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I, ANA ALEJANDRE, hereby declare:

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My son Michael Alejandre is in the third grade at Hawthorne Elementary School in 2.

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

Oakland, California. I volunteer in his classroom almost every day, usually for about one and a half hours in the morning and an hour in the afternoon.

The bathrooms at Hawthorne are so disgusting that Michael does not want to use 3. [REDACTED] them.

In addition, for a period of two months, he would call me from school, complaining of stomach aches, and I would have to pick him up early from school. In those two months, he missed a lot of school. I took him to the doctor twice, but the doctor could not figure out what was wrong with him. I tried changing Michael's diet and giving him medicine, but nothing cured his stomach aches. Because I was so concerned about the amount of school Michael was missing, I arranged a meeting with the principal, Michael, and myself. At the meeting, I realized that Michael's stomach aches were caused by the fact that he refused to go to the bathroom while he was at school; Michael explained that he was very uncomfortable using the school bathrooms because they are so filthy. The bathrooms stink, there is usually no toilet paper, and there is urine all over the floor. The principal agreed to allow Michael to use the bathroom reserved for disabled students, which Michael said was cleaner than the others; since then, he has had no more stomach aches. Although Michael gets this special privilege, the regular bathrooms that the other students must use remain filthy.

The other facilities at Hawthorne are also inadequate. My son's classroom meets in a portable. The portable smells like mildew all the time. I have spoken with the teacher about the mildew smell, and despite complaints by her and other teachers, nothing has been done to fix the

smell. In addition, during the rainy season, the steps leading up to the portable were flooded. My son and the other students would have to wade through the water on the way out of the classroom and would get very wet.

- 5. The portable is very loud because it is in the yard where recess is held. The school holds staggered recesses because the school is too crowded to have all students at recess at the same time. All the recess periods together last about four hours, and during that time, the sound of yelling children and bouncing balls is very distracting to the students in my son's class.
- 6. The temperature in the portable is usually too warm, and students often complain about being too hot in class. When it is hot outside, the classroom becomes really hot as well. There is no air conditioning in the portable, and the windows barely open because they are almost entirely boarded up. All the teacher can do to cool down the room is open the door to allow some ventilation. But she cannot open the doors at recess because it will be too loud, so for the four hours that recess is going on, it is really hot and stuffy in the class. In the winter, it is too cold to not use the heater, but when the teacher turns the heater on, the room becomes unbearably hot inside.
- 7. Because there are not enough classrooms, some teachers must be "rovers." Instead of having their own classrooms for the entire year like most teachers, rovers must use the classrooms of those classes that are on vacation at any given time. During my son's November-December vacation, a rover class used his classroom. His teacher had to spend time taking everything off the walls of the room, and Michael had to empty out his desk before the class moved in. The time the students and teacher spend moving into and out of the classroom is time they could have spent on learning.
- 8. Because Hawthorne is overcrowded, the school is on a "multitrack" schedule. Each month, one of the four tracks at the school is on vacation. I do not like the multitrack schedule because I think it makes it difficult for Michael to learn. Last year, when Michael was at a different

school on a regular schedule, he learned very quickly and earned very high grades. This year, I have not seen as much improvement in his abilities. I think it is because there are so many breaks in his instruction. For example, his track was on vacation between March 9 and April 9, but one week after returning to school, his class had another week off for spring break. I do not think he can learn as well with so much time off during his school year. When he returns from spring break, he will only have 2 ½ months of school left, and much of this time will be spent taking standardized tests; I worry that he will not receive as much instruction as he needs before the year ends.

9. There are a few water fountains on the yard near Michael's classroom, but they are dirty and usually only one works. Only a very little amount of water comes out of the fountain, so many students, including Michael, bring water bottles from home.

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

Ana Alejandre

Clegandre.