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DECLARATION OF MOISES CANEL

I, Moises Canel, hereby declare:

1. I am one of the plaintiffs in this action. I make this declaration based upon my own personal knowledge, and, if called as a witness, I could and would testify competently thereto.

2. [redacted]

3. I am twelve years old, and I am in the seventh grade at Helms Middle School in San Pablo, California. This is my first year at Helms.

4. I don't like going to Helms Middle School. It looks like a prison because it is dirty and painted gray. It looks very dreary, and the walls are marked with graffiti.

5. I don't have any of my own books for class except for my math books. I have to leave all other books in the classroom at school so that other students can use them. This makes it harder to do homework. For example, if we are reading a story in English class, and we get a homework assignment to write about the story, the teacher tells us to try to remember what happened in the story as we write because we cannot access the actual book.

6. I wish that I had my own books for school so that I could take them home to do homework and study prepare for class so I can do better in school. I think that doing schoolwork would be easier if I had my own books to use.

7. The books that we have in class are old. They have writing in them, the pages are torn, and some pages are even torn out completely. I would like to get new books for school, because the ones that we have are too old and damaged.

8. A lot of times, kids are out of control at school, and teachers and security guards do not do much to control them. When the kids fight outside, the security guards take their time walking over to stop them. In the halls between classes, some kids often harass others, doing things like taking other people's backpacks and throwing them in the trash or throwing plastic bottles at people's heads. When teachers see this, they don't take action to stop it.

1 9. Some of the teachers talk down to me and other students. My math teacher, for example,
2 will say things in front of the class like "That stupid number doesn't belong here." or "This stupid
3 problem is wrong." It is intimidating. I was often afraid to ask him for help because of the way he
4 speaks to the students, although I wanted to have help in math. Since my dad has met with him, he
5 does help me with my work, but he still speaks to the students in the same harsh manner.

6 10. I don't like to use the bathrooms at school. They are dirty and smelly. Most of the
7 toilets are clogged and overflowing on a regular basis, and there is always trash laying around in the
8 bathrooms. Sometimes there are even used condoms and liquor bottles inside. There is no soap or
9 hand towels in the bathrooms, and there is rarely any toilet paper available. Some of the stalls don't
10 have doors, so there is no privacy in the bathroom either. The walls are covered with graffiti.

11 11. There is also a lot of trash thrown around in the halls.

12 12. The roof in some of the classrooms rooms leak whenever it rains. My art classroom,
13 room 402, has a leaky roof. Water runs down the walls every time it rains. One of the other art
14 classrooms has so much water damage that the floor is warped.

15 13. The art rooms can also get very cold during winter. They are in a separate building
16 from the main school building, and the temperature is not well regulated.

17 14. The roof in the gymnasium locker room also leaks when it rains. The locker room is
18 also filthy. The lockers are covered with graffiti, and many are sticky from spilled soda. There are
19 pipes that hang down from the ceiling that have clothes hanging on them. Some of the kids take
20 other kids' clothes and throw them onto the pipes where they are out of reach. No one at the school
21 takes the clothes down.

22 15. During lunch, the cafeteria lines are so long that by the time I get food, I do not have
23 time to eat it. I used to be late for my next class because it took so long to get food at lunch. There
24 are too many kids for the cafeteria to serve them all in time for them to eat before lunch period is
25 over.

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16. All of these conditions make me depressed about going to Helms. I wish that I could go to a better school. Lots of other kids feel the same way I do.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct. Executed by me this ____ day of May, 2000 at San Pablo, California.

Moises Canel
Moises Canel