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15 San Francisco, California 94103
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16 Attorneys for Plaintiffs
17 ELIEZER WILLIAMS, etc., *et al.*

18 SUPERIOR COURT OF THE STATE OF CALIFORNIA

19 COUNTY OF SAN FRANCISCO

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

22 Plaintiffs,

23 v.

24 STATE OF CALIFORNIA, DELAINE
EASTIN, State Superintendent of Public
Instruction, STATE DEPARTMENT OF
25 EDUCATION, STATE BOARD OF
EDUCATION,

26 Defendants.
27

No. 312236

**DECLARATION OF LEECIA WELCH IN
SUPPORT OF PLAINTIFFS'
DESIGNATION OF REBUTTAL WITNESS
CATHERINE SNOW**

Date Action Filed: May 17, 2000

1 I, LEECIA WELCH, hereby declare as follows:

2 1. I am an attorney licensed to practice law in the State of California. I am an
3 associate at the law firm of Morrison & Foerster LLP, counsel of record for plaintiffs Eliezer
4 Williams, et al. (“plaintiffs”) in this action. I have personal knowledge of the facts stated herein
5 and could testify competently to them if called to do so.

6 2. Plaintiffs have provided a list of the persons whose expert opinion testimony the
7 plaintiffs intend to offer on rebuttal at trial of this action, either orally or by deposition testimony.
8 The list includes Catherine Snow, to whom this declaration refers.

9 3. Dr. Snow has agreed to testify at trial.

10 4. Dr. Snow will be sufficiently familiar with the pending action to submit to a
11 meaningful oral deposition concerning the specific testimony, including any opinions and their
12 bases, that she is expected to give at trial.

13 5. Dr. Snow’s fee for providing deposition testimony and for consulting with the
14 attorneys for plaintiffs is \$300 per hour. This rate did not apply to the research and other
15 activities undertaken in preparation of the attached rebuttal expert report.

16 6. Attached to my declaration as Exhibit A and incorporated by this reference is a
17 *curriculum vitae* providing Dr. Snow’s professional qualifications, pursuant to section
18 2034(f)(2)(A) of the California Code of Civil Procedure.

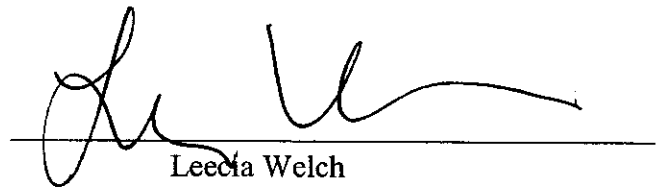
19 7. Attached to my declaration as Exhibit B and incorporated by this reference is
20 Dr. Snow’s rebuttal expert report. The following is a brief narrative statement of the general
21 substance of the testimony that Dr. Snow is expected to give at trial, pursuant to section
22 2034(f)(2)(B) of the California Code of Civil Procedure. Dr. Snow rebuts some of the opinions
23 of the State’s expert Dr. Russell Gersten on the grounds that the studies on which he relies for the
24 proposition that English Language Learners and native English speakers can learn to read equally
25 with precisely the same instruction fail to support his claim, and in some instances, suggest the
26 opposite; Dr. Gersten fails to provide any evidence that English Language Learners in California
27 will catch up to native English speakers in English and other core academic subjects merely by
28 being provided with the same English Language Arts instruction as native English speakers; and

1 contrary to Dr. Gersten's suggestion, there is support for Dr. Kenji Hakuta's conclusions that
2 English Language Learners educational needs include specialized instruction from teachers and
3 specialized instructional materials. The foregoing statements are only a general summary of the
4 issues and conclusions discussed and documented more fully in Dr. Snow's rebuttal expert report,
5 attached as Exhibit B.

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

8 Executed at San Francisco, California, this 15th day of September, 2003.

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Leecia Welch

EXHIBIT A

CURRICULUM VITAE

Catherine Elizabeth Snow

Henry Lee Shattuck Professor of Education, Harvard Graduate School of Education

Birthdate: 14 December 1945

Birthplace: Toledo, Ohio, U.S.A.

Address: Graduate School of Education
Harvard University
313 Larsen Hall
Cambridge, MA 02138

Telephone: 617-495-3563

Education:

B.A. (1966) Oberlin College, Oberlin, Ohio
Highest honors in psychology, Phi Beta Kappa
Thesis: Effects of luminance and contrast on contour dependent color after-effects.

M.A. (1967) McGill University, Montreal, Quebec
Department of Psychology
Thesis: Conjunctive and disjunctive thinking in children.

Ph.D. (1971) McGill University, Montreal, Quebec
Department of Psychology
Thesis: Language acquisition and mothers' speech to children.

Professional experience:

Research assistant, Department of Endocrinology, Growth, and Reproduction, Erasmus University, Rotterdam, The Netherlands (1970-1971).

Wetenschappelijk medewerker (Dutch equivalent of assistant professor), Institute for General Linguistics, University of Amsterdam, Amsterdam, The Netherlands (1971-1976).

Visiting scientist, Unit for Research on the Medical Applications of Psychology, University of Cambridge, Cambridge, England (1975).

Hoofdmedewerker (Dutch equivalent of associate professor), Institute for General Linguistics, University of Amsterdam, Amsterdam, The Netherlands (1976-1978).

Visiting Associate Professor, Harvard Graduate School of Education, Cambridge, Massachusetts (1978-1980).

Lecturer, Department of Psychology and Social Relations, Harvard University, Cambridge, Massachusetts (1979-1980).

Associate Professor, Harvard Graduate School of Education, Cambridge, Massachusetts

(1980-1986).

Fellow, Institute for Advanced Studies, Hebrew University, Jerusalem (1982-83).

Visiting Scholar, Department of Psychology, New York University (1984).

Professor, Harvard Graduate School of Education (1987-present).

Academic Dean, Harvard Graduate School of Education (1990-1993).

Acting Dean, Harvard Graduate School of Education (1991-1992).

Profesora visitante, Departamento de Psicología Evolutiva y de la Educación, Universidad Autónoma de Madrid (1995)

Teaching experience:

Teaching assistant, McGill University:

Introductory Psychology
Cognition
Experimental Methods

Seminar Courses, M.A. level, University of Amsterdam

Statistics and Experimental Methods
Psycholinguistics
Developmental Phonology
Input Factors in Language Acquisition
Sentence Stress
Aphasia
Receptive Language Development
Theory of Science
Prespeech
First and Second Language Acquisition
Mother-Infant Interaction
Input to Second Language Speakers
Neurological Basis of Language
Introduction to Second Language Acquisition
Development in the Prelinguistic Period

Lecture courses, M.A. level, University of Amsterdam

Introduction to Psycholinguistics
Introduction to Statistics and Experimental Methods

Lectures, undergraduate level, University of Amsterdam

Psycholinguistics
Sociolinguistics
Language Development

Lecture course, International Christian University Summer
School of Linguistics, Tokyo, 1978:
Social Interaction and Language Acquisition

Lecture courses, graduate level, Harvard University
Child Language
Language and Culture
Infant Communicative Development
Second Language Acquisition and Bilingualism
Development in the First Two Years of Life
Proseminar in Human Development and Psychology

Seminar courses, graduate level, Harvard University
Developmental phonology
Research methods in child language
Research methods in social interaction
Development of extended discourse
Development of Writing

Workshops and short courses (selected)

Talking and playing with babies, A.G. Bell Association for the Deaf, Toronto, June 1982.

Parent-child interaction and language acquisition: Applications for hearing-impaired children. Auditory Educational Clinic, Atlanta, May 1982.

Social interaction as a source of knowledge about language. New York State Speech and Hearing Association, April 1982.

Research in mother-child interaction: Implications for remediation of language disorders. Ohio State Speech and Hearing Association, April 1981.

Talking to children: Therapy is also social interaction. American Speech, Hearing, & Language Association, November, 1984.

What educators need to know about second language acquisition. Workshop, United Nations International School, New York, January, 1985.

Decontextualized oral language, reading, and writing. Workshops, New Haven Public Schools, 1985-1987.

The nature of language proficiency. Course on Multilingualism and Language Contact, for thesis students in The Netherlands, Universeit van Amsterdam, 28 November - 2 December 1988.

The acquisition of language and literacy. Course for graduate students in education, Universidad Central de Venezuela, 20-26 May 1989.

Methods in language acquisition research. Course for thesis students in Norway, University of Oslo, 18-21 June 1989.

CHILDES Workshop. Course held at Eotvos Lorand University, Budapest, 14-15 July, 1990.

Language and literacy assessment; Second language acquisition; CHILDES workshop. Courses given at Summer School of Applied Psycholinguistics, Federal University of Santa Catharina, Brazil, 8-22 January 1993.

Inleiding in pragmatische ontwikkeling (Introduction to pragmatic development). For thesis students in The Netherlands, Universiteit van Amsterdam, September, 1994.

- Interacción y el desarrollo de lenguaje (Interaction and the development of language).
Universidad Autonoma de Madrid, 1995.
- Introducción al sistema CHILDES (Introduction to CHILDES). Universidad
Complutense, Madrid. April, 1995. Universidad de Oviedo, June, 1996.
- Pragmatica y interaccion; El desarrollo de lectura relacionada a lenguaje (Pragmatics and
interaction; The development of literacy as related to language). Lectures given as
the Jaime Torres Bodet Chair, El Colegio de Mexico, January, 1997.
- Pragmatica, interaccion, y el desarrollo de lenguaje y lectura (Pragmatics, interaction, and
the development of language and literacy). Universidad Central de Caracas,
February, 1998.
- Pragmatic factors in lexical and grammatical acquisition. University of Oslo, LOT
Summer School, University of Utrecht, University of Odense, summer 1998.

Educational and Research Grants Held:

National Science Foundation graduate fellowship, 1966-1969.

Research grant number 30-17 from the Dutch Foundation for the Advancement of Pure Research (Z.W.O.) for studies on the critical period and second language acquisition, 1974-1976.

Research grant from Faculty of Letters, University of Amsterdam, for studies on cross-cultural aspects of mother-infant interaction, 1976-1977.

National Institute of Education grant, "The contribution of out-of-school experiences to the acquisition of literacy" (with Jeanne Chall), 1980-1982.

Spencer Foundation, "The social psychology of language: The language of nurturance and affection" (with Harry Levin), 1979-1981.

Milton Fund, "Studies in the acquisition of Spanish grammar" (with Lawrence Solan), 1980-1981.

Spencer Foundation, "The contribution of routines to the development of knowledge structure," 1981-1982. Renewed under title "The elaboration of knowledge structures beyond routine situations," 1982-1983.

Fellowship for 1982-1983 at the Institute for Advanced Studies, Hebrew University, Jerusalem.

Milton Fund, "Studies in the acquisition of Spanish morphology" (with Lawrence Solan), 1982-1983.

MacArthur Network on the Transition from Infancy to Childhood:

New England Node grant, "Development of individual styles in communicative competence and preferences" (with N. Mueller, D. Wolf, M. Watson and S. Reznick), 1982-1984.

New England Node grant, "Studies on the acquisition of phonetic categories and phonological rules (with J. Miller and P. Eimas), 1982-1984.

Foundation grant, "Child Language Data Exchange System (with Brian MacWhinney), 1983-1985.

New England Node grant, "Parent-child interaction: Assessing attitudes vs behavior", 1984-1985.

New England Node grant, "Imitateness as a dimension of individual style," 1985-1986.

Network grant, "Assessment of Individual Differences in the Fourth Year," (with Dennis Wolf), 1986-1987.

Spencer Foundation, "Negative feedback in language development," 1984-1985.

Spencer Foundation, "Individual differences in language acquisition: The role of imitation," 1985-1986.

Spencer Foundation, "Factors affecting the acquisition of conversational and literacy skills in a foreign language," 1984-1986.

- Center for Research in Language and Education (NIE), "Contextualized and decontextualized language skills," 1985-1989.
- Ford Foundation, "Development of decontextualized language skills," (with David Dickinson), 1988-1991.
- NIH, "Foundations for language assessment in spontaneous speech," (PI of program project), 1988-1993.
- NIH, "The development of speech acts and conversational skill," (PI of subproject within Foundations for language assessment in spontaneous speech), 1988-1993.
- Spencer Foundation, "Home-school study of language and literacy development," 1991-1993, renewed 1993-1996.
- March of Dimes, "The development of pragmatic skills in children with autism, Down Syndrome, and brain lesions," (with Barbara Pan), (1992-94).
- Department of Education, Title VII, "Fellowships for Doctoral Students," 1991-1994, renewed 1994-1997, 1998-2001.
- Manpower Development Research Corporation, Embedded Observational Studies within Evaluations of New Chance and Jobs Programs (with Patton Tabors and Jeanne De Temple), 1993-1996. Refunded for 1996-1999, through Child Trends.
- Faculty Research Fund, Harvard Graduate School of Education, "The acquisition of Creole languages: A pilot study." 1995-1996.
- Administration for Children Youth and Families (ACYF), "Harvard Graduate School of Education: Early Education Services Research Partnership," (with Barbara Pan and Cathy Ayoub), 1996-2001.
- W.T. Grant Foundation, "Home and School Factors: Low income children." (with Patton Tabors), 1996-1999.
- OERI, "Vocabulary knowledge and reading comprehension in English-language learners," (with Barry McLaughlin & Diane August), 1996-1999.
- David Rockefeller Center for Latin American Studies, Harvard University. Research grant, "Children learning Spanish: A synthesis and research agenda," 1998-99, 2000-2001.
- Carnegie Corporation, "Helping teachers teach reading" (with Carolyn Adger and Dorothy Strickland), 2000-2002.
- NICHHD, "Cross-linguistic, intralinguistic, and developmental factors affecting the acquisition of English literacy skills by native Spanish-speaking children," (Program project with several collaborators), 2000-2005.

Professional Service:

Co-organizer of the 1974 S.S.R.C. Conference on Language Input and Acquisition

Reviewer of grant applications for:

National Institute of Education
Social Sciences Research Council of Great Britain
Radcliffe College Bunting Fellows Program
Social Sciences and Humanities Research Council of Canada
Natural Sciences and Engineering Research Council of Canada
Dutch Psychonomic Society
National Institute of Education
National Science Foundation
Spencer/National Academy of Education doctoral fellowship program, ad hoc reviewer
(1988-1992), member, Selection Committee (1992-1994)
Ad hoc member, NIH Human Development and Aging Study Section, Biomedical
Sciences Study Section
Member, NIMH site visit teams (1984, 1986)
March of Dimes
Member, NIMH Mental Retardation Study Section, 1986-1989
Israeli-US Binational Science Foundation

Consultant to WGBH (Nova, Arthur, Between the Lions)

Consulting editor for:

Developmental Psychology
Child Development
Language Learning
Journal of Educational Psychology
Journal of Speech and Hearing Research
Journal of Speech and Hearing Disorders
Language and Speech
Applied Linguistics
Second Language Research
Attitudes and Social Cognition
Journal of Personality & Social Psychology

Member of Editorial Board:

Journal of Child Language
Applied Psycholinguistics
Topics in Language Disorders
Discourse Processes
Journal of Research in Childhood Education
Journal of Applied Developmental Psychology
The Journal of Narrative and Life History
Literacy: Scholarship, Policy and Practice
Social Development
International Journal of Bilingualism

Bilingualism: Language and Cognition

Consultant on manuscripts for:

Academic Press, Cambridge University Press, University Park Press, Erlbaum,
Heinemann, Harvard University Press, MIT Press, Prentice Hall

Editor: Applied Psycholinguistics, 1984-present (with John Locke).

Program Chair, New England Child Language Association, 1979-1981.

International Association for the Study of Child Language, secretary (1981-1984), Member of the
Executive Committee (1978-1990), president (1984-1987).

Member, Board of Trustees, Ecole Bilingue, Arlington, MA, 1984-1988.

Member, Nominating Committee, American Association for Applied Linguistics, 1986.

Co-director, Child Language Data Exchange System, 1983-1993.

Center for Applied Linguistics, member of Board of Trustees (1993-1999), vicechair (1996-1999).

Member, National Education Goal 1 Early Childhood Assessments Resource Group, 1995-96.

Member, National Research Council Committee on Developing a Research Agenda on the
Education of Limited English Proficient and Bilingual Students, 1995-96.

Chair, National Research Council Committee on Prevention of Reading Difficulties, 1995-1997.

Member, Board on Testing and Assessment (BOTA), National Research Council, 1997-2000.

Member, BOTA Committee on Fair and Appropriate Test Use, 1997-1998.

Member, Division of Behavioral and Social Sciences and Education, National Research Council,
1999-2001.

Chair, Rand/OERI Study Group to establish a National Research Agenda for Reading, 2000-2001.

President, American Educational Research Association, 1999 – 2001.

Administrative Experience:

Membership in Departmental Educational Policy Committee, Interdepartmental Research Policy Committee, and Search Committees for several staff vacancies, Institute for General Linguistics, University of Amsterdam.

Served December 1972 to May 1974 and May 1977 to April 1978 as chair of the Institute for General Linguistics, University of Amsterdam.

Membership in Human Development Doctoral Admissions Committee, Masters' Admissions Committee, Reading Search Committees, Administration Policy and Social Planning Search Committee of the Harvard Graduate School of Education.

Harvard Graduate School of Education Committee on Degrees, member (1981-1987), chair (1985-1987).

Harvard-Radcliffe Child Care Council, co-chair (1981-1984), member (1984-1989).

Chair, Task Force on Teaching Fellows, Harvard Graduate School of Education, 1984.

Member, Search Committee, Neurolinguistics Laboratory, Massachusetts General Hospital, 1986-87.

Acting chair, Human Development and Psychology, Harvard Graduate School of Education, spring 1988.

Chair, Human Development and Psychology Doctoral Admissions, 1990.

Academic Dean, Harvard Graduate School of Education, 1990-1993.

Acting Dean, Harvard Graduate School of Education, 1991-1992.

Chair, Human Development and Psychology Department, 1992-94, 1995-1999.

Chair, Teacher Education Review Committee, HGSE, 1995-1997.

Chair, Literacy Search Committee, Harvard Graduate School of Education, 1998 – 1999.

Chair, Early Childhood Education Search Committee, Harvard Graduate School of Education, 1999 – 2000.

Chair, Academic Cabinet, 2001 – 2002.

Publications: Books

- Tervoort, B., van der Geest, A., Hubers, G., Prins, R., and Snow, C.E. (1972). Psycholinguistiek. Aula paperback 481, Amsterdam: Het Spectrum.
- Snow, C.E. and Ferguson, C.A. (Eds.) (1977). Talking to children: Language input and acquisition. Cambridge: Cambridge University Press.
- Waterson, N. and Snow, C.E. (Eds.) (1978). The development of communication. London: John Wiley.
- Snow, C.E. (issue editor). (1984). The social context: Language development and language disorders. Topics in Language Disorders, Vol. 4, No. 4, September.
- Conti-Ramsden, G. & Snow, C.E. (Eds.) (1990). Children's language: Volume 7. Hillsdale, NJ: Erlbaum.
- Cazden, C. & Snow, C.E. (issue editors). (1990). English plus: Issues in bilingual education. The Annals of the American Academy of Political and Social Science, Vol. 508.
- Snow, C.E., Barnes, W.S., Chandler, J., Hemphill, L., and Goodman, I.F. (1991). Unfulfilled expectations: Home and school influences on literacy. Cambridge: Harvard University Press.
- Sokolov, J.L. & Snow, C.E. (Editors) (1994). Handbook of research in language development using CHILDES. Hillsdale, NJ: Erlbaum.
- Ninio, A. & Snow, C.E. (1996). Pragmatic Development. Boulder: Westview Press.
- Snow, C.E., Burns, S. & Griffin, P. (Editors). (1998). Preventing reading difficulties in young children. Washington, DC: National Academy Press.
- Burns, M.S., Griffin, P., & Snow, C.E. (Editors). (1999). Starting out right: A guide to promoting children's reading success. Washington DC: National Academy Press.
- Verhoeven, L. & Snow, C.E. (Editors). (2001). Motivation and reading: Cultural and social perspectives. Mahwah, NJ: Lawrence Erlbaum.
- Ready, T., Edley, C. Jr., & Snow, C.E. (Eds.). (2001). Achieving high educational standards for All. Washington DC: National Academy Press.
- Blum-Kulka, S. & Snow, C.E. (Editors). (2002). Talking to adults. Mahwah, NJ: Lawrence Erlbaum Associates, Inc.
- Adger, C. T., Snow, C. E., & Christian, D. (Eds.) (2002). What Teachers Need to Know About Language. Washington, DC, and McHenry, IL: Center for Applied Linguistics and Delta Systems Co., Inc.
- RAND Reading Study Group (Snow, C., Chair). (2002). Reading for Understanding, Toward an R&D Program in Reading Comprehension. Santa Monica: RAND.

Strickland, D. , Snow, C. , Griffin, P., Burns, M.S., and McNamara, P. (2002). Preparing our teachers: opportunities for better reading instruction. Washington, DC: J. Henry Press

Sweet, A. & Snow, C.E. (Eds.) (2003). Rethinking Reading Comprehension. New York: The Guilford Press.

Publications: Articles in refereed journals and invited chapters in edited volumes

Snow, C.E. & Rabinovich, M.S. (1969). Conjunctive and disjunctive thinking in children. Journal of Experimental Child Psychology, 7, 1-9.

Snow, C.E. (1972). Mothers' speech to children learning language. Child Development, 43, 549-565. Reprinted in L. Bloom (Ed.) (1978). Readings in language development. New York: Wiley.

Slob, A.K., Snow, C.E. & de Natrus-Mathot, E. (1973). Absence of behavioral deficits following neonatal undernutrition in the rat. Developmental Psychobiology, 6, 177-186.

Den Besten, H., van Riemsdijk, H. & Snow, C.E. (1973). Ambiguous sentences: Perceptual strategies? Spektator, 2, 470-475.

Snow, C.E. (1975). Linguists as behavioral scientists: Towards a methodology for testing linguistic intuitions. In A. Kraak (Ed.), Linguistics in the Netherlands 1972-1973. Amsterdam: Van Gorcum.

Wagenaar, E., Snow, C.E. & Prins, R. (1975). Spontaneous speech of aphasic patients: A psycholinguistic analysis. Brain and Language, 2, 281-303.

Prins, R., Wagenaar, E., & Snow, C.E. (1976). Het herstelverloop van afasie: Veranderingen in het spontane taalgebruik bij twee typen patienten. Nederlandse Tijdschrift voor de Psychologie, 31, 425-444.

Snow, C.E., Arlman-Rupp, A., Hassing, Y., Jobse, J., Joosten, J., & Vorster, J. (1976). Mothers' speech in three social classes. Journal of Psycholinguistic Research, 31, 424-444.

Snow, C.E. (1976). The language of the mother-child relationship. In S. Rogers (Ed.), They don't speak our language (pp. 63-79). London: Edward Arnold.

Snow, C.E. (1976). Mothers' speech to children. In von Raffler-Engel, W. & LeBrun, Y. (Eds.), Baby talk and infant speech. Amsterdam: Swets and Zeitlinger.

Snow, C.E. (1977). Mothers' speech research: From input to interaction. In Snow, C.E. & Ferguson, C.A. (Eds.), Talking to children: Language input and acquisition (pp. 31-49). London: Cambridge University Press.

Snow, C.E. & Meijer, G. (1977). On the secondary nature of syntactic intuitions. In S. Greenbaum (Ed.), Acceptability in language (pp. 163-177). The Hague: Mouton.

- Snow, C.E. (1977). Development of conversation between mothers and babies. Journal of Child Language, 4, 1-22.
 Reprinted in V. Lee (Ed.) (1979), Language Development (pp. 235-249). New York: Halstead Press.
 Reprinted in M.B. Franklin & S. Barten (Eds.) (1988), Child language: A reader (pp. 20-35). Oxford: Oxford University Press.
- Snow, C.E. & Hoefnagel-Höhle, M. (1977). Age differences in the pronunciation of foreign sounds. Language & Speech, 20, 357-365.
 Reprinted in S. Krashen, R. Scarcella & M. Long (Eds.) (1982), Child-adult differences in second language acquisition (pp. 84-92). Rowley, MA: Newbury House.
- De Blauw, A., Dubber, C. van Roosmalen, G., & Snow, C.E. (1978). Sex and social class differences in early mother-infant interaction. In O. Garnica & M. King (Eds.), Language, children, and society. New York: Pergamon Press.
- Snow, C.E., de Blauw, A., & van Roosmalen, G. (1978). Talking and playing with babies: The role of ideologies of child rearing. In M. Bullowa (Ed.), Before speech. London: Cambridge University Press.
- Snow, C.E. & Hoefnagel-Höhle, M. (1978). Age differences in second language acquisition. In E. Hatch (Ed.), Second language acquisition: A book of readings (pp. 333-344). Rowley, MA: Newbury Press.
- Snow, C.E. (1978). The conversational context of language acquisition. In Campbell, R. & Smith, P. (Eds.), Recent advances in the psychology of language, Vol. 2: Social and interactional factors. New York: Plenum.
- Prins, R., Wagenaar, E., & Snow, C.E. (1978). Recovery from aphasia: Spontaneous speech versus comprehension. Brain and Language, 6, 192-211.
- Snow, C.E. & Hoefnagel-Höhle, M. (1978). Critical period for language acquisition: Evidence from second language learning. Child Development, 49, 1263-1279.
 Reprinted in S. Krashen, R. Scarcella & M. Long (Eds.) (1982), Child-adult differences in second language acquisition (pp. 93-111). Rowley, MA: Newbury House.
- Snow, C.E. & Hoefnagel-Höhle, M. (1979). Individual differences in second language learning ability: A factor analytic study. Language and Speech, 22, 1515-162.
- Snow, C.E. (1979). The role of social interaction in language acquisition. In A. Collins (Ed.), Children's language and communication: Proceedings of the 1977 Minnesota Symposium on Child Development. Hillsdale, NJ: Erlbaum.
- Snow, C.E. (1979). Conversations with children. In P. Fletcher & M. Garman (Eds.), Language acquisition (pp. 363-375). Cambridge: Cambridge University Press, Cambridge. Revised edition, 1985.
 Reprinted in P. Barnes, J. Oates, J. Chapman, V. Lee, & P. Czerniewska (Eds.) (1985), Personality, development, and learning (pp. 136-149). Hodder and Stoughton, Open University.

- Snow, C.E., Smith, N.S. & Hoefnagel-Hohle, M. (1980). The acquisition of some Dutch morphological rules. Journal of Child Language, 7, 539-553.
- Snow, C.E. (1981). The uses of imitation. Journal of Child Language, 8, 205-212.
- Snow, C.E. (1981). English speakers' acquisition of Dutch syntax. In H. Winitz (Ed.), Native language and foreign language acquisition, Vol. 379. New York: Annals of the New York Academy of Sciences.
- Snow, C.E. & Goldfield, B. (1981). Bilingual education and first language acquisition. In Bilingual educational series 10; Faces and facets of bilingualism. Washington, DC: Center for Applied Linguistics.
- Snow, C.E. (1981). Social interaction and language acquisition. In P. Dale & D. Ingram (Eds.), Child Language: An international perspective. Baltimore: University Park Press.
- Snow, C.E. & Muysken, P.T. (1981). The interactional origins of foreigner talk. International Journal of the Sociology of Language, 28, 83-93.
- Levin, H., Schaffer, C., & Snow, C.E. (1982). The prosodic and paralinguistic features of reading and telling stories. Language and Speech, 25, pt. 1, 43-54.
- Snow, C.E., Dubber, C. & de Blauw, A. (1982). Routines in parent-child interaction. In L. Feagans & D. Farran (Eds.), The language of children reared in poverty: Implications for evaluation and intervention (pp. 53-72). New York: Academic Press.
- Snow, C.E. (1982). Knowledge and the use of language. In L. Feagans & D. Farran (Eds.), The language of children reared in poverty: Implications for evaluation and intervention (pp. 257-260). New York: Academic Press.
- Snow, C.E. & Goldfield, B. (1982). Building stories: The emergence of information structures from conversation and narrative. In D. Tannen (Ed.), Georgetown University Roundtable on Language and Linguistics 1981, Analyzing discourse: Text and talk (pp. 127-141). Washington, DC: Georgetown University Press.
- Snow, C.E. (1982). Are parents language teachers? In K. Borman (Ed.), The social life of children in a changing society (pp. 81-95). Hillsdale, NJ: Erlbaum.
- Snow, C.E. & Hoefnagel-Hohle, M. (1982). School-age second language learners' access to simplified linguistic input. Language Learning, 32, 411-430.
- Snow, C.E. (1983). Saying it again: The role of expanded and deferred imitations in language acquisition. In K.E. Nelson (Ed.), Children's language, Volume 4 (pp. 29-58). New York: Gardner Press.
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EXHIBIT B

**Response to Dr. Russell Gersten's Expert Report
by Catherine E. Snow**

Qualifications

I am the Henry Lee Shattuck Professor of Education at the Harvard Graduate School of Education, where I have worked for 25 years. I am a researcher in the area of language and literacy development, with over 30 years' experience of research and teaching. I have published close to 200 articles or chapters and several books on topics related to language and literacy development in both first and second languages. I have studied the acquisition of second languages and second language literacy in a variety of different contexts and by a variety of populations, in the United States and The Netherlands. I have studied children who were learning second languages through submersion, foreign language teaching, second language teaching, immersion, and transitional early- and late-exit bilingual programs. I chaired the National Research Council Committee that wrote *Prevention of Reading Difficulties in Young Children* (1998), a widely used report that made recommendations for reading instruction. I also served on the National Research Council committee that produced *Improving Schooling for Language Minority Children* (1997), and chaired the RAND Reading Study Group that produced a report called *Reading for Understanding* (2002), which has been adopted as a basis for its reading research agenda by the Institute of Education Sciences of the U.S. Department of Education.

Charge

In this response, I agreed to the limited task of evaluating some of the claims in Dr. Russell Gersten's expert report in this case. In particular, I examined the studies that Dr. Gersten relied on to support his central claim that English-language learners (ELLs) can learn to read as well as English-only (EO) speakers from the same sort of instruction. Other studies cited by Dr. Gersten in his expert report (Gersten & Baker, 2003; Gersten & Geva, 2003) relate to the range of literacy instruction practices in California classrooms serving ELLs, or to instructional practices shown to work better than standard practice with ELLs (Linan-Tompson et al, 2003; Saunders & Goldenberg, in press). One (Haager et al., 2002) simply presents a method for observing classrooms. I do not deal with those studies in detail, as they are not directly relevant to Dr. Gersten's central claim.

Hakuta's argument

Plaintiffs' expert Dr. Kenji Hakuta makes two central claims based in educational research: that teachers need special preparation in order to provide effective instruction for ELL children, and that ELLs need specialized instructional materials in order to ensure their access to the required content.

The claim concerning specialized teacher preparation is one that I have also made (Wong-Fillmore & Snow, 2002), in particular as it relates to the teaching of reading to ELLs, and even more powerfully to initial reading instruction in English for ELLs. Furthermore, the argument made in Wong-Fillmore and Snow (2002) implies that the knowledge teachers need to have goes beyond what most teacher preparation programs,

including the BCLAD and CLAD certifications in California, provide. This claim forms a central theme in a committee report I am currently involved in writing for the National Academy of Education's Committee on Teacher Education. This claim is consistent with the research showing that students in classrooms where the teachers have more professional preparation benefit in reading outcomes (National Reading Panel, 2000), and with experience I have gleaned from teaching graduate students seeking certification as reading specialists. These students, many of them certified teachers with considerable classroom experience, frequently express regret at the inadequacy, particularly for ELLs, of the practices they themselves had engaged in; they note that classroom teachers, particularly those teaching ELLs, need the sort of information acquired in my courses on language development, second language acquisition, bilingualism, and biliteracy. The students' sense that their initial professional preparation and support had been inadequate is confirmed by Bernhardt's (1994) analysis of the information about ELLs available in reading methods texts and Garcia et al.'s (1993) analysis of reading manuals and supplementary materials for guidance concerning ELLs. Both studies suggest that information relevant to second language readers is sparse and nonspecific.

My own efforts to improve classroom instruction for ELLs also point out the necessity of rich and targeted professional development for teachers of ELLs and targeted instructional materials. For example, in a three-year study my colleagues and I developed and evaluated a vocabulary curriculum for use in mainstream classrooms serving many ELLs along with EOs (Lively, August, Carlo & Snow, 2003). The curriculum, which was effective in improving vocabulary and reading comprehension of all the students (Carlo et al., in press), included many accommodations to the strengths and limitations of the ELL students, e.g., providing the target texts in Spanish, supplementing English word definitions with Spanish translations, and focusing on English vocabulary words that had close Spanish cognates. Although the curricular materials were detailed and provided lesson scripts for all activities, the curriculum was not effectively implemented (White, 2001) until we designed and led regular preparation sessions for the teachers, in which we previewed the words to be taught, modeled the classroom activities, and provided background information about Spanish-English cognates and similarities between Spanish and English in word structure.

Gersten's argument

Gersten's critique begins by citing a number of studies suggesting that good classroom practices, in particular building reading instruction around a focus on vocabulary and comprehension, lead to gains for ELLs. No one would deny that better, more systematic, and more enriched literacy instruction will lead to better outcomes, for ELLs and for EOs (see, for example, Snow, Burns & Griffin, 1998). The draft report by Baker, Gersten et al. (2003) and the brief overview of instructional research by Gersten and Geva (2003) both confirm that quality of instruction contributes to reading outcomes, as do dozens of other studies.¹

¹ It should be noted that the instructional research Gersten cites focuses on the early grades; in fact, of course, the ultimate test of whether primary reading instruction is effective is the performance of children in later grades, when the texts to be read become

Gersten's central claim (p. 19) is that an instructional focus on English language arts and reading will lead to proficiency in both written and oral English. He cites in support of this claim empirical studies by Chiappe et al. and by Geva et al. showing that the process of reading acquisition proceeds similarly, i.e., the relations of precursors (earlier emerging, developmentally prior skills) to outcome skills (the reading skills measured at the end of the study) are roughly the same for EOs and ELLs.

There is no direct evidence in the Chiappe, Siegel and Wade-Woolley study that the children in the study will perform well on reading comprehension—which is the ultimate outcome of greatest interest because in the later elementary grades children need comprehension skills to succeed in content area learning, e.g., in history, science, and math. The Chiappe, Siegel and Wade-Woolley study shows that the progress of reading skills is much the same for anyone learning to read in English—in other words, that the task of reading English defines to a large extent the skills that need to be developed. This is not surprising. Similarly, anyone learning to read Chinese, whether a native speaker or a second language speaker, would need to learn about phonetic radicals and semantic radicals, to develop good visual memory, and so on. Chiappe et al. also report that the growth for the ELLs was greater than for the EOs so that they caught up by the end of 1st grade **on measures of phonological processing**—measures of how well children can engage in tasks like repeating nonsense words, or saying 'Sam without the sss.'

Their data show, though, that the ELLs did not catch up on a measure of syntactic processing—filling in missing words in sentences like 'Pete ___ Sam are friends.' In fact, they fell further behind. Nor were the ELLs comparable to the EOs on verbal memory. Both the syntactic processing measure and verbal memory are predictors of reading comprehension (RAND Reading Study Group, 2002). Most tellingly, though, the Chiappe et al. study followed these children only through 1st grade, when reading assessments focus on decoding rather than comprehension, and the reading tasks administered mapped very well onto the instruction they had received. Further, it should also be noted that the children included in this study were in a school district (North Vancouver) with a much lower incidence of ELLs than many California schools serving ELL populations. Thus, these children would have been exposed to a higher quantity of English language input from their classmates and in the community than is often the case for California language minority children. Furthermore, the ELLs in this western Canadian district are less likely to be subject to risk factors (low parental education, little or no parental knowledge of English, financial constraints) that compound the probability of failure in learning to read in a second language for the typical California ELL.

Like the Chiappe, Siegel and Wade-Woolley study, Geva, Wade-Woolley and Shany's (1993) study was limited to the early grades, and did not address issues of comprehension. In their article, they chart the parallels in the development of decoding

more challenging and when the task of the reader is to learn from those texts (RAND Reading Study Group, 2001). None of the instructional research Gersten relies upon addresses these more societally significant long-term outcomes.

and spelling for children acquiring literacy in Hebrew and English simultaneously. They show that a shallow orthography (one in which spelling is highly predictable, like Hebrew) makes decoding easier. Their findings suggest that spelling in a second language is harder, and that spelling is hard in English, with its deep orthography (complex spelling rules, alternate ways of spelling many sounds, alternate ways of pronouncing many letters and letter combinations). The relevance of these findings to the population or issues of optimal literacy instruction for California immigrants is limited.

Gersten also cites, in support of his claim that systematic instruction in target-language literacy will yield broad language and literacy proficiency, a study by Droop and Verhoeven on Turkish and Moroccan children living in The Netherlands. Droop and Verhoeven did, indeed, find that the Dutch Language Learners in their study approached or even surpassed Dutch native speakers in decoding within two years of formal instruction in Dutch only. Dutch, however, unlike English has a very regular sound-symbol correspondence (a shallow orthography). In other words, it is quite possible to read Dutch accurately without knowing the words one is reading. A similar feat is not possible in English. In English, for example, one needs information from the grammar of the sentence to know whether *read* should be pronounced with a long or a short vowel (e.g., *After I read The Sorcerer's Stone I wanted to read all the Harry Potter books.*), one needs information about the internal structure of words to avoid reading *mised* as if it rhymed with *bristled*, and one needs to have heard and remembered the specific different pronunciations of many words that are spelled with the same vowel, e.g. *break, breach, bread, real, and really*.

Droop and Verhoeven also report results Gersten does not mention, and results that Verhoeven's work has replicated widely for minority children in The Netherlands, namely that even though children achieve native-speaker levels on tests of decoding, they are far behind, fail to catch up, and in some cases fall progressively further behind native-speaker age mates on tests of skills that matter considerably more for learning academic subjects other than English in the later grades: vocabulary, reading comprehension, and oral comprehension. Not only do the data in Table 1 of the Droop and Verhoeven article confirm the poor performance of the non-native speakers on these assessments, but the subsequent analyses presented show that the decoding factor correlates only .45 with reading comprehension, and only .22 with vocabulary. In other words, though the non-natives did well on decoding, many other factors in addition to decoding were influencing their comprehension and vocabulary development. There are, then, two reasons why the Droop and Verhoeven study does not support Gersten's claim. First, the impressive performance of the Turkish and Moroccan children in decoding Dutch is unlikely to be replicated by learners of English because English has a much deeper orthography than Dutch. Second, even in Dutch where decoding can be acquired early and easily, decoding skill is not sufficient to ensure comprehension or vocabulary skills. Thus, this study is unconvincing in supporting the claim that second language speakers of Dutch achieve a level of Dutch oral or written competence equivalent to that of native speakers when receiving the same reading instruction.

It should also be noted that the reading instruction implemented in The Netherlands is very much what Gersten is promoting for California—systematic presentation of letter-sound relationships in the context of a balanced reading program. Also, with its much smaller and more centralized educational system, The Netherlands does a better job of ensuring equity across schools and classrooms than most American states. Nonetheless, the poor educational performance of immigrant children in The Netherlands is considered a huge challenge there.

Gersten's argument is deficient in that it does not address the issue of reading comprehension at all. We do have fairly good guidance from research (Snow, Burns & Griffin, 1998; National Reading Panel, 2000) about effective early reading instruction leading to adequate 3rd grade outcomes. We have much less information, though, as a basis for instructional guidance to ensure that early (or later) reading instruction promotes comprehension and the capacity to learn from text in the later grades.

Furthermore, the challenge for second language learners in any school system is not just to learn what is taught but to catch up to the knowledge base of native speakers who have had several years to acquire lexical and grammatical skills in the target language. Even curricula that are demonstrated to be effective in generating gains over those achieved in 'normal instruction' typically produce such gains for native speakers as well as for ELLs. For example, a vocabulary curriculum (Carlo et al., in press) that produced impressive gains in both word knowledge and reading comprehension for ELL 4th and 5th graders also produced similar gains for their EO classmates, so that the gap between ELLs and EOs did not shrink. Yet the educational challenge for the ELL is precisely to catch up, to make more than a year's gain in a year. Steady progress at the same rate as EO classmates represents failure for these children, that is, a continuing lack of equal access to the curriculum.

In summary, there is no evidence cited by Gersten that supports his claim that English Language Learners in California will prosper merely by being provided the same reading instruction that native speakers receive. In fact, most of the evidence he cites is simply irrelevant to that claim, and some, specifically the Droop and Verhoeven work, contradicts it.

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