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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.)
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28)
AND RELATED CROSS-ACTION.)
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I, Randy Erwin, declare as follows:

1. I am the Title I Resource Teacher for Orosi High School in Cutler-Orosi Joint Unified School District. I have been working at Orosi High for the last four years and have been employed by the district since 1979. Prior to 1999, I was a teacher at El Monte Junior High School for three years, a seventh and eighth grade teacher at Cutler Elementary School for over twelve years, and teacher at Lovel Continuation School for two years. I have extensive knowledge of the students, teachers, and facilities at Orosi High, and am familiar with the curriculum and the educational opportunities that are provided to Orosi High School 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 generally familiar with the Williams lawsuit and understand that plaintiffs' cite Orosi High's "Schoolwide II/USP [Immediate Intervention of Underperforming Schools Program] Action Plan" (II/USP action plan) dated April 2000 in support of their motion for summary adjudication re instructional materials. Plaintiffs' suggestion that Orosi High lacks instructional materials is incorrect.

3. As resource teacher for Orosi High, I was part of the II/USP site team and was heavily involved in preparing the action plan, which was done in connection with our participation in the II/USP. The general purpose of the action plan was to

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1 gather input from staff, parents and students regarding our
2 students' needs, assess those needs and formulate a process in
3 which to address them and improve student achievement. In the
4 course of developing the action plan, there was a concern raised,
5 primarily by parents, that students did not have textbooks to
6 take home in a couple of classes. This concern, among others,
7 was included in the action plan. In particular, the action plan
8 states that "[n]ot all classes have textbooks available." Once
9 this issue was raised, I, along with other members of the staff,
10 investigated the situation and determined that there were
11 approximately one or two classes in which additional textbooks
12 were needed for purposes of allowing students to take books home.
13 There was never a concern, however, that students lacked
14 sufficient textbooks to use in class.

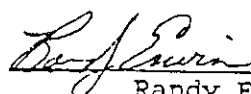
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16 4. Specifically, there appeared to be a couple
17 isolated occasions in which teachers had not requested the
18 additional textbooks they needed for purposes of allowing
19 students to take textbooks home. We resolved this breakdown in
20 communication by advising all teachers that requests for
21 textbooks should be made immediately to their department heads
22 and, or, directly to me. We also purchased the needed textbooks
23 immediately. Indeed, as of the beginning of the 2001-2002 school
24 year, all students had adequate textbooks to use in class and to
25 take home in all core classes. Moreover, students currently at
26 Orosi High have sufficient textbooks that are aligned to the
27 State's content-standards to use in class and to take home in all
28 core classes.

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5. During the course of developing our action plan, students also indicated that there was a need for supplemental materials. This issue was included in our action plan: "Students repeatedly cited a need for better materials. . . ." Since then, Orosi High has acquired additional supplemental materials across all subject areas. Indeed, we purchased additional materials in each core department, including new lab materials for science classes and new technology purchases. Orosi High also purchased new ELD materials that include vocabulary-building and grammar supplements. Finally, we also increased the number of professional development workshops for teachers relating to standards-based curriculum. Since implementation of our action plan, I have not received any complaints regarding the need for additional instructional and/or supplemental materials.

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

Executed this 29th day of July 2003, at Orosi, California.


Randy Erwin