

1 JOHN F. DAUM (SB #52313)
2 FRAMROZE M. VIRJEE (SB #120401)
3 DAVID L. HERRON (SB #158881)
4 O'MELVENY & MYERS LLP
5 Embarcadero Center West
6 275 Battery Street
7 San Francisco, California 94111-3305
8 Telephone: 415.984.8700

9 Attorneys for Defendant State of California

10
11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **CITY AND COUNTY OF SAN FRANCISCO**

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

29
30 **DECLARATION OF MADALENA L. ARELLANO IN SUPPORT OF DEFENDANT STATE**
31 **OF CALIFORNIA'S OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY**
32 **ADJUDICATION**

1 "[t]his school has adequate amounts of resources such as texts,
2 curriculum materials, and teaching aids."
3

4 4. In the spring of 2000, when this Action Plan was
5 drafted, Heath Elementary had identified the need to implement a
6 writing and grammar program to supplement our language arts
7 instruction and was in the process of searching for appropriate
8 textbooks and curriculum materials to purchase in these areas.
9 At that time, Heath Elementary was also lacking teaching
10 materials, manipulatives and other supplemental instructional
11 materials to accompany the math textbooks. Heath Elementary did
12 not, however, lack textbooks in core subjects for students to use
13 in class and to take home.
14

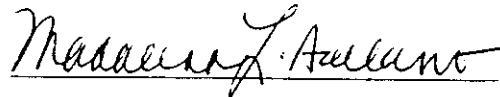
15 5. Heath Elementary subsequently purchased the writing and
16 grammar series that we needed to supplement our language arts
17 program. Starting in the fall of 2002, every student at Heath
18 Elementary received their own copy of a grammar and writing
19 textbook as well as workbooks in these subjects to use in class
20 and to take home. Also in 2001, the district purchased State-
21 adopted math textbooks (Saxon) for each child at Heath Elementary
22 and the school purchased the accompanying supplemental materials
23 such as teaching aids, workbooks and manipulatives with II/USP
24 and other funds. These purchases of supplemental instructional
25 materials in writing, grammar and math resolved the need for
26 additional resources identified by the teacher survey in Heath
27 Elementary's Action Plan. Moreover, since 2001, II/USP funds and
28 other grants have enabled Heath Elementary to purchase many other

1 supplemental instructional materials as well. For instance, we
2 purchased new library books, teaching aids, books for classroom
3 libraries, and supplemental materials for foreign language
4 classes.

5
6 6. Currently, the students at Heath Elementary not only
7 have a State-adopted textbook to use in class and to take home in
8 every core subject but they are also provided with many
9 supplemental instructional materials to enhance their learning
10 process.

11
12 I declare under penalty of perjury that the foregoing is
13 true and correct.

14
15 Executed this 31 day of July, 2003 at Los Angeles County,
16 California.

17
18 

19 Madalena L. Arellano
20
21
22
23
24
25
26
27
28