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2 **Declaration of Lois Segal**

3 I, Lois Segal, hereby declare:

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

6 2. I was a Special Education teacher at Fremont High School in Oakland for ten
7 years, between The 1990-1991 School year and the 2000-2001 school year. I taught 9th through
8 12th grades. Between 1993 and 1998, I was the chair of the Special Education Department, and I
9 was in charge of the work study program between 1996 and 2000. Before I started teaching at
10 Fremont, I had 25 years of experience as a teacher in the Oakland Unified School District. I
11 taught at Garfield Elementary School, Whittier Elementary School, Lazer Elementary School, La
12 Escuelita Elementary School, The Oakland Arts Magnet School, Melrose Elementary School, and
13 Calvin Simmons Junior High School. Now I am a special education teacher at Life Academy, a
14 public school in Oakland.

15 3. The bathrooms at Fremont High are atrocious. My students at Fremont told me
16 that the bathrooms smell like feces and urine, that there are almost never any paper towels, toilet
17 seat covers, or soap, and that the bathrooms are covered with graffiti and litter. My students
18 complained about the conditions of the bathrooms several times a month and asked me to let them
19 go home and use the bathroom because they were afraid to use the bathrooms at school. Even
20 the teacher's bathrooms at Fremont were filthy, and there were rarely any toilet paper or paper
21 towels. Most of the bathrooms at Fremont were only open before school, during lunchtime, and
22 after school. During classes and passing periods, there was usually only one bathroom open for
23 2400 students to use. At least twice a week during the 2000-2001 school year there were no
24 open bathrooms during class time at all, so students had to ask the custodian to let them in to use
25 one of the locked bathrooms. I used to take my students to use the teacher's bathroom in the
26 cafeteria when all of the other bathrooms at the school were locked.

27 4. I never received textbooks for my students on time when I was teaching at
28 Fremont High, and sometimes I had to wait until several months of the school year had passed to
get books. Last year, I ordered books for my students in early September, 2000 but I didn't get

1 any books until January, 2001. In prior years I have tried to place my textbook orders earlier in
2 order to be sure that they would arrive by the time school started, but it has never been possible to
3 do so because I have to wait for the budget to be complete before ordering so that I know how
4 much money is available for textbooks, and the school site administrators usually do not finish
5 calculating the school budget until the month before school starts. Special education students
6 need modified textbooks to use in class, and teachers should have a teachers manual. However,
7 between 1996 and 1999, when special education students were placed in mainstream classes at
8 Fremont High, and I was no longer in charge of ordering books, my students got no books at all
9 to use in my classroom because nobody ordered them.

10 5. Fremont High has a big problem with rats, cockroaches, mice and ants. During my
11 ten years as a teacher at Fremont High, I saw all kinds of pests. In particular, between 1996 and
12 2000, I saw rats at least once a week. One time during the 2000-2001 school year, I saw four or
13 five rats right outside my door eating garbage from a nearby dumpster. During the 1998-1999
14 school year, an instructional assistant found a family of mice living in her desk. The custodians
15 put traps out to get rid of the mice, but it was months before all of them were gone. One of the
16 biggest problems at Fremont is the ants. Every time it rained during the time I was at Fremont,
17 thousands of ants invaded the classrooms. There were so many ants flooding the classroom that it
18 looked like the whole floor was moving.

19 6. The class sizes at Fremont High are huge, especially at the beginning of every
20 school year. At the beginning of the 2000-2001 school year, there were only two art teachers at
21 Fremont High, and they each had over fifty students in their classes. English Language
22 Development classes are supposed to have less than 25 students, but at the beginning of the 2000-
23 2001 school year, the English Language Development class next door to my classroom had 42
24 students. The teacher in that class had to bring in extra desks and tables for the students, but at
25 least five students in the class had to stand for the first three weeks of the school year, and several
26 students sat on the floor. At the beginning of each school year, teachers salvage thrown-away
27 desks and chairs from the Oakland Unified School District Warehouse on High Street and bring
28 them to their classrooms so that there is a place for their students to sit. Class sizes usually

1 decrease by October or November of each year, but they are still way too crowded. Fremont
2 High was built to hold only 1200 students, but there are over 2400 students enrolled.

3 7. The counselors are so overburdened at Fremont High that they routinely place
4 students in the wrong classes. In 2000, there were only four counselors for 2400 students.
5 There are over 200 special education students at Fremont High, and most of them started the year
6 placed in the wrong classes. For example, one of my special education students whose math skills
7 are at a third grade level was placed in a geometry class. One special education student that has
8 very limited language skills was placed in a French class, and another was placed in an AP English
9 class. Every year, knowing that my students are going to be placed in the wrong classes, I write
10 out the appropriate schedule for each of my students and submit them to the school counselors,
11 but every year it takes months for my students to be placed in the right classes. During the
12 2000-2001 school year, my students didn't get placed in the right classes until the end of October,
13 when I went to their classrooms, transferred the students into the appropriate classes, and
14 changed their programs myself.

15 8. Fremont High is so crowded that there are not enough classrooms for each teacher
16 to have one. During the 2000-2001 school year, at least 10 teachers had to "float" from one
17 classroom to the next during the day because they did not have their own room. One science
18 teacher at Fremont had to build a cart for himself so that he could carry his laboratory materials,
19 experiments, and microscopes from classroom to classroom. I think that science teacher had to
20 switch classrooms five times per day.

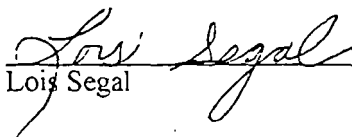
21 9. Teachers and students were exposed to fungus, spores, and asbestos in one of the
22 buildings at Fremont High for about four years. In 1996, when fungus from the ground broke
23 through the floor of the building in which my classroom was located, maintenance workers tore
24 up parts of the floor, releasing the spores and fungus into the building. They put a plastic sheet
25 over the hole in the floor, but people walked over it anyway. A lot of people got sick because of
26 the exposure to the fungus and spores. The students in my class often put their heads down and
27 seemed sluggish. One teacher in the building had to go on kidney dialysis after being in the room
28 for a year, and another teacher now has lupus. I got pneumonia because of the fungus, and later

1 developed rheumatoid arthritis. Several state and federal health agencies came to Fremont to
2 look at the problem, and the maintenance workers closed down the building a few times for about
3 a week each time, but they always reopened it. I told site administrators about the problem
4 several times, but nothing was done until May, 2000, when the district shut down the building.

5 10. There were 18 different school administrators at Fremont High during the ten
6 years that I taught there. No principal ever stayed for more than 2 years, and each time there was
7 a new principal the entire staff changed. There was no consistency of rules or expectations, and
8 no sense of community. I never knew who to go to for support.

9 11. Life Academy, the public school where I teach now, is a lot better than Fremont
10 High. 250 students are housed in a professional building with clean restrooms and well-lighted
11 classrooms with new furniture. There are offices with functioning computers and phones for staff.
12 Classes are smaller here than at Fremont High: there are only about 25 to 30 students per class.
13 Fifteen excellent teachers were selected to teach here. Students are respected, parents are
14 involved, and there is a real feeling of community and relevant learning. This is how all schools
15 should be.

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 11 day of October, 2001 in Los
18 Angeles, California.

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20 Lois Segal

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