

COPY

San Francisco Superior Court
JUL 1 2 10

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)
LEE CIA 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 EARLENE GRAY

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 **Declaration of Earlene Gray**

2 I, Earlene Gray, hereby declare:

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

5 2. I am a fully credentialed teacher at Woodworth Elementary School "Woodworth"
6 in the Inglewood Unified School District. I have been teaching for 34 years and have been
7 teaching at Woodworth since October 2000. I currently teach 3rd grade on the A track.

8 3. Up until March 2003, I would find evidence of mice in my classroom on a weekly
9 basis. I would find mice droppings in the cabinets where I store such things as books,
10 construction and lined paper and seasonal decorations. I would also find signs of mice around the
11 door and in the sink in the back of my room. Although I haven't seen as much evidence of mice
12 in my classroom in the last several months, other teachers have mentioned to me that there are
13 still mice at Woodworth and that they have seen signs of mice in their classrooms. Having
14 droppings in my classroom not only affects my students' health, it also interrupts my teaching.
15 Kids notice the mouse feces and I have to stop what I am doing to explain what the feces are and
16 that the feces shouldn't be there and that someone should clean it up. There has been a mouse
17 problem at Woodworth since I started teaching at the school in October 2000.

18 4. One of the main walls in my classroom is moldy and the plaster is peeling. For
19 most of the school year I covered the wall with butcher paper. In the back of my classroom there
20 is a portion of the floor (approximately eight tiles) where the tiles are broken and the tiles have
21 been removed. There are approximately four ceiling tiles in my classroom that are stained. I do
22 not have desks in my classroom; instead I have tables where the students sit. But the tables are
23 crowded, with approximately five students at each desk, and there is little space for students to
24 store their books and materials. Last semester two of the tables had broken legs. Since June of
25 last year my room has not been mopped on a regular basis. Since March my room has not been
26 mopped more than three times. Students in my class often volunteer to sweep the classroom
27 themselves. The chalkboard tray is not cleaned out and no one dusts my classroom. For most of
28 the school year I have spent twenty to thirty dollars a month on cleaning supplies for my room,

1 buying such things as Lysol, sponges, soap, and paper towels.

2 5. Woodworth is overcrowded with roughly 1000 students on campus and operates
3 on a four-track schedule, which means three tracks are on while one track is off. Because of the
4 multi-track schedule there is only a little more than a week between when one school year ends
5 and the new school year begins. This year the school year ends on June 27th and the new school
6 year begins on July 8th. It is hard to have so little time between school years because there is
7 virtually no time to plan for the next school year. There is also very little time to arrange one's
8 classroom. Even if you want to diversify the way you do things, you really can't because there is
9 no time. With so little time between school years students and teachers are still tired from the
10 previous school year when the new school year begins. As a teacher I feel devalued, rushed and
11 pushed having so little time between school years. I feel devalued and not appreciated because
12 no one thinks enough of me as a teacher to say that I need the time to prepare for the new school
13 year. Due to the multi-track schedule, every time the track changes teachers have to change
14 classrooms. During the last two days of being on track the teacher who is using my classroom
15 while I am off track has to come into the classroom and prepare the classroom because there is no
16 other time to do it. This interrupts my day and I have to cut down on my instructional time to
17 permit time so she can come into the class and bring in all of her materials.

18 6. There are two girls' bathrooms at Woodworth. One of the restrooms has three
19 stalls but there are no doors on the stalls. This bathroom is used to store cleaning supplies and
20 equipment. In January the girls had to use the boys' bathroom because the other girls' bathroom
21 was being painted. Until a recent news story regarding conditions in school bathrooms the
22 bathrooms at Woodworth often did not have paper towels, soap or toilet paper. Until this story
23 aired students often complained that they had to go to the custodian to ask for toilet paper.
24 Because there were often times no soap or paper towels, I would purchase soap and paper towels
25 on a regular basis for my students to wash and dry their hands. Since the news story I have
26 noticed that the restrooms have more toilet paper available in the restrooms and for a while soap
27 was available. Currently often times there is no soap again. I do not believe that there are enough
28 custodians at Woodworth. In fact, the chief custodian left the school at the beginning of April.

1 7. There are two water fountains at Woodworth. Both fountains are filthy and are
2 rarely cleaned out. Both the inside and outside of the water fountains are black. Until November
3 2002 when the fountain near my room was fixed, there was very low water pressure and the
4 water trickled out.

5 8. I am aware, through conversations with other teachers, that Woodworth has a
6 large number of teachers who are not fully credentialed. Woodworth also has a high teacher
7 turnover. Approximately nine out of forty five teachers left last school year. Additionally there
8 are problems with overuse of multiple substitute teachers at Woodworth. Currently, there are two
9 teachers who are out on industrial leave. Until the end of April, both of their classes had multiple
10 substitutes. During the months of July and August the classes had three or four subs each.
11 Students do not necessarily know why they cannot have the same teacher in the classroom all the
12 time. I think that having so many substitute teachers affects students because students are not
13 able to develop a trusting relationship with the substitute, because the students never know how
14 long the teacher will stay. Students are also behind academically because they have so many
15 teachers. I know this because I have 34 years of teaching experience and also because parents at
16 Woodworth have approached me about the problem of having multiple substitute teachers.
17 When I started teaching at Woodworth in October 2000, the class that I taught had at least three
18 substitutes in the three-month time period before my arrival. Another problem at Woodworth is
19 multiple long-term teacher vacancies. There always seem to be teacher vacancies at Woodworth.
20 Currently there are approximately three such vacancies. These classes are being taught by long-
21 term substitute teachers.

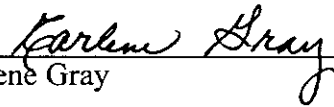
22 9. This school year I did not receive my reading supplemental materials until
23 October 2002, even though my track began school in July. I did not receive spelling and
24 vocabulary supplemental materials until the end of September. I do not have a complete set of
25 reading comprehension materials; I have 20 students and I only have 10 books. Additionally I
26 only have six copies of my language arts handbook. I believe that these materials are important to
27 my students' understanding of the material covered and for instruction. I am required to give a
28 grade for health and although some health topics are covered in my Intro to English textbook, I

1 do not have health-specific books for my students.

2 10. Last school year I spent approximately \$640 on supplemental materials including
3 reading comprehensions, phonics and math supplemental materials. This school year I have
4 spent approximately \$230 on supplemental materials.

5 11. I believe that the conditions at Woodworth affect the morale of the staff and the
6 students. I believe that teachers become disillusioned because of the poor condition of the
7 school. These sub-standard conditions at Woodworth have gone on for so long that it sends the
8 message that no one really cares. If I could come to a clean facility, it would tell me that I am
9 valued for what I am doing but when I come to a dirty facility I begin to think who really cares.
10 If I had to come home every day to a dirty house and I knew I had to be there for a certain
11 number of hours, it would make me want to walk away from the house.

12 I declare under penalty of perjury of the laws of the State of California and the
13 United States that the foregoing is true and correct. Executed this 27th day of June, 2003 in Los
14 Angeles, California.

15 
16 Earlene Gray

17
18
19
20
21
22
23
24
25
26
27
28