

1 **DECLARATION OF ELLY RODRIGUES**

2 I, ELLY RODRIGUES, hereby declare:

3 1. I am one of the plaintiffs in this action and if called to testify I could and would do  
4 so competently as follows:

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

7 3. There are so many things wrong at my school that sometimes it is hard to be a student.

8 4. In my math classroom we see cockroaches running around <sup>all over</sup> every day. And in my  
9 study skills and social studies classroom there are rats. Whenever I see a rat or a cockroach I can't  
10 concentrate on what my teacher is saying. It scares me to know that there are cockroaches and rats  
11 everywhere because I think they are disgusting. I worry that one of them will end up in my backpack  
12 and that I will find it there when I take out my homework.

13 5. The books in my social studies classroom are from 1991. All of them have writing  
14 in them and they are torn with missing pages. It is so distracting to try to read my book when there  
15 are missing pages and writing in the books that I can't concentrate. I don't even want to look at the  
16 book sometimes because it is hard to follow along with missing pages.

17 6. I can't study at home because we don't have enough books at school. I don't think  
18 we are learning everything we should be learning because we can't even study at home. If I had a  
19 book to take home with me then doing my homework would be a lot easier than it is right now.

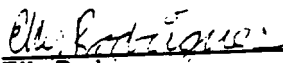
20 7. There are not enough bathrooms at my school for all of the students that we have.  
21 There are only three stalls for girls and of those three stalls one does not have a door. Sometimes,  
22 the school locks the bathrooms at lunchtime so we can't use them. Even when they are open, it is  
23 not always a good thing to go inside the bathrooms. Our bathrooms at school are dirty and they  
24 smell. I try not to go to the bathroom at school at all. I hold it until I go home where I know there  
25 is toilet paper and where I can wash my hands with running water. Sometimes, if I hold for too long,  
26 I start to get sick, and then I have to use the bathrooms at school.

27 8. Before we go into the locker room to change for physical education, the teachers go  
28 into the locker room to scare away the rats. I <sup>know</sup> think the rats are there because there is a lot of garbage

1 all over the locker room. The locker room also needs to be repaired because there are so many  
2 broken things inside. There are benches missing and where they used to stand there are only poles  
3 left that used to hold them. There are some lights that don't work. The locker room bathrooms are  
4 just as bad as the other bathrooms.

5 9. I think it is unfair that we are told to go to school and learn and then we are given  
6 these old torn books to work with, an old building, and classrooms with rats and cockroaches. How  
7 can the school have these books and expect you to learn? I change my shoes when they get old and  
8 torn; shouldn't the school change my books also? How can they expect us to learn when we can't  
9 use the bathroom, or when we have to worry that there are mice, rats, or cockroaches everywhere.  
10 I don't think that anyone should have to learn in these conditions.

11 I declare under penalty of perjury under the laws of the State of California that the foregoing  
12 is true and correct. Executed on May 8, 2000 at San Francisco, California.

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15 Elly Rodriguez  
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