-Ayala, and Claudia Gutierrez Esquivel. A copy is attached as
11 Exhibit A to this declaration.

12 I declare under penalty of perjury under the laws of the State of California that the foregoing
13 is true and correct. Executed on March 8, 2005, in San Francisco, California.

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15 _____
16 Jack W. Londen

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EXHIBIT A

To: Peter J. Bush
Department 210, 400 McAllister Street
San Francisco, Ca 94102-4514

Regarding William's Case for Parents/Guardians

From: Parent Advocates
Mrs. Patty Lopez
Mrs. Carolina Perez-Ayala
Claudia Gutierrez Esquivel
12301 San Fernando Rd. # 606
Sylmar, Ca 91342
818-361-8174
818-362-2011
818-833-6778

Dear Mr. Bush,

February 14, 2005

We have been participating as parent volunteers in the LAUSD Categorical Programs, and in other Councils for a total of fifteen-years altogether. We are not affiliated to any organization or any group, and we only work with each other as parents for parents, and we volunteer our own time, and our own resources.

We want to share with you additional matters of equal importance that should not be overlooked, and are necessary aside from adjustments in the William's Case for Parents/Guardians. (i.e. we participate in PCAC, and other Councils where we not had any information about what the William's Case is, and how to file) Chances are other less informed parent's will never ever know about Williams.

The Central District A-Y (PCSB) (DCAC) (DELAC) receives about One-Hundred – Eighty- Billion dollars a year. District's one-eight receives about two-hundred- thousand –dollars a year for their Categorical Programs (CEAC) (ELAC). The local schools receive about Seven-Hundred and Fifty-Thousand-Dollars a year. (the figures are only approximations only)

We have witnessed how these funds given by the State are misspent by LAUSD year after year. We want to offer all children a better opportunity to education by sharing with you the important details left out of "The Williams' case for Parents/Guardians."

PCSB must be eliminated completely, and PCAC, School-Site, Title I, ELAC, SEMAC

Councils must function locally. The funding received by the State would be more effective if it were concentrated in the schools, for the children. This means that children would be receiving more than the required basic programs, as the current system is not addressing the overall LAUSD student success rate.

A new reform needs to be created for real parental participation in the schools. This new reform needs to address parent employee participation in the administrative section, as opposed to the parent section in the Categorical programs. Eliminating parental-employee participation from direct access to manipulating the budget's funds for administrative gain; is essential. For many years these parent –employees have contributed to

influencing, and making decisions for the disadvantage of all children by posing as parents, and signing the budgets over to administration, for administration gain.

.The end results are evident in the long history of LAUSD's failing children. We feel this can change if the budget's are focused in academic achievement (gifted/talented, special education, ELL, Regular, migrant) and better intervention programs, enrichment programs, real after-school programs that mentor children academically aside than the basic programs required by law. These real after-school programs must be to motivate students focusing on Grade Level Academic Standards.

The creation of a telephone line to assist parents would be very beneficial because it would be a resource that could be accessed from home. Parents would be able to inquire about their children's education, programs, schools in their area, and information pertaining to their district.

Schools need to have social events, so that parents can become familiarized with the personnel/teachers. Teachers must have more open house events yearly for parents, so that parents become informed of the books and materials used by their children in class.

Parent's need workshops that focus in education regarding their rights to visit their child's classroom, becoming a volunteer, expulsion appeals process, how to file a complaint Board Rule 133, Uniform Complaint, Williams Uniform Complaint Procedure, proper pupil discipline, and parent involvement required when the school calls police. Parents need to know how to read their children's report card, how to request evaluations for their children from their school. Parents need to learn how to apply grade level academic standards, and how to make suggestions to their children's teachers and administrations.

Administrators and teachers must formulate a more effective plan to communicate to parents' that their children are not thriving academically in a timely fashion. An individual plan of assessment and intervention must be formulated for each child by the classroom teacher independent from the onsite SST Team, IEP Team etc. This individual plan must also include the progress made by the student, and it must include parental involvement. Parents must receive a copy of their child's individual plan in their native

language to be able to follow through at home. This individual assessment will ensure that each child is receiving the best intervention possible in their classrooms year-round as opposed to when the school assesses the system or when the parents that know ask for that evaluation. This new individualized plan of assessment will ensure a child's progress will be monitored and followed through thoroughly. The School Site Teams will have more detailed information about the students in more than general, and superficial aspects.

Parents need a reputable organization non LAUSD/Department of Education affiliated free of any conflict of interest with any entity that has interfered with student and parental rights in the past. This organization is for the parent's of working parents and everyone else that is in need of assistance in filling complaints, grievances, writing letters. This

organization will inform parents in how to defend their children's rights in schools, how to solve any conflict in any level.

Schools must be made accountable for developing improved school plans that reflect the results statistically each year for each section. The results must be published each year and posted in a public place. The results must be monitored by the suggested reputable organization that in turn must be working with the State, and any other agency that advocates children's education in their schools.

The results found in the School Accountability Report have not closed the gap for student achievement for years now. Millions of dollars have been spent in paying Doctors, and Professionals who have never been able to address the major academic problems in LAUSD students ever.

Schools need to tell parent's the truth about the (AYP), as opposed to just informing them about (API).

New guidelines need to be created for personnel being hired to work in the school's parent centers. Most parent center's are used for the parent-employees benefit, as opposed to being used for real parental unbiased resources of information, proper guidance and appropriate programs.

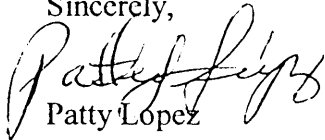
Junior High and High Schools should have programs and workshops for students/parents to prepare students for College/University knowledge of pre-requisites, transfers, and financial aid. Students need to know how many credits they need to graduate from High School, and what tests they need to take. These workshops and programs must have names and addresses of offices that offer any information or resources for students who wish to prepare in facing these challenges early on.

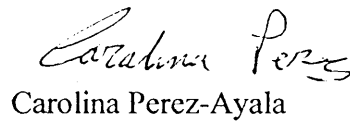
Improvements for Student Services must be made to enhance the current aid it provides to students with all types of crisis issues. Classroom awareness guidelines need to be polished for the professionals who are in direct contact with our children who can detect stress, and any unusual behaviors. Parents need to be notified, and involved immediately.

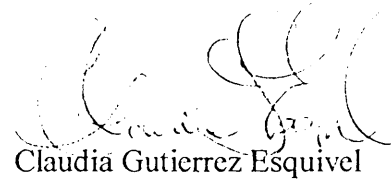
The current complaint system in LAUSD is ineffective and time consuming with little or no results. A new and improved complaint system needs to be adopted universally by all the districts in LAUSD.

We are asking that the government stops financing organizations that never help our failing students, and we ask that the State of California redirects the financing towards our schools as described in this document, as opposed the current system now. The above in this document have the experience, and proof from years of participation in matters that are crucial for all children. We would like to share with you or anyone that is interested in helping children and parents in LAUSD, the research and study we have accumulated.

Sincerely,


Patty Lopez


Carolina Perez-Ayala


Claudia Gutierrez Esquivel

Cc: Governor Arnold Schwarzenegger