I am one of the plaintiffs in this action and if called to testify I could and would do

so competently as follows:

2. I am 12 years old and in seventh grade at Luther Burbank Middle School.

3. I make this declaration to describe the conditions that make me feel uneducated and unsafe at school. I don't feel like I'm being educated because we don't get homework for the simple reason that we can't take books home to do that homework. I feel like you can never have too much knowledge and we're really not getting enough at our school.

4. The school doesn't have enough books for all the kids. In Mr. Nawa's social studies class, we only have 35 total books. Mr. Nawa has five social studies classes each day and there are about 34 kids in each of those classes, so we only have enough books to use in class. You cannot take the books home because we don't have enough. My math class and my English class have the same problem. Also, the books we do have are missing pages that were ripped out and some books don't have covers.

- 5. If we had enough books for everybody to take home, then we could have homework to turn in the next day. Instead, we have to come to class to do the same thing we could have done at home. So we're missing time. We're probably behind other schools because they get homework and they get to take their books home. For an example of the book problem, in my English class when we're doing literature work, my teacher has to tell the person at the end of each row to collect the books at the end of class and bring the books to the front of the room. We can't keep reading the novels and do work with the books at home.
- 6. We don't have enough restrooms at the school that we can use. During fourth and fifth period, they lock the bathrooms. Also, the first and second floor bathrooms are always locked, no matter what time of day you try to go. They are permanently locked. Technically there are three bathrooms, one bathroom on each floor. But really we only have one bathroom because only the third floor bathroom is ever unlocked. There are only six stalls for boys and six stalls for girls total in the whole school, aside from the bathrooms in the locker rooms. The restrooms in the locker rooms are basically unusable. There are two toilet stalls but the stalls don't have doors. If you had

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to use the bathroom, someone would see you because there is no door.

- Sometimes the bathrooms at school are so nasty people cut school just to go home to use the bathroom. I have occasionally left school to go home because of the conditions the bathrooms were in. Some kids don't even go to the bathroom-they just pee on themselves. If you could see the boys' or girls' bathrooms, you'd be upset. But the principal and the counselors' bathrooms are clean. They have tissue, paper towels, and first aid stuff in them. The bathrooms for the kids don't even have paper towels. Pretty often, the water doesn't come on in our bathrooms.
- Our school has mice and rats that run around in our classrooms. I've seen rats in the 8. heaters in my math and English classes. I've seen rats run past very often in my science class, and my science teacher picked up a dead mouse in class. I see rats running across the chalkboard a lot in my social studies class and the rats make my social studies teacher jump and look. There is a dead rat in the corner of the gym that has been there since the beginning of the school year.
- The heat at the school is also a problem. Sometimes it's too hot and sometimes it's 9. too cold. When it's too hot, we can't open our windows because they don't open. If it's hot, you have to fan yourself with a lot of paper. When it's cold, we stand at the heater with our coats on. We're supposed to wear uniforms, though, and so sometimes the teachers don't let us wear our coats in class because coats aren't part of the uniform. In February and the beginning of March when it was raining a lot, it was really cold and mice started coming out in the classrooms. I wore two sweaters, some gloves, some earmuffs, and a scarf in class. I feel sick when it's too hot or too cold at school.
- The ceiling tiles fall off in the gym if you shoot a basketball too high. We all have 10. to dodge to avoid being hit by the ceiling tiles.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on April 22, 2000 at Sunnydale, California.

Silas Moultri-