



September 6, 2013

Dear Members of the LASD Board of Trustees,

In an effort to bring a quick resolution to the disputed terms in the 2013-14 Facilities Use Agreement, we have provided all the usage information at both campuses your board members requested during our public negotiation meetings last week (see attached).

We also received an e-mail message from Mark Goines just this morning, listing additional requests for much more detailed information about our usage of the sites. We understand that LASD is using public employees and/or its private consultants to count and observe BCS students and staff coming and going at both sites, so we are perplexed that you need further information from us concerning actual usage of the sites. However, we will work to respond to your request for additional information appropriately.

It is unfortunate that you waited until three weeks into the school year to reach out to BCS concerning programmatic usage of our allocated sites and the integration of our K-8 program. To the extent you perceive any problem with CEQA, that is entirely a result of your choice to make a unilateral decision about how BCS should use the school sites, without consulting us at any point in the days and months leading up to your CEQA Addendum analysis and the Final Offer on April 1. Further, as you are well aware, your mandate to provide sufficient facilities to public school students is a commonplace basis for a CEQA statement of overriding considerations ("SOC"), in the event there really are unmitigatable adverse impacts and an SOC is necessary. In the future we expect you to work collaboratively at the time any CEQA study involving BCS is initiated, so that the analysis is relevant to the actual intended use by the parties.

As Los Altos Hills City Councilman John Radford, and countless others in attendance at the meetings expressed, we need to come to an agreement on these terms immediately. We strongly request that this be a priority at your next regularly schedule board meeting on September 9, so our teachers and students are no longer held in limbo while the details are being discussed. Your continued delay is materially disrupting BCS' program and interfering with the education of its students.

This is our tenth year as a public charter school in Los Altos and we continue to have record number of applicants for our program. We work hard to improve public education in our own school and at the local, state, and national level. Let us run the program the way we designed it, and the way the law allows us to run it.

The Charter School Act, 1992 (Ed Code 47601) is designed to establish schools that “**operate independently from the existing school district structure**” in order to:

- Encourage the use of different and **innovative teaching methods**
- Create new professional opportunities for teachers, including the **opportunity to be responsible for the learning program** at the schoolsite
- Provide parents and pupils with **expanded choices** in the types of educational opportunities that are available within the public school system.
- **Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.**

We are doing all of this and more. Even though the threat of another lockout remains from your board, we will continue to run our school to benefit our students, teachers, and parents - and to show what is possible in public education. As publicly elected officials, we hope you stand with us, and not against us.

Sincerely,



Ken Moore
BCS Board Chair

cc BCS Board of Directors
 SCCOE Board of Education