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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 JEREMIAH
JEFFRIES**

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

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I, Jeremiah Jeffries, hereby declare:

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

2. I am a first grade teacher at John Swett Elementary School in San Francisco, California. I have six years of experience as a teacher, and I have been teaching at John Swett for three years.

3. There is mold growing in at least two classrooms at John Swett. It is not clear where the mold comes from but it has been there for all three years that I have been teaching at the school. In one classroom there was a flaky mold spot at least three feet tall and two feet wide growing in a cone shape near the ceiling. In the classroom downstairs there was a mold spot like that one but smaller. The teacher in the upstairs classroom has been complaining about the mold for years. Parents have complained too. Finally, after the president of the parents club complained, the district sent somebody to fix the mold in May 2003 but the problem is still not solved. The workers just painted over the mold but didn't fix the cause of it.

4. There are mice in my classroom. I have seen mice four times this year, and I see droppings and other signs of mice every day. The mice eat everything in sight. They ate holes in the leaves of my plant, and they ate through the plastic to get to the food in the earthquake preparedness kit in my classroom. The ledge on the bottom of the chalkboard is full of mice droppings every morning when I get to class. Any space that is partially enclosed winds up with mouse droppings in it. I have found mouse droppings in the closet in my classroom. There were mouse droppings mixed in with the beads in the kits that my first graders use for science. There are droppings in the boxes that my students dig around in for books. I don't like my kids to have to come into contact with the mice droppings but I feel like there is nothing I can do.

5. There are ants all over the school, both in the classrooms and in the auditorium. Sometimes when my kids are sitting at the table they tell me that they feel ants crawling on them. I see ants on my desk almost every day. The ants are a big distraction because my kids are worried about what is going to be crawling on them instead of thinking about what they are learning. When my students know that there are ants in a certain area of the classroom they don't want to sit in that

1 area, but I can't have my kids packed into one side of the classroom or the other so I have to tell them
2 to sit right where the ants are.

3 6. The ventilation system at John Swett is so dirty that it causes serious health problems for
4 my students and me. The vents in the classrooms have black rings around them because the air that
5 blows out is so dirty. It is like balls of pollution are falling out of the vents. The vent in my
6 classroom has a perfect black ring of soot around it. My students yawn a lot, not because they are
7 sleepy, but because they are just trying to get more air into their lungs. We go through about two
8 boxes of tissues every week because my students and I constantly have runny noses due to the dirty
9 air. This year there were high levels of asthma in my classroom and I think it was because of the
10 poor ventilation. I know that they had the same problem in the classroom next door. A lot of
11 teachers have to take sick days because of the health effects of the dirty air. I wipe off the soot from
12 the edge of my vent from time to time but it always comes back as strong as before within a few
13 weeks. I shouldn't have to wipe down my walls to hide the black rings left by our ventilation system.
14 More importantly, wiping the soot from my walls doesn't change the fact that we have to breathe that
15 stuff every day.

16 7. John Swett Elementary is really run down. There are large patches of the building that
17 are missing bricks. The wooden benches around the school are worn out and weathered, and the
18 wood is splintering off. I have seen lots of kids get splinters because of the benches. The door to the
19 custodian supply room is rusted and dangerous. There are metal flakes coming off of the door, and I
20 am worried that kids could cut themselves on them because they pass by it every day. There is
21 chipped paint all over the inside of the school, and it has been like that since I came to the school
22 three years ago. The paint under the ledges that surround my classroom is coming off, as is the paint
23 around the chalkboard. There was lead paint at my school until earlier this year. Some workers came
24 and chipped some of the lead paint off but they did not paint over it so now there are big patches of
25 white all throughout the building, both in the classrooms and in the hallways.

26 8. The school never seems to get really cleaned. The custodians do a "sweep and mop" job
27 in my classroom but they don't clean out the window sills or dust. None of the vacuum cleaners at
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1 the school even work. The maintenance at John Swett is also poor. Any time there is a facilities
2 issue it takes a long time, sometimes years, to address it. Sometimes we have people from the district
3 come to look at the school. We tell them about the maintenance issues that we have and they say they
4 will “red-flag” it but nothing happens. I feel disrespected by that, and I know some of the other
5 teachers do too. Anything that has a major impact on teacher morale has an impact on kids. You
6 approach work with a different attitude when you are respected than when you are not.

7 9. The temperatures in my classroom are erratic. When it is cold outside the hallways are
8 always freezing because there is never any heat. The classrooms are usually either too hot or too
9 cold. When the heat does come on in the classroom it is way too hot because the temperature isn’t
10 regulated, so my kids get sweaty and they ask for water a lot. When it gets hot I open the windows
11 and the door but that doesn’t do much to relieve the heat. On the other hand, at least twenty percent
12 of the time the heat isn’t working at all when it is cold outside so my classroom is so frigid that my
13 kids have to wear jackets inside. My students are uncomfortable most of the time because of the
14 classroom temperature and that affects their learning experience. Extreme temperatures make it hard
15 to think and hard to maintain energy. We work at a slower pace. It would be a much different
16 classroom experience at John Swett if the temperatures were comfortable.

17 10. I’m supposed to meet high academic standards with my kids but I don’t have the
18 materials that my students need to learn, especially for math and science. The district adopted a
19 science book that needs to be complemented with FOSS science kits, but then didn’t adopt the kits
20 that go with it. Instead, the District left it to the school sites to buy them. The FOSS kits are required
21 parts of the curriculum and you need to have them in order to teach the material, but because my
22 school site doesn’t have extra money to spend on science curriculum, we don’t have enough. There
23 are only three FOSS science kits for the first and second graders to use at my school, but there are
24 five first and second grade classes that need to use them. In order for my kids to access the FOSS
25 kits, I have to send them to another teacher for science. In exchange, she sends her kids to me to
26 learn writing. Sending my kids to another teacher is a real sacrifice because first graders benefit from
27 having the same teacher all day and it is scary for them to move around from class to class.

1 11. I don't have enough materials for math either. First graders should have number boards,
2 to help them develop "number sense." Number boards are charts of the numbers between 1 and 100
3 printed on an erasable surface. They are extremely important because they help students learn "place
4 values' and the basic principles of addition, subtraction, multiplication, division, and fractions. Each
5 of my students should have one, but there aren't enough of them in my classroom and the ones I do
6 have are beat up and tattered. Instead, I ask my kids to make their own number grids but they aren't
7 nearly as good as the grids that are pre-made, among other reasons, because you can write on the
8 boards and erase them, and the quality of the penmanship and the accuracy of the charts is
9 questionable. Also, it takes a long time to have my class of first graders draw their own number
10 boards, and that time would be better spent teaching the curriculum. My students miss out on
11 opportunities to explore more advanced concepts because they are spending so much time creating
12 their own instructional materials out of homemade supplies.

13 12. More than anything else, we need books at John Swett. Classrooms should be full of
14 books for students to read. Each classroom at John Swett used to have a set of reading books called
15 "shoebox library" for kids to use in class. When I got to John Swett four years ago there were barely
16 enough books in the "shoebox library" in my classroom for all of my kids to use. Now there aren't
17 enough books for each student to have one because some of the books have been lost or worn out
18 from use and the district hasn't replaced any of them. I haven't received any new literacy books from
19 the district the whole time I've been teaching at John Swett.

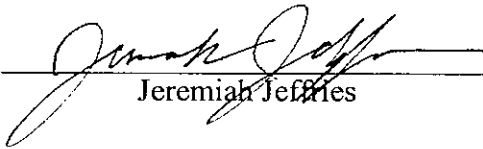
20 13. A lot of teachers use their own money to buy the basic supplies that they need in class
21 because the school doesn't provide them, but I don't have the resources to do that. Some teachers
22 spend thousands of dollars of their own money every year buying basic things like markers, paper,
23 and books for the classroom. One third grade teacher bought essentially the entire library for her
24 classroom because she wouldn't have had enough quality books otherwise.

25 14. Most of the teachers at John Swett are new and inexperienced. Of the roughly 15
26 teachers there this year, only four of us have three or more years' experience. By contrast, four brand
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1 new teachers started this year. A lot of teachers leave each year for various reasons, but neither the
2 school site nor the district seems to keep track of the reasons why the teachers leave.

3 I declare under penalty of perjury under the laws of the United States and the State of
4 California that the foregoing is true and correct. Executed this first day of July, 2003, in San
5 Francisco, California.

6
7 By:  _____
8 Jeremiah Jeffries

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