

1 MARK D. ROSENBAUM (BAR NO. 59940)  
CATHERINE E. LHAMON (BAR NO. 192751)  
2 PETER J. ELIASBERG (BAR NO. 189110)  
ACLU Foundation of Southern California  
3 1616 Beverly Boulevard  
Los Angeles, California 90026  
4 Telephone: (213) 977-9500

5 JACK W. LONDEN (BAR NO. 85776)  
MICHAEL A. JACOBS (BAR NO. 111664)  
6 MATTHEW I. KREEGER (BAR NO. 153793)  
LOIS K. PERRIN (BAR NO. 185242)  
7 AMY M. KOTT (BAR NO. 206834)  
Morrison & Foerster LLP  
8 425 Market Street  
San Francisco, California 94105-2482  
9 Telephone: (415) 268-7000

10 ALAN SCHLOSSER (BAR NO. 49957)  
MICHELLE ALEXANDER (BAR NO. 177089)  
11 ACLU Foundation of Northern California  
1663 Mission Street, Suite 460  
12 San Francisco, California 94103  
Telephone: (415) 621-2493

13 JOHN T. AFFELDT (BAR NO. 154430)  
14 THORN NDAIZEE MEWEH (BAR NO. 188583)  
Public Advocates, Inc.  
15 1535 Mission Street  
San Francisco, California 94103  
16 Telephone: (415) 431-7430

17 [Additional Counsel Listed on Signature Page]

18 Attorneys for Plaintiffs  
Eliezer Williams, et al.

19

20

SUPERIOR COURT OF THE STATE OF CALIFORNIA

21

COUNTY OF SAN FRANCISCO

22

23 ELIEZER WILLIAMS, a minor, by Sweetie  
Williams, his guardian ad litem; et al., each  
24 individually and on behalf of all others similarly  
situated,

25

Plaintiffs,

26

v.

27

28 STATE OF CALIFORNIA; DELAINE EASTIN,  
State Superintendent of Public Instruction;

No. 312236

[CLASS ACTION]

DECLARATION OF WALTER BLISS

1 STATE DEPARTMENT OF EDUCATION;  
STATE BOARD OF EDUCATION,

2  
3 Defendants.  
4

5 I, WALTER BLISS, hereby declare:

6 1. I make this declaration based on my own personal knowledge and, if called to testify as a  
7 witness, I could and would do so competently as follows:

8 2. I taught sixth grade at Cesar Chavez Academy in East Palo Alto, California, for one  
9 month at the beginning of the 2000-2001 school year. After the first month of the 2000-2001 school  
10 year, I was transferred to James P. Flood Middle School, which is also in East Palo Alto. I taught  
11 sixth, seventh, and eighth grade at James P. Flood Middle School for one month. I have an  
12 emergency teaching credential.

13 **Cesar Chavez Academy**

14 3. At the time I taught at Cesar Chavez Academy during the 2000-2001 school year, most of  
15 the teachers had less than two years of teaching experience. Several teachers had no teaching  
16 experience at all.

17 4. The bilingual sixth grade class at Chavez Academy started the year with no permanent  
18 teacher. Several substitutes took turns teaching the class, with one particular substitute teaching three  
19 days per week, and a series of alternating substitutes teaching the remaining days. At the time I left  
20 Chavez Academy, the bilingual class still lacked a permanent teacher.

21 5. Chavez Academy did not supply enough English textbooks for each sixth grade student  
22 to use in class. Although there were 87 sixth graders who needed English books, only about 78 books  
23 were made available to students. Nine students in the bilingual sixth grade class with no permanent  
24 teacher did not have books.

25 6. The library at Chavez Academy was never open during the time I taught there.

26 7. The bathroom adjacent to my classroom was locked for more than half of the day, every  
27 day. Students were only allowed to use the bathroom during lunch periods and at recess.  
28

1           8. The permanent classrooms at Chavez Academy have no air conditioning. During hot  
2 spells in September 2000, the temperature in my classroom was uncomfortably hot. I believe that the  
3 temperature inside my classroom rose above 100 degrees several times in September.

4           9. I felt unprepared when I started teaching at Chavez Academy. At the beginning of the  
5 school year, I attended a one-week workshop on teaching that was sponsored by a local business. The  
6 workshop was not helpful to me because it was designed for teachers with more experience. I had  
7 trouble applying what was covered in the workshop to my classroom teaching.

8           **James P. Flood Middle School**

9           10. Some of my students at Flood Middle School did not have textbooks to use in science  
10 class. In order to make sure that each student had the materials they needed to learn the science  
11 curriculum, I had to photocopy pages from the science books and distribute them to some of my  
12 students. The students who were given photocopied materials for homework often lost or forgot the  
13 photocopies because they did not think that they were as important as the assignments in the science  
14 book.

15  
16           I declare under penalty of perjury under the laws of the United States and the State of  
17 California that the foregoing is true and correct. Executed this 8th day of August, 2001, in Palo Alto,  
18 California.

19  
20 By: \_\_\_\_\_

*Walter E. Bliss*  
Walter Bliss