

DECLARATION OF AMY SALYER

I, AMY SALYER, hereby declare:

- I make this declaration based on my personal knowledge, and if called to testify I
 could and would do so competently as follows:
 - 2. I teach second grade at Hawthorne Elementary School in Oakland, California.
- 3. Hawthorne is severely overcrowded. One thousand four hundred students attend the school, even though the facility has the capacity for only between 900 and 1000 students. To deal with this severe overcrowding, the school is on a "multitrack" schedule. Each month, one of the four tracks at the school is on vacation. This means that the facilities are in use every single month of the year, so that whenever construction has to be done, the noise and smell inevitably interfere with class instruction. Because of its multitrack schedule, Hawthorne has no enrollment cap, so it must accept students from other schools that are overcrowded, except at the Kindergarten level.
- 4. Sometimes Hawthorne will have one or two teaching vacancies at the beginning of the year, so one or two classes begin the year with a substitute teacher or a series of substitute teachers. Under district policy, a new teacher cannot be hired during the first few weeks of the school year. Once the first few weeks have passed and the district declares that it needs another teacher, that class will get a new teacher. By that point, however, it is late September when most credentialed teachers are not looking for jobs. As a result, the teacher hired for the class will usually be uncredentialed.
- 5. What is even more common is for several classes with permanent teachers to be overcrowded in the beginning of the year, which is what happened this year. The overcrowded classes often do not have enough furniture for the students; teachers have to figure out ways to accommodate all the students. Once the first few weeks of school have passed, the "extra" students are yanked out of the various overcrowded classes and placed in an "overflow" class, taught by a

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new, usually uncredentialed, teacher. This system of dealing with overcrowding is disruptive because teachers often cannot begin projects or build community during the first few weeks of school, knowing that some of their students will be pulled out of their class. It is likewise disruptive for students to be pulled out of a classroom environment to which they have become accustomed and to be forced to start over in a new class. The overflow classes are usually split-grade classes (such as a $3^{rd} - 4^{th}$ grade combination) and are usually comprised of the lowest-achieving students from various classes. Because such classes are particularly challenging to teach, even for veteran teachers, the fact that these classes are usually taught by uncredentialed teachers is troubling.

Because there are not enough classrooms to accommodate each teacher's class, every year between ten and thirteen teachers must be "rovers." Instead of having their own classroom for the entire year like most teachers, rovers must use the classrooms of various teachers as those teachers go on vacation. As a result, they move every month or every three weeks. Last year, one roving teacher moved fifteen times because construction to deal with the mold problem at the school further limited the space at the school. No teacher is supposed to be a rover for more than one year, but there is no similar rule for students. In fact, some students have been in roving classes for two or three years. Rovers lose instructional time because they have to move classrooms so often. The students in those classes have to move their own materials. They carry everything in little red wagons across the yard to their new temporary classrooms every month. Roving also interferes with the teaching ability of the non-roving teachers whose rooms are used by rovers. Each time a rover is going to use my classroom, I have to dismantle my classroom beginning three days in advance. Putting materials away limits my ability to teach the curriculum I would otherwise teach. Also, I cannot catch up on work during my vacations because someone else is using my classroom. When I come back from vacation, sometimes I find that the roving teacher has not cleaned my room. Thus, I have to spend instructional time cleaning it and putting my class materials back out.

- 7. The facilities at Hawthorne are inadequate. There is a big mold problem at the school because the roof has leaked for years. In fact, one of the buildings was so infested with mold, that it had to be demolished this past year. To take the place of the demolished building, the school placed temporary portables on the schoolyard.
- 8. I teach in one of the temporary portables, but it is very difficult for me to do so because of the high noise level. The portables, which are very flimsy, sit on the yard where recess takes place. The tremendous noise created by the hundreds of students that are on the yard for recess between 9:30 and lunchtime seriously impacts my ability to teach. For example, I cannot read aloud during other students' recess time because it is just too loud. I must keep the doors and windows closed to reduce the noise. In addition, the portables get very little natural light because they have just one tiny window.
- 9. The portables also are not sanitary; they have no water, so students cannot wash their hands or get a drink of water. The lack of water affects my curriculum, as well. I cannot do the normal art and science activities that I would like to do with the students because of the lack of water. The portables also pose safety risks for the students because there is only one exit. Also, there is no functioning intercom or alarm system, so the main office cannot notify us in case of an emergency.
- 10. Because the portables have no bathrooms, students have to walk fifty yards unsupervised through the yard to bathrooms. The portable bathrooms are locked once or twice a week because the plumbing backs up. The portable bathrooms have no more than ten stalls, even though there are at least 500 students on the playground at one time at recess hours. The bathrooms also are not clean. There is often urine on the floor of the boys' bathroom. Frequently, there are no paper towels or soap, and sometimes there is no toilet paper. I have heard students complain about

the filthiness of the bathrooms. The other day, a student came in to my classroom to get tissues for her friend because there was no toilet paper in the bathroom.

11. There are only eight water fountains on the yard to serve over 1000 kids. There are no more than ten water fountains in the entire school. Only half of these work at any given time. The water is warm and yellow; adults at the school won't even drink it.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on April 17, 2001, at Oakland, California.

Amy Salyer