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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
CITY AND COUNTY OF SAN FRANCISCO

11 ELIEZER WILLIAMS, et al., ) Case No. 312 236  
12 )  
13 Plaintiffs, ) Hearing Date: September 17, 2003  
14 )  
15 vs. ) Time: 3:30 p.m.  
16 )  
17 STATE OF CALIFORNIA, DELAINE ) Department: 20  
18 EASTIN, State Superintendent )  
19 Of Public Instruction, STATE ) Judge: Hon. Peter J. Busch  
20 DEPARTMENT OF EDUCATION, STATE )  
21 BOARD OF EDUCATION, )  
22 )  
23 Defendants. )  
24 )  
25 )  
26 )  
27 )  
28 )  
AND RELATED CROSS-ACTION. )  
\_\_\_\_\_ )  
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DECLARATION OF PRISCILLA RASANEN IN SUPPORT OF DEFENDANT STATE OF  
CALIFORNIA'S OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY  
ADJUDICATION

LA2:680799.1

DECLARATION OF PRISCILLA RASANEN IN SUPPORT OF DEFENDANT STATE OF CALIFORNIA'S OPPOSITION  
TO PLAINTIFFS' MOTION FOR SUMMARY ADJUDICATION

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I, Priscilla Rasanen, declare as follows:

1. I am currently employed by the Department of Education of the State of California (CDE). I make this declaration in support of the opposition by Defendant State of California to Plaintiffs' Motion for Summary Adjudication. All the facts set forth in this declaration are known to me personally and, if called as a witness, I could testify competently thereto.

2. Since September 2001, I have been the lead of one of the Scholastic Audit Teams of the School Improvement Division with the California Department of Education. Pursuant to the Elementary and Secondary Education Act (ESEA), Title I, Section 1116(d)(6) (B), California established the Scholastic Audit in September 2001. The purpose of the Scholastic Audit process was to conduct an in depth investigation of specific dimensions of those schools that had consistently failed to make academic progress, generally referred to as Program Improvement (PI) schools and to determine the strategies that these schools and their respective districts needed to take to improve the conditions necessary for academic achievement in English language arts and mathematics.

3. The first group of schools that participated in the Scholastic Audit and Targeted Intervention Process were the Title I schools that had consistently failed to make academic progress since first identified in 1996-97. These Program

LA2:680799.1

1 Improvement Cohort I schools were identified by school districts  
2 as not having met locally adopted standards of performance. The  
3 PI Cohort I schools subject to the process in 2001-2002 were  
4 those that met the following criteria: (1) Schools that failed to  
5 make adequate yearly progress for four years, including review of  
6 their 2001 Stanford-9 and API data in mid-September of that year,  
7 and (2) Schools that were not participating in the Immediate  
8 Intervention/Under-performing Schools Program (II/USP), or the  
9 Comprehensive School Reform Demonstration (CSRD) Program.

10  
11 4. Mount Vernon Middle School (Mount Vernon) was one  
12 of the schools included in PI Cohort I. In the last week of  
13 October 2001, I led the Scholastic Audit Team that reviewed Mount  
14 Vernon. During this five-day audit, our team, which consisted of  
15 seven members total, intensely reviewed school operations in  
16 these audit areas: 1) curriculum, 2) instruction, 3) classroom  
17 and school level assessments, 4) evaluation and accountability,  
18 5) professional development, 6) leadership and administration,  
19 7) school organization and resources, 8) school culture and  
20 environment, and 9) family and community engagement. The team  
21 interviewed administrative staff members, teachers, and students,  
22 observed classroom sessions, met with parents and other community  
23 members, and reviewed various documents collected from the site.  
24 The audit resulted in a "Scholastic Audit Team Report," which  
25 provided a listing of findings, recommendations for improvements  
26 to increase student achievement, and a suggested timeline for  
27 implementation of these recommendations.

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1           5.     Subsequent to the audit, the California Department  
2 of Education negotiated with the district and school personnel a  
3 specific time-line by which the various items for improvement  
4 would be met, the specific steps that the district and school  
5 would take to meet the items, and the appropriate parties  
6 responsible for each item. The product of these negotiations was  
7 a Joint Intervention Agreement (JIA) between the CDE and the  
8 district. (Attached, as exhibit A, is a true and correct copy of  
9 the JIA for Mount Vernon.) Both the Scholastic Audit Review Team  
10 Report and the JIA were shared with the LAUSD school board,  
11 school staff, and the community. LAUSD and Mount Vernon had  
12 approximately 18 months from January 2002 to implement the  
13 corrective actions specified in the JIA.

14  
15           6.     After the initial on-site audit and the execution  
16 of the JIA, I continued to work with LAUSD and Mount Vernon for  
17 the following eighteen months. Beginning in March 2002, LAUSD  
18 provided me quarterly written reports prior to monitoring visits  
19 that addressed Mount Vernon's progress regarding each of the  
20 findings in the JIA. In addition to reviewing these reports, I  
21 also conducted quarterly on-site visits of Mount Vernon to verify  
22 the report, to observe classrooms, and interview staff, students,  
23 and parents. At the conclusion of each monitoring visit, a  
24 report of progress was sent to Roy Romer, Superintendent of  
25 LAUSD, from the California Department of Education. My final  
26 visit to Mount Vernon was in June 2003. At that time, I verified  
27 that Mount Vernon had met all of the benchmarks that were set  
28 forth in the JIA.

1           7. I am familiar with the Williams v. State of  
2 California case, and have reviewed the allegations Plaintiffs set  
3 forth in their motion for summary adjudication pertaining to the  
4 lack of instructional materials at Mount Vernon. In particular,  
5 plaintiffs cite the 2001-2002 Mount Vernon Scholastic Audit  
6 Report, discussed above, which notes that:

7  
8           "complete sets of textbooks were not  
9 consistently distributed throughout classes."  
10 (Plaintiffs' Motion, p. 14; Audit Report,  
11 finding 1.E)

12           8. When my audit team conducted its initial on-site  
13 review in October 2001, we observed classes, conducted teacher  
14 interviews, arranged focus groups with staff and students and  
15 conducted an open forum with parents. While I did not witness any  
16 classrooms without an adequate supply of textbooks, other team  
17 members reported to me that they had observed classes in which  
18 students were sharing books or did not have textbooks assigned.  
19 In the interviews that were conducted, staff and parents from the  
20 Mount Vernon community indicated that an adequate number of  
21 textbooks were not distributed to students. Through discussions  
22 with Mount Vernon staff and district administrators, it became  
23 apparent to me that the problem was not an absence of available  
24 textbooks, but rather, staff, and perhaps the newer staff, was  
25 not aware of the school's procedures to obtain textbooks.

26           9. Therefore, the JIA addressed this issue of the  
27 procedures to obtain classroom textbooks in corrective actions

28 // /

1 "1-E" and "4-A(2)(b)" of the JIA. Both LAUSD and Mount Vernon  
2 agreed in the JIA to:

3  
4 "Establish clear, consistent, routine  
5 administrative procedures in the form of  
6 documented classroom visits, observations,  
7 and coaching procedures in order to support  
8 effective instructional strategies in the  
9 classroom." (See JIA, p. 4, 1-E.)

10 and,

11 "Administrators, with input from staff, must  
12 develop, distribute, review, update, and  
13 monitor . . . [a] teachers handbook outlining  
14 daily, weekly monthly and yearly procedures  
15 (including and not limited to): . . .  
16 Textbook and materials requisition  
17 procedures." (See JIA, p. 7, 4-A(2)(b).)

18 These corrective actions address the cause of the  
19 textbooks not being distributed to the classrooms.

20 10. On the first quarterly visit after the adoption  
21 of the JIA, there was no indication of problems with textbook  
22 distribution in the classrooms. By the third quarterly visit, at  
23 the beginning of the 2002-2003 school year, the teacher handbook  
24 had been distributed and discussed with Mount Vernon's teaching  
25 staff. The teacher handbook identifies the personnel responsible  
26 for and the procedures to access textbooks. The distribution of  
27 textbooks has never resurfaced as a problem.

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

Executed this        day of August 2003, at Sacramento,  
California.

  
Priscilla Rasanen





Joint Intervention Agreement  
Between  
the California Department of Education  
and  
Los Angeles Unified School District  
for  
*Mount Vernon Middle School*

**JOINT INTERVENTION AGREEMENT**

between

The California Department of Education

and

Los Angeles Unified School District

for

Mount Vernon Middle School

The corrective actions for Mount Vernon Middle School, herein the Joint Intervention Agreement between the California Department of Education and Los Angeles Unified School District, will be implemented in accordance with the findings developed by the California Department of Education Scholastic Audit conducted on the week of October 29, 2001, at Mount Vernon Middle School. The Los Angeles Unified School District agrees to:

1. Develop quarterly progress reports on the audit team's six findings and related prescribed corrective actions on 3/30/02, 6/30/02, 9/30/02, 12/30/02, 3/30/03 for the State Superintendent of Public Instruction and present them to the LAUSD Board of Education at a public meeting. The quarterly report will include clear and specific benchmarks for progress. These benchmarks will provide evidence that the district/school is implementing the corrective action steps according to schedule, as well as evidence that these actions are positively affecting student achievement.
2. Ongoing monitoring by the California Department of Education on the progress towards meeting the prescribed benchmarks that will show progress toward meeting the school's API targets for each year within the next 18 months.
3. Provide the fiscal and human resources that are necessary to support the required corrective actions.

**Findings No. 1: There is a lack of implementation of rigorous, consistent curriculum that is aligned to the California Content Standards.**

Corrective Actions	Implem. Timeline	Benchmarks of Progress	Resp. Indiv.

<p>A. Implement an ongoing, sustained <u>staff development plan</u> for both the teaching staff and the administration in the following areas:</p> <ol style="list-style-type: none"> <li>1. An understanding of the State Standards in English/Language Arts and Math.</li> <li>2. Lesson design and implementation of a standards-based lesson.</li> <li>3. Assessment of student work against the standards.</li> <li>4. Strategies to deliver instruction opportunity for small group instruction</li> <li>5. Grade level identification of key standards in English/ Language Arts and Math.</li> <li>6. Strategies for re-teaching based on student assessment.</li> </ol>	<p>July 2002</p>	<p>Develop standards-based education professional development plan and master schedule that includes:</p> <ol style="list-style-type: none"> <li>1. Process for data analysis.</li> <li>2. Math and Reading lesson design.</li> <li>3. Calibration.</li> <li>4. Principles of Learning.</li> <li>5. Reciprocal teaching strategies.</li> <li>6. Strategy-based coaching.</li> <li>7. Identification of focus standards in math and reading.</li> <li>8. Lesson study.</li> <li>9. Re-teaching strategies</li> <li>10. Rubrics</li> <li>11. Test preparation strategies.</li> <li>12. Ongoing benchmark assessments to monitor student progress.</li> </ol>	<p>*Principal, Stakeholders</p>
<p>B. Appoint a full-time Instructional Facilitator/Coach to the school to coordinate, monitor, assist and provide ongoing assessment in the Staff Development Plan as described in recommendation A.</p>	<p>March 2002 Revised  September 2003 Revised</p>	<p>Implement professional development modules that address corrective actions.</p>	<p>Superintendents *L. Castillo *T. Alexander  Principal *Principal</p>
<p>C. Provide each teacher with individual copies of the State Standards and Frameworks for each subject matter.</p>	<p>Ongoing monitoring by principal/coaches in place by September 2002  Immediately</p>	<p>Four Instructional Coaches hired and trained to assist with the implementation of the professional development plan, including a strategy-based coaching component.</p> <p>State Standards and State Frameworks have been distributed to teachers. Documentation of receipt will be maintained.</p>	<p>Principal</p>
<p>D. Provide opportunities for staff members to visit similar ethnic and sized schools including high poverty, high performing schools; Title I Achieving Schools; and California Distinguished Schools.</p>	<p>September- June 2002</p>	<p>Development of and adherence to a schedule for inter-school visitations.</p>	<p>*Principal</p>

E. Establish clear, consistent, routine administrative procedures in the form of documented classroom visits, observations, and coaching procedures in order to support effective instructional strategies in the classroom.	March 2002	.Learning Walks schedule that include teachers in all disciplines. .Development of classroom observation form to document evidence of implementation of standards-based instruction and/or recent professional development.	*Principal
	June 2002		

**Finding No. 2: There are low expectations of student achievement and of student behavior.**

Corrective Actions	Implementation Timeline	Benchmarks of Progress	Responsible Individual
A. Explore and adopt the principal of the resiliency Research such as the work of Kati Haycock and Ruby Payne's, <u>The Framework of Understanding Poverty</u> and other work. Consider training of school Staff in such topics.	February 2002 and Ongoing	.Understanding and adoption of the principles of resiliency research will begin with training of school staff by Local District E. Inquiry groups will be formed around <i>The Framework for Understanding Poverty</i> . Evidence of ongoing training will be available in the form of agendas and observable behaviors by staff on the campus.	*Principal Director
B. Develop and implement a clear, comprehensive, discipline code that is communicated to students, parents, staff and community members. Hold students, parents and staff accountable for implementation, adherence and consistency.	January 30, 2002	.The principal has initiated a collaborative effort to develop a clear, comprehensive, discipline code. It will be made clear to students, staff and parents. It will be presented at student meetings, staff meetings and parent meetings. It will include the need for everyone to be responsible for his or her part of the implementation plan. The code will be available to the public.	*Principal
C. LAUSD provides alternative solutions and district support to the school site principal to address such issues as site based management conflicts, transfer,	September 2002	.The Director and Staff Relations will work closely with the principal to address the identified issues. The administrators will receive training on hiring and	Superintendent, Director, *Staff Relations

hiring, and dismissal procedures.			evaluation procedures. Agendas of meetings with personnel and logs regarding work with the school administrative staff will be available to be viewed.	
D. Demonstrate, model, and display excellent student artifacts in classrooms and in common school areas. Teach students to analyze their own work. Develop and modify rubrics to attain a common performance rubric to be used in school-wide assessment.	September 2002 March 2003 March 2003		.Lesson study groups led by Content Coaches to identify criteria for quality work and to develop common rubrics. .Ability of students to articulate how to make their work better. .Display of criteria charts and rubrics developed by students and teachers.	*Principal, Instructional Coaches, Content Coaches

**Finding No. 3: Curriculum and instructional decisions and strategies in the classroom do not reflect the needs of the students and do not support the middle school document *Taking Center Stage*. Strategies do not reflect effective, varied, research-based practices to improve performance in reading, language arts, mathematics, and English Language Development.**

Corrective Actions	Implement Timeline	Benchmarks of Progress	Resp Indiv
A. Convert to established principles of middle school philosophy. 1. Provide each teacher with a copy of <i>Taking Center Stage</i> . 2. Provide staff development for <i>Taking Center Stage</i> . 3. Redesign 'homeroom' to reflect true middle school reforms including teacher/student advisement opportunities. 4. Explore and implement meaningful elective opportunities for students. 5. Institute peer helpers/conflict managers programs for students. 6. Create opportunities for all students' involvement and leadership activities in order to engage	Begin planning spring 2002  September 2002  March 2002  January 2003	.Training for <i>Taking Center Stage</i> has been scheduled. Administrative review of the material covered in this State document has begun. Study groups around <i>Taking Center Stage</i> and related reform efforts, including use of homeroom time and implementation of an advisory program have been initiated.  .Review and implement exploratory wheel as a part of the master schedule.  .Conflict Management programs will be analyzed and identified.  .Establishment of Student Council. .Establishment of peer tutoring programs	*Principal Director

students.	.Establishment of "House Leadership Councils"		
B. Redesign the master schedule to incorporate block scheduling or alternate schedule configurations that allow flexibility for student instruction, for teacher collaboration in lesson design and provides teacher opportunities for small group instruction.	September 2002 .Planning for redesigning the master schedule will begin immediately. Consideration for alternative scheduling approaches will be part of the planning process. Notes and agendas around discussions will be maintained. Efforts to create common conference periods for teachers with shared groups of students will be incorporated in the work.		*Principal

C. Create 'team teaching' configurations for 6,7, and 8 <sup>th</sup> grade students as reflected in <i>Taking Center Stage</i> . 1. Establish teams, pods, clouds, clusters, etc., which allow for greater student/teacher interaction and individualized assessment.	September 2002 .Establishment of vertical and horizontal groupings to align the instructional program and to optimize teacher/student interaction. Four pods will be made up of a group of teachers who share common students.		*Principal, Director
D. Develop staff in the California Standards for the Teaching Profession. 1. Align teacher evaluation/assessment process to the Standards for the Teaching Profession. 2. Provide consistent, ongoing, formal and informal assessment and evaluation for staff members.	September 2002 .CFASST training for staff. .Development of informal assessments that align with the standards. .Use of Initial Planning Sheet to align objectives with Standards .Evidence of monitoring on a formal and informal basis. .Collaboration with Central Office personnel to change current Snull process to align teacher evaluation/assessment process to the Standards for the Teaching Profession. November 2002 Ongoing January 2003		*Principal, Assistant Principals,  * Assoc. Supt. Of HR, Staff Relations

Finding No. 4 There is a lack of organized, coherent procedures and routines, which are clearly communicated and fully implemented.

Corrective Actions	Implement. Timeline	Benchmarks of Progress	Resp. Indiv.
<p>A. Administrators, with input from staff, must develop, distribute, review, update, and monitor:</p> <ol style="list-style-type: none"> <li>1. Basic Organizational Chart</li> <li>2. Teachers Handbook outlining daily, weekly, monthly, and yearly procedures as well as routine procedures (including but not limited to):               <ol style="list-style-type: none"> <li>a. Work order requests</li> <li>b. Textbook and materials requisition procedures</li> <li>c. Duty responsibilities</li> <li>d. Referral process for Deans, Counselors and Administrators</li> <li>e. School site safety and emergency procedures</li> <li>f. Intra-school communication procedures</li> <li>g. Teacher evaluation and visitation procedures (including conferencing and feedback process and description of maintenance log.)</li> </ol> </li> <li>3. Procedures and manuals for new teachers.</li> <li>4. Student/Parent Handbook in English and Spanish.</li> </ol>	<p>April 1, 2002 a Draft will be available</p> <p>Adoption of the required items will be completed by September 2002</p> <p>September 2002</p>	<p>The development of a Teacher Handbook and a School Organizational Chart are already in place. They will continue to be updated as appropriate.</p> <p>Evidence of the work being done will be made public and shared with the staff and community.</p> <p>Clarification of each area will be developed jointly with the principal, assistant principals, counselors, coordinators, and instructional staff. The handbook will be reviewed regularly and changed as necessary to meet the needs of the school.</p> <p>Local District E Parent Services staff will work collaboratively with the principal to develop a Student/Parent Handbook.</p>	<p>*Principal</p> <p>*Principal Local District E Parent Services</p>

Corrective Actions	Implement Timeline	Benchmarks of Progress	Responsible Individual
A. Collaboratively develop a school vision statement with staff, student, parent, and community input to reflect the direction of the school with high standards and a rigorous middle philosophy.	April 1, 2002 Draft September 2002 Adopted	.Formation and training of school Leadership Team by Local District. .Planning and implementation of processes for team building and development of a vision. .Development of vision by school community. .Agendas of staff and parent meetings will show that the work is being collaboratively accomplished.	*Principal Local District E
B. Establish clear norms of professional behaviors for meetings and interactions.	Immediately / Ongoing	.Clear norms for professional behavior will be clearly spelled out in the Ten School Program and in the Staff Commitment Letter.	*Principal
C. Celebrate benchmarked successes.	Ongoing	.Parent/ student/ community recognition events.	*Principal
D. Develop a comprehensive plan to promote family and community involvement.	September 2002	.Family and community involvement plan as described in the Ten Schools Program.	*Principal
E. Provide written communication to families on a consistent basis to increase parent awareness of- 1. Adolescent issues 2. Standards-based education 3. Assessment results and training in understanding results 4. Instructional Programs and offer opportunities for students	March 2002	.Documentation of the written communication between school and home will be available for review.	*Principal

Findings No. 5: A lack of effective, meaningful, clear communication has adversely affected staff morale and parent/community participation



Findings No. 6: The school facility is in state of dispair, not well maintained and does not accommodate the numbers of students and programs.

Corrective Actions	Implement Timeline	Benchmarks of Progress	Responsible Individual
<p>A. The District allocates adequate additional funds to:</p> <ol style="list-style-type: none"> <li>1. Complete the wiring for technology.</li> <li>2. Make needed repairs.</li> <li>3. Provide adequate lighting in hallways.</li> <li>4. Paint tagged areas regularly and as needed.</li> <li>5. Change Mt. Vernon Junior High School sign to Mt. Vernon Middle School.</li> </ol>	<p>March 2002</p> <p>September 2002</p>	<p>.Efforts are presently in place to meet these mandates by the prescribed time. Evidence of successful completion of these projects will be observable. Documentation of work orders will be made available for review.</p> <p>. Work on these school conditions is already in place. Outcomes will be observable.</p>	<p><u>Superintendents</u> *L. Castillo T. Alexander</p> <p><u>Superintendents</u> *J. Casillo T. Alexander</p>
<p>B. Locate summer school for students at an alternate site for the first summer session.</p>	<p>July 2003</p>	<p>School will return to traditional calendar; summer school will be housed off site until July 2003.</p>	<p>*Director</p>

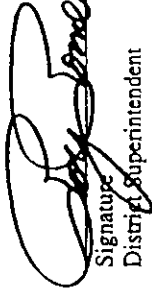
\*Incentive Program for encouraging credentialed and classified staff to apply and remain at Mt. Vernon Middle School:

- Participation in school-wide advisory program, \$250/ semester
- Content Coaches for five departments will receive \$1,000/ semester
- Twenty days of paid time for professional development paid at the teacher's hourly rate
- Buddy Teacher to new teachers paid at Z-time to work with new teachers for one week
- Four Instructional Coaches will provide instructional leadership for each of the pods, Step 40G
- Administrative staff will be assigned to A-Basis
- Clerical staff will be assigned to A-Basis
- Custodial overtime provided
- Staff members will be eligible to receive financial rewards should the school meet its State-determined accountabilities, if State funding is approved

\*All certificated and classified staff will be required to sign a commitment letter for assignment at this location.


The District certifies that a presentation of this Joint Intervention Agreement was made at a regularly scheduled board meeting held on Jan. 22, 2002, and that all corrective actions will be implemented in accordance with this Agreement.

Local Education Agency

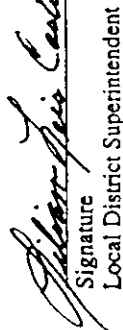
  
Signature  
District Superintendent

1/16/02  
Date

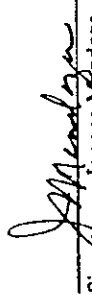
California Department of Education

  
Signature - Delaine Eastin  
State Superintendent of Public Instruction

1-15-02  
Date

  
Signature  
Local District Superintendent

1/16/02  
Date

  
Signature - Joanne Mendoza  
Deputy Superintendent  
Curriculum and Instructional Leadership Branch


1-15-02  
Date

Approved as to form and content by:

  
Signature  
General Counsel

1-17-02  
Date

Approved as to form and content by:

  
Signature - Allan Keown  
Deputy General Counsel

1-15-02  
Date