

1 **DECLARATION OF SONDRA AGUILERA**

2 I, SONDRA AGUILERA, hereby declare:

3 1. I make this declaration based on my own personal knowledge, and if called to testify
4 I could and would do so competently as follows:

5 2. I am a fifth-grade bilingual teacher at Stonehurst Elementary School in Oakland,
6 California. I have been teaching at Stonehurst for two years. I will have my teaching credentials in
7 the fall of 2000.

8 3. My class does not have a classroom. Instead, I conduct class on half of the stage in
9 the auditorium. The noise in our class space is overwhelming because music classes and school
10 assemblies are regularly conducted in the auditorium during our class time and we have virtually no
11 sound barrier blocking off our class. Our class space on the stage is divided from the rest of the stage
12 by break away, bendable, cardboard walls.

13 4. My students are unable to concentrate on their lessons because of the constant
14 distractions and disruptions in the auditorium. On Tuesdays and Thursdays, there are music lessons,
15 with trumpets, clarinets, flutes, and violins—everything but drums—conducted in the auditorium from
16 9:00 AM until 1:30 PM. My class only runs from 8:30 until 2:45, so we only have one hour and 45
17 minutes of quiet instruction each Tuesday and Thursday. There are also assemblies in the auditorium
18 every month. When there is an assembly, it is repeated three times because our school is so crowded
19 that only a third of the students can fit in the auditorium at a time. Therefore, my students were
20 interrupted and distracted three times in one day on assembly days. We moved to other classrooms
21 during the second assembly and during the third assembly we were at lunch. In February, we had
22 assemblies every week for Black History Month, so we lost many days due to assemblies.

23 5. While the assemblies and music lessons are going on in the auditorium, my students
24 hear everything that is going on. The breakaway walls are made out of cardboard, so they do not
25 block the sound of the instruments or the presentations. My students are distracted by the noise and
26 are unable to concentrate.

27 6. When there is an assembly going on and my students are at lunch or recess, we do not
28 come back to the auditorium until the assembly is finished so that they will not interrupt the assembly

1 to get to our class space on the stage. As a result, my students lose a great deal of time from class
2 waiting for assemblies to finish due to materials being in class.

3 7. The half of the stage that is my class space is far too small to accommodate my 20
4 students. They are uncomfortably cramped together, making it difficult for me to conduct lessons,
5 and making it even more difficult for them to learn.

6 8. As a result of these conditions, I am unable to get through much material with my
7 students. Class time is often cut short or interrupted by the many distractions present in the
8 auditorium, forcing me to fall behind my lesson plans and my students to learn less. I tell them that
9 they must try to concentrate, but it is impossible for them to do so in such a setting.

10 9. There are many activities I cannot do because we are in such a small space with so
11 many distractions. Reading groups are nearly impossible to conduct because there is not enough
12 room to spread out the individual groups. It is also nearly impossible for the students to concentrate
13 on their reading when the music lessons and assemblies are going on in the auditorium. The noise
14 makes other lessons difficult as well. There is also not enough room for us to do projects.

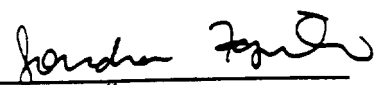
15 10. My students do not have a complete class set of any books to study in class or to bring
16 home with them after school. It is very difficult to conduct lessons without textbooks or materials.
17 I borrowed seven books in our reading series from other teachers. And I have only ten copies of The
18 Pearl, which we're reading now. All of the printed materials my students have are materials I have
19 borrowed from other teachers, or have bought or photocopied, often at my own expense. I have
20 spent approximately \$2,000 of my own money on material for my class. I was never promised
21 reimbursement.

22 11. At the beginning of the school year, there was no heat in the auditorium. The room
23 was so cold that my students all wore hats, jackets, and gloves all day. In February, we finally got
24 heat in the room. However, the room became way too hot, making the children uncomfortable in
25 such a small space.

26 12. The bathrooms are grossly inadequate. There are seven toilets for girls at the school
27 and four toilets for boys. The boys also have a trough-like urinal designed for kindergarteners that
28 even my fifth-grade boys have to use. All of the bathrooms smell bad, like urine, and there is

1 sometimes human feces on the ground. Most of my students do not use the bathroom. Instead, they
2 hold it in all day because the bathrooms are so disgusting.

3 I declare under penalty of perjury under the laws of the State of California that the foregoing
4 is true and correct. Executed on May __, 2000 at Oakland, California.

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7 Sondra Aguilera
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