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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. )  
26 )  
27 )  
28 )  
AND RELATED CROSS-ACTION. )  
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DECLARATION OF CHARLOTTE HINES IN SUPPORT OF DEFENDANT STATE OF CALIFORNIA'S OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY ADJUDICATION

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I, Charlotte Hines, declare as follows:

1. I am the principal of Roosevelt Elementary School in Hanford Elementary School District. I have been the principal of Roosevelt Elementary for three years. Prior to that, I was a past learning director for Hanford Elementary School District and teacher at Roosevelt Elementary. I have an administrative services credential and a multiple subject teaching credential. I have extensive knowledge of the students, teachers, and facilities at Roosevelt Elementary School and am familiar with the curriculum and the educational opportunities that are provided to Roosevelt 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 the January 2000 Initial Report of Findings that was prepared for Roosevelt Elementary School as a part of Roosevelt's participation in the Immediate Intervention/Underperforming Schools Program ("II/USP".) Roosevelt became an II/USP school beginning in the 1999-2000 school year.

3. I am generally familiar with the Williams case and am aware that plaintiffs have cited two pages of Roosevelt's Initial Report of Findings, which they identified as DOE 51303 and DOE 51333 in a submission to this court.

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1           4.    Page DOE 51333 contains the statement that "In all  
2 focus groups (including students) and in all comments from the  
3 classroom observers, the lack of up-to-date books and classroom  
4 resources was a chief concern." This statement is not currently  
5 accurate about Roosevelt. At the time that Roosevelt's Initial  
6 Report of Findings was written, the district had made a conscious  
7 choice to focus on reading, language arts, and mathematics. As a  
8 result, Roosevelt Elementary students have received new, up-to-  
9 date instructional materials in mathematics and language arts.  
10 For example, the district adopted new, standards-aligned  
11 mathematic books in grades K-6 in 2002-2003, and new, standards-  
12 aligned reading books for use in grades K-6 beginning in 2003-  
13 2004. In addition, the district purchased new, standards-aligned  
14 textbooks for a reading intervention series for fourth through  
15 sixth graders that is called "Fast Track" in 2002-2003.  
16 Roosevelt also has writing, phonics, and literature books that  
17 were purchased in 2000-2001 and in each year following.

18  
19           5.    Some teachers at Roosevelt may continue to use an  
20 older Mathematics book with their students as a supplemental or  
21 reference book. All students have as their primary textbook,  
22 however, the new, standards-aligned mathematics text that the  
23 district adopted last year.

24  
25           6.    In addition, Roosevelt invested extensively in  
26 leveled readers to support the district's focus on early  
27 literacy. Leveled readers are typically soft-cover reading books  
28 at various reading "levels," in sets of about six or so books.

1 Both schools have extensive "literacy libraries," from which  
2 teachers can check out sets of leveled readers for use in their  
3 classes. Roosevelt has acquired significant quantities of  
4 leveled readers since we became an II/USP school. In fact, we  
5 bought so many new leveled readers that we needed to move to a  
6 larger room and build more shelves for the literacy library.

7  
8 7. For social studies, students at Roosevelt use a  
9 Houghton Mifflin textbook that was adopted by the district in  
10 1991 (grades K-6). This social studies textbook is on the  
11 current state adoption list and is therefore not out-of-date as  
12 alleged. Although the district did not adopt new social studies  
13 books in 1998, these new adoptions would have been the same  
14 textbooks, with a few text changes a new cover, that the students  
15 are currently using.

16  
17 8. For science, Roosevelt students use the  
18 MacMillian/McGraw-Hill textbook that was adopted by the district  
19 in 1992 or 1993 for (grades 1-5) as well as science kits. Sixth  
20 graders in the district use a Holt Science Plus series which was  
21 purchased in 1994 or 1995. The district did not adopt new  
22 science books in 1999 because it made a conscious decision to  
23 focus its resources on language arts and mathematics. One of the  
24 factors that entered into that decision was that, at that time,  
25 there were no state standards for science and social studies and  
26 the district was moving towards standards based education. It is  
27 my understanding, based on my knowledge of the state content  
28 standards and frameworks, that the Science books that Roosevelt

1 is currently using do not differ substantially from the  
2 MacMillian/McGraw-Hill and Holt Science texts that are on the  
3 state's current adoption list. Both editions are pre-standards,  
4 and both are based on a state framework that was substantially  
5 unchanged between editions.

6  
7 9. Teachers at Roosevelt are able to deliver  
8 instruction aligned to state content standards in science and  
9 social studies by using the above texts along with up-to-date  
10 leveled readers with social science and science themes. These  
11 science and social science readers contain the state content  
12 standards in these subjects. Roosevelt looks at social science  
13 and science state content standards when determining what new  
14 leveled readers to purchase and has focused its purchase of new  
15 leveled readers on those with science and social science themes.  
16 The advantage of these leveled readers over traditional texts is  
17 that they provide the students with access to the state standards  
18 in science and social studies, regardless of their reading level.

19  
20 10. I heartily concurred in the district's decision  
21 not to adopt new social studies and science books and focus  
22 instead on the purchase of language arts and mathematics that are  
23 aligned to state standards and of leveled readers with themes  
24 that communicate state standards. This decision was one in which  
25 the teachers participated heavily based on their understanding of  
26 the needs of the students. Further, the district does have plans  
27 to purchase new, standards-aligned science and social studies  
28

1 textbooks when the state adopts new, standards-aligned texts in  
2 2005 for Social Science and in 2006 for Science.

3  
4 11. Page DOE 51333 also states that at Roosevelt  
5 School "Students in the focus groups noted that their books are  
6 in bad condition and because there are not enough, they can't  
7 take them home. This creates a problem when they are needed for  
8 a homework reference." This statement has not been accurate  
9 since at least the time I became principal. The primary  
10 textbooks that students at Roosevelt currently have in  
11 mathematics and the brand new language arts books that they will  
12 have starting this fall are in good condition, as are leveled  
13 readers and the writing and phonics materials that Roosevelt has  
14 acquired within the last few years. Furthermore, instruction at  
15 Roosevelt is not hindered because of a lack of books. It is  
16 possible that some of the mathematics books from an older  
17 adoption, which teachers can choose to use as reference books,  
18 are not in good physical condition. These books are used to  
19 supplement instruction, however, not as primary texts.

20  
21 12. The science and social studies books at Roosevelt  
22 and Richmond are also in fairly good condition. We conduct an  
23 annual inventory of books at Roosevelt and replace books that are  
24 in bad condition by either ordering more or obtaining copies from  
25 other schools. Books that are damaged and in bad condition do  
26 not remain in rotation at Roosevelt Elementary.

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1           13. At Roosevelt, whether students take books home for  
2 homework is a matter of teacher preference. Students do not  
3 necessarily need to take books home for a homework reference,  
4 depending on the type of homework assignment that the teacher  
5 designs. As I stated above, instruction at Roosevelt is not  
6 hindered because of a lack of books, and I am not aware of any  
7 situation at Roosevelt in which students were unable to take  
8 books home for a homework reference because there were not  
9 enough. In fact, as principal of Roosevelt, I encourage the  
10 teachers to send more books home with the students, whether it be  
11 textbooks, leveled readers or other books.

12  
13           14. Page DOE 51333 also mentions the following  
14 comments in reference to Roosevelt Elementary, "'not enough  
15 materials, poor selection of library books, to lack of language  
16 arts materials.'" It would be absolutely inaccurate to say that  
17 Roosevelt currently lacks language arts materials. As described  
18 above, Roosevelt has a wealth of up-to-date language arts  
19 materials and has been extremely focused on acquiring such  
20 materials in the past few years. Given this focus on language  
21 arts, especially reading, I find it hard to believe that  
22 Roosevelt lacked language arts materials at the time that this  
23 document was written.

24  
25           15. Roosevelt also has a current and up-to-date  
26 library with a great selection of books for all grades and  
27 reading levels. The school has received classroom library and  
28 library funds for the past few years as well as funds from the

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1 district to purchase library books and Roosevelt has been  
2 purchasing library books with these funds for at least the last  
3 four years. In addition, Roosevelt has a Media Services Aide who  
4 oversees the weeding out of the schools' library collections and  
5 the purchasing of new library books, with input from our library  
6 committee to determine what new library books to purchase.  
7 Moreover, Roosevelt just built a brand new and bigger library  
8 which opened in the fall of 2002, which allows for the enormous  
9 number of books to be better showcased and easily accessible for  
10 checkout.

11  
12 16. I also disagree with the statement that there are  
13 "not enough materials" at Roosevelt. The school has an enormous  
14 amount of instructional materials. I am not aware of any  
15 specific complaints at Roosevelt that there are currently not  
16 enough instructional materials at the school. In addition, as a  
17 general rule, the district purchases enough primary textbooks so  
18 that there is one textbook for every child. I am aware of only  
19 one situation in which we ordered fewer than one book per  
20 student. When Roosevelt ordered sixth grade science textbooks in  
21 1994 or 1995, it ordered fewer than one per student, for this  
22 grade and this subject alone. This decision was made by a  
23 committee of teachers, which looked at the entire curriculum and  
24 purchased those books that they most needed to implement it.  
25 This decision should not deter students from learning because we  
26 also have a number of other resources for teachers to use to  
27 teach the content in this subject. As mentioned above, there is  
28 also a large and sufficiently varied quantity of leveled readers

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1 so that any teacher who wants to check out leveled readers from  
2 the school's literacy library can do so for use in his or her  
3 class.

4  
5 17. Page DOE 51303 states, in reference to Roosevelt  
6 School, that "Teachers feel that they have a lack of  
7 instructional materials to support the standards implementation."  
8 In this coming school year, teachers will have sufficient  
9 materials to support the implementation of the mathematics and  
10 language arts standards because they will have new, standard-  
11 aligned textbooks, a standards-aligned intervention program in  
12 reading arts, a significant and varied quantity of leveled  
13 readers, and all of the other materials that I have described  
14 above. Neither the current state adopted science and social  
15 studies texts nor the previous adoptions that Roosevelt students  
16 are currently using for science and social science are standards-  
17 aligned, as the state has not yet adopted standards-aligned  
18 textbooks in these areas. Roosevelt teachers use the leveled  
19 readers with a focus on science and social science standards to  
20 supplement the texts and to deliver standards-aligned instruction  
21 to the students. In addition, the district will adopt standards-

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aligned science and social science textbooks when the new standards-aligned adoption lists are promulgated by the state.

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

Executed this 20 day of August 2003, at Hanford, California.

  
Charlotte Hines