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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 CYNTHIA L. QUINTANA IN SUPPORT OF DEFENDANT STATE**
31 **OF CALIFORNIA'S OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY**
32 **ADJUDICATION**

DECLARATION OF CYNTHIA L. QUINTANA

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2
3 I, Cynthia L. Quintana, do hereby declare as follows:
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5 1. I was the principal of McLane High School in the Fresno
6 Unified School District from approximately February of 1998 to
7 June of 2002. Currently, I am employed as a Human Resources
8 Administrator for Fresno Unified School District. I have
9 personal knowledge of the physical, educational, and operational
10 circumstances that prevailed at McLane High School during the
11 time I was the principal of that site, as well as the curriculum
12 and instructional materials provided to the students at McClane
13 High School during that time. I have personal knowledge of the
14 facts set forth in this declaration, and if called as a witness I
15 would and could testify competently thereto.
16

17 2. I am familiar with McLane High School's 2000 II/USP
18 Action Plan. I was personally involved in preparing and drafting
19 that Action Plan which was done in connection with the school's
20 participation in the Immediate Intervention/Underperforming
21 Schools Program ("II/USP").
22

23 3. I am generally familiar with the contents of the "II/USP
24 Action Plan for Fresno Unified School District - McLane High
25 School" prepared for Fresno Unified School District by the
26 Pulliam Group. I am familiar with the contents of page 24 of
27 that report which discusses English Language Development (ELD)
28 and English Language Learner (ELL) programs. The statements on

1 page 24 were not my statements, but are statements made by an
2 external evaluator from the Pulliam Group that worked with McLane
3 High School as part of the II/USP process. McLane High
4 subsequently asked that this individual be removed as an external
5 evaluator because he made assumptions about the school site that
6 were not accurate or correct, made unfounded statements about
7 McLane High in the Action Plan, and did not interact well with
8 school staff.

9
10 4. Page 24 of the Action Plan states that there was
11 "limited availability of materials and supplementary books" for
12 English Learner students. I do not agree that the external
13 evaluator's statement in this regard was accurate or correct.

14
15 5. During the time that I was principal of McLane High
16 School, the students in English Language Development (ELD)
17 classes had textbooks that were aligned to State content-
18 standards to use in class and supplemental materials such as
19 workbooks and homework books to take home. English Learner
20 students also had access to large classroom libraries that
21 contained high-interest books at the students' various reading
22 levels to check out and take home with them. Moreover, McLane
23 High School provided its English Learner students with ELD
24 manipulatives as well as ELD computer software to enhance their
25 learning process.

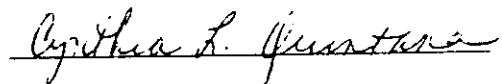
26
27 6. McLane High School also provided its English Learner
28 Students with their own copy of State standards-aligned textbooks

1 to use in class and to take home in their SDAIE (Specially
2 Designed Academic Instruction in English) classes for math,
3 science and social studies.

4
5 7. During the time that I was principal at McLane High
6 School, the teachers there had all the instructional materials
7 that they needed to teach English Learner students. The only
8 instructional materials for English Learner students that the
9 school lacked were supplemental materials printed in the
10 students' native languages such as Spanish, Hmong or Lao. This
11 was due to the limited availability of these materials from
12 publishers and not due to a lack of resources at the school to
13 purchase them.

14
15 I declare under penalty of perjury that the foregoing is
16 true and correct.

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18 Executed this 4 day of August, 2003 at Fresno,
19 California.

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22 Cynthia L. Quintana
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