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### Declaration of Jose Garcia

I, Jose Garcia, 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 just completed my senior year at Fremont High School in Oakland, where I have gone to school for all my years of high school.

3. The facilities at Fremont High are deplorable. Some of the buildings at the school were supposed to be temporary, but they have been there for more than five years now and they have fungus growing in them. In the 3200 building, for example, a math teacher in one of the rooms has been complaining this year about the fungus in that room, and the students in that class can smell the fungus when they're in there. What if someone has an allergy and has to be in that room? It's dangerous.

4. I saw mice in my English classroom, in room G3, twice at the beginning of this school year. Girls in the class got on their desks and started screaming when they saw the mice. The mice hid behind the heater and ran around the room. It was really disruptive to see them in the class. We moved out of that classroom after December because the school started doing construction on the room, so I don't know if there are still mice over there or not.

5. The air conditioning does not work in some classrooms. In room 1111, where I have Spanish class, there was no air conditioning at the beginning of this school year, and I don't know if we're going to have air conditioning this summer or not. It was hot in September, and I'm worried that we're going to have to be hot in that classroom again soon. When it's hot in class, your body starts feeling indisposed and you get headaches and it's really hard to concentrate. The teacher brought in his own fan, but it really didn't cool the room off enough. Also, the ROTC room has no insulation, so when it's hot that room is really hot, and when it's cold the room is really really cold. The room is like a basement room, with pipes showing and everything, so it's not supposed to be a classroom. But we're required to take either ROTC or gym at my school, so students have to be in there. I took ROTC for my ninth grade year, and I had to be in there without the insulation that whole time.

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1           6.     The bathrooms at Fremont are filthy and we don't have enough of them. Usually,  
2 there is only one bathroom open school-wide for boys, and there are only two open bathrooms for  
3 girls. We have three bathrooms each for girls and boys, but two of the boys' and one of the girls'  
4 bathrooms are usually locked. The administration tells us they're painting the other bathrooms  
5 and working on them, but they're locked for a week or a month at a time and I don't think they  
6 could possibly be working on them that long and that consistently. The bathroom that is most  
7 often open for boys is the bathroom in the 1200 building. That bathroom has about eight urinals  
8 and two stalls, but the school closed off two of the urinals in that bathroom this year, so only six  
9 urinals work. The two closed urinals have red tape over them to show that there is work that  
10 needs to be done on them and that they are not functional. The bathrooms usually do not have  
11 toilet paper or soap, and we usually have to wait in line to get to use the bathrooms because we  
12 have so few available to students.

13           7.     Fremont is too small for the number of students at the school. The overcrowding  
14 is the worst at the beginning of every year, before the school starts sending people to other  
15 schools. They turn people away to go to continuation schools, and that helps relieve the  
16 overcrowding some.

17           8.     There was a period this year when my English class had more students than seats  
18 in class. We started the year in a regular classroom, but after we came back from the winter  
19 break, we moved into the dance room because the school started doing construction on our  
20 classroom and also used the classroom for storage. We were in the dance room for a little less  
21 than a month, and in that room, five or six people had to stand every day because we didn't have  
22 enough seats. Then the dance teacher needed the room back, so we got the auditorium where the  
23 dance class had been practicing and the dance class took the room back. A couple of weeks later  
24 we moved into the classroom we're in now, and we have enough seats for everyone now.

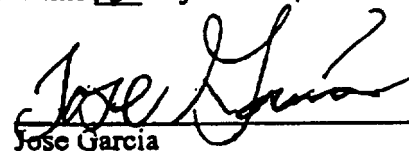
25           9.     If a teacher is absent, we often don't get a substitute teacher to take over the class.  
26 The school tries to get a teacher with a free period to take over the absent teacher's class for the  
27 free period, but then we might get a teacher from another subject teaching the class. For  
28 example, we might get a history teacher taking over the Spanish class. If there's no teacher with

1 a free period to take over the class, then the class will have to go to the cafeteria for the period to  
2 sit there. Or some kids will be put into another class and other kids will be put into still another  
3 class. The kids just have to wait the period out, until their regular teachers come back.

4 10. We did not have a principal for the whole first semester of this school year  
5 because our old principal relocated to another school. For the first semester, the faculty was  
6 disorganized. The teachers didn't know who to go to for academic strategies, or to decide a  
7 question about a school dance, or other issues. The new principal seems cool and open-minded,  
8 and I can tell that he has helped to organize the school better already. Every school needs to have  
9 administrators.

10 11. There are big differences between the schools in the hills here and the schools in  
11 the flatlands. The hill schools, where the rich people live, have better resources and special  
12 classes like SAT prep courses and health services programs, but we don't have those things.  
13 How are we supposed to compete and go to college when other kids' classes are easier because  
14 of the environment in which they're studying?

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16 I declare under penalty of perjury of the laws of the State of California and the United  
17 States that the foregoing is true and correct. Executed this 16 day of June, 2001 in Oakland,  
18 California.

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Jose Garcia

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