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Declaration of Lili Malabed

I, Lili Malabed, hereby declare:

1. I am a teacher at the Bryant Elementary School in the San Francisco Unified School District and, if called to testify, could and would do so competently as follows:

2. The purpose of this declaration is to explain the conditions at the Bryant School, including unbearably hot classrooms, lack of textbooks, lack of basic supplies such as pencils and paper, unhealthful food, and noisy classrooms caused by lack of proper walls, all of which make it difficult, if not impossible, for students to obtain an adequate education.

3. I am in my fourth year as a teacher at Bryant Elementary School, which is located in the Mission near the Potrero Hill area of San Francisco. I teach fifth grade.

4. There are a number of severe problems at the school that make it hard for me to do my job as a teacher and deny students their chance to get an adequate education.

Unreasonable Classroom Temperatures

5. The temperatures in my classroom and other rooms in the school are frequently an impediment to effective teaching. Bryant is a year-round school and during the late spring, summer, and fall it is generally very warm in the Mission. In my class the temperatures frequently rise into the 80's. During the week of March 27, 2000, my classroom was between 80 and 85 degrees by 7:00 a.m. On March 31, 2000, the temperature of my classroom reached the high 80's.

6. When it is that hot, the kids become very lethargic; some lay their heads down on their desks. During state testing (Star Tests) last week, a student fell asleep during the test because the room was so warm. The students complain about the heat, and frequently get up to go to the sink to splash water on their faces. Some of their faces become very red, and I can see many of them dripping with sweat.

7. I wear summer clothes most of the year on account of the heat. In the late spring, summer, and fall I am always dressed in sleeveless clothes and frequently my clothes are soaked with sweat.

1 8. Whenever the temperature in my classroom rises into the 80's, it is very difficult to get
2 anything done. I see that the kids are unable to concentrate and cannot focus on work because they
3 are so affected by how hot it is. The conditions are no longer conducive to learning.

4 9. We do have air conditioning in the school. However, when the air conditioning is on, the
5 temperature in my classroom becomes comfortable, while other classrooms become unbearably cold.
6 In fact, it gets so cold in many of the other classrooms that kids have to wear coats or mittens in the
7 class, and the temperature is so uncomfortable that they cannot concentrate on their work.

8 10. The computer room gets even hotter than my classroom. On some days it is so
9 unbearable that we do not stay there, even though we have computer work scheduled. I remember
10 one time last year when it was very hot, one student practically fainted from the heat. I was trying to
11 talk to him, but he was oblivious and I could see his eyes rolling in his head.

12 11. Although I would prefer not to, the heat is so bad that I let kids take their shoes off and
13 even strip down to their undershirts in order to give them a little relief from the heat.

14 12. Most teachers complained to the principal about the unreasonable classroom
15 temperatures throughout the 1997-98 school year. Consequently, the school district shut down
16 Bryant School during the summer of 1998 to allow for the heating and air conditioning systems to be
17 fixed. In the fall of the 1998-99 school year, the systems still did not work properly.

18 13. Throughout the 1998-99 school year, climate control engineers visited Bryant School to
19 diagnose and address the problem. It is my understanding that the engineers never located the source
20 of the problems, thus the systems still do not work properly. On March 31, 2000, another
21 maintenance person arrived and claimed the problem was a faulty thermostat. Temperatures in my
22 room still have not gone below 80 degrees.

23 **Unsafe or Unsanitary Conditions**

24 14. There are a number of unsafe or unsanitary conditions at Bryant.

25 15. When I first arrived at Bryant, the principal told us that we needed to flush the pipes
26 every day by letting the water run for a minute. When I asked her why we needed to do this, she said
27 that there was something unsafe in the pipes that kids should not drink.
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1 24. This year we did not get the fifth grade math text until February, 2000 for the school
2 year that began in August of 1999. Teachers had no choice but constantly to photocopy materials to
3 give to our students. Photocopying materials for a class of 20 students takes a tremendous amount of
4 time, and I did not always have the material I needed to teach my math class. In addition, we are
5 given a photocopy budget of a few thousand copies. To photocopy math homework would have
6 bankrupted the account for the entire year.

7 25. I, as well as other teachers, have notified the principal of missing books on several
8 occasions. The principal has assured us that he will do what he can to fix the problem but has also
9 told us that there is no money in the budget to accommodate extra books.

10 26. Some of the students in my class are behind where they should be in reading because
11 they have either learning disabilities or limited English proficiency. During reading periods, the
12 district recommends that they listen along with a book on tape, or that a paraprofessional read to
13 them, so they do not totally miss the substance of the book we are reading. However, the district did
14 not buy any books on tape for us. As a result, I know that the students who are behind in reading get
15 little or nothing out of the reading periods. But if I gave them lots of individual attention, the other
16 students in the class would not get anything out of the class period.

17 27. We are also completely lacking in the resources we need to deal with special needs
18 children, including a number of children who had fetal alcohol syndrome or were exposed to crack, or
19 other drugs, in the womb. The trend in the district is to "mainstream" these students, *i.e.*, leave them
20 in regular classrooms if at all possible. However, I have not been given any training on how to deal
21 with their needs. Most of these children cannot keep up with the other students. But I only have a
22 para-professional for one hour a day who can provide them with special attention during the class
23 session. However, the para-professional is also not trained and she is frequently absent or called to
24 perform other duties. In many cases, they simply get nothing out of the lesson. Other times I will
25 have the most advanced students in my class work with them. But this is not really fair to the more
26 advanced students, because they do not learn much from a lesson where they are simply trying to help
27 a student who is behind.
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