

COPY

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)
LEECIA WELCH (BAR. NO. 208741)
7 J. GREGORY GROSSMAN (BAR NO. 209628)
MORRISON & FOERSTER LLP
8 425 Market Street
San Francisco, California 94105-2482
9 Telephone: (415) 268-7000

10 ALAN SCHLOSSER (BAR NO. 49957)
KATAYOON MAJD (BAR NO. 211756)
ACLU Foundation of Northern California
11 1663 Mission Street, Suite 460
San Francisco, California 94103
12 Telephone: (415) 621-2493

13 JOHN T. AFFELDT (BAR NO. 154430)
Public Advocates, Inc.
14 1535 Mission Street
San Francisco, California 94103
15 Telephone: (415) 431-743

16 Attorneys for Plaintiffs
ELIEZER WILLIAMS, etc., *et al.*

17 SUPERIOR COURT OF THE STATE OF CALIFORNIA

18 COUNTY OF SAN FRANCISCO

19 UNLIMITED JURISDICTION

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,
25 STATE DEPARTMENT OF EDUCATION,
STATE BOARD OF EDUCATION,

26 Defendants.

No. 312236

DECLARATION OF VICTORIA TORRES

Hearing: August 25, 2003
Time: 3:30 p.m.
Department: 20, Hall of Justice
Judge: Hon. Peter J. Busch
Date Action Filed: May 17, 2000
Trial Date: August 30, 2004

ENDORSED
FILED
San Francisco County Superior Court

JUN 10 2003

GORDON PARK-LI, Clerk
BY: KEVIN M. LEE
Deputy Clerk

Declaration of Victoria Torres

I, Victoria Torres, hereby declare:

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

2. I am a student at Fremont High School in Los Angeles ("Fremont"). I am in the eleventh grade and I have been a student at Fremont since the ninth grade. I am on the "A" track.

3. In my chemistry class we only have one class set of textbooks that we share with the other chemistry classes and we can't take the books home. Not having a book at home is really a problem. We get homework on Fridays only. We study a lesson or a chapter all week and on Fridays we copy down the end of chapter problems and we have to work on them over the weekend. We lose a lot of class time to copy the problems down, and we have to rely on our notes or our memory to answer the questions over the weekend. Chemistry is pretty difficult and we spend some time during the week doing hands-on experiments so our notes are short and they are not as good as the book. It is frustrating trying to remember from memory the things I could look up in the book over the weekend if I had one at home. Last year, we didn't have books to take home in biology, Spanish III, and US history.

4. Because my school is really crowded we are on a multitrack schedule. I am on the A track and that's the closest to a regular high school calendar. I start school at the end of August and the semester ends in late December. Then I have 2 months off and I start again in March up to June. Even though I don't like the multitrack schedule because with the 2 months off in between semesters, and it feels like we forget everything we just learned, I feel lucky compared to the students on the B track who really have it harder because they go to school in the summer.

5. Last year there were over 40 students in my geometry class at the beginning of the semester. During the first 2 weeks of class some students had to stand up because we didn't have enough chairs and desks. After about 2 weeks they divided the class and some of us went to another geometry class. In my Spanish III class 3 or 4 people also had to stand up during the first week and a half of class. I had to sit on a chair without a desk for 3 days in that class. There were also too many students in my biology class for the first 2 weeks of school. During that time

1 about 3 students had to stand during class.

2 6. In almost every class we lose two weeks of education, and it has been the same
3 since the ninth grade. Sometimes it's because they assign the wrong students to the class,
4 sometimes we don't have a teacher yet, sometimes there are no books. I wish the school could be
5 more organized and get everything ready before we start school, but I know that the A track is the
6 most crowded because everyone wants to be on the A track because it is more like a regular
7 school year. I am in the Academy of Travel and Tourism. It's like a school within the school. I
8 take special classes with the same students from the academy. This year the school replaced
9 most of the counselors and the new ones didn't know about the academy and they didn't put us in
10 the right academy classes. I lost 2 weeks of school being assigned to the wrong classes for 2
11 periods until I was finally put in the right electives for my academy.

12 7. In my chemistry class the teacher told us that he gets many of the chemicals and
13 supplies we use for experiments with his own money. We also use whatever is available instead
14 of the real instruments. For instance we use plastic straws (that the teacher supplies) to drop
15 chemicals in the beakers instead of measuring pipes and we use lighters that the teacher brings to
16 class to start the Bunsen burners.

17 8. I know that the school is always in use. We go to school until 3:24 pm, then there
18 are intersession classes, night school and adult school. The school has to make repairs and paint
19 while we're in class and it's really a problem. I had to move to a different classroom for two of
20 my classes. In my English class we moved to another classroom for a week in April while our
21 classroom was being painted. We couldn't take the textbooks with us to the other classroom
22 which was a problem because we were reading a poem out of the book. The teacher had to make
23 photocopies for all of us. My English teacher is also my homeroom teacher so I had to go to yet
24 another room for homeroom. I also had to move out of my history class while it was being
25 painted. We moved from the main building all the way to the bungalows, on the other side of
26 campus. It was a real distraction because my teacher was in a different room every period—we
27 were using another teacher's room during their free period—and she could not be really
28 organized. When we moved back into our history classroom, the room was a mess. The painters

1 had moved everything around and we lost a day putting everything back together, including the
2 book cases, the desks, tables, posters, and bulletin boards. I got a really bad headache for about a
3 week after we moved back in because of the strong paint fumes. Some classes have to move
4 outside during the painting. You can see students sitting at the lunch benches outside with their
5 teacher sometimes because their class is being painted.

6 I declare under penalty of perjury of the laws of the State of California and the United
7 States that the foregoing is true and correct. Executed this 4 th day of June, 2003 in
8 Los Angeles, California.

9 
10 Victoria Torres

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28