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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,

No. 312236

DECLARATION OF ERIKA STRAND

22 Plaintiffs,

23 v.

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

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

26 Defendants.
27

1 **Declaration of Erika Strand**

2 I, Erika Strand, 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 currently employed as a second grade bilingual teacher at Hawthorne
6 Elementary School in the Oakland Unified School District. My classroom is one of several
7 bungalows lining the eastern side of Hawthorne's campus.

8 3. I noticed on several occasions this year during and after rainy weather that the two
9 walls of my classroom exposed to the rain were damp on the inside. During the last two weeks
10 of the school year, as I was packing and moving things out of my room, I found that almost
11 everything in the classroom that lined these walls exposed to rainfall was covered in mold. Most
12 of the items that had been touching the walls were so badly damaged by mold that I had to throw
13 them away. More importantly, I suffer from asthma, as do several of my students. My asthma
14 this year has been more severe than at any time in my life, and I have been to see a doctor several
15 times during the school year after suffering from severe bouts of coughing. While I do not know
16 whether my students' asthma symptoms were worse this school year than they have been in the
17 past, they have certainly displayed coughing symptoms on a regular basis. From my limited
18 research and from talking to my doctor, I know that allergies, like those to mold, exacerbate the
19 effects of asthma. I also know that the school district recently destroyed classrooms at
20 Hawthorne because of mold problems, and it is extremely upsetting that the problem still exists
21 after it was supposed to have been fixed.

22 4. There is a three story module full of classrooms at Hawthorne that was
23 constructed during the summer of 2002. At the beginning of the 2002-2003 school year, the
24 sewage system in the module malfunctioned. The module bathrooms were closed for perhaps
25 the first one-third of the year due to sewage backing up onto the playground yard. With the
26 closed module bathrooms, there were three functioning bathrooms each for boys and girls on
27 campus that all 1,200 students had to use. In my experience teaching, there were not nearly
28 enough bathrooms for the students, and I frequently noticed crowds of students waiting to use

1 the bathrooms during recess and lunch.

2 5. Hawthorne didn't have soap or paper towels in any of the bathrooms for the last
3 three months of school. My students complained numerous times about the lack of supplies and
4 the overall filthiness of the bathrooms, and many times refused to use them despite their
5 discomfort. The problem was serious, and the teachers collectively raised the issue at general
6 staff meetings several times, but nothing was done. Anyone who has ever spent time in a school
7 knows that the bathrooms are generally not kept in pristine conditions. However, the high
8 rotation of students using the bathrooms, the lack of soap and paper towels, and the overall
9 uncleanliness of the bathrooms at Hawthorne made them, in my opinion, almost unusable.

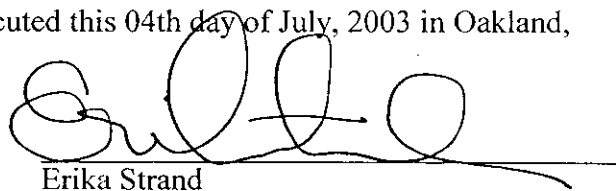
10 6. There were several large potholes on the concrete playground that were left
11 unfilled for months. They were marked only by single orange construction cones and were right
12 in the middle of the playground where students frequently play. A student or teacher could have
13 easily broken an ankle by stepping into the holes, some of which looked to be eight inches deep.
14 Facilities services finally fixed them several months into the school year.

15 7. The gate leading behind my bungalow wasn't locked, which allowed students to
16 go between the classroom and the fence bordering the eastern side of campus, and also under my
17 bungalow classroom (the bungalows are set up off of the ground by several feet). At least three
18 times while I was on yard duty this year, my students found dead rats and mice on the
19 playground yard or in the aforementioned space under the bungalow. The students knew better
20 than to pick up a dead animal, but they quickly brought it to my attention each time they
21 discovered one. The gate remained unlocked until the end of the school year.

22 8. The conditions that I experienced at Hawthorne were no longer shocking to me; I
23 had seen them before. From 1999-2001, I was a teacher at Roosevelt Elementary School in
24 Compton Unified, a school of more than 1,600 students with never more than a handful of white
25 students. The conditions at Roosevelt were perhaps worse than they currently are at Hawthorne.
26 However, during the 2001-2002 school year, I taught school at Main Elementary in Santa
27 Barbara, CA. At Main, all of the classrooms were clean and freshly painted, the playground
28 (which included a large grass field) was well kept, and there were enough bathrooms to

1 accommodate the entire student body. A majority of the students at Main are white. The
2 disparity of educational experiences that I have witnessed between poor, minority communities
3 (Roosevelt and Hawthorne) and wealthier white communities (Main) is quite incredibly unjust.
4

5 I declare under penalty of perjury of the laws of the State of California and the United
6 States that the foregoing is true and correct. Executed this 04th day of July, 2003 in Oakland,
7 California.

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9 Erika Strand

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