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

3. I make this declaration not intending to assign blame to any individual or segment attached to our school, but as a protest against a much larger system which through neglect and perhaps more insidious forces endeavors to rob my students and peers of their potential, their self-respect, and their aspirations.

Concept-6 Year-Round Academic Calendar

PLTF 01745

1 instead of nine. At any given time, two of the three tracks are "on" (roughly 2,300 students and
2 100 faculty) and the third is "off". Curiously, although Los Angeles population has been
3 booming for decades, LAUSD has not opened a new full service neighborhood high school in
4 almost thirty years.

5 6. Because the state requires a minimum number of classroom minutes to award
6 credit for courses taken, several minutes are added to each class period to make up for the month
7 of missing school days. This results in a significantly longer school day for our students, causing
8 them to become fatigued and lose focus well before the final bell rings. All of us teachers notice
9 a drastic decrease in student concentration levels during the later class periods.

10 7. Under this compressed schedule teachers scramble to attain curriculum objectives,
11 routinely falling short of covering as much material as their counterparts at traditional-calendar
12 schools. Rushing through the curriculum, teachers must include approximately twelve percent
13 more content each day than those on a nine month calendar and assign to students a
14 corresponding amount of homework. My students, forced to cram each night's homework load
15 into the shorter time span afforded by the extended school day, become even more exhausted
16 trying to keep up and all too often give up in despair. This vicious cycle repeats itself year after
17 year, the frustration level mounting in inverse relationship to the quantity of information retained.
18 The perversity of this arrangement is most transparent when the progress of honors and
19 Advanced Placement students is scrutinized, as these young people struggle valiantly to remain
20 competitive with their peers across the nation, only to see their standardized test scores, which
21 are scored on a percentile basis, dip each year along with their hopes of passing the Advanced
22 Placement exams.

23 8. Teachers, similarly pressed for time and stressed out from other factors which will
24 be addressed later in this declaration, are faced with a Faustian choice from among these four
25 options: 1) cut back on curriculum to lower the workload and hopefully increase student
26 comprehension; 2) push through the entire curriculum while assigning less work; 3) assign work
27 which they will not be able to review adequately; or 4) extend the instructional year
28 beyond the allotted time, scrambling for classroom space and coercing students to attend extra

1 sessions and do extra work (needless to say, teachers are not paid for such unsolicited efforts.) I
2 myself opt for the latter solution, working nights, weekends, and vacation periods alongside my
3 students. Approximately 80% of this time is not compensated, at least in my case. Right now
4 three C-track teachers I know are teaching extra sessions to try and fill in holes left in their
5 curricula by the truncated school calendar, which for us is "officially" already over.

6 Teacher Transience

7 9. It is extremely difficult for Jefferson and other inner-city schools to attract and
8 retain dedicated, talented instructors, a task exacerbated by the frenzied pace of the Concept 6
9 calendar and other problems at the school sites (again, details below). Fifty percent of the
10 school's faculty slots have turned over during my 5 1/2 year tenure, many more than once, with
11 the rate of transience increasing of late. This adversely affects the quality and continuity of
12 instruction offered.

13 10. Some teachers, fed up and feeling little or no allegiance to a system they have
14 come to regard as neglectful, abusive, and racist (as the first schools to go year-round in our
15 district were located in low-income, minority-populated neighborhoods) depart suddenly in
16 mid-semester, leaving students with a series of substitutes. I have known several of these
17 individuals and was privy to their situations and their frustrations

18 11. Some faculty positions remain unfilled all year long. One such example involves
19 our current (school year 2000-2001) C-Track 10th grade Biology students, many of whom are
20 my students as well, who have had over a dozen teachers over this past year, and know virtually
21 nothing at all about Biology, although officially they will have received final semester grades and
22 accompanying credit for Biology by the end of year.

23 12. Students in classrooms supervised by substitutes tend to receive little instruction,
24 become apathetic about the learning process, and are consequently less effective and harder to
25 deal with in their other courses. Last year (1999-2000 school year) on my track, we had one
26 English teacher depart early on after a dispute with administration. Her class was staffed by
27 substitutes for the remainder of the year. Our A.P. English Language teacher also took an early
28 exit, leaving her students to contend with a series of subs and little chance to pass their exam in

1 that subject. One Math teacher called in sick for the last four weeks of the semester (though it
2 was common knowledge among her colleagues that she was in no way ill and just claiming
3 illness to preserve her credential status in case she wanted to seek another job in the state). Her
4 students pretty much just sat in the room or wandered around the school for the duration, as there
5 were no lesson plans left and no one to provide continuity of instruction or evaluation. I visited
6 the classroom during this period and witnessed these scenes. Final marks were given based on
7 the last grade rosters she had filled out. One science teacher left for another school shortly after
8 the 1999-2000 school year started while another missed large blocks of time after being injured
9 in a violent altercation with another teacher at a school dance. The overwhelming majority of
10 my 140 students spent one or more periods each day in one of the classrooms mentioned above.

11 13. It would be impossible to overstate the negative impact these departures have on
12 teacher and student morale. The majority of the instructors I know, including many of the most
13 dedicated at the school site, have developed an "exit strategy" to be enacted within the next year
14 or two. To directly illustrate an effect on students, I'll describe the not-so-distant experience of
15 this year's Advanced Placement seniors on B-track. As 11th graders these children lost both their
16 A.P. English Language and A.P. United States History instructors by the end of the first
17 semester. The kids struggled through the balance of the year with a combination of short and
18 long-term substitutes. Last May I proctored the A.P. tests, and, as I watched these same students
19 labor through their exams, their body language and their comments to me betrayed the fact that
20 they regarded themselves as completely unprepared for the tests. Still, largely because they had
21 paid for the exams months earlier, they showed up on time and suffered through an experience I
22 doubt they will soon forget. B-track has now had three different A.P. History teachers in the last
23 three years, and my track, C-track, suffers the same distinction concerning A.P. English
24 Literature instructors over the same time span.

25 Counseling and Programming

26 14. Difficult as it is to lure quality instructors to year-round inner city schools, the
27 situation regarding guidance counselors appears even more dire. The school averages about 3500
28 students enrolled in total, with a mere six individuals (two on each track) charged with

1 programming and advising the vast majority of them. These six counselors, once in place, must
2 serve approximately 550 young people each, an impossible task. Neither of our two C-track
3 counselors speaks Spanish, although 93% of the students come from homes in which Spanish is
4 the first language.

5 15. Due to the absurdity of their workload and the demands of the Concept 6
6 calendars our counselors have virtually no time to verify their students' computer-generated
7 schedules for accuracy. Consequently, we open the new school year each July with hundreds of
8 children misprogrammed. Some have no classes, some have all the wrong classes, some have last
9 years classes, others next year's. This produces mass confusion in the classroom over the
10 first month of school, with students coming and going all period long. There are so many
11 students with major problems that the school cafeteria, which has traditionally served as the crisis
12 treatment center (some of us call it "triage"), overflows and students are returned to the
13 classrooms; whether they are in the correct or incorrect classrooms is a question that is
14 postponed for another day, or week.

15 16. This process of re-assigning students to the proper classes typically takes between
16 two and four weeks to resolve. Some students never receive the proper classes, because the
17 classes become filled. The students are told to either take the classes in night school, at
18 intersession (like summer school), at a community college, or at a later date. One example of
19 which I was recently made aware involves a current 12th-grader. This honors student had
20 her junior-year schedule thoroughly botched and by the time counselors attended to her
21 needs, she was told that all sections of United States History were closed due to overcrowding.
22 She was advised to take the class the next year, even though it is an 11th-grade requirement. At
23 the start of her senior year, her classes were again in serious disarray. By the time this situation
24 was addressed (the 4th week of the semester) she was again told that there was no room in
25 any U.S. History class and that it was her responsibility to make up the course, either in adult
26 school or community college.

27 17. During these crazy opening weeks I use my conference period to help students
28 who come to my room with programming problems and to make daily "sweeps" of the cafeteria

1 to see if any of my students are in there when they should be in someone's classroom. In July
2 1999, midway through the fourth week of class, I spotted a group of about twelve to fifteen
3 students clustered around a long table at one end of the room. There were 2 or three counselors
4 in the room, attending other students. Something about these kids at the table looked familiar so
5 I asked what they were doing there. They replied that their history class had been closed down
6 during the semester's initial week and that they'd been in the cafeteria, at that same table, during
7 5th period each day for the previous three weeks waiting for a new class assignment. I marched
8 them to the head counselor's office and she immediately found them new classes.

9 18. Needless to say, all this chaos wreaks tremendous havoc inside the classroom.
10 Many teachers delay getting into their curriculum because a significant number of the kids who
11 are supposed to be enrolled in the class are not yet in sight. Two years ago (school year 1998-
12 1999), there were 39 students enrolled in my period 3 class, only one of whom was correctly
13 placed. It took two full weeks to track down the missing 38 and to place the 38 who had been
14 sitting in my room with absolutely no idea why they were there. Last year (school year 1999-
15 2000) we opened with 52 and 57 students enrolled in my periods 2 and 3 Film A classes,
16 respectively. We have 38 chairs in the room. Again, it took weeks to find alternate classes for
17 those extra children. This year I carried between 45 and 47 students in my Period 6 class.

18 19. Largely because Jefferson students fail a high percentage of their courses, the
19 master schedule is overloaded with basic required classes, many filled by students who are
20 repeating. Consequently, students who manage to successfully complete all their classes have
21 few options in terms of electives. Many are forced to take so-called "service" periods, during
22 which they perform menial tasks for teachers or administrative staff (such as carrying notes or
23 supplies from one place to another) while receiving no instruction. Students have also been
24 programmed into service if there is no room in one of their required classes, a situation described
25 above. The aggregate number of students enrolled in "service" at any given time is staggering,
26 making it quite possibly our most heavily populated elective offering. Practically all of my
27 seniors this year either had a service period or left school early due to a lack of alternative
28 offerings. It should be noted that the vast majority of the seniors I mention are Advanced

1 Placement caliber students highly interested in taking challenging and/or new subjects.19.
2 Despite the fact that this situation has repeated itself each year I've been at the school, no
3 significant structural initiatives have been taken during my tenure to avoid it. We have at present
4 an extremely competent and energetic head counselor, yet even she cannot counter all the
5 obstacles imposed by the Concept 6 system.

6 Physical Plant, Environmental & Safety Issues

7 20. The Jefferson campus only closes for 2 weeks each year, most days remaining
8 open from before 7 A.M. until past 9 P.M., as the facility is used for adult school in the late
9 afternoons, evenings, and on Saturdays. While the school custodians and maintenance workers
10 work diligently to keep our physical plant operating in a safe and healthy manner, the year-round
11 schedule and inadequate funding compromise their effectiveness.

12 21. Most days of the school year graffiti is readily observable in most sections of the
13 campus: on building exteriors, inside hallways, stairways and classrooms, on desks, lockers and
14 vending machines, and, of course, all over the restrooms. This problem has in fact lessened
15 somewhat in the year since the filing of this class action suit, due, I believe, to pressure applied at
16 the district level, although there is room for additional progress.

17 22. Depending on their location these marks may linger for hours, days, months, or
18 longer. When asked to describe the appearance of the campus, my students invariably use words
19 like "cheap" and "nasty". Again, incidences of lingering graffiti are much more sporadic than in
20 the past.

21 23. Predicatably, bathroom conditions exceed those of other school locations in terms
22 of abjectness. Besides the graffiti, restrooms can feature clogged or otherwise inoperative toilets,
23 a lack of doors on stalls, lack of toilet paper, wax-paper seat covers, paper towels and soap.
24 Many students avoid using the restroom entirely except in cases of emergency.

25 24. My classroom, the converted former metal shop, is climate-controlled by a
26 "swamp cooling system", as is the entire Industrial Arts building. I rarely use this system due to
27 its minimal effectiveness and the fact that it makes so much noise that I (or anyone else
28 addressing the class) must scream to be heard. During our Summer/Fall semester (July-October)

1 students wilt in heat that often reaches eighty-five degrees by Period 5. I have in the past sent
2 hourly "weather reports" to administration notifying them of this problem and parents have also
3 sent letters. A re-roofing of the building about two years ago improved the situation somewhat,
4 as the thermometer before that time had often topped the ninety degree mark.

5 25. When we began the film program in January of 1996, the available floor space of
6 my classroom was taken up primarily by metal-working machines, including drill presses, saws,
7 lathes, foundry facilities. Additionally, large and small pieces of scrap metal, in sheets and rods,
8 including copper, brass, iron, aluminum and lead, were scattered throughout the room.
9 The machines were still electrically connected. When I complained to administration about the
10 safety implications of this, they proposed erecting a chain link fence across the classroom to
11 separate the students from the machines. I successfully opposed this "construction project" on
12 the grounds that the place already looked too much like a correctional facility. The machines
13 lingered in the room for more than two years as administration contended that we lacked the
14 funds to remove them. Finally, when our woodshop teacher encountered officials of another
15 institution who were interested in setting up a metal shop at their site, the machines were
16 disconnected and carted off, the tab paid by the other institution.

17 26. Also in January, 1996, I identified a large asbestos tube (approximately 8"
18 diameter by 36" length) which had formerly insulated a pipe used in heating metal to a molten
19 state for casting. The casting area was located about 25 feet from where students routinely sat.
20 The tube in question was dented in parts and nowhere near pristine in appearance. I regarded it as
21 a health hazard, to say the least. When I brought this to the attention of officials in charge of
22 facilities, they confirmed the fact that the tube was made of asbestos but said it presented no
23 problems. Over 2 ½ years later, when the machines were being removed from the room, a
24 worker simply picked up the tube and walked out with it. I said nothing. I understood that such
25 materials are normally handled by personnel wearing specialized protective clothing that
26 resembles astronaut suits, but I was just relieved that someone was taking it out of there.

27 27. My behavior in allowing the machines and the asbestos to remain in my classroom
28 for years suggests another phenomenon at work in systems like ours, a collective unwillingness

1 to protest in an insistent and sustained manner. If I yell too loud and too long I risk alienating
2 members of administration. They, in turn, have little or nothing to gain by bringing complaints
3 to their superiors. Since it becomes crystal clear after a few weeks at a school like Jefferson that
4 things often aren't as they should be, and that no one really expects them to function on that level,
5 people learn to shut up and maximize what they, personally, extract from the system. Eventually
6 they stop noticing that anything is wrong at all.

7 Safety

8 28. Between 3:30 P.M. and 5 P.M. there is no security on campus, other than one
9 person stationed at the front door, one of many entrances to the campus. This period corresponds
10 roughly to the time between the end of "day" school and the start of "night" school. Members of
11 neighborhood gangs routinely take advantage of this lapse in security to enter the campus and
12 engage in a variety of undesirable activities, including the use of narcotics. Many of my
13 students stay on campus during these hours, working on their projects, doing homework for other
14 classes, or participating in athletics. Students and faculty have complained about this problem
15 for years, but to my knowledge no significant steps have been taken to remedy the situation.

16 29. In October, 1999, a female student was sexually assaulted in a restroom during
17 school hours. Neither the school's students nor their parents were notified of this incident. Five
18 months later, one of my students was attacked outside another restroom on campus. Fortunately,
19 she was able to fight off the attacker although the event left her traumatized, as well as cut and
20 bruised. Meetings between students, faculty, and administration seemed to reveal that no major
21 overhaul or re-examination of campus security, especially in relation to bathroom supervision,
22 had been undertaken after the first incident.

23 Accreditation

24 30. Our school, and all others in the state, are licensed to remain in business through a
25 purposely ineffective process in which the state employs a private firm (the Western Association
26 of Schools and Colleges, or WASC) to inspect the schools and make recommendations regarding
27 their continued certification.

28 31. According to this process, schools are only inspected after being given an

1 extensive amount of time to formally prepare for inspection. There are no "surprise" or otherwise
2 unannounced inspections. In the case of our school's recent accreditation process, preparations,
3 including a "self study" process, took place over an entire calendar year, building to what can
4 only be described as a "frenzy" over the final few months. This period of frenzy featured daily
5 reminders to clean up classrooms, to put students work on display, to smile, to "think six" (as in
6 a 6-year accreditation period), as well as an obsessive and ludicrous push to remind students of
7 the school's ESLR's (Expected Schoolwide Learning Results).

8 32. These ESLR's, on which students were drilled endlessly and which they were
9 made to memorize, constitute an educationally questionable strategy which serves primarily to
10 satiate our state's current toothless drive for "accountability" at the expense of large chunks of
11 valuable class time. Selections included such pearls of wisdom as "we are learning to be life-long
12 learners", "we are learning to become effective users of language", "we are becoming
13 technologically competent", and so on. Apparently the underlying presumption is that without
14 such provocative reminders students (and teachers as well) would find themselves at a collective
15 loss to explain what they're doing all day in one class after another.

16 33. During the multi-day period of inspection, a team of educators visits the school
17 and is introduced to a selection of classes, teachers, students, and other stakeholders. During this
18 time the school appeases them in various ways, such as the presentation of individual gift
19 baskets, a catered lunch to kickoff the process, etc....

20 34. In 1988, Thomas Jefferson High School was given a six-year accreditation with a
21 check-up visit at the three-year mark, the second most-favorable evaluation available, despite the
22 fact that student achievement in all measurable categories ranked among the lowest levels in the
23 state. The accreditation team also issued a series of recommendations to the school. I read the
24 WASC report for that year.

25 35. Six years later, another accreditation team arrived and awarded the school the
26 exact same mark, for the exact same duration, and left the school with a set of recommendations
27 which for the most part echoed the suggestions given six years earlier. Again, student
28 achievement in all known categories ranked the school near the basement citywide and statewide.

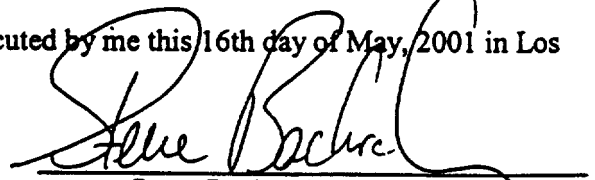
1 Performance school-wide had not changed appreciably prior to the just-concluded 2001
2 accreditation, results for which have yet to be released. I read the WASC report for that year.

3 36. How could these things have been addressed, and by whom? Approximately fifty
4 percent of the faculty who were at Jefferson at the time of the last accreditation in 1994 no longer
5 work at the school (again, see "teacher transience, points # 9-12.) Many of these posts have
6 turned over more than once over the intervening years. How can we have anything resembling a
7 collective institutional memory and sense of purpose when most instructors shuffle through on
8 their way to easier, and perhaps more fulfilling, assignments?

9 37. One can only conclude when analyzing this accreditation process that the major
10 party involved in the evaluation, the State of California, through whose authority the schools are
11 authorized to remain open, has an active interest in keeping substandard institutions in operation
12 despite their obvious shortcomings (a policy which might at various times be influenced by
13 politics, economics, the very real lack of alternative spaces to house students, or even
14 views on race) and that the accreditation process itself is calibrated accordingly.

15 38. Jefferson High School, amazingly enough, is not the worst-performing high
16 school in Los Angeles. It shares a similar profile with between 6 and 8 other institutions. All of
17 these schools, not coincidentally, are located in neighborhoods in which the overwhelming
18 majority of households are low-income and the majority of students belong to ethnic minority
19 groups.

20 I declare under penalty of perjury of the laws of the State of California and the United
21 States that the foregoing is true and correct. Executed by me this 16th day of May, 2001 in Los
22 Angeles, California.

23 
24 Steve Bachrach
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