I, Catherine Fipps, hereby declare:

1. 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 10 years old and in the fifth grade at Morris E. Dailey Elementary School. This is my third year at Dailey School.

- Jidon't have any books to take home for homework. We just use xeroxed sheets. I'm pretty used to sheets now, but I'm used to books too because when I was in second grade I went to school in Modesto and we had books there. I liked having books. With the xeroxed sheets, I usually don't know what's happening or what I'm supposed to do. We get in trouble with our teacher if we do our work wrong, but we don't know what to do because there aren't any instructions on the xeroxed sheets. If I had a book, I'd sit there and read and look up things I had questions about.
- 4. My school needs more bathrooms. There are only two bathrooms for girls and two bathrooms for boys, and when we're not on recess, the bathrooms are always locked. One of the girls' bathrooms has seven stalls, but most of the toilets there are gross and don't work. They overflow or there's gross stuff in them. When I go in, there's pee on the floor and tampons, too. The other bathroom has three stalls, but you can only close one of the stall doors in that bathroom because the other stall doors are broken.
- 5. Last February, I had an accident at school because of the bathroom problem. I went to the bathroom in the "pod" because that's the bathroom close to my classroom. I opened the door to the bathroom, but the inner door was locked so I couldn't get in. I went back to my class and was working on stuff. But then I realized I really had to go to the bathroom. I told the teacher I had to go and I went back to the "pod" bathroom, but the door was still locked. So I ran to the other bathroom, which is way far away from the "pod" bathroom. You have to walk and walk and walk and walk to get there. I didn't make it. I had an accident at school. I called my mom and she came to get me.
- 6. On some days at my school it's cold and on hot days it's hot. If we go complain to the office, they tell us to have our parents call the district because that's the only way to fix the

but my teacher takes them away and I have to face the wall because I made the fans. Other kids get hot, too, and they make fans and gasp and ask the teacher if we can get a big glass of water.

- 7. We used to have a real fan in our class but we gave it away to another class that's not in the "pod" because that class didn't have a fan. Classrooms in the "pod" have the most air conditioning. But it wasn't my idea to give the fan away. I'd rather still have the fan in our class because our class is still hot.
- 8. Our classroom is too crowded. It's a really small room. We knock over backpacks when we walk around. Other kids get mad if I knock over their backpacks. During reading time, sometimes the teacher lets us read anywhere in the room, but there are people in all the good spots so I have to lay under my desk. It hurts to lay under the desk—don't try it. If we had a bigger room, there would be more good spots to read in. Also, if we had a bigger room we'd possibly have more projects we could do. The teacher says we don't have enough room and that's why we don't do more projects, like science experiments.
- 9. My whole school is really crowded. The first and second graders go to recess and lunch at certain times; then the third and fourth graders go; then the fifth and sixth graders go. If we put the fourth, fifth, and sixth graders on recess and lunch all at the same time, we would be really really crowded. I know we would be so crowded because I wrote an article about the crowding for our class newspaper at the beginning of the year, and I interviewed the vice principal for the article. The vice principal told me the school would be too crowded if we put three classes of kids on recess and lunch at the same time.

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10. Our recess is really short. It's about 9 minutes long. I think it's so short because we have to have recesses on separate timing instead of having all the kids out on recess at the same time. I want to go to school where there's a longer recess that's not crowded and where there is enough room for everybody in the entire school.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on April 62, 2000 at Fresno, California.

Catherine Fipps