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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.
27

FILED
Clerk of the Superior Court

JUL 18 2003

Clerk
Deputy Clerk

No. 312236

DECLARATION OF AMANDA PIERCY

Hearing: October 1, 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

1 I, AMANDA PIERCY, hereby declare:

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

4 2. I just finished my freshman year at Balboa High School in San Francisco, California. I
5 am a ROTC student and a member of the honor guard, and I am on the squad drill.

6 3. There are rats and mice running around in the classrooms all over Balboa High School. I
7 remember one time toward the beginning of the 2002-2003 school year I saw a mouse in the sink in
8 my health class. It was nasty. The whole class got interrupted because everybody came and looked at
9 it, and it the class was chaotic for the rest of the period. I saw mice or rats at school at least once a
10 month for the rest of the year. At the beginning of the year I got really upset when I saw mice but by
11 the end of the year it just seemed normal because it happened all the time.

12 4. The bathrooms at Balboa are really gross. A lot of the stalls in the girls' bathroom have
13 doors that are broken so that you can't lock them and there is no privacy. If you try to shut the door it
14 just swings open. Often there is no soap in the dispensers or the dispensers are broken. The water
15 that comes out of the tap is really cold, and I don't think it is sanitary. The toilet seats are dirty and
16 have something gooey on them. A lot of the time there is no toilet paper and the toilet paper
17 dispensers are broken. It's not just one particular bathroom at Balboa -- they are all like that. I only
18 go to the bathroom at school if I really have to go, and when I do it is always a bad experience. I hold
19 my breath so that I don't have to smell it.

20 5. Balboa has a leaky roof so water comes into the school every time it rains. My third
21 period English class has two big leaks in the ceiling. One leak is over by the window, and the other is
22 right in the middle of the classroom. The water comes in pretty fast. It is like a faucet dripping,
23 except that the drops are much bigger. My teacher puts down buckets where the water comes in so
24 that we don't get puddles on the floor. By the time I leave my class the buckets are about half full.
25 There are leaks in the hallways outside of the classrooms too, but there are no buckets to catch the
26 water so big puddles form on the ground every time it rains. They are so big you could splash in
27 them. I have never seen anybody do anything about the leaks in the hallways. I asked a teacher why
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1 nobody comes to do something about the leaky roof and she said there's nothing they can do because
2 they don't have any money to fix the leaks.

3 6. My math class was taught by a substitute teacher for the first three months of the school
4 year because they couldn't find enough teachers to teach all the classes at the school. The substitute
5 teacher was really weird and would just talk about random things that had nothing to do with math.
6 We finally got a real teacher some time after Christmas. I feel like I didn't really learn anything in
7 that class until after we got a permanent teacher.

8 7. There were about 42 students in my health class this year. There wasn't enough room in
9 the classroom to have normal desks for all the students, so some students had to sit at tables at the
10 back of the classroom, far away from the board. 42 ninth graders are way too many students for any
11 teacher to handle. Most of the students in the class wanted to learn, but it was impossible because
12 there were just too many students. The teacher would try to talk over the students but it was
13 impossible to hear him. There are always a couple of students who act out in class but when the
14 classes are smaller it is easier for the teacher to keep the class on track. Because this class was so big
15 it was just too hard for the teacher to stay in control of the class. I learn better from lecture than from
16 homework, so it was hard for me to get anything out of the class. I did the work in that class but I
17 still feel like I didn't learn anything.

18 8. My health teacher was brand new to the school and he wasn't qualified to teach the
19 subject matter. He was really supposed to be a biology teacher. He often said things like "you guys
20 have to bear with me, this isn't the subject I am here to teach."

21 9. We didn't have enough books to use in my health class, and we couldn't take the books
22 home. There were between 29 and 31 books for about 42 students to use, so a lot of students had to
23 scoot their desks over to their neighbor and share the book in class. Sharing books slows us down
24 because some kids don't get along well with others so if they are told to share a book they create a
25 disturbance because they are unhappy. Also, you can't move at your own pace because you have to
26 wait for the other person to be able to turn the page. Some students just went without a book so that
27 other students could have the book to themselves. We had homework in the class sometimes but it
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was always absurd assignments, like “write down what you ate for dinner” or something like that.
We could never do homework assignments out of the book because we couldn’t take the book home.

I declare under penalty of perjury under the laws of the United States and the State of California that the foregoing is true and correct. Executed this ~~30~~ day of ~~June~~, 2003, in San Francisco, California. 2 July

By: *Amanda Piercy*
Amanda Piercy