I, MICHAEL LAUDER, 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 third-grade teacher at Brightwood Elementary School in Alhambra, and I have taught at Brightwood for 29 out of the last 31 years.
- 3. I make this declaration to describe the unbearable heat we must endure without air conditioning in our classrooms and to explain how difficult it is for our children to learn without textbooks and functioning facilities at the school.
- 4. My classroom, and most classrooms at my school, have no air conditioning. My classroom gets up to 110 degrees on the worst days. That happens about 10 days each year. For about 30 days each year, my classroom is over 90 degrees inside. For an additional 20 to 30 days each year, my classroom is in the 80s inside. The heat is worst in September, October, May, and June.
- 5. The school has swamp coolers, and the school district gave each teacher a desk fan and put in ceiling fans a few years ago. I bought a fan that stands on a pole, too. None of those things—the swamp coolers, the fans, or the ceiling fans—makes any real difference in the temperature at school. They keep the temperature only four or five degrees cooler inside than it is outside.
- 6. The heat in the classroom has a terrible effect on the kids and the teachers alike. We faculty are worn out and drained and cannot teach to our optimum levels. The heat has the same effect on the kids, except in addition the kids bring heat in with them from playing outside. Their body heat heats the rooms up further.
- 7. On really hot days, we have to turn the lights off because of the heat, but then the kids can't see. And even if we left the lights on, the kids are drained from the heat and cannot continue on with their day. The heat absolutely affects the kids' learning. I always wonder how our kids would perform on state tests if they had a normal place to learn for 180 days a year.
- 8. I have complained about the heat to try to make things better at the school. About five years ago, we made an effort through the teachers' association to get air conditioning put in the school. But the school district's attorney said we couldn't negotiate air conditioning for schools in

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our contract because the temperature issue didn't have to do with salaries and fringe benefits and other things we usually negotiate for in our contracts.

- Before then, about 15 years ago, we tried organizing the school calendar around the 9. heat problem. We tried different experiments, starting the school year later one year and starting earlier another year. Nothing helped. We cannot avoid the extreme heat in our district. We just need air conditioning at the school.
- The school also doesn't have enough textbooks. At the beginning of this year, I was 10. missing science books. I still don't have enough science books. So far this year, only maybe 10 books have arrived for my class. Because we don't have enough books, I use old books that are seven years out of print to teach science. I prefer for everybody to have his or her own book because I've found that sharing doesn't work for learning. I'd rather use an old textbook that I have enough of than slow down my class by having them share the most current book that we don't have enough of.
- There is no handicapped access to the second floor in the two-story building on 11. campus. There are three classrooms on the second floor, and there are more than 20 cement stairs to go up to get there. Any kid who ever has a broken leg would have trouble getting to the second floor, and there is no way a wheelchair could go up those stairs. I've always felt the school should put a ramp all the way up the stairs.
- Finally, the drinking fountains at the school are in terrible condition. Most of the fountains don't work at all. Of the few fountains that do work, many have very little water coming out of them. When recess is over and the bell rings, the lines at the drinking fountains are sometimes 10 deep at each fountain.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct. Executed on April ____, 2000 at La Habra Heights, California. Michael Lauder Chael Lauder