

1 son. My son's homeroom teacher told me that my son was reading at the fourth grade level. The
2 teacher said that he should be done with the fourth grade book by the end of May, that in June he
3 would begin the fifth grade level reading book and in summer school he would start the sixth grade
4 reading program. This was very upsetting and is entirely unacceptable. How is my child supposed to
5 learn one grade level per month?

6 8. I have been very active in advocating for the plight of limited-English speaking
7 students. Based upon my discussions with teachers at the school and my own observations, I
8 estimate that at least 80 percent of the students at Edison-McNair have limited English skills. Due to
9 the combination of not enough teachers qualified to teach English learners and students who have
10 difficulty speaking English, students who speak English well spend some of their class time helping
11 the students who do not speak and understand English as well. This should be the responsibility of
12 the teacher. I have raised the issue of the need to provide qualified teachers to teach the English
13 learner population with the district at least six or seven times.

14 9. The classes are too crowded and uncomfortable for the students to effectively learn.
15 There were about twenty-eight students in Carlos' sixth grade class and thirty-one students in
16 Calandaria's eighth grade class. My children have complained to me that the classrooms are too hot
17 because they have no air conditioning. They can only open the windows to cool the room.

18 10. Some of the basic facilities are also in disrepair. Some present health and safety
19 threats to our kids. For example, there are holes in the walls of the bathrooms, the urinary facilities in
20 the boys bathrooms are broken, the wall area behind the urinals is broken, and you can see the
21 interior part of the wall. Although there is a water fountain in every classroom, the majority of them
22 do not work.

23 11. Also, the school grounds are not maintained. Last school year, some other parents and
24 I had a meeting with school officials. We learned that there was a tree that needed to be cut down.
25 The roots of the tree were overgrown and threatening to destroy the overlaying concrete, and the top
26 of the tree was close to hitting a building. The school officials told us that it was a dangerous
27 condition and that the district would take care of it. After three or four months, the tree had still not
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1 been removed. A group of the parents got together and cut down the tree ourselves with the school's
2 permission. Parents should not be responsible for such maintenance, but we did not want a
3 dangerous situation at the school. In addition, for all of last school year, the playground area has
4 been in need of repair. For instance, the "monkey bar" area has broken parts. Also, the playground
5 water fountain does not work.

6 12. I am aware from reading the newspapers that Edison-McNair had the lowest scores of
7 the entire district on the standardized test known as the "STAT 9". I cannot help but think that this is
8 due in large part to the lack of books, low teacher experience, and poor facilities.

9 I declare under penalty of perjury of the laws of the State of California that the foregoing is
10 true and correct. Executed by me this ___ day of August, 2000 at East Palo Alto, California.

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Marcelino Lopez

I, Christina L. Checél am an associate with Morrison & Foerster LLP. I read, write and speak Spanish fluently. I translated the declaration of Marcelino Lopez, and the English version is an accurate translation of the Spanish version.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

Executed this 24th day of August, 2001, in Los Angeles, California.



Christina L. Checél