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ELIEZER WILLIAMS, etc., et al.

17 SUPERIOR COURT OF THE STATE OF CALIFORNIA

18 COUNTY OF SAN FRANCISCO

19 UNLIMITED JURISDICTION

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

22 Plaintiffs,

23 v.

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

26 Defendants.

ENDORSED
FILED
San Francisco County Superior Court

JUN 10 2003

GORDON PARTIALI, Clerk
BY: KEVIN L. LEE
Deputy Clerk

No. 312236

DECLARATION OF ALFREDO VARGAS

Hearing: August 25, 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

Declaration of Alfredo Vargas

I, Alfredo Vargas, hereby declare:

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

2. I am a student at Locke High School where I am in the 9th grade. I attended Gompers Middle School from 6th until 8th grade.

3. In my English class we only have a class set of books and we can't take the books home. We don't have homework in my English class and I think part of the reason is because we don't have books to take home. I think I would learn more if I had a book to take home because I would have a chance to read stories before class and be able to do more work. I would also be able to study more and understand the questions better. It's hard not having books because sometimes there are things I don't understand and without a book to take home I can't check over what I've learned. Without a book I don't learn as much.

4. During the first semester all English classes were reading *Anne Frank's Diary* or another book. I know this because in my English class that I had for the first couple weeks of school we were reading *Anne Frank's Diary* and our teacher told us that the classes were reading one of two books. The third week of the semester I switched English classes and in my new class, we couldn't read either book because we didn't have any books.

5. Up until the end of October there were no books in my Algebra class. At the end of October we got a class set of books but we still didn't have books to take home for about two weeks after we got our class set. We didn't have a class set of books until the end of October because the school put together my Algebra class the first week of school because there wasn't enough room in the other Algebra classes for any more students. Because of this the school didn't have any books for my class and had to order the books the first week of class. I know this because one of our substitute teachers told us this. We had to wait to get about two more weeks after getting the class set to get the books to take home because even after ordering a class set the school didn't have enough books for all the students to take a book home. If I would've had a book in class for the first couple months of school, I think I might have learned more Algebra. If

1 I would've had a book to take home I think I would've learned more because I could've looked
2 over chapters that I didn't understand at home. At the beginning of the second semester of this
3 school year we received brand new math books because the books that we got in October were
4 old, written on and had pages that were ripped.

5 6. In my Algebra class last semester we had a lot of substitutes. One of the
6 substitutes told us it was because the school hadn't hired a teacher. Up until the week of
7 September 30th we had a different substitute each week in the class. On Monday, September
8 30th, we got a new substitute who was supposed to be teaching for the rest of the semester but he
9 left in the middle of October. After that substitute we got another new substitute who taught for
10 the rest of the semester and is still teaching us. Because we had so many substitutes and didn't
11 have books it was harder to learn.

12 7. For about the first five weeks of my Algebra class last semester we had fold up
13 chairs and no desks. I don't know why we didn't have desks. It was hard not having desks
14 because we didn't have anything hard to write on. We had to use folders or other books to write
15 notes from the board. Because we had so many substitutes, didn't have books and didn't have
16 books it was harder to learn.

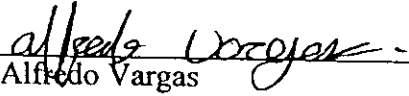
17 8. There is a rat problem at Locke. While in my Algebra, ROTC and Life Skills
18 classes. I have heard rats running around in the air conditioner vents. I have also seen rat
19 droppings between the shelves and books and on top of the books in my English, ROTC, and
20 Algebra classes. I have also seen rat droppings on the floor in biology. Sometimes my biology
21 teacher gives us extra credit to sweep the floors and I have seen rat droppings while sweeping the
22 floor.

23 9. The air conditioning in my Algebra class does not work. Sometimes it gets really
24 hot and it makes it hard to concentrate to focus on my work because it's so hot.

25 10. There are about seven bathrooms at school but only three or four that are open.
26 Often there are long lines for the bathrooms and I have to wait five or ten minutes to use the
27 bathroom. There is often no toilet paper or soap. I don't like to use the bathrooms at school
28 because they are nasty. Sometimes I have gone home to use the bathroom rather than use the

1 bathrooms at school because the bathrooms are so nasty.

2 I declare under penalty of perjury of the laws of the State of California and the United
3 States that the foregoing is true and correct. Executed this 21 day of May, 2003 in Los Angeles,
4 California.

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6 Alfredo Vargas

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