I. Keith Ensminger, hereby declare:

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

- 2. I am an art teacher at Tenaya Middle School in Merced, where I have been teaching for the past eight years of the approximately 16 years I have spent teaching in California. My daughter Theresa Ensminger also attends Tenaya Middle School, as an eighth grader, and my son, Austin Ensminger, graduated from Tenaya last spring. My son Austin will begin school at Merced High School in the fall.
- 3. I make this declaration because as a teacher and as a parent, I am upset that students at Tenaya and Merced High are being charged fees for some of their courses. Approximately 80 percent of the students at Tenaya are on the free lunch program and do not have a lot of money, so charging course fees to students at the school is a serious problem.

Tenaya Middle School:

- 4. Last year, the band class charged my daughter Theresa a \$45.00 fee for cleaning uniforms and maintaining equipment. Last year, my son Austin was charged a mandatory \$15.00 fee to purchase a baseball cap from the school. Both Austin and Theresa were required to pay a \$5.00 fee for their physical education class to buy locks for their gym lockers. Both of my children were also required to pay a \$3.00 fee for the cooking class at Tenaya. Theresa paid the \$3.00 fee when she took the class this year, and Austin paid the \$3.00 fee when he took the class last year.
- 5. Students at Tenaya should not be charged fees for the materials that they need to learn a subject. As a teacher, I hate to be a part of a program that discourages students from taking classes because they cannot afford to pay class fees. I also do not like the discrepancies that arise when schools charge fees for courses, allowing some schools to get better materials for their students because their students are able to pay more money for the course fees. I grew up in the 1950s and 1960s when schools were good and when materials were available to kids; it appalls me that schools now charge fees for students to take courses.
 - 6. Also, the principal at Tenaya recently told me that although Tenaya is required to offer

foreign language classes, the school does not offer foreign language classes because it cannot afford to do so. Neither of my children has taken a foreign language class because the school does not offer them. I am upset that my children will now have a slower start for meeting university foreign language requirements. Not being able to take foreign language classes also limits Austin and Theresa's overall exposure to the educational benefits of learning another language.

Merced High School:

7. My son Austin will be a freshman in the fall at Merced High School. We've just received our paperwork from the school. We are told that we need to buy a lock for Austin for PE for \$3. I assume we have to purchase the locks because the school did not have enough money and space to purchase lockers that are already equipped with locks. The school is also charging us \$20 for a PE shirt and gym shorts for Austin.

Burbank Elementary School:

- 8. Five years ago, I taught at Burbank Elementary School in Merced, a school that uses a multi-tracking, year round system. The multi-track, year round system causes kids to lose class time as compared to the traditional calendar. As compared to students on single tracks, multi-track, year round students lose a full six weeks of instructional time. Teachers and students have to spend more weeks adjusting than they would if they were on a traditional calendar because they must shift tracks so many times.
- 9. The first adjustment week occurs at the beginning of each track session when teachers must assess their students, determine what information the students may have forgotten during track breaks, and figure out what information to begin covering in the new session. During this adjustment week, teachers do not cover heavy instructional material, but instead assign lighter, simpler work. Likewise, teachers and students lose a week of instruction time at the end of the track because teachers must assign simple work rather so that students have time to complete the work before they go off track. This means that students from each track lose a total of six weeks of instructional time more than kids from single track schools.
- 10. Also, the multi-track year round system splits up families. I have known families with brothers and sisters on different tracks. One family I know had one son on the D track, while his

twin brother and his sister were on another track, and his other brother was on yet another track. The multi-tracking system makes it hard for families to spend vacations and other quality time together because some children in the family are in school at times when other children in the same family are off track and out of school. I know plenty of families who would like to travel together, but cannot do so because the kids are on different tracks in multiple track, year round systems. In order to travel together, the families would have to take at least one child out of school.

I declare under penalty of perjury of the laws of the State of California and the United States that the foregoing is true and correct. Executed this 3/ day of July, 2000 in Merced, California.

Keith Ensminger