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CORDE Clerk  
BY \_\_\_\_\_

1 MARK D. ROSENBAUM (BAR NO. 59940)  
2 CATHERINE E. LHAMON (BAR NO. 192751)  
3 PETER J. ELIASBERG (BAR NO. 189110)  
4 ACLU Foundation of Southern California  
5 1616 Beverly Boulevard  
6 Los Angeles, California 90026  
7 Telephone: (213) 977-9500

8 JACK W. LONDEN (BAR NO. 85776)  
9 MICHAEL A. JACOBS (BAR NO. 111664)  
10 MATTHEW I. KREEGER (BAR NO. 153793)  
11 LEECIA WELCH (BAR. NO. 208741)  
12 J. GREGORY GROSSMAN (BAR NO. 209628)  
13 MORRISON & FOERSTER LLP  
14 425 Market Street  
15 San Francisco, California 94105-2482  
16 Telephone: (415) 268-7000

17 ALAN SCHLOSSER (BAR NO. 49957)  
18 KATAYOON MAJD (BAR NO. 211756)  
19 ACLU Foundation of Northern California  
20 1663 Mission Street, Suite 460  
21 San Francisco, California 94103  
22 Telephone: (415) 621-2493

23 JOHN T. AFFELDT (BAR NO. 154430)  
24 Public Advocates, Inc.  
25 1535 Mission Street  
26 San Francisco, California 94103  
27 Telephone: (415) 431-743

28 Attorneys for Plaintiffs  
ELIEZER WILLIAMS, etc., et al.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

UNLIMITED JURISDICTION

ELIEZER WILLIAMS, a minor, by SWEETIE  
WILLIAMS, his guardian ad litem, et al., each  
individually and on behalf of all others similarly  
situated,

Plaintiffs,

v.

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

Defendants.

No. 312236

DECLARATION OF GILLIAN RUSSOM

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 Gillian Russom**

2 I, Gillian Russom, 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 teacher at Roosevelt High School where I have been teaching since July  
6 2001. From July 2001 until April 2002 I taught on C track. From July 2002 until present I have  
7 taught on B track. I currently teach two sections of World History and one section of A.P. U.S.  
8 History.

9 3. During the first semester of the 2002-2003 school year, in my 5th period World  
10 History Honors class, I had 41 students the first semester and there not enough desks for all the  
11 students in my class. I spent the first five weeks of the class taking five desks from the  
12 classroom next to mine and bringing them to the classroom. For the first five weeks of class  
13 when I did not have enough desks it took the first seven to ten minutes of class to get everyone  
14 settled and to carry the desks from the neighboring classroom. This took nearly one sixth of the  
15 class time during which I should have been teaching. One of the reasons there were not enough  
16 desks in my classroom was due to multi-tracking, I shared a classroom with an English teacher  
17 who used the class when I was off track. As there are class size limits on English classes there  
18 were not enough desks in the classroom. I put in two written requests for desks but never  
19 received a response. Because of the time that it takes teachers to obtain desks, rather than  
20 submitting a work order, most teachers rely on other teachers in order to get more desks. In  
21 November 2002 I found out that a co-worker had extra desks in his classroom and I sent five  
22 students to carry five desks from the S building across campus and up to the 3rd floor of the R  
23 building where my classroom was located so I would have enough desks for my 5th period class.  
24 During the last semester I had 36 students in my 5th period class and the room was extremely  
25 cramped. There were exactly 36 desks and when the air conditioning was leaking for two weeks  
26 the moisture was falling on one of the desks and I had to move that student so there were not  
27 enough desks for all the students in the class. On several occasions we had to borrow a desk  
28 from the classroom next door. My 5th period class was an Honors class and had excellent rates

1 of attendance. Often all 36 students would attend class. Not having enough desks in a classroom  
2 sends a discouraging message to students because rather than having their attendance in class  
3 celebrated it causes problems because there is nowhere for them to sit. I like to do interactive  
4 work but this has been made more difficult due to the number of students in my class. Also, it is  
5 hard to arrange desks in cooperative seating arrangements with so little space. Educational  
6 research shows that students learn more when they are able to learn in different social groupings  
7 rather than always individually. Having overcrowded classrooms encourages the impression  
8 amongst students that their presence in the classroom is not valued.

9         4.         Roosevelt operates on a year-round multi-track school schedule. Two of a total of  
10 three tracks are on campus at the same time. The B track school year ended at the end of June  
11 and the next new school year began on July 1. B track teachers have no transition time between  
12 the end of one school year and the beginning of the next school year. Not having transition time  
13 between school years is difficult and impacts my teaching. For example, it makes it hard to do  
14 the type of final projects that I want to do with students because I also have to be concerned  
15 about starting the new classes. It also makes it difficult to begin the new year on a strong note  
16 because I have to complete final grades for students, correct their final projects and final exams,  
17 turn in textbooks and other materials and complete paperwork to close the previous year  
18 immediately before I have to begin the new year. Similarly, the students have to juggle  
19 completing work for one year and starting a new semester and aren't able to get a fresh start.  
20 With a traditional school calendar I believe that students begin the new year rested because  
21 students come in after vacation.

22         5.         Even though Roosevelt is on a year-round multi-track schedule which is used to  
23 alleviate overcrowding, the school is still overcrowded. Classrooms are still crowded and there  
24 are still roving teachers. I know of one teacher in my department who is a roving teacher and  
25 uses three different classrooms throughout the day. Also, because of the overcrowding, students  
26 have to wait in long lines to use the restrooms. I do not restrict students going to the bathroom  
27 during class because students are unable to use them during lunch as there are lines and many of  
28 the bathrooms are often locked. Very few teachers are given keys to the student bathrooms.

1           6.       Because I teach on B track, I teach throughout the entire summer when it is very  
2 hot. For the entire month of May the air conditioning in my classroom did not work properly. It  
3 would stop working by 4th period (which begins at 11:30.) During 4th, 5th and 6th period the  
4 classroom would often be very hot. I would say it was over 80 degrees in the classroom and very  
5 stuffy. I called the plant manager's office at least three times before someone came to fix the air  
6 conditioning. The first week of June the school came to fix it and it worked properly throughout  
7 the entire day until Friday, June 13. Even though the air conditioning worked, I had to place two  
8 trash baskets under two sides of the air conditioning because it was dripping condensation or  
9 fluid out of the sides. On Monday, June 16, the air conditioning again stopped working correctly.  
10 Although I turned the air conditioning on in the morning, by my 4th period the air conditioning  
11 would no longer work and it often became very hot in the classroom. Although I have been able  
12 to open three of the big windows and prop the door open when the air conditioning has not been  
13 working two of the windows in my classroom do not open. Opening the windows and the door  
14 alleviates the heat only slightly due to the fact that it is hot outside and the air that comes  
15 through the windows is hot. Due to the heat students cannot concentrate and are much less  
16 focused and there are constant complaints about the heat which takes away from the instruction.  
17 There have been times that it has been so hot that I have been unable to complete a lesson due to  
18 the heat. During those times I give my students time to do their homework in class. The heat  
19 makes the students feel tired and occasionally I have students who put their heads on their desks  
20 due to fatigue caused by the heat. In my last classroom during the first semester of the 2002-  
21 2003 school year the air conditioning also did not work properly. If I wanted the air conditioning  
22 to work for the entire day, I had to turn the air conditioning on in the morning. When I would  
23 turn on the air conditioning in the morning, it was very cold and students would constantly  
24 complain about the cold in the early part of the day and students would often have to wear  
25 sweaters and coats during class. Sometimes even when I did turn the air conditioning on in the  
26 morning, it would give out by noon. A veteran teacher in the classroom adjoining mine told me  
27 that for the last few years she has developed the habit of submitting a maintenance report form  
28 every Monday and Thursday because her air conditioning breaks down so often. Another

1 teacher told me that the reason we have so many air-conditioning problems in the R building is  
2 because the air-conditioning system is an out of date model and the school has great difficulty  
3 acquiring spare parts when it breaks down. I spoke with the custodian who cleans my room and  
4 he confirmed this information. Other teachers have told me that the school has promised every  
5 year to get a new air-conditioning system but they never do.

6         7.       There is a mouse problem at Roosevelt. When I first started teaching at  
7 Roosevelt, another teacher told me about the mouse that lived in the corner of his classroom.  
8 The teacher had become so accustomed to the mouse's presence that the teacher had named the  
9 mouse and it had become the class joke. This indicated to me that this problem was a routine  
10 problem that had never been appropriately dealt with. The first semester of the 2002-2003  
11 school year in my classroom there was at least one mouse living in the corner of the classroom;  
12 about midway through the semester the custodian placed traps in the corner of the room and my  
13 students discovered a dead mouse soon after he placed the traps. I know it was living in the  
14 corner because I heard squeaking noises in the corner. This was a disruption to instruction  
15 because the class would be distracted by the mouse noise. Last year in my previous classroom  
16 we had a few incidents when a mouse ran across the classroom during the class period and my  
17 students would scream and distract the class for part of the period because they were scared of  
18 the mouse.

19         8.       There is one window in my classroom that has a broken window pane. It has been  
20 broken since the previous teacher was on track in April 2003. I know this because when I came  
21 into the classroom to set up she told me that she had put in a request for the window to be fixed.  
22 Last semester, during the first week, a pigeon flew through the broken window pane and flew in  
23 different parts of the classroom and defecated on the floor and the back of the television. The  
24 pigeon was still in the classroom when I got there in the morning and I let it out by opening other  
25 windows. When I requested that the window be fixed two maintenance people came and taped a  
26 piece of cardboard over the broken pane. They cleaned the bird feces from the floor but it  
27 remains on the television. Otherwise, the window still has not been fixed and there is still  
28 broken glass on the floor behind the bookcase which stands in front of that window.

1           9.       In my World History class last semester there was a supplemental textbook called  
2 Facing History and Ourselves. The book covers such issues as the Holocaust, identity, prejudice  
3 and stereotypes. There was only one class set for four classes. Therefore students could only do  
4 assignments in class and were unable to do readings outside of class. This book is vital for  
5 students to connect history to their own lives. Due to the fact that there was only one class set  
6 and students were unable to do reading outside of class students had limited time to reflect on  
7 this important information. Without books for students to take home I was able to cover less  
8 material than I would have liked to. Because I teach on B track and A and C tracks are on track  
9 when B track is off track I had to turn in the supplemental textbook at the end of February when  
10 B track went off track. When we returned in May, I had to reorder the books for my new  
11 classroom. When I tried to reorder the books from the book room I was told that there were not  
12 enough books for a class set because more teachers were using the books. I believe that there are  
13 more teachers on A track who use the supplemental textbook than there had been on C track so  
14 there were fewer books available. For the first week in May I had to photocopy sections of the  
15 book because I didn't have enough books. After the first week the teacher across the hall lent me  
16 extra books that she had so I then had enough books for a class set.

17           10.       This school year I have had to spend money out of pocket in order to buy  
18 supplemental materials for my classes. At the beginning of the 2002-2003 school year in my  
19 Geography class I had to purchase several maps because there was only one wall map. I was also  
20 told that there was no text for my Geography class. I never received a text for Geography. I  
21 requested that the department order atlases and the head of my department had to meet with the  
22 assistant principal twice in order to obtain permission to order the atlases. It took three months  
23 for the materials to arrive. About two months into the class I found atlases in the book room so I  
24 hadn't needed to order them.

25           11.       During the second semester of the 2002-2003 school year the social studies  
26 department ran out of 8 ½ X 11 copy paper and did not have any for two to three weeks. I had to  
27 borrow a ream of paper from a teacher friend in order to make copies. Although the social  
28 studies department has between 10 and 12 teachers on track at one time the department does not

1 have its own copy machine and teachers have to use the Title I copier or the Risograph copy  
2 machine in the career center. Although there is a copy room teachers are required to submit  
3 materials two days in advance with the paper required to make the copies. This is more difficult  
4 to do for new teachers who don't have lesson plans from previous years. I was forced to use the  
5 copy machines very frequently during the period when there were not enough supplemental  
6 textbooks for my World History class.

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

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11 Gillian Russom  
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