

**EXH. 2 Evidentiary Support
Chart**

**BALBOA HIGH SCHOOL
SAN FRANCISCO UNIFIED SCHOOL DISTRICT**

Textbooks	<p>Balboa does not have enough textbooks for its students to use in class without sharing and to use at home for homework. In some classes, students have no textbooks at all.</p> <p>Jones 199:13-20, 235:12-238:4, 253:21-254:2, 295:4-296:11, 343:10-15, 344:25-345:9, 351:16-21, 358:7-359:18, 362:25-363:5, 367:4-9, 379:25-380:12, 381:7-382:8, 387:1-6, 388:13-389:2, 392:9-394:17, 399:15-400:5, 405:20-406:13, 410:12-411:25, 420:7-16, 498:21-500:14, 535:20-536:10; Jones 8/14/00 Decl. ¶¶ 3, 5; Jones 2/7/01 Decl. ¶¶ 7, 9; Bernice Yeung, <i>Hard Lessons</i>, SF WEEKLY, Oct. 11, 2000 (Teacher Tim “Gabutero has two health ed classes, but only 30 books, so students return their texts to a messy pile when the bell rings instead of taking them home.... Gabutero says he wishes he could give more homework, but he can’t if his students don’t have textbooks.”); <i>id.</i> (Alondra’s math teacher “has to instruct one class using one set of textbooks and another class using a different set because there are not enough of one kind. (Principal Gray says part of the math book shortage can be attributed to the school phasing out one set of textbooks for newer editions.)”).</p>
Teachers	<p>Approximately 40% of Balboa teachers do not have full, nonemergency teaching credentials. During the 1999-2000 school year, only two of the nine math teachers had completed their teaching credentials; by the 2000-2001 school year only four of the math teachers had completed their teaching credentials.</p> <p>Gray (principal of Balboa High School) 73:24-74:6, 80:17-81:3, 81:24-25, 82:9-22, 228:16-17, 310:4-15, 311:5-29; 2000 Academic Performance Index (API) Base Report for Balboa High School (Jan. 17, 2001) <http://api.cde.ca.gov/api2000base/2000Base_Sch.asp?SchCode=3830288&DistCode=68478&AllCds=38684783830288>.</p> <p>Balboa suffers an extreme rate of teacher turnover, with approximately 75 teachers leaving the school (which operates with only approximately 60 total teachers) during the three years before August 2000 and approximately 12 teachers leaving since then.</p> <p>Gray 83:20-84:9, 91:4-92:5, 369:1-14; Jones 8/14/00 Decl. ¶ 12; Nanette Asimov, <i>Rojas' Record Can't Be Denied</i>, S.F. CHRONICLE, June 21, 1999 (“Balboa High was reconstituted in</p>

	<p>fall 1996. Three-quarters of the 90 new teachers hired then have already quit, employees said. Even the principal resigned.”).</p> <p>Balboa periodically operates classes in which many different substitutes, or other campus teachers using their conference periods, cover the class for weeks or even months because the classes have no permanent teacher.</p> <p>Gray 96:1-12, 98:8-19, 99:6-8, 100:15-24, 118:2-9, 119:18-120:6, 265:2-266:12, 281:14-20, 282:3-12, 283:2-19, 284:1-285:3, 293:10-19; Jones 95:4-19, 97:18-98:7, 420:17-433:24; Jones 8/14/00 Decl. ¶¶ 8-10; Jones 2/7/01 Decl. ¶¶ 12-13; Yeung, <i>Hard Lessons</i>, SF WEEKLY, Oct. 11, 2000 (“...Alondra’s [math] teacher says nothing is as frustrating as the class he volunteered to teach for a few weeks during fourth period, his preparation period.... Before Alondra’s teacher volunteered his services, the students sat through an ever-changing cast of substitutes as the school searched frantically for a permanent replacement in a district with an extreme shortage of math teachers.”).</p> <p>Some school semesters have begun without the school having hired teachers to fill all the Balboa teaching positions, leaving students to take instruction from substitutes until a permanent teacher is hired for their classes.</p> <p>Gray 261:5-262:7, 262:25-262:3, 263:13-17, 265:12-15, 280:2-281:6; DT-SF 55-60 (course directories for fall 1998 through spring 2001 list three teacher vacancies at the start of semesters).</p>
Facilities	<p>Balboa bathrooms are routinely locked so students cannot get into them, and when they are open and unlocked the bathrooms often are unclean and lack basic supplies such as toilet paper and paper towels.</p> <p>Gray 157:20-23, 161:20-25, 162:5-163:5, 164:11-17, 166:4-10, 323:5-9, 324:9-325:13, 380:16-23; Jones 441:10-449:9; Jones 8/14/00 Decl. ¶¶ 13-14; Jones 2/7/01 Decl. ¶ 6; Yeung, <i>Hard Lessons</i>, SF WEEKLY, Oct. 11, 2000 (“Balboa is infamous for its putrid restrooms. Its stalls are covered with graffiti, the toilets and floors are caked with scum, and the walls are smeared with crusty, hardened spitballs made from wads of toilet paper. Principal Gray says the school only has one full-time day janitor. ‘We don’t have the manpower,’ Gray explains.... In an attempt to keep the bathrooms usable, the school keeps them locked most of the day. If a student needs to use the bathroom, a teacher calls a security guard to escort the student.”).</p>

	<p>The principal, students, teachers, and staff see mice and mice droppings in classrooms and offices at school.</p> <p>Gray 125:22-128:3, 131:13-19, 132:14-21, 384:20-385:4; Jones 376:4-377:23; Jones 8/14/00 Decl. ¶ 15; Jones 2/7/01 Decl. ¶ 3; Yeung, <i>Hard Lessons</i>, SF WEEKLY, Oct. 11, 2000 (“There is still a mice problem, and rodents scurry around behind the wooden slats lined against the gym walls. ‘We try to build self-esteem, but then look at these conditions—rats, pigeon feces,’ Gabutero says. ‘The kids go to other schools and everything is brand-new, and they ask me why we don’t have the same. What am I supposed to tell them?’”).</p> <p>Classroom temperatures become uncomfortably hot or uncomfortably cold during regular, predictable portions of the school year.</p> <p>Jones 190:6-192:18, 222:10-226:5, 254:10-255:1, 284:11-286:17; Jones 2/7/01 Decl. ¶ 4.</p>
Overcrowding	<p>Some classes at Balboa do not have enough seats for all the students for weeks into the school year and so students have to stand or sit on counters.</p> <p>Gray 145:20-148:21, 149:12-150:12, 402:9-403:15; Jones 313:1-317:24, 405:20-24, 406:14-25, 415:6-25; Jones 8/14/00 Decl. ¶ 7; Yeung, <i>Hard Lessons</i>, SF WEEKLY, Oct. 11, 2000 (Art teacher Elham Khodabandeloo teaches “in a classroom barely able to hold her 36 students. ‘How do they expect me to teach a class when there are more students than chairs, and without any money?’ she demands. “There’s not one seat left. Some students hurry up to come to class to get a seat.””).</p>
Fees	<p>Balboa students have been charged money to take some classes during the 1998-1999 and 1999-2000 school years.</p> <p>Gray 112:25-115:1, 338:9-12; Jones 309:12-310:5, 332:6-333:3, 335:15-336:6.</p>

**BRYANT ELEMENTARY SCHOOL
SAN FRANCISCO UNIFIED SCHOOL DISTRICT**

Textbooks	<p>Bryant does not have enough textbooks for its students to use in class without sharing and to use at home for homework.</p> <p>Alegre (principal of Bryant Elementary School) 207:15-209:2; C. Ramirez 108:19-109:6, 109:13-18, 204:14-206:4; 305:22-306:7, 318:16-25, 344:20-345:2; DT-SF 81 (student statement that "...when its time for language arts time, we need to share books like now. We need to share with two or three people. The book we are sharing right now is a book called <u>Stone Fox</u>. I don't like to share reading books. I am an independent person so I like to have a book to myself. We don't have enough for everyone. My teacher bought these for us, but she just didn't buy enough."); DT-SF 87 (teacher statement that "I have never had enough social studies books for each student, and have never been able to secure enough social studies teacher materials to teach the program...."); DT-SF 89 (student statement that "I can't take it [a book] home because there isant enogh books for the hole class"); DT-SF 92 (student statement that "[s]ometimes I have to share a book with one or some of my classmates.... When I don't feel like sharing I kind of get crabby and don't say anything."); DT-SF 94 (student statement that "[s]ometimes when we do Social Studies we do not have enough book so we have to share books."); DT-SF 97 (student statement that "[w]e don't have enough books for every single kid"); DT-SF 99 (student statement that "[w]e don't have science books. We don't have art books for each student also."); DT-SF 103 (student statement that "[w]hen I have to share a book with a buddy I get really distracted. I can't concintrate at all and it's harder for me to learne. When I have to share materials it makes me feel less excited to learn because I can't concintrate"); DT-SF 104 (student statement that "[i]t makes it kind of hard to enjoy class if I have to share books or calculatior"); DT-SF 109 (student statement that "[w]e don't have enough book sometime when we do social studies and sometime we have to take it home and do it but there not enough book to every on to take home and we have to do it at school and it is for homework."); DT-SF 111 (student statement that "Bryant school we have to share are books...."); DT-SF 117 (student statement that "[i]f our class room don't have enouth books or manipulatives we had to shar it with our partner and some times people want to work by themselves. Sharing materials make me less excited to learn because if I do work with someone and I got it the person that I was sharing with</p>
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might ask me for the answer(s).”).

The school does not have enough nontext instructional materials, such as science, math, and art equipment, for its students to use without sharing in class.

Alegre 215:5-217:11; DT-SF 81 (student statement that “...in art, we have to share art supplies that we don’t have enough of.”); DT-SF 92 (student statement that “[m]y class also have to share science equitment when my class do lots and lots of science.”); DT-SF 94 (student statement that “[s]ometimes when we do math we don’t have enough supplies.”); DT-SF 96 (student statement that “[w]hen our school don’t have enough materials the kids can’t lerne. And if the kids can’t lerne they can’t get smarter. I don’t like it when we have to share calcolator because we can’t finsh our work and learn.”); DT-SF 97 (student statement that “I don’t feel excited about school when I have to share materials and manipulatives.... We hardly have enough materials for science. How are we supposed to do fun activities if we don’t have materials?”); DT-SF 101 (student statement that “I think that if we aren’t going to have enought materials then we shouldn’t be tought! I meen we should that is if we get more materials it will be better for teachers and the kids. I feel sad right now that we don’t have enought materials because I am trying my best to learn but it just doesn’t work.”); DT-SF 105 (student statement that “[e]very year we don’t have enough materials so we have to channel our activeitys.”); DT-SF 107 (student statement that “[w]e don’t have that much materials for science”); DT-SF 108 (student statement that “I feel like not going to school because nothing to learn with. Even the classrooms, some of the classrooms don’t have any markers, crayons, book, and color pencils. School just made it difficult because sharing materials is not fun.... Why go to school if there’s no supplies to learn with?”); DT-SF 111 (student statement that “[w]e dont have alot of materials like for science or art.... I dont like sharing materials. We dont like have less materials. It makes me less excited to learn.”); DT-SF 112 (student statement that “[w]e do not have enogh School Suppliyes and we get tried of sharing. And at math time we have to share calcaladors and we get mad and fight over it. And at math some kids don’t get calcaadors at all they have to use paper. Some of the paint brushes are not good and we can’t do art and sometimes kid don’t have paint brushes at all.”); DT-SF 113 (student statement that “I hate sharing with other students when it is our homework one of us doesn’t get the homework done if we don’t have the supplies.... When we share things sometimes

	<p>my partner hogs all the supplies and I can't work. It made learning harder."); DT-SF 117 (student statement that "[i]f our class room don't have enouth books or manipulatives we had to shar it with our partner and some times people want to work by themselves. Sharing materials makes me less excited to learn because if I do work with someone and I got it the person that I was sharing with might ask me for the answer(s).").</p>
Facilities	<p>Uncomfortable classroom temperatures are a daily problem at Bryant.</p> <p>Alegre 146:24-147:8, 148:15-149:21; C. Ramirez 87:13-21, 303:1-23, 311:17-315:9, 343:15-344:4; C. Ramirez Decl. ¶¶ 3-5; R. Ramirez Decl. ¶ 3; DT-SF 81 (student statement that "[i]n the summer time, the air conditioner doesn't work so everybody sweats and wants to get a drink of water from the sink every so often. That makes us stop doing our work. . . . In the room, when it's hot I get nose bleeds! My teacher gets hot and then sometimes she's cranky and I don't like it when she teaches like that."); DT-SF 85 (teacher statement that on a "typical" day at Bryant the classroom temperature is over 85 degrees and "[i]n my five years at Bryant, the room heat has been a continual problem. Students fall asleep, complain of headaches and slump on their desk. One student fainted when the temperature was over 90 degrees."); DT-SF 90 (student statement that "[t]he class rooms are pretty hot even in the winter it's not pleasant and it gives me headaces."); DT-SF 98 (student statement that "[t]he air conditioner doesn't work so good."); DT-SF 99 (student statement that "[m]y classroom is always to hot cause in summer school I fainted!"); DT-SF 102 (student statement that "[w]hen it gets stuffy or hot or cold that is when I don't feel right. So that is the problems that bryant Elementry school has!"); DT-SF 104 (student statement that "[o]ur class room is always hot and stufy. Sometimes we even open a window and it's still stufy and hot.... When it is too hot in the class room I get sleepy and I get a head ack"); DT-SF 106 (student statement that "[a]ll the time it feels hat, worm or cold it never feels right."); DT-SF 109 (student statement that "[m]y friend was in 4th grade the room was too hot he look he was going to faint his face was red...."); DT-SF 110 (student statement that "...the class room is too hot or too cold."); DT-SF 112 (student statement that "[s]ometimes I get sleepy in class because it's too warm."); DT-SF 113 (student statement that "[t]hey never turn the conditioner or heater when they suppose to. Sometimes I get to cold or too hot and I can't learn very good."); DT-SF 116 (student statement that "it is either to cold or to hot...."); DT-SF 1072-1076 (64 complaints about the heating and air conditioning system between 7/1/97</p>

and 4/4/01).

School bathrooms are regularly unclean, in disrepair, and lacking basic supplies such as paper towels or soap.

DT-SF 81 (student statement that “[s]ometimes when I wash my hands in the bathroom, there are no more towels in the dispenser and I have to wipe my wet hands on my pants. Sometimes there’s no soap.”); DT-SF 93 (student statement that “P.U., sometimes the bathroom smells terrible.”); DT-SF 96 (student statement that “[i]n the bathroom there is no privte because the bathroom lock is broken.”); DT-SF 98 (student statement that “[t]he bath rooms are smelly and nasty.”); DT-SF 99 (student statement that “[a]re bathrooms smell very horribal....”); DT-SF 104 (student statement that “the bathrooms stink and not clean at all.... Most of the doors in the bathroom are broken and I don’t feel confortable with that. Not at all.”); DT-SF 105 (student statement that “[t]he bathrooms have human manuar on the walls.”); DT-SF 108 (student statement that “[t]he bathroom stinks, have writing on the wall, and it’s to small.”); DT-SF 114 (student statement that “[s]ometimes I go to the bathroom and if it stikes I hold my breath but it still stinks and it makes me want to trow up. One time in the bathroom I saw throw up on the floor and no one cleaned it up.”).

Noise from instruction taking place in classrooms seeps through Bryant’s thin walls between classes and impedes student learning.

Alegre 99:5-100:5, 106:7-22, 115:6-118:20, 122:15-123:21, 125:7-11; C. Ramirez 54:4-8, 55:18-56:24, 58:11-20, 62:8-23, 84:17-86:1, 89:3-10, 90:4-91:2, 264:7-10, 265:4-266:25, 345:3-13; C. Ramirez Decl. ¶ 6-7; R. Ramirez Decl. ¶ 7; DT-SF 81 (student statement that “[s]ometimes the rooms next to us make a lot of noise that I can’t concentrate. The reason is because we don’t have real walls (which we should have) we just have thin dividers to divide up our classrooms like small office squares”); DT-SF 85 (teacher statement that “[w]e have partition walls at Bryant.... Every raised voice or sound (including music class across the hall) interferes with our ability to concentrate. Teaching/learning can be a war of raising volumes.”); DT-SF 94 (student statement that “...the walls ar so thin we can hear the room next to us.”); DT-SF 107 (student statement that “[t]he walls are thin and when the class next door is doing something fun, it makes it harder to learn.”); DT-SF 111 (student statement that “[w]e can hear throw the walls sometimes we can’t hear the teacher talk because sometimes the other class rooms a to loud.

	<p>That makes it harder for me to learn.”); DT-SF 114 (student statement that “I can hear the other class right across the wall because it is so thin and I cant consintrate. Sometimes I get very bad headakes.”); DT-SF 116 (student statement that “...the walls are so think, you can hear the other class.”).</p>
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**LUTHER BURBANK MIDDLE SCHOOL
SAN FRANCISCO UNIFIED SCHOOL DISTRICT**

Textbooks	<p>Luther Burbank does not have enough textbooks for its students to use at home for homework.</p> <p>Michaelson (principal of Luther Burbank Middle School) 75:7-13, 75:15-22, 83:12-13; Moultrie 78:16-20, 80:9-14, 95:1-16, 110:17-19, 129:4-8, 160:11-17, 197:16-17, 25; Moultrie 4/30/00 Decl. ¶¶ 4-5; Moultrie 9/9/00 Decl. ¶¶ 3, 5.</p> <p>During the 1999-2000 school year, Luther Burbank did not have enough textbooks for its students to use in class without sharing.</p> <p>Moultrie 92:5-93:5, 110:2-6; Moultrie 9/9/00 Decl. ¶¶ 3; DT-SF 1166 (1/26/99 letter from Luther Burbank Assistant Principal identifying “the dire need for textbooks at Burbank” and noting that “[t]he textbook shortage is a serious problem at Burbank and many of our students are sharing textbooks.”).</p>
Teachers	<p>Luther Burbank suffers high teacher turnover, including having had 12 teacher vacancies – out of approximately 35 total teachers – for the 2001-2002 school year.</p> <p>Michaelson 111:19-112:7, 136:12-137:3, 140:6-20, 134:8-18; Moultrie 216:21-217:11.</p>
Facilities	<p>Students and teachers have often seen rats or mice and roaches on campus at Luther Burbank.</p> <p>Michaelson 110:8-18, 109:6-17, 109:21-110:3; Moultrie 72:21-74:17, 100:8-14, 119:6-120:11, 334:1-339:22, 341:18-342:4, 343:1-25, 382:4-6; Moultrie 4/30/00 Decl. ¶ 8; DT-SF 119 (identifies seven mice, rats, and roach sightings on campus).</p> <p>Luther Burbank bathrooms are often locked and unavailable to students. When bathrooms are available to students, they are regularly unclean and lack basic supplies such as soap, paper towels, and toilet paper.</p> <p>Michaelson 97:13-16, 101:14-102:10; Moultrie 269:6-22, 271:4-273:2-16, 274:8-17, 275:2-17, 277:22-278:7, 279:21-280:20, 281:4-14, 283:3-285:25, 289:18-290:21, 292:3-16, 295:8-298:24, 314:21-315:2, 316:25-318:1; Moultrie 4/30/00 Decl. ¶¶ 6-7.</p>

During the 1999-2000 school year, gym ceiling tiles were in poor condition, with some tiles missing altogether and with other tiles falling during the school year.

Michaelson 208:25-209:22; Moultrie 321:24-326:15; Moultrie 4/30/00 Decl. ¶ 10.

Luther Burbank classrooms are so cold during the fall and winter that students don coats, mittens, and extra items of clothing to stay warm during class. In addition, the school has no air conditioning and classroom temperatures become uncomfortably hot on hot days.

Michaelson 119:17-120:6, 123:9-125:9; Moultrie 256:10-258:6, 258:25-261:13, 264:1-265:13; Moultrie 4/30/00 Decl. ¶ 9; DT-SF 917-923 (82 complaints about the heating and air conditioning system from 11/21/97 to 10/4/00).

**CAHUENGA ELEMENTARY SCHOOL
LOS ANGELES UNIFIED SCHOOL DISTRICT**

Teachers	<p>Approximately 40 percent of the Cahuenga teachers lack full, nonemergency teaching credentials.</p> <p>2000 Academic Performance Index (API) Base Report for Cahuenga Elementary School, (January 17, 2001) <http://api.cde.ca.gov/api2000base/2000Base_Sch.asp?SchCode=6016232&DistCode=64733&AllCds=19647336016232>; 1999-2000 CDE/Ed-Data Partnership School Profile Report for Cahuenga Elementary School, (last modified Aug. 15, 2001) <http://www.ed-data.k12.ca.us/dev/School.asp>.</p>
Facilities	<p>The school does not have enough bathrooms available for student use.</p> <p>Some bathroom facilities are locked for more than a short period because “there’s always things breaking down.” Houske (principal of Cahuenga Elementary School) 597:21-598:8; <i>see also id.</i> 149:14-150:8; 597:10-13; 594:22-595:22.</p> <p>Some of the bathrooms that are available for student use are routinely unclean.</p> <p>Houske 151:17-18; Tellechea 254:15-255:1, 258:21-259:4, 259:18-261:6.</p>
Overcrowding	<p>Cahuenga is so severely overcrowded that the school has resorted to a multitrack, year-round schedule.</p> <p>“I assumed everybody knew we were an overcrowded school. That’s no secret.” Houske 232:5-7; <i>see also id.</i> 246:14-247:10, 401:18-402:6; Tellechea Decl. ¶¶ 1, 4.</p> <p>Approximately 1900 neighborhood students must be bused away from Cahuenga because Cahuenga has no room for them.</p> <p>Houske 246:14-15, 282:15-283:13, 301:2-4; Tellechea Decl. ¶¶ 1, 5-7.</p>

**CESAR CHAVEZ ACADEMY
RAVENSWOOD CITY ELEMENTARY SCHOOL DISTRICT**

Textbooks	<p>In some classes at Cesar Chavez Academy, students have not had enough textbooks to use in class without sharing and to be able to use at home for homework.</p> <p>Walden (principal of Cesar Chavez Academy) 93:18-94:21, 436:10-16; Ruiz 137:24-139:19, 140:14-25, 196:9-197:5, 238:10-12; K. Ruiz Decl. ¶ 3.</p>
Teachers	<p>Most of the Cesar Chavez teachers do not have full, nonemergency teaching credentials and are not fully credentialed to teach students who are still learning the English language.</p> <p>Walden 170:24-171:3, 178:8-17, 227:2-22, 228:19-25, 233:22-235:2, 361:18-362:3.</p> <p>Cesar Chavez experiences high teacher turnover.</p> <p>Walden 383:19-385:2.</p> <p>Cesar Chavez begins school years without having hired teachers to fill all its classes. These vacancies have lasted for months during the school year and as a result some classes at the school have several different teachers during the school year.</p> <p>Walden 120:11-121:2, 123:24-124:9, 127:5-128:4, 147:4-148:10, 346:21-347:14, 368:21-369:2; Ruiz 96:24-97:4; 103:14-19; 107:18-21.</p>
Facilities	<p>School bathrooms are often kept locked so students cannot access them. When bathrooms are unlocked, they are often unclean and in disrepair and they regularly lack basic supplies such as soap, toilet paper, and paper towels.</p> <p>Walden 104:3-17, 110:14-18, 115:14-116:22, 416:9-16; Ruiz 57:2-12, 58:9-11, 337:9-338:7, 338:23-339:12, 340:14-25, 341:16-22, 342:10-20, 343:25-344:13, 346:3-20, 347:10-348:21, 352:21-353:5, 373:25-374:17; K. Ruiz Decl. ¶ 5.</p> <p>Classroom temperature is a serious problem at Cesar Chavez.</p> <p>Walden 215:22-216:7, 417:4-418:10; Ruiz 159:22-160:3, 162:3-5.</p>

**CRENSHAW SENIOR HIGH SCHOOL
LOS ANGELES UNIFIED SCHOOL DISTRICT**

Textbooks

Crenshaw does not have enough books for its students to use in class without sharing and to use at home each night for homework.

D'Andre Lampkin 152:11-13, 153:14-17, 153:25-154:18, 156:13-16, 159:6-24, 163:2-9, 163:21-164:1, 164:13-19, 168:6-9, 172:2-10, 179:5-9, 179:21-24, 187:21-24, 190:19-23, 191:2-10; 229:13-230:4, 230:9-16, 234:2-14; 240:25-242:1, 243:4-20, 252:6-18, 270:1-8, 274:1-11, 483:8-17, 497:2-16, Delwin Lampkin 270:2-271:25, 271:16-272:7, 303:11-304:20, 324:14-16, 326:5-328:15, 338:23-340:25, 341:1-25, 349:11-351:23, 375:4-13, 377:2-20, 381:5-382:1, 388:9-22, 392:19-20, 411:22-412:10 414:3-7, 431:21-434:24, 447:2-450:24, 467:8-17, 483:21-486:24, 509:9-512:2, 598:8-599:11, 799:12-18, 875:12-879:6; D'Andre Lampkin 1/29/01 Decl. ¶ 3; Delwin Lampkin 8/11/00 Decl. ¶ 7; Delwin Lampkin 1/29/01 Decl. ¶ 3; DT-LA 8092 (9/13/99 request for 25 *Catcher in the Rye* copies with a note on the bottom from the bookroom clerk saying "P.S. Do not have 25 *Catcher in the Rye*"); DT-LA 8137 (9/16/99 request for 90 copies of *Catcher in the Rye* or *Black Boy* with a note that there are "none left"); DT-LA 8141 (9/15/99 request for 90 copies of *Integrated [Math] 2* with a note that there are "none available"); DT-LA 8170 (9/22/99 request for 55 copies of *Career Planning* with a note that there are "none left"); DT-LA 8174 (9/28/99 request for books, one request for 30 copies of *Paso a Paso* with a note that there are "no more books"); DT-LA 8186 (9/29/99 request for 80 copies of *Biology Visualizing Life* with a note that there are "no more"); DT-LA 8232 (9/7/00 request for 40 copies of *Using Computers (A Gateway to Information)* for a class set, with a note that there are "only 37"); DT-LA 8245 (9/5/00 request for a class set of 40 copies of *Discovering Computers 2000* with a note that says "new books not ordered yet").

Sometimes some students in a class must use older editions of textbooks, rather than the current edition otherwise in use in the class or in other classes at the school, because of a shortage of textbooks.

Kiel (principal of Crenshaw High School) 96:4-97:4; D'Andre Lampkin 254:5-17; Delwin Lampkin 203:21-205:7, 482:12-20, 491:23-492:8.

Teachers	<p>Approximately 35% of Crenshaw's teachers lack full, nonemergency teaching credentials.</p> <p>2000 Academic Performance Index (API) Base Report for Crenshaw Senior High School, (Jan. 17, 2001) http://api.cde.ca.gov/api2000base/2000Base_Sch.asp?SchCode=1932128&DistCode=64733&AllCds=19647331932128; D'Andre Lampkin 1/29/01 Decl. ¶ 5; Delwin Lampkin 1/29/01 Decl. ¶ 7; <i>see also</i> Kiel 613:7-615:24, 617:23-618:10 (testifying that LAUSD school board president Genethia Hayes has stated that she wants to reduce the number of emergency credentialed teachers in schools including Crenshaw and that Crenshaw administrators have shared concerns about the number of teachers who do not have full, nonemergency teaching credentials).</p> <p>Crenshaw begins school years without having hired permanent teachers to fill all its teaching positions, leaving students to take instruction from substitute teachers until the vacancy is filled.</p> <p>Kiel 504:21-505:21, 587:10-588:23; D'Andre Lampkin 285:22-24; Delwin Lampkin 252:24-253:7.</p> <p>Some teacher vacancies last up to three months into the school year, leaving students to be taught by a series of substitute teachers until the school hires permanent teachers to fill the vacancies.</p> <p>Kiel 504:21-505:5, 591:9-15; Delwin Lampkin 869:17-871:14; D'Andre Lampkin 8/11/00 Decl. ¶ 4; D'Andre Lampkin 1/29/01 Decl. ¶ 5; DT-LA 12712-12845 (sampling of daily teacher absentee logs from 12/99 through 6/01 listing, for example, 10 unfilled teaching positions in December 1999, eight unfilled teaching positions in September 2000, and as many as five unfilled teaching positions in June 2001).</p> <p>Teacher tardiness and absence is a serious problem at Crenshaw, with some teachers absent from or tardy to class more often than they are present and on time and with many school days during which no substitute comes to campus to fill in during a teacher's absence.</p> <p>Kiel 523:5-12, 527:17-19, 534:7-11, 536:8-17, 537:13-16, 560:16-561:8; D'Andre Lampkin 65:22-67:12, 67:17-71:24, 112:3-11, 113:8-9, 116:25-117:4, 148:16-149:7, 222:15-17, 223:19-225:22, 226:1-23, 483:25-484:16; Delwin Lampkin 223:13-224:11, 384:4-386:22, 438:15-439:23, 869:17-871:14; D'Andre Lampkin 1/29/01 Decl. ¶ 6; D'Andre Lampkin 8/11/00</p>
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	<p>Decl. ¶ 5; DT-LA 12712-12845 (daily teacher absentee log listing at least 35 school days during which teacher absences were not filled during the 2000-2001 school year and at least 40 school days during which sometimes as many as 10 teacher absences were not filled with substitutes during the 1999-2000 school year).</p>
<p>Facilities</p>	<p>Some Crenshaw bathrooms are locked every day so students cannot freely access them and must instead try to find a security guard or administrator to let them into the bathrooms. Those bathrooms that are open and unlocked often are unclean and lack basic supplies such as toilet paper and paper towels.</p> <p>Kiel 196:14-22, 201:22-202:17; D’Andre Lampkin 333:20-334:16, 339:4-12, 342:16-20, 343:24-344:1, 344:18-345:24, 346:7-11, 347:9-22, 349:18-21, 352:16-25, 356:9-25, 357:1-20, 358:14-24; Delwin Lampkin 659:1-3, 702:12-19, 707:8-714:22, 719:12-732:24, 735:6-737:3, 738:4-744:8; D’Andre Lampkin 8/11/00 Decl. ¶ 6; D’Andre Lampkin 1/29/01 Decl. ¶ 7; Delwin Lampkin 8/11/00 Decl. ¶ 8; Delwin Lampkin 1/29/01 Decl. ¶ 9; DT-LA 05459-64 (4/13/00 memo to Crenshaw Plant Manager from LAUSD maintenance and operations branch noting presence of grime, scale, dirt, graffiti, dust, debris, and urine in the bathrooms); DT-LA 5453-58 (4/26/00 memo to Crenshaw Plant Manager from LAUSD maintenance and operations branch citing Crenshaw for continuing maintenance issues after a follow up bathroom inspection that day).</p> <p>Students and staff often see rats or mice and roaches or water bugs on campus.</p> <p>Kiel 138:2-139:8, 142:25-143:8; D’Andre Lampkin 385:15-386:6, 387:9-13, 390:8-14; Delwin Lampkin 688:24-691:2; DT-LA 2996 (“The horticultural center is infested with rats. Rat ate a hole in the pig”); DT-LA 2994-95 (rat, mice and roach service logs from 1998 through 2000); DT-LA 3002, 3016, 3018-20, 3024, 5440, 5444, 5447 (pest management inspection reports noting presence of rats and roaches).</p>
<p>Overcrowding</p>	<p>Some Crenshaw classes are so crowded that students have to stand or sit on countertops for weeks into the school year because their classes do not have enough seats for all the students in them.</p> <p>Kiel 157:10-11, 167:17-21; D’Andre Lampkin 257:16-258:20, 263:21-264:7, 264:10-266:7, 268:15-269:7, 283:16-284:10, 286:20-22, 288:2-4, 291:10-292:11; Delwin Lampkin 606:13-18,</p>

	<p>636:2-640:24, 641:14-650:16, 652:20-655:7; D'Andre Lampkin 1/29/01 Decl. ¶ 4; Delwin Lampkin 1/29/01 Decl. ¶ 5; DT-LA 8488 (fall 2000-2001 class enrollment listing 40 students in one biology class and 41 students in another biology class); DT-LA 8491 (fall 2000-2001 class enrollment listing 42 students in a world education class); DT-LA 8519 (spring 2000-2001 class enrollment listing 44 students in an English class, 42 students in another English class, 39 students in a third English class, and 43 students in a drama class).</p> <p>School overcrowding results in class scheduling problems for students, including assigning the same students to multiple periods of the same courses and overenrolling courses.</p> <p>D'Andre Lampkin 257:16-258:20, 264:10-266:7, 283:16-284:10, 288:2-4; Delwin Lampkin 605:25-606:8, 606:19-23, 607:16-608:20, 871:15-872:18.</p> <p>Five classes had to meet in the library for approximately three weeks during the 2000-2001 school year because Crenshaw had no classrooms available for them and an additional portable classroom had not yet arrived on campus.</p> <p>Kiel 708:23-709:25.</p>
Fees	<p>Crenshaw students must pay money to participate in certain school clubs, including cheerleading and drill team.</p> <p>Kiel 728:19-730:9.</p>

**EDISON-McNAIR ACADEMY
RAVENSWOOD CITY ELEMENTARY SCHOOL DISTRICT**

Textbooks	<p>Edison-McNair Academy does not have enough books for its students to use in class without sharing and to use at home each night for homework.</p> <p>Seiersen (principal of Edison-McNair Academy) 134:6-15; Santos 62:25-63:15, 67:10-68:11, 92:12-93:14, 123:22-124:12, 126:24-127:10, 151:11-152:4, 229:1-23, 245:25-246:6, 249:15-20, 259:4-262:3, 263:2-265:10, 292:25-293:21, 323:25-324:6; Santos 9/8/00 Decl. ¶¶ 3-4, Santos 1/30/01 Decl. ¶ 8.</p>
Teachers	<p>Approximately 75% of the teachers at Edison-McNair lack full, nonemergency teaching credentials.</p> <p>Seiersen 380:21-381:17; <i>see also</i> 2000 Academic Performance Index (API) Base Report for Edison Mc-Nair Academy, (Jan. 17, 2001) <http://api.cde.ca.gov/api2000base/2000Base_Sch.asp?SchCode=6044333&DistCode=68999&AllCds=41689996044333> (stating that 79% of Edison-McNair teachers have emergency teaching credentials).</p> <p>Edison-McNair suffers extremely high teacher turnover and has begun school years without yet having hired teachers for all the classes being taught at the school.</p> <p>Seiersen 165:22-167:15, 183:8-23, 414:16-415:10.</p>
Facilities	<p>Edison-McNair teachers and students see mice and rats in their classrooms.</p> <p>Seiersen 215:19-216:11; Santos 281:8-18, 284:7-286:2; Santos 1/30/01 Decl. ¶ 4.</p> <p>Classroom temperature is a serious problem at Edison-McNair, with some classrooms uncomfortably cold in the winter and classrooms uncomfortably hot on hot days.</p> <p>Seiersen 225:2-24, 226:6-18, 408:1-409:8, 424:21-425:10; Santos 295:13-20.</p>

Edison-McNair bathrooms are often filthy and in disrepair and they regularly lack basic supplies such as toilet paper and paper towels.

Seiersen 158:9-25, 424:21-425:10, 438:18-439:21; Santos 434:21-435:7, 446:18-24, 458:3-5, 539:9-14; Santos 1/30/01 Decl. ¶ 3.

**FREMONT SENIOR HIGH SCHOOL
LOS ANGELES UNIFIED SCHOOL DISTRICT**

Textbooks	<p>Fremont High School does not have enough textbooks for its students to use in class without sharing or to use at home for homework; in some classes, students have no textbooks to use at all.</p> <p>Roland (principal of Fremont Senior High School) 47:17-23, 56:15-21, 232:20-24, 326:10-11; Hines (assistant principal of Fremont Senior High School) 68:21-69:3, 196:25-197:6, 202:1-7, 248:4-15, 248:22-249:8, 426:15-17, 427:3-6, 427:22-25, 428:21-429:10, 430:3-6, 434:22-24; C. Diego 59:11-25, 61:19-62:1, 72:18-19, 132:13-16, 201:4-21, 219:1-6, 223:1-2, 223:23-25, 233:11-13, 240:9-23, 245:8-246:1, 391:11-13, 408:5-8, 435:18-24, 492:6-11, 494:9-13, 544:1-3; C. Diego 8/9/00 Decl. ¶¶ 4, 5, 7; C. Diego 9/7/00 Decl. ¶¶ 3-5; Doug Smith, <i>Students Seek More Teachers, Counselors</i>, L.A. TIMES, Sept. 29, 1999 (reporting the results of a survey of 1,062 Fremont students, including that “[o]f those responding to the survey...56% did not have the textbooks and materials they needed....”); Exhibit 13 to Hines deposition, 1/8/01 Fremont Leadership Council Minutes (“...[T]he Special Education department still needs books, especially grammar and composition books.”), 10/9/00 Fremont Leadership Council Minutes (classes in the Foreign Language department “have students with no books”), 1/11/99 Fremont Leadership Council Minutes (“Ms. Hines and Ms. Harger commented that at one point last year we did have a current textbook for each student in each major academic area due to special district and corporate monies received. We now need to backfill for texts that have been lost or damaged.”).</p>
Teachers	<p>Approximately 31% of Fremont’s teachers do not have full, nonemergency teaching credentials.</p> <p>Hines 507:4-8, 579:11-14; 2000 Academic Performance Index (API) Base Report for Fremont (John C.) Senior High School, (Jan. 17, 2001) <http://api.cde.ca.gov/api2000base/2000Base_Sch.asp?SchCode=1933118&DistCode=64733&AllCds=19647331933118>.</p> <p>Fremont routinely begins school years without having hired teachers for all the teaching positions at the school.</p> <p>Roland 174:12-24, 175:6-13, 251:1-8, 252:1-22, 258:12-24,</p>

	<p>259:1-4, 260:1-10; Hines 58:2-25, 59:5-23, 60:24-61:22, 90:12-25, 92:23-93:7, 104:18-25, 120:14-121:2, 123:15-124:10, 244:1-7, 483:16-484:25, 487:21-488:1, 503:1-25; Smith, <i>Students Seek More Teachers, Counselors</i>, L.A. TIMES, Sept. 29, 1999 (reporting the results of a survey of 1,062 Fremont students, including that “[o]f those responding to the survey...23% did not have a teacher for every class....”).</p> <p>Fremont operates classes in which many different substitutes cover the class for weeks or even months because no permanent teacher has been hired for the class. Often, the substitute teacher who covers the class has been trained to teach a subject matter different from the subject matter of the covered class.</p> <p>Roland 174:6-13, 202:9-12, 202:19-203:20, 204:14-205:2; Hines 109:3-110:3, 112:8-24, 372:24-373:17, 374:5-18, 498:1-499:13; C. Diego 158:9-17, 163:13-164:2, 507:7-18, 537:25-538:12, 575:3-20; C. Diego 8/9/00 Decl. ¶ 10; Smith, <i>Students Seek More Teachers, Counselors</i>, L.A. TIMES, Sept. 29, 1999 (“More than 100 students protested at Los Angeles Unified School District Headquarters Tuesday afternoon demanding more teachers and counselors at Fremont High School. The students complained of...having too many classes with substitute teachers....”); Exhibit 13 to Hines deposition, Fremont Leadership Council Minutes 10/12/98 (“Ms. Hines informed the committee that the substitute system is being revised at this time to ensure that everyone is available to sub. Because there are not enough substitutes in the district, we are often short substitutes.”).</p>
Facilities	<p>Although Fremont operates on a year-round schedule with students in school in the Los Angeles summer heat, some Fremont classrooms have no air conditioning at all and repairs to air conditioners in other classrooms have a month and longer to take place.</p> <p>Roland 89:5-22; Hines 147:15-25, 148:16-24; C. Diego 205:16-20, 207:5-8, 211:11-213:13, 225:23-25, 228:16-17, 238:4-11, 248:19-23, 330:4-10, 417:8-418:5, 510:11-15, 598:6-23; C. Diego 8/9/00 Decl. ¶ 13; DT-LA 3928-3935 (trouble call log reports noting that in some instances air conditioning repairs took as long as one month, during summer months, and that there were 19 requests to repair the temperature in the C building alone between May 1999 and June 2000).</p>

Noisy construction on the school site takes place during school hours, disrupting classroom learning.

Hines 128:13-21; C. Diego 253:13-19, 395:1-3, 396:3-8, 434:15-23, 436:18-24, 595:14-17.

Fremont bathrooms are often locked so students cannot access them unless they find a security guard or staff member to unlock the bathrooms. Those bathrooms that are unlocked generally are unclean and lack basic supplies such as toilet paper, soap, and paper towels.

Roland 81:7-22, 82:2-83:12, 287:15-288:12; Hines 143:18-21, 146:6-25, 155:20-156:20; C. Diego 22:8-10, 580:20-581:21, 582:2-9, 583:18-24, 584:5-24, 585:8-15, 589:10-590:3, 590:20-591:8, 592:1-7, 592:20-593:2; C. Diego 8/9/00 Decl. ¶ 11; DT-LA 14329, 14333, 14342, 15715-15718, 17713, 17719-17720, 17722-17723, 17799, 17801-17802, 17804, 17822, 17847 (building inspection reports regarding unclean restrooms); Bill Boyarsky, *Students' Gripes About Schools Bring Results*, L.A. TIMES, Feb. 9, 1998 ("During my tour[] of...Fremont high school[] in South L.A., I found that bathrooms and drinking fountains were filthy.... A week after I wrote about our visit, Beth Louargand, district facilities manager, sent a memo to the school board members representing the...Fremont area[], confirming my assessment.... At Fremont, 'two restrooms in particular have been problematic.... Toilet paper dispenser locks have been repeatedly stolen and dispensers then used as urinals, ruining any remaining paper....'").

The Fremont buildings are generally in disrepair, with gaping holes where ceiling tiles have been missing for months on end, broken windows, walls in need of fresh paint, and trash and grime on the floors.

Roland 266:21-267:6; Hines 166:13-167:14, 299:7-18, 309:20-24, 310:14-20, 580:22-581:3, 591:2-15, 592:7-10 and 593:1-594:4, 595:6-13; C. Diego 48:14-18, 205:7-11, 206:2-24, 215:2-217:11, 254:24-255:1, 394:15-19, 397:12-15, 631:25-632:19; DT-LA 17840-17841, 17845 (building inspection reports stating that classrooms, lunch area, and drinking fountains need to be cleaned and trash needs to be removed from premises); Exhibit 13 to Hines deposition, 12/13/99 Fremont Leadership Council Minutes ("Rooms 227 and 231 have unacceptable room dividers, not conducive to learning. The carpet in room 229 is dilapidated."); Boyarsky, *Students' Gripes About Schools Bring*

	<p><i>Results</i>, L.A. TIMES, Feb. 9, 1998 (“During my tour[] of...Fremont high school[] in South L.A., I found that...[w]alls were covered by graffiti. Ceiling tiles had fallen on the floor. Lights were burned out. A week after I wrote about our visit, Beth Louargand, district facilities manager, sent a memo to the school board members representing the...Fremont area[], confirming my assessment.... Just as I had noted, Louargand said there were falling ceiling tiles, graffiti on the walls and nonworking lights. These conditions have existed for a long time. But it took the whistle-blowing students to call attention to the failures of the adults who are supposed to be looking after their education and school environment.”).</p> <p>Fremont classrooms and offices have mice or rats and cockroaches in them.</p> <p>Roland 92:13-14; Hines 150:15-151:22, C. Diego 249:13-250:10, 297:1-4, 297:14-22, 298:20-24, 299:23-25, 300:8-11, 350:15-18; C. Diego 8/9/00 Decl. ¶ 14; DT-LA 4115-4118, 5412-5415 (pest control service log recording instances of vermin on campus and noting that between March 1998 and August 2000 the school was serviced about 80 times for mice, rats, roaches, ants, and other vermin); DT-LA 4121, 4124-25, 4129-31, 4136-39, 4141, 4148-52, 4159-61, 4164-65, 4172, 4176-79, 4181-82, 4184, 4187-91, 5416-5437 (pest management inspection reports detailing pest activity found, including that in April 2001 “rats [were] eating hot dog buns on bread rack”); DT-LA 3936-3939 (pest management site activity logs and trouble call log sheets noting roaches and rats).</p>
<p>Overcrowding</p>	<p>Students in many Fremont classes have to stand in class or sit on counters for weeks into the school year because the school does not provide enough seats for all the students in all the classes.</p> <p>C. Diego 122:1-17, 130:5-23, 492:6-22, 497:16-21, 498:19-22, 500:11-18, 502:13-18, 504:9-505:9; C. Diego 8/9/00 Decl. ¶ 6.</p> <p>Fremont High School does not have enough classrooms to accommodate all the courses offered on campus, so some classes take place in the cafeteria or other spaces that were not designed for classroom instruction. In addition, because of the classroom shortage, some teachers travel from room to room, using other teachers’ classrooms during their preparation periods rather than having classrooms of their own in which to teach all day.</p> <p>Roland 289:8-290:16, 305:3-14, 307:8-12; Hines 472:25-473:25,</p>

581:23-582:1, 582:13-584:19, 589:6-19, 611:13-17, 613:1-8, 629:13-19, 630:8-15, 660:9-661:12; C. Diego 346:17-24; Jevallier Jefferson, *Multi-Ethnic Groups File Suit Against State; Educational Funding Challenged*, L.A. SENTINEL, May 31, 2000 (Roxanna Godinez, Fremont High student, "talks about the computer classes that are held in the school cafeteria -- sans computers").

Before the 2001-2002 school year began, many Fremont students were encouraged to take "service" courses because academic classes were not available to them.

Roland 45:7-15, 47:17-19, 327:3-19; C. Diego 135:3-25; C. Diego 8/9/00 Decl. ¶ 8.

Fremont is so crowded that the school has resorted to a multitrack, year-round schedule with approximately 18 fewer school days than students at traditional-calendar schools receive.

Hines 130:24-131:10, 132:10-17, 134:1-12, 134:22-135:9, 137:11-24, 615:22-616:6; C. Diego 65:12-17, 234:3-12, 302:18-303:20, 304:22-305:18, 308:3-19; C. Diego 8/9/00 Decl. ¶ 3.

The three tracks at Fremont High School do not all offer the same courses and extracurricular programs, so students must choose either to attend school every week day all year round in order to access courses that are not offered on their tracks or to give up the opportunity to take challenging courses and to participate in extracurricular programs in which students have interest.

Roland 67:2-5, 78:25-79:5, 176:13-22, 307:16-309:3, 328:7-16; Hines 138:23-139:8, 291:5-19, 463:19-21, 552:22-553:15, 630:23-631:16, 632:12-633:5; C. Diego 637:11-638:19.

Some neighborhood students are bused away from Fremont High School because the school does not have room to accommodate them.

Roland 268:2-3, 268:10-12, 269:10-23, 272:14-274:21, 276:10-278:3, 282:6-10; Hines 316:21-25, 317:14-318:1, 616:4-6, 633:13-634:16, 635:2-636:24; C. Diego 273:4-12, 274:9-24; DT-LA 3919, 3922 (Fremont class enrollment documents showing that the number of students enrolled exceeds the maximum number).

**HELMS MIDDLE SCHOOL
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

Textbooks	<p>Helms does not have enough books for its students to use at home at night for homework.</p> <p>Muzinich (principal of Helms Middle School) 53:22-54:16, 58:12-25, 59:15-24, 61:2-5, 61:9, 61:11-13, 79:16-23; M. Canel 102:23-25, 103:23-104:2, 135:1-3, 138:20-139:20, 144:5-6, 144:16-20, 154:19-21, 184:9-10, 199:18-25, 202:19-203:13, 221:15-17, 224:17-18, 229:8-12; 254:11-15; M. Canel 5/00 Decl. ¶¶ 5-6; M. Canel 1/28/01 Decl. ¶ 3; DT-WC 416-418 (1998-1999 Helms textbook plan listing textbook shortages).</p> <p>Many of the textbooks the school does have for students are old, out of date, and damaged, with pages missing and writing obscuring text in the books.</p> <p>Muzinich 55:15-56:3, 56:12-17; M. Canel 115:9-11, 136:7-137:7, 154:5-18, 156:4-6, 156:16-157:3, 158:24-159:1, 201:19-23; M. Canel 5/00 Decl. ¶ 7; M. Canel 1/28/01 Decl. ¶ 3.</p>
Teachers	<p>Approximately 31% of the Helms teachers do not have full, nonemergency teaching credentials.</p> <p>Muzinich 62:10-15, 65:12-23, 83:10-13, 83:18-20; 2000 Academic Performance Index (API) Base Report for Helms Middle School, (Jan. 17, 2001) <http://api.cde.ca.gov/api2000base/2000Base_Sch.asp?SchCode=6057228&DistCode=61796&AllCds=07617966057228>; DT-WC 351-355 (Helms chart of teacher assignments and credentials for 1999-2000 shows that 12 of 59 teachers held emergency credentials).</p>
Facilities	<p>Helms bathrooms usually are filthy and lack basic supplies such as soap, toilet paper, and paper towels.</p> <p>Muzinich 29:13-20, 93:22-94:2; M. Canel 272:1-18, 277:7-18, 293:11-12, 316:10-317:12, 335:17-336:10, 377:3-15, 382:17-21; M. Canel 5/00 Decl. ¶ 10; M. Canel 1/28/01 Decl. ¶ 4; PLTF 1834 (portion of WCCUSD facilities study included in May 30, 2001, Helms "Measure M/M&O, Critical Hardhip Program," stating that school lacks adequate restrooms due to age, general disrepair, and increased enrollment and that all restrooms require</p>

replacement of stools, stalls, sinks, floors, and all equipment).

The heating and cooling system at Helms is often dysfunctional, leaving classrooms extremely cold or hot during the school day.

Muzinich 21:14-19, 21:24-22:5, 22:17-23, 23:2-12; M. Canel 474:22-476:3, 478:3-14; M. Canel 5/00 Decl. ¶ 13; M. Canel 1/28/01 Decl. ¶ 6; DT-WC 520-521 (2/14/00 letter to WCCUSD Asst. Superintendent from contractor stating, “[r]oof mounted heating equipment on each of the various school structures is in deteriorated condition and requires replacement at the earliest opportunity. ... The existing units have obsolete energy management systems which results in wasteful operation and poor control of interior environments.”).

The Helms facilities are generally in disrepair, with cracked and falling ceiling tiles, a leaky roof, mold and mildew in classrooms, broken windows, and jagged exposed edges of glass.

Muzinich 13:1-19, 14:6-8, 15:11-16, 17:6-12, 18:19-23, 24:5-7, 24:18-20, 45:4-21, 45:25, 46:2-4, 46:15-22, 47:8-13, 79:24-80:7, 90:20-22, 91:2-19, 96:9-15, 99:25-100:8, 100:12-21, 125:2-15; M. Canel 13:13-16, 264:13-265:23, 357:12-358:21, 363:6-364:24; M. Canel 5/00 Decl. ¶¶ 12, 14; DT-WC 18-21 (6/20/00 letter to A. Sabori from MS Environmental Solutions, Inc., stating there is “[e]xtensive mold growth... throughout the room [404] ceiling”); DT-WC 431-432 (2/19/99 letter from contractor to WCCUSD concerning the extent of damage caused by the failed roof and noting the existence of chronic window and roof leakage that is a source of mold and mildew: “[W]ithout performing remedial repairs... the health & safety of the Helms Middle School occupancy is in question.”); DT-WC 479-481 (work orders concerning falling ceiling tiles in counselor’s office and room 111); DT-WC 504-508 (work orders related to roof leaks); DT-WC 520-521 (2/14/00 letter to WCCUSD Asst. Superintendent from contractor noting that chronic roof and window leakage has caused in extensive damage, resulting in mold and mildew problems and repeated district staff complaints); PLTF 1834-1835 (portion of WCCUSD facilities study included in May 30, 2001, Helms “Measure M/M&O, Critical Hardhip Program,” stating that “[c]eiling tiles throughout site are in various states of disrepair and need to be repaired/replaced,” that roof and skylights need immediate attention, and that glass block walls throughout the school leak and must be repaired or replaced); PLTF 1848-1850 (11/29/00 letter to WCCUSD Bldg. and Maintenance Manager from

	<p>environmental consultants stating, “Helms Middle School has a significant concentration of fungi...[that] can contribute to allergies. The classroom [225] had noticeable mold growth on the wall opposite the outside windows. ...The paint is peeling off and the mold is growing underneath the paint.”).</p>
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**HUNTINGTON PARK SENIOR HIGH SCHOOL
LOS ANGELES UNIFIED SCHOOL DISTRICT**

Textbooks

Some Huntington Park High School classes lack textbooks. For example, students in some science classes did not receive textbooks for an entire semester during the 1999-2000 school year. Also, some students do not receive textbooks although students taking the same courses on different tracks do have access to textbooks.

L. Ruiz 161:12-22, 285:21-23, 553:4-554:10, 555:17-556:5, 556:17-560:7, 563:1-565:18, 569:1-577:13, 579:19-581:24, 584:23-585:9, 587:25-590:22, 641:15-642:7, 651:17-652:5, 681:7-16; L. Ruiz 8/23/00 Decl. ¶ 2; L. Ruiz 1/28/01 Decl. ¶ 3.

Sometimes some classes must use older editions of textbooks, rather than the current edition otherwise in use at the school, because of a shortage of textbooks.

Garcia (principal of Huntington Park Senior High School) 55:3-6.

Facilities

Some of the bathrooms at Huntington Park High are locked so students cannot get into them. Those bathrooms that are open and accessible to students are often unclean and lack basic supplies such as toilet paper and soap.

Garcia 89:21-92:7, 96:3-25, 173:9-15; L. Ruiz 32:5-34:12, 49:6-9, 51:14-52:6, 61:8-13, 318:19-319:22, 389:14-15, 390:25-391:25, 392:8, 392:13-395:23, 396:14-399:24, 402:2-403:14, 406:8-408:19, 411:3-412:1, 413:1-5, 413:19-414:14, 416:10-17, 417:2-14, 417:24-419:7, 419:22-421:10, 421:20-24, 422:15-423:4, 423:10-424:14, 426:3-427:19, 433:3-434:9, 435:2-18, 441:2-445:19, 455:23-456:7, 456:19-457:14, 457:20-22, 459:19-462:8, 463:2-17, 465:3-6, 465:24-467:22, 469:11-470:13, 470:14-472:24, 477:20-486:4, 491:15-493:15, 655:17-18; L. Ruiz 8/23/00 Decl. ¶ 8; L. Ruiz 1/28/01 Decl. ¶ 10; DT-LA 6289, 6303 (took a month and a half to replace toilet paper), DT-LA 6318-6322, 6360-6364 (toilets and sinks in need of repair for months on end); DT-LA6303 (need soap and paper towel dispensers); DT-LA 6373-78 (2/12/01 memo to plant manager from LAUSD citing “grime and scum” in the bathrooms, missing toilet paper and soap dispensers, empty soap dispensers, and missing lights).

Rats, mice, and cockroaches regularly appear on the Huntington Park High School campus.

Garcia 81:10-86:15; L. Ruiz 339:14-15, 340:5-341:14, 342:19-348:10, 352:5-17, 353:23-358:2, 362:2-363:9, 364:3-381:22; L. Ruiz 1/28/01 Decl. ¶ 8; DT-LA 3704-3708 (pest control service report noting repeated service work for rats and mice, presence of "hole in cabinet from rats" in room 221, and that "[r]ats eating up wood board and student dining room are being left open and rats can come in any time they want"), DT-LA 3704-3708, 3710-3714, 3716-3717, 3719, 3721-3722, 3727, 3735-3745, 3747-3748, 3752, 3754-3761, 3770-3775 (pest management inspection reports noting presence of rats, cockroaches and other vermin); 6290 (maintenance call noting: "repair holes in cabinet (rodents getting in);" 6333 (maintenance calls noting: "rats in cafeteria basement," "mice in rm 71, 72, 73, 77, 76, and rm 77 storage rm," "rats are in room 222 (the unfriendly kind...)," "found rat dropping in student serving area," "cafeteria serving area 'spotted a huge rat walking from one store room to the other,'" "rat is eating bread in cafeteria, cannot catch it.") .

Campus maintenance and repair work takes place while students are in class, disrupting their instruction.

Garcia 158:3-15; L. Ruiz 31:3-24, 302:21-314:20, 317:2-318:3, 319:23-320:16, 321:6-18, 322:2-337:14, 642:13-646:25; L. Ruiz 1/28/01 Decl. ¶ 9.

Classroom temperature becomes uncomfortably hot in this year-round school, where students take instruction during summer months, when air conditioning systems break down and remain in disrepair while students swelter inside.

L. Ruiz 49:9-10, 61:20-64:10, 622:16-641:4, 649:14-650:14; DT-LA 6326-28 (116 maintenance calls regarding air conditioning and heating problems in 98/99 school year), 6368-70 (92 calls regarding air conditioning and heating problems in 2000/2001 school year).

The Huntington Park High School facilities are generally in disrepair, with dirt and dust in the classrooms and rusty and contaminated water in its water fountains.

Garcia 105:19-108:17; L. Ruiz 49:22-24, 51:2-7, 307:11-308:4,

	<p>309:1-12, 310:1-10, 349:6-351:19, 504:4-24, 505:12-522:17, 523:9-547:11, 547:19-548:20; L. Ruiz 1/28/01 Decl. ¶ 11; L. Ruiz 8/23/00 Decl. ¶¶ 9-10.</p>
<p>Overcrowding</p>	<p>Huntington Park High School is so crowded that the school has resorted to a multitrack, year-round schedule with approximately 18 fewer school days than students at traditional-calendar schools receive.</p> <p>Garcia 32:16; L. Ruiz 134:5-21, 651:9-16; L. Ruiz 1/28/01 Decl. ¶ 7; L. Ruiz 8/23/00 Decl. ¶ 6.</p> <p>The three tracks at Huntington Park High do not all offer the same courses, so students must choose either to attend school every week day all year round in order to access courses that are not offered on their tracks or to give up the opportunity to take challenging courses in which students have interest.</p> <p>Garcia 126:5-129:24, 135:5-10; L. Ruiz 161:12-17, 161:19-162:4, 169:15-181:16, 187:9-190:4, 193:10-18, 195:25-198:1, 199:24-202:3, 267:10-20; L. Ruiz 8/23/00 Decl. ¶ 5-6; L. Ruiz 1/28/01 Decl. ¶¶ 6-7; DT-LA 3703 (lists 30 classes and activities in which students could only participate if they crossed tracks for fall 2000)</p> <p>Some Huntington Park High classes have more students than seats, so students must sit on the floor or on top of desks in class.</p> <p>Garcia 69:12-73:14, 73:18-75:16; L. Ruiz 182:9-183:21, 186:14-187:1, 269:16-21, 270:4-272:15, 273:1-274:24, 275:5-283:7, 293:3-295:1, 321:11-23.</p>

**TENAYA MIDDLE SCHOOL
MERCED CITY ELEMENTARY SCHOOL DISTRICT**

<p>Fees</p>	<p>Until January 2001, Tenaya Middle School asked its students to pay fees to take courses and participate in extracurricular activities such as the band and athletic teams.</p> <p>Atkinson (principal of Tenaya Middle School) 37:5-8, 37:21-23, 54:24-55:4, 65:3-7, 68:17-19, 69:1-5, 97:9-25, 100:21-102:2, 106:20-24, 107:9-16, 113:1-4, 115:9-14, 152:12-15, 184:12-18, 187:21-24; Ensminger 16:5-7, 19:10-18, 69:17-25, 71:1-76:1, 78:11-14, 79:17-23, 80:7-81:25, 82:17-21, 86:1- 88:1, 95:21-96:21, 108:21-23, 109:1-4, 110:9-111:23, 113:8-22, 114:12-19, 116:17-18, 119:2-121:25, 122:6-9, 125:5-126:5, 134:10-20, 137:7-12, 140:19-141:20, 144:6-145:25, 148:2-149:17, 151:1-20, 152:21-153:11, 154:1-13, 169:24-170:11, 173:17-23, 174:13-23, 175:4-11, 176:9-24; Ensminger Decl. ¶ 4; SC-ME-TM 105 (general ledger entry for year 2000 cooking fees), SC-ME-TM 129 (letter to parents from cooking teacher stating that “[a] \$3.00 lab fee will be charged for cooking.”), SC-ME-TM 130 (letter to parents from cooking teacher stating that “[a] \$2.00 lab fee will be charged for cooking.”), SC-ME-TM 145 (music department memo requiring parent/guardian & student signatures and stating that “[t]here is a \$40 assessment fee that is needed for all members of the Marching Band to cover the costs of the band shirts, uniforms, dry cleaning, shoes and travel expenses. This fee is due immediately. Please make checks payable to Tenaya Middle School Music Department” and identifying course texts that “are available at several Merced music stores.”), SC-ME-TM 147 (music department memo requiring parent/guardian & student signatures and stating that “[t]here is a \$40 assessment fee that is needed for all members of the Marching Band and Colorguard to cover the costs of band shirts, uniforms, dry cleaning, shoes and travel expenses. THIS FEE IS DUE IMMEDIATELY. Please make checks payable to Tenaya Middle School Music Department” and identifying required texts that “are available at several Merced Music Stores.”), SC-ME-TM 153 (1998/99 Tenaya Warrior Band & Color Guard Handbook stating that “[t]here is a \$40 contribution of love that is needed from all members of the Marching Band and Color Guard to cover the costs of band shirts, uniforms, dry cleaning, shoes, and travel expenses. This fee is due immediately.”), SC-ME-TM 156 (1998 first quarter Advanced Band Grading Policy, stating that 200 points will be given for “[t]urning forms, money,</p>
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	<p>uniforms, fundraising, permission slips, or other things in on time” and stating that students with “900 points and above” will earn an A in the course), SC-ME-TM 158 (1998 first quarter Intermediate Band Grading Policy, stating that 100 points will be given for “[t]urning forms, money, uniforms, fundraising, permission slips, or other things in on time” and stating that students with “900 points and above” will earn an A in the course); April 30, 2001 letter from Pam Atkinson to Scot Yarnell (attached to May 30, 2001, letter from Scot Yarnell to C. Lhamon), stating that “[w]e collected cooking fees first semester as noted by the paper work submitted for the subpoena....”).</p>
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**WATSONVILLE HIGH SCHOOL
PAJARO VALLEY UNIFIED SCHOOL DISTRICT**

Textbooks	<p>Watsonville High School does not have enough books for its students to use in class without sharing and to use at home for homework each night.</p> <p>Lane (assistant principal of Watsonville High School) I 80:7-16, 84:25-85:8, 88:10-12, 89:9-21; Lane II 8:16-19, 9:21-24, 10:2-6, 51:12-23; Banda (principal of Watsonville High School) 116:2-8, 117:16-25, 118:9-11, 119:16-21, 125:10-19, 128:19-21; Ortiz 73:25-74:2, 74:11-20, 144:22-145:11, 146:6-10, 166:15-20, 181:17-18, 183:5-11, 190:1-4, 194:1-195:7, 198:1-20, 199:15-23, 201:23-202:21; 204:17-20, 233:10-12, 258:13-14, 260:10-12, 262:11-263:13, 293:19-296:7, 377:3-7, 377:22-24, 387:16-388:1; Ortiz 2/5/00 Decl. ¶¶ 3-4; Ortiz 7/31/00 Decl. ¶¶ 7, 9; Ortiz 9/9/00 Decl. ¶¶ 3-5; DT-PV 11-12 (charts acknowledging existence of textbook shortages).</p> <p>Texts in use in some social studies classes at Watsonville High School were published in the 1980s and reflect outdated and inaccurate theories and events.</p> <p>Lane I 86:3-25; Banda 117:16-25, 118:9-11; Ortiz 69:12-13, 74:4-5, 184:24-186:25, 226:13-227:2; Ortiz 9/9/00 Decl. ¶ 4; DT-PV 1566-67 (pages from an American government textbook showing 1988 copyright).</p>
Teachers	<p>Approximately one third of the teachers at Watsonville High School do not have full, nonemergency teaching credentials.</p> <p>Banda 130:1-4, 361:1-3; <i>see also</i> 2000 Academic Performance Index (API) Base Report for Watsonville High School, (Jan. 17, 2001) <http://api.cde.ca.gov/api2000base/2000Base_Sch.asp?SchCode=4437901&DistCode=69799&AllCds=44697994437901> (21% of Watsonville High teachers have only emergency teaching credentials).</p>
Facilities	<p>Noisy construction on the school site takes place during school hours, disrupting classroom learning.</p> <p>Lane II 69:17-20, 70:25-71:4, 71:19-24, 108:1-19, 110:12-14; Banda 64:6-14, 71:12-20, 75:11-15, 353:22-25, 354:1-10; Ortiz</p>

	<p>302:15-18, 305:24-306:7, 317:10-22, 318:15-319:8, 415:20-25, 417:1-7; Ortiz 2/5/00 Decl. ¶ 7; Ortiz 7/31/00 Decl. ¶ 5; DT-PV 117-120 (school construction work took place on weekdays from mid-November 1999 through October or November 2000); DT-PV 1538 (12/18/00 e-mail from T. Hiltz to R. Mullikin and D. Hill with copy to J. Banda stating that Hiltz has spoken with a teacher about “the amount of noise and various interruptions that he and his students had to live through as the new two-story was being constructed. He has some very legitimate concerns as do other teachers near this area.”).</p> <p>The school does not have enough open and unlocked bathrooms for students to use.</p> <p>Banda 201:10-12, 201:22-202:7; Ortiz 76:7-11, 275:3-7, 427:13-16, 440:3-443:25, 444:7-10; Ortiz 2/5/00 Decl. ¶ 11; DT-PV 1497 (2/7/01 e-mail from J. Burdick to J. Banda and T. Hiltz identifying the need to specifically request restrooms “near where the majority of new portables are going” as “[t]his is a health issue and it needs to be made clear to [McHenry] because he pulled it so far.”).</p> <p>Campus bathrooms regularly are not sanitary and stocked with necessary supplies, such as toilet paper or paper towels.</p> <p>Ortiz 76:12-13, 78:11-14, 79:1-2, 430:4-8, 433:20-434:1, 436:17-24, 437:12-16, 438:22-439:9, 443:13-19; Ortiz 2/5/00 Decl. ¶ 11; Ortiz 7/31/00 Decl. ¶ 12; DT-PV 1546-62 (bathroom-related work requests from J. Banda between October 2000 and March 2001); DT-PV 1964, 1977 (1993-1994 WASC Accreditation Report calling for a plan to improve conditions in student restrooms and keep them cleaner).</p>
<p>Overcrowding</p>	<p>Students have to stand or sit on counters or the floor for weeks without relief because their classes do not have enough seats for all the students.</p> <p>Lane II 4:17-21, 55:12-57:2; Banda 76:8-16, 78:11-15; Ortiz 179:9-180:7, 196:1-197:7, 340:20-341:9, 342:7-8, 343:1-13; Ortiz 2/5/00 Decl. ¶ 8.</p> <p>Watsonville High School is so crowded that classes have been held in the cafeteria, the library, the theater dressing room, the career center, and far from campus in the old district office instead of in classrooms.</p> <p>Lane II 57:6-15, 58:10-25, 59:1-16, 67:25-68:9; Banda 78:19-25,</p>

79:1-25, 80:1-23, 81:23-82:25, 83:1-9, 84:7-9, 85:3-24, 86:2-3, 87:16-24, 88:4-10, 89:13-15, 90:16-24, 91:4-12, 91:23-92:4, 92:23, 93:8-14, 328:14-15, 329:10-18, 369:1-13; Ortiz 46:2-4, 302:6-12, 306:21-25, 307:1-6, 308:19-21, 311:9-11, 311:22-25, 312:2-313:2, 314:14-315:2; Banda Decl. ¶ 8; Ortiz 2/5/00 Decl. ¶ 6; Ortiz 7/31/00 Decl. ¶ 4.

The school does not have enough classrooms for each teacher to be assigned his or her own classroom; instead, some teachers must move from classroom to classroom, teaching in other teachers' classrooms during the other teachers' preparation periods.

Lane II 62:15-63:15, 63:21-67:11; Banda 110:6-8, 110:24, 111:14-17, 113:21-24; Ortiz 13:3-10, 69:10-12, 142:13-143:5, 158:18-22, 274:4-10, 409:10-11; Banda Decl. ¶ 7; Ortiz 2/5/00 Decl. ¶ 5; Ortiz 7/31/00 Decl. ¶ 3.

Watsonville High School far exceeds its intended enrollment and has been overcrowded for years.

Lane II 23:16-24, 24:2-8, 33:8-19, 37:1-4, 38:6, 38:12-16, 39:8-9; Banda 28:1-11, 29:21-24, 30:19-22, 54:3-7; Ortiz 70:3-7, 412:25, 413:2-8; Banda Decl. ¶ 4 (intended capacity of Watsonville High is 1,800; enrollment was 3,200 this year); DT-PV 231 (1995 Site and Facility Commission Report finds Watsonville High overutilized and that a new high school is needed to eliminate overcrowding); DT-PV 316, 356 (1987 site and Facility Commission Report finds that Watsonville is "seriously over-crowded and many of its facilities are obsolete" and that the quality of education programs "would improve substantially if the student population of Watsonville High School was reduced and many of the 'temporary portable' structures removed."); DT-PV 410-12 (4/26/93 letter from PJHM Architects to R. Meyer of PVUSD noting that even if the school used all available acreage it would only reach 68% of the CDE's recommended area for the student population as it stood then); DT-PV 775-76 (9/1/98 class size report showing a long list of classes that were over the 34-person enrollment cap).