



Bullis Charter School
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Los Altos, CA 94022
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BY EMAIL AND HAND DELIVERY

November 1, 2012

Superintendent Jeff Baier
Los Altos School District
201 Covington Road
Los Altos, CA 94024



RE: Proposition 39 Facilities for the 2013-2014 School Year

Dear Superintendent Baier:

I am writing on behalf of the Bullis Charter School ("BCS") to request reasonably equivalent school facilities from the Los Altos School District ("District") for the 2013-2014 school year, pursuant to Education Code section 47614 (i.e., Proposition 39) and Title 5 California Code of Regulations section 11969.1 et seq.

Yesterday afternoon, the day before the deadline for filing this Facilities Request, I received a letter from the District demanding that we include certain information, including names and addresses of BCS students, with this Facilities Request. In addition to this letter being untimely, the statutes and regulations do not require charter schools to submit this information with a request for facilities. Furthermore, BCS parents have not consented to the release of this information. As in prior years, and as BCS has informed the District, BCS is willing to follow the procedure suggested by the District to have the chartering authority (Santa Clara County Office of Education) verify the names and addresses of the students. Alternatively, BCS is willing to stipulate to a court order that would allow the District's chosen mediator, Justice McAdams, to confidentially verify the information.

BCS asks the District Board of Trustees to work with us to fairly allocate resources so that every public school student living within the district can attend the public school of their choice. Each public school student (regardless of whether they choose a District-run program or a charter school) should receive a proportionate fair share of public resources, including access to reasonably equivalent school facilities. BCS will continue to defend the legal rights of charter school students to equal treatment in the allocation of public facilities. At the same time, BCS continues to invite the District to return to serious negotiations without preconditions to seek a facilities solution for both the 2013-2014 school year and the years beyond.

Proposition 39, passed by the voters of California on November 7, 2000, requires school districts to share public school facilities fairly among all public school students including those attending charter schools. A school district shall make available, to each charter school operating within the school district, school facilities sufficient for each charter school to accommodate all of the charter school's in-District students in conditions reasonably equivalent to those in which the students would be accommodated if they were attending other public schools of the school district. Facilities provided shall be contiguous, furnished, and equipped, and shall remain the property of the school district.

The Sixth District Court of Appeal in *Bullis Charter School v. Los Altos School District et al.*, (2011) 200 Cal App. 4th 1022 (rev. denied January 18, 2012) H035195¹, has found multiple elements of the District's Proposition 39 methodology used in prior years to be in clear violation of the law. "[A] school district does not have the discretion to employ practices that are contrary to the very intent of Proposition 39 that school district facilities be 'shared fairly among all public school pupils including those in charter schools.'" The Appeal Court affirms the requirement of the District to give the same consideration to the needs of charter school students as it does to the students of district-run schools. The Appeal Court also finds that where an unconsidered size disparity between the facilities offered to the charter school and the comparison group schools is significant, mandamus to compel the district to follow the law may be appropriate.

The Court of Appeal and The Honorable Judge Patricia M. Lucas has commanded the District to, among other things, allocate reasonably equivalent building and outdoor space to Bullis for "all building and outdoor space on any and all comparison school sites (regardless of whether or how it is utilized)."² Accordingly, the District must allocate a roughly equal amount of space per student to Bullis Charter School as it provides to the average comparison school, for each school to use, as it believes best serves its students. The District **may not** allocate less total building space per student to BCS based upon decisions of the District, District schools, or BCS regarding how to best use their respective spaces to support their educational program. Allowing such subjective use determinations regarding facilities to control the Proposition 39 analysis violates the law.³

These court actions provide clear direction for the District Board to acknowledge its obligation to finally equalize the treatment of district and charter students in the allocation of public resources.

BCS is presently operating in the District and providing public education to students of the District under a charter approved by the Santa Clara County Board of Education, and projects more than 80 units of average daily classroom attendance of in-District students for the year of this request (see below).

The Proposition 39 implementing regulations, adopted by the State Board of Education, require BCS to make an annual written request to the District for facilities. Title 5 CCR Section 11969.9(c)(1) specifies the information that must be included in the annual facilities request. This letter along with the information submitted herewith ("Facilities Request") meets and exceeds the requirements of Education Code section 47614 and 5 CCR Section 11969.9. This letter with its attachments is available for review by other interested parties.

Projected Average Daily Attendance (ADA)

In accordance with Education Code section 47614(b)(2) the District is required to allocate school facilities to BCS for the following school year based upon a projection of attendance provided by BCS.

¹ All references herein to "Appeal Court," "Court", or "Court of Appeal," refer to the Sixth District Court of Appeal opinion in this recent case unless otherwise noted.

² Preemptory Writ of Mandate, California Superior Court, May 23, 2012.

³ *Bullis Charter School v. Los Altos School District et al.*, (2011) 200 Cal App. 4th 1022, 1047.

BCS's Governing Board has determined that a reasonable projection of BCS's total average daily attendance for the 2013-14 school year is 644 total students, consisting of 615 in-District students and 29 out-of-district students. A breakdown of BCS's projected ADA as required by 5 CCR Section 11969.9(c)(1) is provided on the District's form, which is attached as Exhibit 1. The methodology behind this projection and its documentation required pursuant to 5 CCR Section 11969.9(c)(1) is provided below.

We emphasize that this projection reflects two major components.

First, the projection is based in part on BCS's actual present enrollment for the 2012-2013 school year (the fiscal year prior to the 2013-2014 fiscal year for which the facilities request is made), adjusted for expected changes in enrollment in the forthcoming fiscal year. Specifically, the projection reflects a continual matriculation of in-district students advancing to the next grade level and the expansion of students rising to 4th grade level to about 25 students in each class (from approximately 20 students in each class in grades K-3rd) as done in previous years, and additional 6th and 8th grade classes relative to the present to serve the larger number of present 5th and 7th grade students. The projection is consistent with the very high return rate BCS has experienced historically at all grade levels. The projection also reflects recruitment of incoming kindergartners not included in BCS's present enrollment. BCS has historically had very successful recruitment of incoming kindergartners.

Second, this projection reflects the expansion of an additional strand of one class each of Kindergarten, 1st, 2nd and 3rd grades for 2013-14 to better meet the demonstrated high demand to attend BCS from in-district applicants. Therefore, instead of three classes in each of grade levels K-3, in BCS's present configuration there will be four classes at each grade. There will be three classes each of grades 4-6, and two classes each of grades 7 and 8.

Pursuant to Education Code Section 47605, BCS is adding an additional Kindergarten, 1st, 2nd and 3rd grade, each with approximately 20 "in -district" students, beginning 2013-14. BCS is expanding its enrollment to allow additional in-district students who wish to attend BCS the opportunity to lottery in for the upcoming year, as BCS anticipates 78 new openings due to this K-3 strand expansion alone.

Education Code Section 46705 (d)(2)(A) – (C) states:

(A) A charter school shall admit all pupils who wish to attend the school. (B) However, if the number of pupils who wish to attend the charter school exceeds the school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the district except as provided for in Section 47614.5. Other preferences may be permitted by the chartering authority on an individual school basis and only if consistent with the law. (C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and in no event shall take any action to impede the charter school from expanding enrollment to meet pupil demand.

As you are aware, BCS has, year after year, had a waitlist of in-district students who were unable to attend BCS because BCS was not expanding the number of classes per grade at a rate fast enough to meet demand. Accordingly, BCS will expand the school for 2013-14 by and additional Kindergarten, 1st, 2nd and 3rd grade. Even after this expansion, BCS still expects to have more in-district applicants than it is able to accommodate based upon current expressions of meaningful interest persons and the number of prior year applicants.

Furthermore, as prior years have shown, there is a continual move towards a higher percentage of in-District students, as more out-of-district students graduate and are replaced by in-District students under the enrollment provisions of BCS's charter. This is clearly visible in Exhibit 1. Therefore, even if BCS were not growing in terms of overall size, the number of in-District students would be increasing, thereby increasing the amount of space required to serve those students in reasonably equivalent facilities.

The following table is a list of BCS's projected in-District classroom-based ADA by grade level (BCS is not forecasting additional non-classroom based ADA) and the school in the District the pupils would otherwise attend:

Projected In-District Student Count by LASD Attendance Boundary Grades K-8th

2013-14 Grade	K	1	2	3	4	5	6	7	8	TOTAL
Almond	11	8	16	8	11	11	16			81
Covington	8	11	9	6	11	7	7			59
Gardner	27	38	24	25	26	22	21			183
Loyola	13	8	8	19	5	9	5			67
Oak	2	2	1	3	7	1	5			21
Santa Rita	12	9	15	12	9	15	12			84
Springer	7	4	7	7	6	9	7			47
Blach								15	10	25
Egan								30	18	48
In-District	80	80	80	80	75	74	73	45	28	615

For purposes of the table above BCS has assumed new in-District students would otherwise attend District schools roughly according to overall distribution of the in-District schools represented among present and presumably returning in-District students. For the incoming Kindergarten students, the numbers are extrapolations of the average Kindergarten through 2nd grade enrollment over the prior three years; although, BCS receives applicants for Kindergarteners from all over the district.

Methodology Used In Making ADA Projection:

The methodology used to develop our projection of the number of in-District students meaningfully interested in attending BCS for the 2013-14 school year is explained in the following

paragraphs. The data used in developing this forecast is identified and documented below and attached in the exhibits to this Facilities Request.

BCS's projection of the number of in-District students meaningfully interested in attending BCS for the 2013-14 school year is based in part on BCS's actual present enrollment for the 2012-2013 school year (the fiscal year prior to the 2013-2014 fiscal year for which the facilities request is made), adjusted for expected changes in enrollment in the forthcoming fiscal year. Specifically, the projection reflects a continual matriculation of in-district students advancing to the next grade level. The forecast reflects BCS's present operation as a K-8 program, which a majority of our students will complete. BCS has historically experienced very high return rates at all grade levels. In addition, we have historically successfully replaced those few students who have not returned from our wait list or through open enrollment. Accordingly the projection does not incorporate a reduction in the number of students matriculating from one grade to the next as we anticipate any attrition will be filled with "in-district" students.

The matriculation of our present three 5th grade classes results in an effective increase in 6th grade classes from two in the present 2012-13 school year to three in the forecast 2013-14 school year. Likewise, the matriculation of our present two 7th grade classes results in an effective increase in 8th grade classes from one in the present 2012-13 school year to two in the forecast 2013-14 school year.

Consistent with prior years, BCS also expects new "in-district" students will enter BCS in the 2013-14 school year to fill 1) three existing kindergarten classes; and 2) approximately 12 additional seats over the three 4th grade classes reflecting the growth in class size from approximately 21 students per class in 3rd grade to approximately 25 students per class in 4th grade.

For BCS's expansion of an additional strand of K-3, BCS bases its projections of additional "in District" students on a variety of factors, including but not limited to 1) siblings of current in-district students previously unable to get into BCS; 2) documentation from new "in-district" students indicating they are "meaningfully interested" in attending BCS for 2013-14; 3) BCS's retention of students year after year; 4) historical enrollment application completion; and 5) the acceptance rate of enrollment via the lottery. Accordingly, BCS expects that all new additional students in the expansion strand of classes will be "in-district students."

BCS has also received affirmative statements from in-district students and families (who had submitted applications to attend BCS in the 2012-13 school year, but were not selected for admission during the lottery) that they are meaningfully interested in having their child or children attend BCS for the 2013-14 school year if the opportunity presents itself. BCS has received such statements of meaningful interest for 2013-14.⁴

Thus, BCS's projection of an additional strand of K-3 classes is based in part on a fraction of the number of in-district students meaningfully interested in attending BCS among siblings of present BCS students and in-district students who have previously applied but do not presently attend BCS.

⁴ See Declaration of Wanny Hersey, attached hereto as Exhibit 5 and incorporated herein specifying, by prospective student number, those new "in-District" students "meaningfully interested" in attending BCS for the 2013-14 school year.

Accordingly, BCS projects 127 new students for a total of 644 total students of which 615 are "in-district." This represents 96.5% in-district enrollment at BCS.

Below is a table showing BCS's present enrollment and BCS's projected enrollment for the 2013-2014 year:

Overall Projected In-District Student Counts Compared to Previous Year

Same Grade Comparison						
Grade Level	2012-2013		2013-2014			
	Total Current Student Count	In-District Student Count	Total Student Count	In-District Student Count	Total Difference	In-District Difference
K	60	60	80	80	20	20
1	60	60	80	80	20	20
2	63	62	80	80	17	18
3	63	63	81	80	18	17
4	75	74	75	75	0	1
5	75	73	75	74	0	1
6	48	43	75	73	27	30
7	48	28	50	45	2	17
8	25	12	48	28	23	16
TOTAL	517	475	644	615	127	140

BCS's projections for the 2013-14 year moves students from their current grade to the next grade. So for example, this year's 73 in-District 5th graders become 73 in-District 6th graders. BCS has used present enrollment as one basis for the number of meaningfully-interested students for the 2013-14 school year by grade and which school districts and school attendance areas they may come from. In the past, BCS has experienced a very high return rate

There will be an additional 8th grade class, i.e., a total of two 8th grade classes, to accommodate two classes of returning 7th graders. This forecast also contemplates the addition of one more 6th grade class for a total of three 6th grade classes to accommodate the present three 5th grade classes. This addition is a continuation of the current BCS program to expand the school to have three classes in each grade. The forecast reflects BCS's present operation as a K-8 program which a majority of our students will complete.

BCS assumes it will be successful in recruiting and enrolling additional in-District students for its incoming kindergarten in 2013-14 and for the new strand of K-3 classes, and to replace students who choose not to return to BCS. Since its inception, BCS has established itself as one of the top elementary schools in the state; it is a California Distinguished School with an API score of 994; BCS is ranked one of the top 10 schools in the State of California based on API scores; and is the highest scoring school within the LASD attendance boundary area. Based on logic, reason, and experience, BCS assumes it will be at least as successful in recruitment for the 2013-14 school year

as BCS has in past years as an established school with a strong track record. The in-district enrollment at BCS has increased steadily since the school opened. BCS had 306 in-district students in 2009-2010, 378 in 2010-2011, 433 in 2011-2012, and 475 in 2012-2013. Following BCS's 2012 lottery, BCS had over 250 in-district students on its waitlist.

BCS's projection of the number of in-District students meaningfully interested in attending BCS for kindergarten is based on our enrollment experience for BCS's kindergarten classes for previous years.

- During the 2009-10 school year, BCS enrolled approximately 57 kindergarten students from in-District addresses, with a total enrollment of approximately 57 kindergarten students, or 100% in-District students.
- During the 2010-11 school year, BCS enrolled approximately 60 kindergarten students from in-District addresses, with a total enrollment of approximately 60 kindergarten students, or 100% in-District students.
- During the 2011-12 school year, BCS enrolled approximately 60 kindergarten students from in-District addresses, with a total enrollment of approximately 60 kindergarten students, or 100% in-District students.
- During the 2012-13 school year, BCS enrolled approximately 60 kindergarten students from in-District addresses, with a total enrollment of approximately 60 kindergarten students, or 100% in-District students.

In all of these years the number of kindergarten students enrolled was significantly limited by the number of openings BCS was able to make available, with in-District demand to attend kindergarten at BCS far exceeding the supply of available openings.

Through the 2012-13 open enrollment period BCS received over 728 applications. Subsequent to the open enrollment BCS continued to accept registrations for its wait list; eventually these applications totaled nearly 789, resulting in the acceptance of 119 new students.

After the 2012 lottery, there were 189 children on the waitlist for kindergarten. Of these 189 students, 89 reside within Los Altos School District; the remaining reside out-of-district. There were also 181 students on the waitlist for grades 1 and 2, of whom 103 reside within Los Altos School district. In each case, applications identify students' place of residence by providing multiple proofs of residency, including utility bills, lease or deed, and DMV or voter registration.

BCS recognizes (and hopes the District does as well) the demand for BCS's high quality educational program within the Los Altos School District community and the frustration of parents unable to enroll their children because of limited space. Based on logic, reason, and experience, BCS projects that it will have no trouble attracting at least 80 in-District kindergarten students included in our forecast.

BCS has 63 third graders presently enrolled, and just like in previous years, BCS will expand 4th grade with approximately 12 seats. BCS expects all 12 seats will be filled with in-District applicants. In 2012-2013, BCS had 30 in-District applications for the 12 expansion seats in 4th grade, and BCS enrolled 12 additional students to 4th grade, all with in-District students. With ever increasing in-District applicants, BCS anticipates no difficulty in filling the additional 4th grade

seats with in-District students. In the past several years, BCS has filled all 4th grade expansion seats with "in-district" students.

BCS's projection of the number of in-District students meaningfully interested in attending BCS for 7th grade and 8th grade is based in part on the following factors. First, BCS presently operates as a full K-8 program, which BCS expects the majority of students to complete. In its first year of operation, BCS's middle school scored an API of 1,000, and BCS expects student interest in the 7th and 8th grades to be strong.

The determination of which of the projected students would otherwise attend District schools (and are therefore "in-District students") is based in part on our present enrollment, using the residence addresses provided by those students with the Santa Clara County Office of Education's (SCCOE's) School District Locator at <http://www.sccoe.org/resourcesfamilies/districtlocator/>.

The determination of which District school projected in-District students would otherwise attend is based in part on our present enrollment, using their residence addresses and the District's "2008-9 Attendance Boundaries Adopted 6/18/07" provided at [http://www.loaltos.k12.ca.us/schools/PDF Files/Adopted attendance boundaries 6 18 07.pdf](http://www.loaltos.k12.ca.us/schools/PDF%20Files/Adopted%20attendance%20boundaries%206%2018%2007.pdf)

BCS anticipates that all BCS students will be in-classroom, and have reflected that assumption in our projection.

Supporting Documentation

To document BCS's present enrollment, BCS is providing a copy of BCS's PowerSchool Report for 2012-13 Enrollment Summary as of November 1, 2012 as Exhibit 2, showing the number of students attending BCS in each grade. BCS also provides as Exhibit 3 a copy of BCS's most recent P-2 form, for the 2011-2012 school year, documenting BCS's total and classroom-based ADA in that year. Provided as Exhibit 4 is a Declaration of Wanny Hersey, Superintendent/Principal of BCS, stating the number of students presently attending BCS in each grade; that each student has provided his or her residence address and satisfactory proof of residence pursuant to Charter School policy; and that Charter School staff has verified the school district and elementary school in which each address lies using the SCCOE's School District Locator and the District Boundary map, where applicable. For the incoming 7th and 8th graders, Ms. Hersey's declaration identifies the LASD middle school (Egan or Blach) that student would attend if not attending BCS.

BCS's enrollment projection is also based in part on a high rate of returning students. Exhibit 4 includes a description of BCS's experience in terms of rate of returning students and Ms. Hersey's expectations for returning students for the 2013-14 school year.

BCS's enrollment projection is also based in part on students who have previously applied to BCS but have not been admitted, and who are meaningfully interested in attending BCS during the 2013-14 school year. Exhibit 5 is a Declaration of Wanny Hersey, Superintendent/Principal of BCS, stating the number of in-district students who have applied to BCS and have not been admitted, but who have expressed their meaningful interest in attending BCS for the 2013-14 school year. Exhibit 5 also includes the number of such students who would attend 1st, 2nd, and 3rd

grades. Furthermore the declaration of Ms. Hersey states the prospective student number of the new "in-district" students "meaningfully interested" in attending BCS for 2013-14 prior to the enrollment period, which grade they are applying for, and the LASD school they would otherwise attend. These "meaningfully interested" students provided the required documentation to support their proof of residency.

BCS's enrollment projection is also based in part on successful recruiting and enrollment. Pursuant to the BCS Recruitment and Registration Plan which is a part of the Memorandum of Understanding between BCS and the Santa Clara County Office of Education, BCS will hold one or more open enrollment periods for the 2013-14 school year prior to the first day of instruction. BCS has not yet begun enrolling students for the 2013-14 school year and has not yet conducted any open enrollment periods for that academic year. To document successful recruiting and enrollment for BCS, Exhibit 5 also includes Wanny Hersey's description of BCS's enrollment history and experience, as well as her expectation of continued interest in BCS, and BCS's rationale.

Operational Calendar

BCS has not yet adopted its full instructional calendar for the 2013-14 school year. BCS's regular school hours for all grades will be between the hours of 8:00 AM and 4:45 PM and have provisionally determined that the first day of school will be Tuesday, August 20, 2013, and the last day of school will be Friday, June 14, 2014. BCS also may make use of its site throughout the summer for various purposes directly related to its educational program, such as teacher training and possible special programs for K-8 students.

In addition to our standard school day from 8:00 a.m. to 4:45 weekdays, we BCS anticipates an extended day on September 20, 2013 until 8 pm. BCS also anticipate using the site and facilities on October 12, 2013 from 8 am till 5 pm. These dates are provisional.

Title 5 CCR Section 11969.9(j) requires the School District to ensure that a furnished and equipped facility meeting the requirement of Proposition 39 be made available to BCS no less than ten (10) working days prior to BCS's first day of instruction. As you know, the District facilities allocated to BCS for the present school year were made available to BCS on an uninterrupted basis following the June 30, 2012, expiration of the prior year's Facilities Use Agreement, and BCS used the site prior to the commencement of instruction for the present school year. BCS would like to continue the practice of having access to allocated facilities from July 1, 2013, with any physical site changes needed to implement the facilities allocation as early as possible during the summer. BCS's provisional operational calendar is attached as Exhibit 6.

Educational Program

Title 5 CCR Section 11969.9(c)(1)(F) requires the facilities request to provide information regarding BCS's educational program that is relevant to the assignment of District facilities to BCS.

BCS's educational program is based on a K-8 school, pursuant to our charter, on a single, contiguous campus. BCS's educational program has many elements that cross grade levels, including elective co-curricular and extra-curricular courses, "houses" that include activities by all grades, and student mentoring. As an innovative K-8 school offering a variety of programs such as

co-curriculars, extra-curriculars, intramurals, intersessions and cross-curriculum pedagogy, BCS must leverage its resources; so, for example, single-subject credentialed instructors at middle school grade levels may also serve as specialists for students in lower grades. A contiguous site for all grade levels served is a fundamental facility requirement for successful implementation of our educational program.

Another key element of BCS's educational program involves performing arts and music. BCS believes that performing arts is a critical part of educating "the whole child." BCS typically performs numerous large theatrical productions with numerous additional musical productions each year. Accordingly, a performing arts center/facility is crucial to its program. Many of the BCS's co-curricular and extra-curricular classes are music, dance, or theatre offerings.

Another component of BCS's educational program is organized physical education as an integral part of the curriculum. To implement this part of the curriculum the facility allocated to BCS must have reasonably equivalent outdoor playground space and playing field areas to permit games and other features of the physical education curriculum. Furthermore, for BCS's middle school P.E. program, a gymnasium, tennis courts, track, as well as locker room facilities are required to meet the curriculum requirements. The District's students at Egan and Blach enjoy such facilities; hence BCS's middle school students should have access to such facilities to equalize their treatment under the law.

BCS acknowledges that as a K-8 school BCS has a different grade configuration than any of the schools currently operated by the District. The regulations limit the District's obligation to pay for modifications to a reasonably equivalent existing K-6 site needed to accommodate BCS's entire K-8 program on a single contiguous site, but anticipate that the charter school may make reasonable facility modifications by mutual agreement with the District at the charter school's own expense. Of course, it is possible that if the parties cannot agree on appropriate modifications, the District may be obligated under the law to provide access to certain facilities at its junior high campuses to BCS middle school students.

As a public school serving primarily students from the Los Altos School District, BCS has many facility needs that are comparable to the needs met by the facilities the District makes available to students attending Los Altos School District-operated schools.

Provision of Facilities:

Comparison Group Analysis For all Grade Levels

The District must perform a comparison group analysis for all grade levels projected by BCS. The District has previously stated that such an analysis may not be required where, as here, the grade configuration of the charter school differs from that of district-run schools. This view is incorrect. Since the District serves grades K-6 students on certain campuses and grades 7-8 students on other campuses, it must form a comparison group with two subsets. The first, consisting of the K-6 schools feeding into Los Altos High, must be analyzed to determine the site size and facilities the District must allocate to BCS (and/or provide access to) based upon the number of in-District BCS K-6 students. The second, consisting of middle schools feeding into Los

Altos High, must be analyzed to determine the additional site acreage and facilities the District must provide based upon the number of in-District middle school students at BCS.

"In such a situation [where District grade configurations differ from that of the charter school], the comparison group includes all of the district-operated schools serving any of the grade levels served by the charter school." *California School Boards Association v. State Bd. Of Educ.* (2010) 191 Cal. App. 4th 530, 551. "The facilities provided must still meet the requirements of reasonable equivalency based on a comparison with the district's schools that have grade levels similar to the charter school.... *Id.* at 552. Accordingly, as the District operates schools that serve each of grade levels K through 8, the District is strictly required to perform a legally sufficient comparison group analysis for all grade levels projected by BCS, and provide BCS with reasonably equivalent facilities for all its students relative to their District peers, even though BCS's grade configuration is not contained in any single District school.

The District Must Count All the Space at the Comparison Group Schools in its Reasonable Equivalency Analysis

The District must count ALL the space at the comparison group schools. As the Court in *Bullis Charter School v. Los Altos School District et al.*, H035195, states in finding the District past failure to count all the space to be in violation of the law, "[A] school district does not have the discretion to employ practices that are contrary to the very intent of Proposition 39..."

The Appeal Court further explained that:

"Allowing a school district to allocate only some portion of non-classroom space to a charter school based upon an evaluation of limited areas of the comparison group schools would be contrary to the intent of the voters adopting Proposition 39 that school district facilities be 'shared fairly' among all public school pupils. (§ 46714, subd. (a).)

"In making its facilities offer, the school district must make a good faith effort to consider and accurately measure all of the facilities of the comparison group schools and accurately describe the facilities offered to the charter school. It is only through such an approach that one can determine whether "reasonably equivalent" facilities have been offered by the school district.

"The regulation clearly denotes that the term means "all of the space that is not identified as teaching station space or specialized classroom space." (Reg. 11969.3, subd. (b)(3), italics added.) As such, the regulation defines the term as all space other than space having the two other classifications delineated in subdivision (b) of regulation 11969.3. "The District contends that in the case of non-classroom facilities, it need only consider those that are common to each of the schools in the comparison group.... There is no support in the regulations for this viewpoint.... This common usage approach could lead to—as has occurred here—the exclusion of a substantial amount of non-teaching station space from the analysis, to the potential detriment of the charter school."

Exhibit 7 provides actual total building space, total site size, and total student count⁵ at the comparison group schools with numerically equivalent values extrapolated to BCS on a per in-

⁵ Exhibit 7 student counts at the comparison group schools are taken from LASD Student Counts for 2012-13 provided by LASD based on the October 5, 2012 Enrollment Report.

District student basis. Exhibit 7 indicates that on this basis, equivalent total building space for BCS students would be approximately 58,092 sq./ft., inclusive of classroom space and specialized teaching space. On the same basis, equivalent total site size for BCS students would be 13.79 acres. As a point of information, the total building space presently provided by the District at the Egan Camp Site is approximately 33,600 square feet and the total site size is approximately 7.45 acres.

Exhibit 7 is not intended as a full reasonable equivalence analysis. Rather it represents a yardstick or benchmark against which a reasonable equivalence analysis, that counts all the space as required by Prop 39 and confirmed by the Court of Appeal, should be compared for reasonableness.

School Site Size Must be Considered

"School site size" is a factor considered in determining whether a site is reasonably equivalent. *Ridgecrest Charter School v. Sierra Sands Unified School District* (2005) 130 Cal. App.4th 986, 1001. "Moreover, the failure of the District to consider the overall site size of the comparison group schools in determining the appropriate site size BCS's in-District students should receive under Proposition 39 violated regulation 11969.3, subdivision (c)(1)(A)." *Bullis Charter School v. Los Altos School District et al.*, (2010) 200 Cal. App. 4th 1022,

Title 5 CCR Section 11969.3(b) divides school sites into three (and only three) categories of space and facilities on school campuses; teaching stations (classrooms), specialized classroom space (a subset of teaching station space), and non-teaching station space. That these three categories, taken together, must account for all the space on a school site is made clear by the fact that the only definition of non-teaching space provided is that it "is all of the space that is not identified as teaching station space or specialized classroom space and includes, but is not limited to, administrative space, kitchen, multipurpose room, and play area space." 5 CCR 11969.3(b)(3). By counting all the space at comparison school sites and accounting for it in one of the three categories above, the analysis will be harmonized with the requirement to consider total site size.

The Court of Appeal Opinion states, "The District argues that because 'school site size' is listed under 'Condition,' and not 'Capacity,' 'school site size' is a qualitative, not a quantitative, requirement. As such, it is incapable of being enforced through [mandamus]. We disagree. Regardless of where it is mentioned in the regulation, it is plainly a requirement that the District consider site size in its Proposition 39 analysis."

Standard Room Sizes' is Arbitrary and Improper

BCS notes that in the last four facilities offer cycles, the District has apparently used self-defined "standard room sizes" in place of considering the actual size of facilities on the comparison campuses in its reasonable equivalency analysis. The statute and implementing regulations do not support this position, as expressly stated by the Court of Appeal: "The District's approach of assigning arbitrary "standard" room size figures to particular specialized classroom space is improper."

Both 5 CCR Section 11969.3(b)(2) and (b)(3) were amended recently to make the requirement to base the District analysis on actual space at comparison sites clearer. Both subsections added a requirement that space provided shall be determined by, among other factors, the per-student amount of specialized classroom space and non-teaching station space "in the

comparison group schools." In discussing the reason for adding the per-student amount factor, the California Department of Education stated in its Initial Statement of Reasons at page 5 that, "[t]his factor, which emerged from input received in the workgroup process, provides an important tie back to the comparison group schools concept." Any attempt by the District to not use the actual facilities on the comparison sites (including their actual approximate size) to determine reasonably equivalent facilities for BCS is a failure to comply with the specific language of the Implementing Regulations.

District Must Pro-Rate Facilities Subject to Space-Sharing Arrangements in its Reasonable Equivalence Analysis

The Court of Appeal stated: "The District's methodology of ignoring space-sharing arrangements offered to Bullis in performing the reasonable equivalence analysis is the antithesis of a school district's Proposition 39 obligation 'to give the same degree of consideration to the needs of charter school students as it does to the students in district-run schools.' (*Ridgecrest*, supra, 130 Cal.App.4th at p. 999, fn. omitted.)" Where under the facts of the case, "The un rebutted evidence... was that Bullis could only use the field during school hours on two out of five school days, and that none of the comparison group schools was required to share turf areas," the court concluded that "the District should have allocated only 40 percent of the soccer field in calculating the amount of turf area provided to Bullis."

District May Not Use Space Provided by BCS to Offset Its Facilities Obligation

Any facilities owned, furnished, and equipped by the charter school, such as the BCS multipurpose room, may not be included as facilities provided by the District in satisfaction of its Proposition 39 obligations. This is confirmed by the Court of Appeal, which states, "Therefore, we agree with Bullis that a school district may not include non-district facilities in its Proposition 39 analysis." In other words, the District must provide sufficient District facilities such that, assuming no BCS owned or other facilities existed, the District facilities taken alone would be reasonably equivalent to facilities at the comparison group schools.

Types of Space

Teaching Station Space

BCS requires dedicated teaching spaces sufficient to accommodate its in-District students in conditions reasonably equivalent to those of other District schools, including classroom loading. Title 5 CCR Section 11969.3(b)(1) states, in part:

"Facilities made available by a school district to a charter school shall be provided in the same ratio of teaching stations to ADA as those provided to students in the school district attending comparison group schools."

It is clear from this language that a "teaching station" (or classroom) is non-divisible and that fractions of teaching stations cannot be combined to make additional teaching stations.

Further, BCS maintains a policy of satisfying class size reduction standards in lower elementary grades. BCS requires sufficient teaching stations to take advantage of this revenue opportunity.

BCS requires teaching stations sufficient to support the class configuration in-District students attending ECS would experience at District schools. There are no combined-grade classes in the District, and BCS is aware that the District has gone so far as to have classes as small as 11 students to avoid combination classes. Thus District students would not experience combined-grade configurations at District schools, and to provide reasonably equivalent conditions satisfying the requirements of Proposition 39, BCS requires teaching stations sufficient to avoid forcing combined-grade class configurations. Again, as the District has no combination classes, any attempt by the District to combine BCS's grade levels to diminish the teaching stations required to BCS would result in conditions that are not reasonably equivalent to the comparison schools.

Assuming no significant change in District school teaching stations and classroom loading, and BCS's enrollment forecast herein, BCS is entitled to no fewer than three kindergarten classrooms⁸ and 24 grade-level classrooms to accommodate in-District students. The following table reflects BCS projected ADA by grade, and the number of teaching stations to ADA by grade, averaged across the comparison group schools, and the resulting teaching stations required for BCS (all per CCR 11969.3(b)(1)). The final column represents the minimum number of teaching stations required to ensure the same ratio of teaching stations to ADA for charter school students as provided to students attending the comparison schools, as expressly required by 5 CCR Section 11969.3(b)(1).

At present, the District has provided 19 teaching stations (2 kindergarten and 17 1st-8th grade classrooms). The table below shows the District will be required to provide BCS with 27 teaching stations, or an additional 8 teaching stations, to comply with 5 CCR Section 11969.3(b)(1).

⁸ BCS is projecting four kindergarten classes. (Currently there are three Kindergarten classes. On Monday through Thursdays there are two morning classes and an afternoon class occupying the two kindergarten classrooms., and on Fridays, all three classes attend an extended day simultaneously, as has been the case since the inception of BCS.) In 2013-14 all four kindergarten classes will meet at the same time on Fridays for an extended day. Currently the District has no more than three kindergarten classes at any of its schools and every district school has two kindergarten classrooms. If the District decides to add Kindergarten classrooms at its comparison schools, BCS will be entitled to more than three kindergarten classrooms.

Minimum Teaching Stations Required Based on Current Comparison School Class Loading

Grade Level	Comparison Group Students	Teaching Stations	Teaching Stations Per Student	BCS In-District Students	D x E	Minimum Teaching Stations
	A	B	C	D	E	F
K	379	12	0.032	80	2.53	3
1	410	19	0.046	80	3.71	4
2	440	19	0.043	80	3.45	4
3	434	18	0.041	80	3.32	4
4	421	17	0.040	75	3.03	3
5	439	16	0.036	74	2.70	3
6	437	16	0.037	73	2.67	3
7	495	15	0.030	45	1.36	2
8	480	15	0.031	28	0.88	1
Total						27

(Student counts and classes information provided by LASD based on the November 1, 2012 Enrollment Report)

Specialized Classroom Space

As the District provides specialized classroom space at the comparison group schools, BCS requires that a reasonably equivalent portion of its indoor space be furnished and equipped as such space based on the grade levels of BCS's in-District students, BCS's total in-District ADA, and the per-student amount of specialized classroom space provided by the District at the comparison group schools.

Title 5 CCR Section 11969.3(b)(2) states, in part:

"If the school district includes specialized classroom space, such as science laboratories, in its classroom inventory, the space allocation provided pursuant to paragraph (1) of subdivision (b) shall include a share of specialized classroom space and/or a provision for access to reasonably equivalent specialized classroom space. The amount of specialized classroom space allocated and/or the access to specialized classroom space provided shall be determined based on three factors: (A) the grade levels of the charter school's in-District students, (B) the charter school's total in-District classroom ADA, and (C) the per-student amount of specialized classroom space in the comparison group schools"

Specialized¹⁰ classroom space allocated to BCS students must be suitable to serve the same sorts of functions as the District makes available to students at the comparison group schools. These functions may include but are not limited to the following:

- computer lab
- dedicated room for math instruction
- dedicated room for art instruction
- dedicated room for science instruction & lab equipment
- dedicated room for music instruction
- library
- dedicated speech and language room
- dedicated ELL room
- resource specialist room
- small group instruction room(s)

For the 7th and 8th grades the functions the District makes available to students at the comparison group schools may also include but are not limited to:

- technology and video production facilities (including equipment & software)
- music and practice rooms/studio
- home economics room
- science labs
- drama room
- project room
- woodworking facilities

The District may choose alternatively to provide access to certain existing District specialized classroom space in an equitable and legally compliant manner. Sharing certain specialized classroom (or non-teaching station) facilities in a legally compliant manner could save the District considerable expense. However, any restrictions on BCS access to such facilities, including sharing arrangements imposed, must still result in the allowed usage being reasonably equivalent to the usage offered to comparison group students. If the District is contemplating such sharing arrangements, it is required to negotiate in good faith with BCS to “establish time allocations and schedules so that educational programs of the charter school and the school district are least disrupted.” 5 CCR Section 11969.3(b)(3). It is also required to detail them in specificity in the final offer, so such proposed sharing must be negotiated with BCS prior to the issuance of the final offer.

Non-Teaching Station Space

Non-teaching station space is all of the space that is not identified as teaching station space or specialized teaching station space. 5 CCR Section 11969.3(b)(3). Non-teaching station space consists of both building space and outdoor space.

¹⁰ All examples in this Facilities Request are not intended in any way to limit what the charter school is entitled to under the law.

BCS is entitled to non-teaching station space commensurate with the total in-District ADA of BCS, and the per-student amount of such space (i.e. non-teaching space) provided by the District at the comparison group schools.

Title 5 CCR Section 11969.3(b)(3) states, in part:

"The school district shall allocate and/or provide access to non-teaching station space commensurate with the in-District classroom ADA of the charter school and the per-student amount of non-teaching station space in the comparison group schools."

BCS does not claim it is entitled to every single type of non-teaching facility on any comparison school campus, but it is entitled to a reasonably equivalent amount of total building and outdoor non-teaching space, to be configured, furnished and equipped by the District in a reasonably equivalent manner to what is offered at the comparison group schools. These functions for which furniture and equipment must be provided to BCS's in-district students include but are not limited to the following indoor facilities¹¹:

- principal and secretary's office with reception area and conference room
- nurse's office
- psychologist's office
- CHAC representative office
- PTA room
- dedicated teachers' workroom
- kindergarten teachers' workroom
- dedicated teacher's lunchroom with kitchen facilities
- food service and preparation area with kitchen facilities and hot water for sanitation (including microwave ovens for middle school use)
- custodial room
- storage
- PE equipment storage
- dedicated room for before- and after-school child care services
- multipurpose room with stage suitable for assemblies and student performances
- Computer and Electronic Equipment Room

For the 7th and 8th grades the functions the District makes available to students at the comparison group schools also include in addition to the foregoing, but are not limited to:

- student store
- study room
- locker rooms and dedicated middle school restrooms
- gymnasiums (Egan has access to two gymnasiums)
- teachers' science preparation rooms

¹¹ All examples in this Facilities Request are not intended in any way to limit what the charter school is entitled to under the law.

In addition, BCS is entitled to outdoor non-teaching station space. This outdoor space should be furnished and equipped to serve functions the District makes available to students at the comparison group schools. These functions include but are not limited to the following:

- main playground including blacktop and turf areas
- separate kindergarten playground
- parking lot and drop-off area
- outdoor meeting areas around classrooms
- classroom & school garden areas
- outdoor amphitheater
- outdoor hardscape lunch area
- garbage enclosure

For the 7th and 8th grade students, the functions for outdoor non-teaching space the District makes available to students at the comparison group schools also include in addition to the foregoing, but are not limited to:

- tennis court
- track
- outdoor exercise equipment

As discussed earlier with regard to specialized classroom space, the regulations permit the District to include in its allocation of non-teaching space facilities that would be shared with District programs. As noted above, under CCR11969.7(c) the portion of the shared space to be included in "space allocated by the school district to the charter school" must be calculated reflecting space-sharing arrangements. Again, if the District is contemplating such sharing arrangements, it is required to negotiate in good faith with BCS to "establish time allocations and schedules so that educational programs of the charter school and the school district are least disrupted." 5 CCR Section 11969.3(b)(3). It is also required to detail them in specificity in the Final Offer, so such proposed sharing must be negotiated with BCS prior to the issuance of the Final Offer.

As BCS has indicated in the past, BCS requires use of its site and facilities, including fields and parking lot, for its entire school day, the hours of which need not, and do not, always match those of District schools. BCS hours for its middle school programs will start as early as 8 AM and run until as late as 4:45 PM on regular school days. BCS must have the ability to control access of all people on BCS's site and facilities to ensure the safety of all students. Please keep in mind that any space not provided for exclusive use for a charter school's entire school day must be considered shared space, and the proposed sharing arrangements specified accordingly in the facilities offer. Therefore, please make certain to specify any such arrangements for any of the space offered between the hours of 8 AM and 4:45 PM in the District's Preliminary Offer so that these conditions can be discussed prior to a final offer from the District. Any space subject to shared use prior to the end of BCS regular hours must be pro-rated to account for the restrictions in comparing such space to exclusive use space at comparison school sites.

Furnishing and Equipping of Space Allocated to BCS

Since Proposition 39 is an annual process, each year the District must perform a new analysis to ensure that all the facilities it offers to BCS, including those offered in prior years, are reasonably equivalent to those of the comparison school group. The District is required to furnish and equip *all* BCS classrooms, specialized classroom space, and non-teaching station space in a legally compliant manner, not just the incremental space offered for the new school year.

Implementing Regulation 11969.2(e) states a two part test that the District must satisfy:

- (1) The District must provide the furnishings and equipment “necessary to conduct classroom instruction **and to provide for student services that directly support classroom instruction** as found in the comparison group schools...” (emphasis added), and;
- (2) The District must provide furnishings and equipment that is at least reasonably equivalent to the amount and quality of furnishings and equipment provided to the average comparison school.

The first part of this test will require additional (and perhaps duplicative) furnishings and equipment for BCS, and/or access thereto, if BCS is housed on more than one (non-adjacent) school site, since each site will independently need the furnishings and equipment required to meet that standard. Thus, for example, whereas a single school site may only need a single administrative office, nursing station, etc., multiple non-adjacent sites will each need their own such facilities, properly furnished and equipped, to support classroom instruction in a manner reasonably equivalent to the support at the comparison schools.

As an initial step the District must provide BCS as part of its Proposition 39 analysis a comprehensive inventory of the furnishings and equipment available at each of the comparison group schools. To the extent the District claims such furnishings and equipment were “acquired for a school site with non-district resources,” the District must provide evidence thereof. Only by being provided such documentation may BCS or a third party make an independent evaluation of whether the District has offered the furnishings and equipment it is obligated to provide under the law. We look forward to receiving such an analysis no later than with the preliminary offer of facilities.

Section 11969.2(e) defines equipment as “property that does not lose its identity when removed from its location and is not changed materially or consumed immediately (e.g., within one year) by use....Examples include furniture, vehicles, machinery, motion picture films, videotape, furnishings that are not an integral part of the building or building system, and certain intangible assets, such as major software programs.” Additional examples include “office desks, chairs, telephones, copiers, computers, internet access, etc.”¹² If such equipment and/or furnishings are available for use by comparison schools and have not been donated in-kind, then BCS is entitled to a reasonably equivalent share of such equipment and/or furnishings sufficient to fully support the configuration of school facilities the District has offered.

¹² *California School Boards Association v. State Bd. Of Educ.* (2010) 191 Cal. App. 4th 530, 557.

The District must also comply with DSA and other requirements to assure that BCS facilities are furnished and equipped in a manner that allows BCS students to legally and safely use the space like District students at comparison schools can use their facilities. For example, should LASD decide not to provide BCS 8th graders with access to existing middle school chemistry labs on a shared use basis, LASD must provide BCS with a lab allowing BCS 8th graders to use chemicals for its chemistry curriculum, thereby requiring any building space at BCS to also comply with building code requirements including but not limited fire proof walls, sprinkler systems, safety equipment, ventilation and other code requirements deemed necessary to allow safe and legal use of the space as intended. The same considerations apply to woodworking shop and other facilities.

The District should provide both a complete inventory of its furnishings and equipment and a detailed description of how it plans to furnish and equip the facilities it offers in its preliminary offer of facilities so that BCS has an opportunity to raise any concerns or objections prior to the issuance of the District's final offer of facilities.

Educational Design

The District adopted an Educational Design Specification as outlined in the LASD Facilities Master Plan dated June 1, 1998, as part of the modernization plan (remodeling and improvements) of all its campuses. This Educational Design Specification describes how the District intends to meet the California Department of Education facilities guidelines at each of its campuses. The facilities offered to the public charter school students should be comparable to the comparison school sites, all of which have been modernized and improved under these guidelines. Accordingly, the BCS students should receive facilities with comparable modernized and improved facilities, as the other district students enjoy.

Facility Location Preference:

Title 5 CCR Section 11969.9(c)(1)(E) requires the facilities request to provide information regarding the district school site and/or geographic area where BCS wishes to be located, and Education Code Section 47614(b) requires the District to "make reasonable efforts" to accommodate the charter school's location preferences. BCS's preference is to be relocated to the Covington site, with exclusive use of approximately 14 acres of said site during the entire BCS school day), as BCS will be the largest school in the district. BCS is entitled, under Prop 39, its implementing regulations and the standards set forth by the Court of Appeal, which is stare decisis, to a campus totaling over 13.79 acres (the precise amount depends on the projected District enrollment for next year) with sufficient room to accommodate the required classrooms, specialized teaching space, and non-teaching space, for which Covington is best suited.

It is critical for the success of BCS's educational program, as described above, and in the best interests of the in-District students attending BCS, that the entire BCS K-8 program be located on a single contiguous site. All of the comparison schools are housed on single contiguous school sites. Proposition 39 also states that charter school facilities shall be contiguous. Ed. Code Section 47614(b). BCS also believes it will cause less disruption within the District over both the short term and the longer term, both to District students and BCS students, to house BCS on a contiguous exclusive use site.

Covington is not only the largest elementary school site, it also was previously a middle school site. Its larger site size and physical layout of facilities make it a better choice to accommodate the entire BCS K-8 program than other existing District elementary sites. Furthermore, Covington is centrally located in the District making it a logical choice since BCS students reside throughout the District territory.

BCS's educational program is based upon a close integration with the surrounding community and environmental citizenship. BCS students are presently engaged in conservation projects at Hidden Villa in Los Altos Hills which provide hands-on, experiential elements fully-integrated into the school's math and science curricula. BCS students visit Hidden Villa and preserve on an ongoing basis beginning in kindergarten and continuing through sixth grade, to build a more in-depth relationship with the environment. BCS gained national recognition for its work on a water shed project at Hidden Villa with the Siemens' "We Can Change the World Challenge". BCS students participate in an annual cleanup of the Los Altos Hills pathway system, learning lessons in math, ecology, and community service. The availability of town-owned open space in Los Altos Hills and the relationship and support of the community make BCS's programs possible. Covington is the closest District site to Hidden Villa (3.5 miles). All other District campuses are farther away.

BCS recognizes that current students at the Covington site will either need to be reassigned to another site or apply to BCS, and that some families will not be happy with these options. It is very unfortunate that the District has not planned for the inevitable need for a permanent site for BCS and the ever growing number of local residents choosing to attend BCS's program. As the District has itself noted, the District simply has not left itself with a vacant site sufficient to house BCS.

BCS is willing to discuss any ideas the LASD Board may have to ease the disruption to current Covington students, but we note that reassigning current students to other District schools to place a charter school on a contiguous site is expressly contemplated under the law. (See *Ridgecrest Charter School v. Sierra Sands Unified School District*, 130 Cal.App.4th at 1000: "Plainly then, the regulations contemplate that some disruption and relocation of the students and programs in a district may be necessary to fairly accommodate a charter school's request for facilities.")

BCS notes that both the Egan and Blach middle school sites are of course larger than Covington, and therefore also physically capable of housing a contiguous BCS K-8 if the required acreage discussed above were provided. Therefore, the District possesses at least three sites that could clearly accommodate the entire BCS K-8 program on a single site. However, BCS believes providing BCS K-8 with a contiguous site at Covington is a more stable long term solution given the declining elementary student enrollment projected by the District demographer. We also note that the District could, if needed, free up more capacity at its other elementary school sites by eventually going to a K-5, 6-8 grade configuration as it has been considering.

Finally, the Egan Camp site and the facilities offered at Blach Middle School, as currently configured, is not a legally compliant, contiguous, reasonably equivalent site currently or for the foreseeable future given the projected number of in-District students herein. Even for the 2009-10 school year, the Appeal Court stated the Egan Camp site provided just 75% or less of the "acreage appropriate for BCS's in-District students." BCS's in-District student count has grown far faster than District enrollment since then, meaning the current Egan Camp site falls short of what is legally required by a substantially wider margin. The facilities allocated to BCS at Blach remain non-compliant with DSA standards, and insufficient to accommodate BCS students in reasonably equivalent conditions. The sharing arrangement for BCS middle school students at Blach for specialized teaching space and non-teaching space are inadequate and not reasonably equivalent.

By moving BCS to Covington, the LASD students at Egan (and the numerous LASD students who are allowed intra-district transfers who would otherwise be required to attend Blach) shall once again have a large middle school campus comparable to their peers at Blach. The LASD students at Blach will not have to worry about the need to share more of their campus as well.

Providing BCS the Covington site without housing other LASD programs on that site, will avoid the disruption caused repeatedly in the past by the philosophical and pedagogical differences between our schools' programs. While BCS recognizes the Proposition 39 process is an annual one, BCS believes housing its entire K-8 program at Covington can lead to a stable multiyear solution to the benefit of the entire community.

Procedures and Timelines:

In accordance with the Implementing Regulations, the District is required to review BCS's attendance projections and to express any objections that it has about BCS's attendance projections in writing on or before December 1, 2012. BCS must respond to the District's written objections, if any, on or before January 2, 2013, and will either reaffirm or modify its projections, as it deems necessary. (5 CCR Section 11969.9(d).)

Furthermore, BCS looks forward to receiving a written preliminary facilities proposal from the District on or before February 1, 2013, as required under the Implementing Regulations. (5 CCR Section 11969.9(f).) The preliminary proposal must include, at a minimum, the following information: (1) a breakdown of the number of teaching stations (classrooms), specialized and non-classroom based space to be allocated to BCS, with an indication as to whether the space is exclusive or shared use; (2) the projections of in-District classroom ADA on which the proposal is based; (3) the specific location of the space; (4) all conditions pertaining to the space, including a draft of any proposed agreement pertaining to BCS's use of the space, (typically referred to as a facilities use agreement); (5) the projected pro rata share amount and a description of the methodology used to determine that amount; and (6) a list and description of the comparison group schools used in developing its preliminary proposal, and a description of the differences between the preliminary proposal and BCS's facilities request. BCS has made clear herein its position that all space on the comparison school sites, other than interim housing as defined in the implementing regulations, is space that must be counted for Proposition 39 purposes. Accordingly, the District's description in its preliminary offer under (6) above must include a detailed explanation of any differences between the site size, building space, and total outdoor space at the

comparison sites listed herein and the District's calculations of those numbers for purposes of determining reasonable equivalence.

BCS has until March 1, 2013, to respond to the preliminary proposal. BCS looks forward to working with the District to clarify and improve the preliminary offer as needed to provide the best possible legally compliant facilities to our students and establish a good working relationship with the District.

The Implementing Regulations Section 11969.9(h) requires the District to provide a written final notification regarding the space to be allocated to BCS prior to April 1, 2013. The final notification specifically must include, at a minimum, the following:

- (1) The teaching station, specialized classroom space, and non-teaching station space offered for the exclusive use of the charter school and the teaching station, specialized classroom space, and non-teaching station space which the charter is to be provided access on a shared basis with District operated programs, if any;
- (2) for shared space, if any, the proposed arrangements for sharing;
- (3) the in-District classroom ADA assumptions for the charter school upon which the allocation is based and, if the assumptions are different than those submitted by the charter school, a written explanation of the reasons for the differences;
- (4) the specific location of the space;
- (5) all conditions pertaining to the Charter School's use of the space;
- (6) the pro rata share amount and a description of the methodology used to determine that amount;
- (7) the payment schedule for the pro rata share amount, which shall take into account the timing of revenues from the state and from local property taxes; and
- (8) a response to BCS's concerns and/or counter-proposals, if any.

BCS notes that in each of the prior years where the District has allocated space to be shared with District programs, it has, in some past years, failed to specify proposed arrangements for sharing in either the preliminary or final offer of facilities, in direct contravention of the law. Furthermore, in the present school year, the District has failed to abide by the sharing arrangements enumerated by the District in its 2012-13 Final Offer. BCS started school on August 21, 2012. The day before, the District completely reneged on sharing, full time, one half of the Egan City Gym. Such conduct by the District disrupts BCS's programs, creates hardship on the faculty and deprives BCS students of equitable treatment.

A California Court of Appeal decision has made clear that in meeting their Proposition 39 obligation, school districts must give the same degree of consideration to the needs of charter school students as it does to the students in district run schools. The court noted that "accommodating a charter school might involve moving district-operated programs or changing attendance areas" and that providing a contiguous school facility to a charter school might require disruption and dislocation among district students, staff and programs. *Ridgecrest Charter School v. Sierra Sands Unified School District*, 130 Cal.App.4th 986 (2005). In addition, the Court concluded that a school district responding to a request for facilities must issue a statement of reasons at the time it makes its final determination that is "thorough" and "factual" enough to permit "effective review by the courts."

To: Jeff Baier
RE: 2013-2014 Proposition 39 Facilities Request
Date: November 1, 2012
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The Implementing Regulations Section 11969.9(j) requires that the space allocated to BCS by the District must be furnished, equipped, and available for occupancy by the charter school for a period of at least ten working days prior to the first day of instruction, or, for good cause, by no fewer than seven working days. 5 CCR Section 11969.9(j). BCS reiterates our agreement, per Resolution 10/11-03 jointly adopted by the District and BCS governing boards, that where the teaching station allocation of the Final Offer is revised per that resolution the District shall use its best efforts, and BCS shall cooperate, to implement the revised teaching station allocation to meet the deadlines in Section 11969.9(j). Otherwise, the Implementing Regulations provide no exceptions to the requirements of Section 11969.9(j).

Although Proposition 39 requires the District to allocate a school facility for Charter School use, BCS is amenable to discussing alternative facilities arrangements that meet both the needs of the District and BCS. Nothing in this Request for Facilities should be construed as a waiver of any rights of BCS. BCS hereby reserves any and all rights available to BCS under the law.

All communications regarding this matter should be sent to Superintendent/Principal Wanny Hersey's attention at the address below. My contact information also follows:

Wanny Hersey
Superintendent/Principal
Bullis Charter School
102 West Portola Avenue
Los Altos, CA 94022

T: 650.947.4939
F: 650.947.4989
M: 650.678.08139

E: whersey@bullischarterschool.com

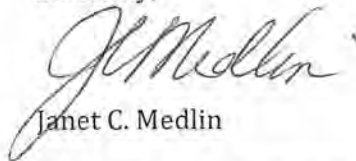
Janet Medlin
Board Member, Proposition 39 Committee
Bullis Charter School
102 West Portola Avenue
Los Altos, CA 94022

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F: 650.948.8987
M: 650.799-2444

E: janetmedlin@comcast.net

Please contact us with a time convenient for you to discuss mutually agreeable dates so that we can meet to discuss the District's initial proposals. I appreciate your time and consideration of this request and we look forward to developing a mutually agreeable plan to meet the facilities needs of BCS's students.

Sincerely,



Janet C. Medlin

Member, BCS Board of Directors

cc: Wanny Hersey
Arturo J. Gonzalez, Esq.

BCS Board Members
Paul C. Minney, Esq.

To: Jeff Baier
RE: 2013-2014 Proposition 39 Facilities Request
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Attachments (incorporated by reference):

- Exhibit 1 - District Charter School Facilities Request Form, per LASD
- Exhibit 2 - BCS PowerSchool Enrollment Summary as of November 1, 2012
- Exhibit 3 - BCS P-2 2011-2012
- Exhibit 4 - Declaration 1 of Wanny Hersey dated November 1, 2012
- Exhibit 5 - Declaration 2 of Wanny Hersey dated November 1, 2012
- Exhibit 6 - Operational Calendar
- Exhibit 7 - BCS's calculation of actual total building space, total site size, and total student count at the comparison group schools with numerically equivalent values extrapolated to BCS on a per in-District student basis.

**Los Altos School District
Facilities Request for Charter Schools
for the
2013-14 School Year**

This form is provided pursuant to 5 CCR 11969.9(c)(3) and Los Altos School District Regulations AR7160, as approved by the Board on September 7, 2004.

Charter schools are encouraged to review all applicable *Education Code* and regulation sections before completing this form.

Charter School Name: **Bullis Charter School** Charter Authorizing Entity: **SCC Board of Education**

Contact Information: Name: **Wanny Hersey** Phone: **(650) 947-4939**

Email: **whersey@bullischarterschool.com** Address: **102 West Portola Avenue, Los Altos, CA 94022**

Has the Charter Been Approved? **Yes** Is this a Continuing or New school? **Continuing**

Actual Date of Local Charter Approval: **October 5, 2011, effective July 1, 2012**

District from which Charter School is Requesting Facilities: **Los Altos School District**

Date request submitted: **October 31, 2012** Anticipated Date of Occupancy: **July, 2013**

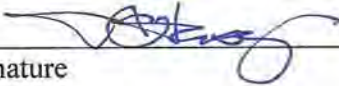
Please provide the following estimates of average daily attendance (ADA) by grade level (consult the regulations for definitions of each term):

Grade	Total ADA	Total In-District ADA	Total Classroom ADA	Total In-District Classroom ADA
K	80	80	80	80
1	80	80	80	80
2	80	80	80	80
3	81	80	81	80
4	75	75	75	75
5	75	74	75	74
6	75	73	75	73
7	50	45	50	45
8	48	28	48	28
TOTAL	644	615	644	615

Please attach the following documents:

- ☐ For the In-district classroom ADA identified above, please provide a list of the names of students currently attending the school and planning to continue, broken down by grade level and school they would otherwise attend.
- ☐ For the in-district classroom ADA identified above, please supplement the list of continuing students with a list of the names, grade levels, and school they would otherwise attend of any additional in-district students whose parents have indicated in writing since September 1 of the current school year that they are meaningfully interested in enrolling their students at the charter school in the subsequent year, as well as documentation supporting the interest in enrolling in the school.
- ☐ A description of the general location in which the Charter School wishes to locate.
- ☐ A description of the Charter School's educational program that may be relevant to the assignment of facilities.
- ☐ A copy of the Charter School's instructional calendar.

Signature



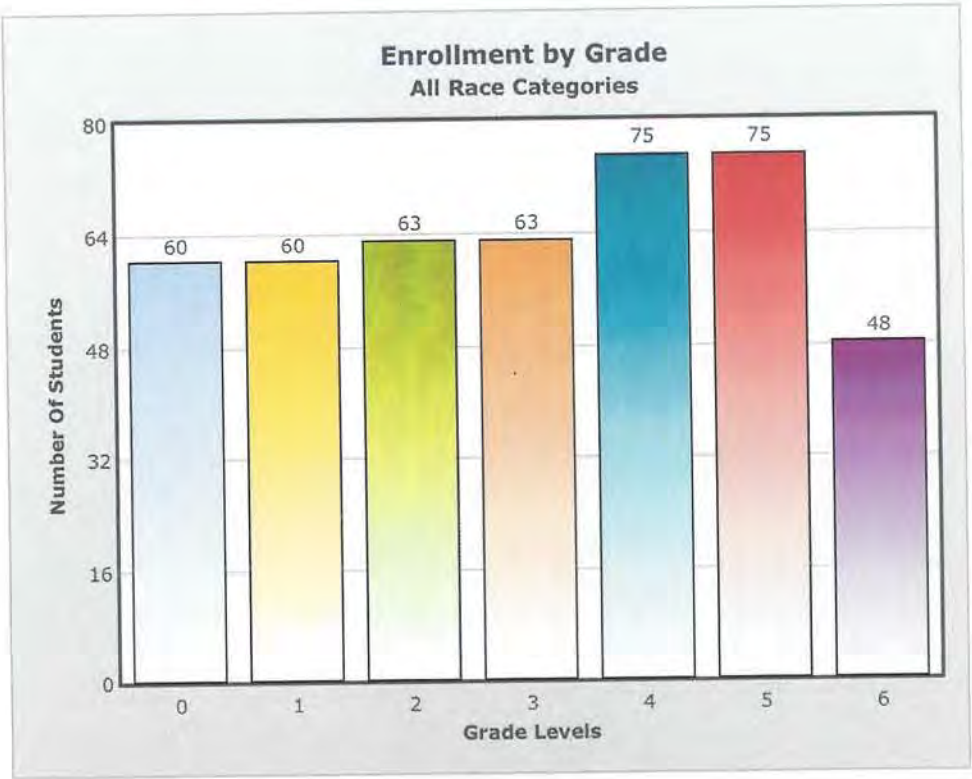
Date

November 1, 2012



Enrollment Summary Chart

as of 11/01/2012 (Th)
Bullis Charter School



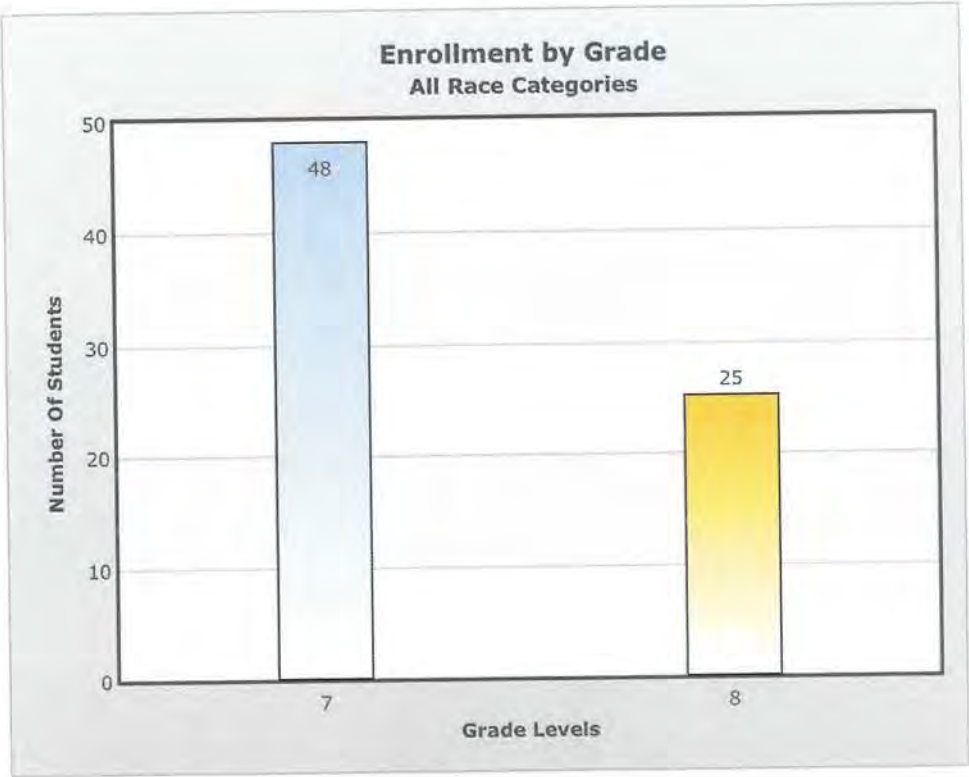
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Exhibit 2
Page 1 of 2



Enrollment Summary Chart

as of 11/01/2012 (TH)
BCS Middle School



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Exhibit 2
Page 2 of 2

**Attendance Charter School Block Grant - EHS
Charter School ADA Funded Through Block Grant
Direct Funded Charter School -- Yes**

County: Santa Clara Fiscal Year: 2011-12
District: Santa Clara Co. Off. of Education : Bullis Charter P-2
CDS CODE 43 10439 0106534 0615 Certificate Number: B91FF9CC

Did the charter school cease operation during the current fiscal year? No
(If 'Yes', enter the number of school days in 'Days of Operation' tab)

Is this Charter School in its First Year of Operation?
Enter Date (month, day, year) that instruction commenced _/_/_

Regular Elementary and High School		Elementary	High School
Total Kindergarten	A-1	58.15	
Classroom-based ADA included in line A-1	A-2	58.03	
Total Grades 1 - 3	A-3	178.54	
Classroom-based ADA included in line A-3	A-4	177.76	
Total Grades 4 - 6	A-5	170.49	
Classroom-based ADA included in line A-5	A-6	170.08	
Total Grades 7 - 8	A-7	46.96	
Classroom-based ADA included in line A-7	A-8	46.96	
Total Grades 9 - 12	A-9		0.00
Classroom-based ADA included in line A-9	A-10		0.00

Extended Year Special Education Students [E.C.56345(b)(3)] (Divisor 175 Days)

Total Kindergarten	A-11	0.00	
Classroom-based ADA included in line A-11	A-12	0.00	
Total Grades 1 - 3	A-13	0.00	
Classroom-based ADA included in line A-13	A-14	0.00	
Total Grades 4 - 6	A-15	0.00	
Classroom-based ADA included in line A-15	A-16	0.00	
Total Grades 7 - 8	A-17	0.00	
Classroom-based ADA included in line A-17	A-18	0.00	
Total Grades 9 - 12	A-19		0.00
Classroom-based ADA included in line A-19	A-20		0.00

**Extended Year Special Ed - Nonpublic, Nonsectarian Schools [E.C. 56366 (a)(7)]
(Divisor 175 Days)**

Total Kindergarten	A-21	0.00	
Classroom-based ADA included in line A-21	A-22	0.00	
Total Grades 1 - 3	A-23	0.00	
Classroom-based ADA included in line A-23	A-24	0.00	
Total Grades 4 - 6	A-25	0.00	
Classroom-based ADA included in line A-25	A-26	0.00	

**Attendance Charter School Block Grant - EHS
Charter School ADA Funded Through Block Grant
Direct Funded Charter School -- Yes**

County: Santa Clara Fiscal Year: 2011-12
District: Santa Clara Co. Off. of Education : Bullis Charter P-2
CDS CODE 43 10439 0106534 0615 Certificate Number: B91FF9CC

Total Grades 7 - 8	A-27	0.00	
Classroom-based ADA included in line A-27	A-28	0.00	
Total Grades 9 - 12	A-29		0.00
Classroom-based ADA included in line A-29	A-30		0.00

Extended Year Special Ed - Nonpublic, Nonsectarian Schools/Licensed Children's Institutions (Divisor 175 Days)

Total Kindergarten	A-31	0.00	
Classroom-based ADA included in line A-31	A-32	0.00	
Total Grades 1 - 3	A-33	0.00	
Classroom-based ADA included in line A-33	A-34	0.00	
Total Grades 4 - 6	A-35	0.00	
Classroom-based ADA included in line A-35	A-36	0.00	
Total Grades 7 - 8	A-37	0.00	
Classroom-based ADA included in line A-37	A-38	0.00	
Total Grades 9 - 12	A-39		0.00
Classroom-based ADA included in line A-39	A-40		0.00

Special Ed - Nonpublic, Nonsectarian Schools / Licensed Children's Institutions

Total Kindergarten	A-41	0.00	
Classroom-based ADA included in line A-41	A-42	0.00	
Total Grades 1 - 3	A-43	0.00	
Classroom-based ADA included in line A-43	A-44	0.00	
Total Grades 4 - 6	A-45	0.00	
Classroom-based ADA included in line A-45	A-46	0.00	
Total Grades 7 - 8	A-47	0.00	
Classroom-based ADA included in line A-47	A-48	0.00	
Total Grades 9 - 12	A-49		0.00
Classroom-based ADA included in line A-49	A-50		0.00

Special Ed - Nonpublic, Nonsectarian Schools [E.C. 56366(a)(7)]

Total Kindergarten	A-51	0.00	
Classroom-based ADA included in line A-51	A-52	0.00	
Total Grades 1 - 3	A-53	0.00	
Classroom-based ADA included in line A-53	A-54	0.00	
Total Grades 4 - 6	A-55	0.00	

**Attendance Charter School Block Grant - EHS
Charter School ADA Funded Through Block Grant
Direct Funded Charter School -- Yes**

County: Santa Clara				Fiscal Year: 2011-12	
District: Santa Clara Co. Off. of Education : Bullis Charter				P-2	
CDS CODE	43	10439	0106534 0615	Certificate Number: B91FF9CC	
Classroom-based ADA included in line A-55	A-56		0.00		
Total Grades 7 - 8	A-57		0.00		
Classroom-based ADA included in line A-57	A-58		0.00		
Total Grades 9 - 12	A-59				0.00
Classroom-based ADA included in line A-59	A-60				0.00
ADA Totals (Sum of A-1 through A-59 excluding classroom-based ADA lines)	A-61		454.14		0.00
Classroom-based ADA Totals (Sum of A-2 through A-60 including only classroom-based ADA lines)	A-62		452.83		0.00

	CDE Approved Emergency Conditions Waiver (Form J-13A)	No
Single Track		
Number of school days from July 1 through June 30	B-1	0
Multi Track	SBE Approved waiver	No
Number of school days from July 1 through June 30		

B-2	0	0	0	0	0	
ADA Reported at P-2		TRACK A	TRACK B	TRACK C	TRACK D	TRACK E
Kindergarten	B-3	0.00	0.00	0.00	0.00	0.00
Classroom-based	B-4	0.00	0.00	0.00	0.00	0.00
Grades 1-3	B-5	0.00	0.00	0.00	0.00	0.00
Classroom-based	B-6	0.00	0.00	0.00	0.00	0.00
Grades 4-6	B-7	0.00	0.00	0.00	0.00	0.00
Classroom-based	B-8	0.00	0.00	0.00	0.00	0.00
Grades 7-8	B-9	0.00	0.00	0.00	0.00	0.00
Classroom-based	B-10	0.00	0.00	0.00	0.00	0.00
Grades 9-12	B-11	0.00	0.00	0.00	0.00	0.00
Classroom-based	B-12	0.00	0.00	0.00	0.00	0.00

Extended Year Special Ed ADA: Special Education Students [E.C.56345(b)(3)]; Nonpublic, Nonsectarian Schools [E.C. 56366(a)(7)]; and Nonpublic, Nonsectarian Schools/Licensed Children's Institutions - Reported at Annual

Kindergarten	B-13	0.00	0.00	0.00	0.00	0.00
Classroom-based	B-14	0.00	0.00	0.00	0.00	0.00
Grades 1-3	B-15	0.00	0.00	0.00	0.00	0.00

**Attendance Charter School Block Grant - EHS
Charter School ADA Funded Through Block Grant
Direct Funded Charter School -- Yes**

County: Santa Clara Fiscal Year: 2011-12
District: Santa Clara Co. Off. of Education : Bullis Charter P-2
CDS CODE 43 10439 0106534 0615 Certificate Number: B91PF9CC

Classroom-based	B-16	0.00	0.00	0.00	0.00	0.00
Grades 4-6	B-17	0.00	0.00	0.00	0.00	0.00
Classroom-based	B-18	0.00	0.00	0.00	0.00	0.00
Grades 7-8	B-19	0.00	0.00	0.00	0.00	0.00
Classroom-based	B-20	0.00	0.00	0.00	0.00	0.00
Grades 9-12	B-21	0.00	0.00	0.00	0.00	0.00
Classroom-based	B-22	0.00	0.00	0.00	0.00	0.00

**Special Ed - Nonpublic, Nonsectarian Schools/Licensed Children's Institutions and
Nonpublic, Nonsectarian Schools [E.C. 56366(a)(7)] - Reported at Annual**

Kindergarten	B-23	0.00	0.00	0.00	0.00	0.00
Classroom-based	B-24	0.00	0.00	0.00	0.00	0.00
Grades 1-3	B-25	0.00	0.00	0.00	0.00	0.00
Classroom-based	B-26	0.00	0.00	0.00	0.00	0.00
Grades 4-6	B-27	0.00	0.00	0.00	0.00	0.00
Classroom-based	B-28	0.00	0.00	0.00	0.00	0.00
Grades 7-8	B-29	0.00	0.00	0.00	0.00	0.00
Classroom-based	B-30	0.00	0.00	0.00	0.00	0.00
Grades 9-12	B-31	0.00	0.00	0.00	0.00	0.00
Classroom-based	B-32	0.00	0.00	0.00	0.00	0.00

Basic Aid Supplement Charter School
Schedule for Determining the Revenue Limit Adjustment for a School District that
is a Basic Aid District and is the Sponsoring District of a Charter School
Direct Funded Charter School -- Yes

County: Santa Clara			Fiscal Year: 2011-12					
District: Santa Clara Co. Off. of Education : Bullis Charter			P-2					
CDS CODE 43 10439 0106534 0615			Certificate Number: F77540B9					
County of Residence District of Residence			A-1	A-2	A-3	A-4	A-5	A-6
43 Santa Clara	69419 Cupertino Union Elementary		4.83	4.83	0.00	0.00	0.00	0.00
43 Santa Clara	69518 Los Altos Elementary		423.82	422.51	0.00	0.00	0.00	0.00
43 Santa Clara	69591 Mountain View Whisman School		15.73	15.73	0.00	0.00	0.00	0.00
43 Santa Clara	69641 Palo Alto Unified		4.93	4.93	0.00	0.00	0.00	0.00
43 Santa Clara	69674 Santa Clara Unified		4.83	4.83	0.00	0.00	0.00	0.00
			454.14	452.83	0.00	0.00	0.00	0.00

A-2 : Classroom-based ADA reported in line A-1

A-3 : Special Ed - Nonpublic, Nonsectarian Schools/Licensed Children's Institutions ADA reported in Regular ADA total

A-4 : Classroom-based ADA reported in line A-3

A-5 : Extended Year Special Ed ADA Total

A-6 : Classroom-based ADA reported in line A-5

Exhibit 3



Bullis Charter School
102 West Portola Avenue
Los Altos, California 94022
www.bullischarterschool.com

DECLARATION
November 1, 2012

To Whom It May Concern:

I am the Superintendent and Principal of Bullis Charter School.

The attached table shows the number of Bullis Charter School students by their present grade, school district, and for in-district students, indicates the Los Altos School District school they would otherwise attend during the forecast year based on their residence address. This table reflects the 517 students enrolled in Bullis Charter School in the present (2012-2013) school year as of November 1, 2012.

Where a Los Altos School District school is identified as the school the student would otherwise attend based on his or her residence address, this information is derived from the "School District Locator" website operated by the Santa Clara County Office of Education, and either the District school the student previously attended, or the school the student would attend according to the District's attendance boundaries adopted June 18, 2007, on the District's website. In each case we have used the residence address provided by the student. Per Bullis Charter School policy and our Memorandum of Understanding with the Santa Clara County Office of Education, each student has provided to us three proofs of residence: a parent/legal guardian's driver's license or current California ID card or current passport with visa, and a recent utility bill showing residency address (gas/electric, land line, garbage, water, cable-cell phone not acceptable), and either a recent property tax bill, deed, or rental/lease agreement. For those who reside in the Los Altos School District, one of the following must also be provided: proof of residency from the Santa Clara County Registrar of Voters; or current DMV vehicle registration showing residency property address; or one other recent bill mailed to the residency address.

From our prior year of operation we experienced over 92% percent return rate of our students. I believe this experience is representative of the return rates we will experience for the 2013-14 school year.

Sincerely,

Wanny Hersey
Superintendent/Principal
Bullis Charter School

Bullis Charter School Student Roster Fall 2012

Bullis Charter Student Number	2012 Grade	District	District School	JR HS Attendance	HS Attendance
1	1	LASD	Almond		LAHS
2	1	LASD	Almond		LAHS
3	1	LASD	Almond		LAHS
4	1	LASD	Almond		LAHS
5	1	LASD	Almond		LAHS
6	1	LASD	Almond		LAHS
7	1	LASD	Almond		LAHS
8	1	LASD	Almond		LAHS
9	1	LASD	Almond		LAHS
10	1	LASD	Almond		LAHS
11	1	LASD	Almond		LAHS
12	1	LASD	Almond		LAHS
13	1	LASD	Almond		LAHS
14	1	LASD	Covington		LAHS
15	1	LASD	Covington		LAHS
16	1	LASD	Covington		LAHS
17	1	LASD	Covington		LAHS
18	1	LASD	Covington		LAHS
19	1	LASD	Covington		LAHS
20	1	LASD	Gardner		LAHS
21	1	LASD	Gardner		LAHS
22	1	LASD	Gardner		LAHS
23	1	LASD	Gardner		LAHS
24	1	LASD	Gardner		LAHS
25	1	LASD	Gardner		LAHS
26	1	LASD	Gardner		LAHS
27	1	LASD	Gardner		LAHS
28	1	LASD	Gardner		LAHS
29	1	LASD	Gardner		LAHS
30	1	LASD	Gardner		LAHS
31	1	LASD	Gardner		LAHS
32	1	LASD	Gardner		LAHS
33	1	LASD	Gardner		LAHS
34	1	LASD	Gardner		LAHS
35	1	LASD	Loyola		MVHS
36	1	LASD	Loyola		LAHS
37	1	LASD	Loyola		LAHS
38	1	LASD	Loyola		MVHS
39	1	LASD	Loyola		LAHS
40	1	LASD	Loyola		MVHS
41	1	LASD	Loyola		MVHS
42	1	LASD	Oak		MVHS
43	1	LASD	Santa Rita		LAHS
44	1	LASD	Santa Rita		LAHS

Bullis Charter School Student Roster Fall 2012

Bullis Charter Student Number	2012 Grade	District	District School	JR HS Attendance	HS Attendance
45	1	LASD	Santa Rita		LAHS
46	1	LASD	Santa Rita		LAHS
47	1	LASD	Santa Rita		LAHS
48	1	LASD	Santa Rita		LAHS
49	1	LASD	Santa Rita		LAHS
50	1	LASD	Santa Rita		LAHS
51	1	LASD	Santa Rita		LAHS
52	1	LASD	Santa Rita		LAHS
53	1	LASD	Santa Rita		LAHS
54	1	LASD	Santa Rita		LAHS
55	1	LASD	Springer		LAHS
56	1	LASD	Springer		LAHS
57	1	LASD	Springer		LAHS
58	1	LASD	Springer		LAHS
59	1	LASD	Springer		LAHS
60	1	LASD	Springer		MVHS
61	2	LASD	Almond		LAHS
62	2	LASD	Almond		LAHS
63	2	LASD	Almond		LAHS
64	2	LASD	Almond		LAHS
65	2	LASD	Almond		LAHS
66	2	LASD	Almond		LAHS
67	2	LASD	Covington		LAHS
68	2	LASD	Covington		LAHS
69	2	LASD	Covington		LAHS
70	2	LASD	Covington		LAHS
71	2	LASD	Gardner		LAHS
72	2	LASD	Gardner		LAHS
73	2	LASD	Gardner		LAHS
74	2	LASD	Gardner		LAHS
75	2	LASD	Gardner		LAHS
76	2	LASD	Gardner		LAHS
77	2	LASD	Gardner		LAHS
78	2	LASD	Gardner		LAHS
79	2	LASD	Gardner		LAHS
80	2	LASD	Gardner		LAHS
81	2	LASD	Gardner		LAHS
82	2	LASD	Gardner		LAHS
83	2	LASD	Gardner		LAHS
84	2	LASD	Gardner		LAHS
85	2	LASD	Gardner		LAHS
86	2	LASD	Gardner		LAHS
87	2	LASD	Gardner		LAHS
88	2	LASD	Gardner		LAHS

Bullis Charter School Student Roster Fall 2012

Bullis Charter Student Number	2012 Grade	District	District School	JR HS Attendance	HS Attendance
89	2	LASD	Loyola		MVHS
90	2	LASD	Loyola		MVHS
91	2	LASD	Loyola		LAHS
92	2	LASD	Loyola		MVHS
93	2	LASD	Loyola		MVHS
94	2	LASD	Loyola		MVHS
95	2	LASD	Loyola		MVHS
96	2	LASD	Loyola		MVHS
97	2	LASD	Loyola		MVHS
98	2	LASD	Loyola		LAHS
99	2	LASD	Loyola		MVHS
100	2	LASD	Loyola		MVHS
101	2	LASD	Loyola		LAHS
102	2	LASD	Loyola		MVHS
103	2	LASD	Loyola		MVHS
104	2	LASD	Loyola		MVHS
105	2	LASD	Oak		MVHS
106	2	LASD	Oak		MVHS
107	2	LASD	Oak		MVHS
108	2	LASD	Santa Rita		LAHS
109	2	LASD	Santa Rita		LAHS
110	2	LASD	Santa Rita		LAHS
111	2	LASD	Santa Rita		LAHS
112	2	LASD	Santa Rita		LAHS
113	2	LASD	Santa Rita		LAHS
114	2	LASD	Santa Rita		LAHS
115	2	LASD	Santa Rita		LAHS
116	2	LASD	Santa Rita		LAHS
117	2	LASD	Springer		LAHS
118	2	LASD	Springer		MVHS
119	2	LASD	Springer		MVHS
120	2	LASD	Springer		LAHS
121	2	LASD	Springer		LAHS
122	2	LASD	Springer		LAHS
123	2	PAUSD			OOD
124	3	LASD	Almond		LAHS
125	3	LASD	Almond		LAHS
126	3	LASD	Almond		LAHS
127	3	LASD	Almond		LAHS
128	3	LASD	Almond		LAHS
129	3	LASD	Almond		LAHS
130	3	LASD	Almond		LAHS
131	3	LASD	Almond		LAHS
132	3	LASD	Almond		LAHS

Bullis Charter School Student Roster Fall 2012

Bullis Charter Student Number	2012 Grade	District	District School	JR HS Attendance	HS Attendance
133	3	LASD	Covington		MVHS
134	3	LASD	Covington		LAHS
135	3	LASD	Covington		LAHS
136	3	LASD	Covington		LAHS
137	3	LASD	Covington		LAHS
138	3	LASD	Covington		LAHS
139	3	LASD	Covington		LAHS
140	3	LASD	Covington		LAHS
141	3	LASD	Covington		LAHS
142	3	LASD	Gardner		LAHS
143	3	LASD	Gardner		LAHS
144	3	LASD	Gardner		LAHS
145	3	LASD	Gardner		LAHS
146	3	LASD	Gardner		LAHS
147	3	LASD	Gardner		LAHS
148	3	LASD	Gardner		LAHS
149	3	LASD	Gardner		LAHS
150	3	LASD	Gardner		LAHS
151	3	LASD	Gardner		LAHS
152	3	LASD	Gardner		LAHS
153	3	LASD	Gardner		LAHS
154	3	LASD	Gardner		LAHS
155	3	LASD	Gardner		LAHS
156	3	LASD	Gardner		LAHS
157	3	LASD	Gardner		LAHS
158	3	LASD	Gardner		LAHS
159	3	LASD	Gardner		LAHS
160	3	LASD	Gardner		LAHS
161	3	LASD	Gardner		LAHS
162	3	LASD	Gardner		LAHS
163	3	LASD	Gardner		LAHS
164	3	LASD	Gardner		LAHS
165	3	LASD	Loyola		MVHS
166	3	LASD	Loyola		LAHS
167	3	LASD	Loyola		LAHS
168	3	LASD	Loyola		MVHS
169	3	LASD	Loyola		MVHS
170	3	LASD	Oak		MVHS
171	3	LASD	Oak		MVHS
172	3	LASD	Oak		MVHS
173	3	LASD	Oak		MVHS
174	3	LASD	Oak		MVHS
175	3	LASD	Oak		MVHS
176	3	LASD	Santa Rita		LAHS

Bullis Charter School Student Roster Fall 2012

Bullis Charter Student Number	2012 Grade	District	District School	JR HS Attendance	HS Attendance
177	3	LASD	Santa Rita		LAHS
178	3	LASD	Santa Rita		LAHS
179	3	LASD	Santa Rita		LAHS
180	3	LASD	Santa Rita		LAHS
181	3	LASD	Santa Rita		LAHS
182	3	LASD	Springer		LAHS
183	3	LASD	Springer		MVHS
184	3	LASD	Springer		LAHS
185	3	LASD	Springer		MVHS
186	3	LASD	Springer		LAHS
187	4	LASD	Almond		LAHS
188	4	LASD	Almond		LAHS
189	4	LASD	Almond		LAHS
190	4	LASD	Almond		LAHS
191	4	LASD	Almond		LAHS
192	4	LASD	Almond		LAHS
193	4	LASD	Almond		LAHS
194	4	LASD	Almond		LAHS
195	4	LASD	Almond		LAHS
196	4	LASD	Almond		LAHS
197	4	LASD	Almond		LAHS
198	4	LASD	Covington		LAHS
199	4	LASD	Covington		LAHS
200	4	LASD	Covington		LAHS
201	4	LASD	Covington		LAHS
202	4	LASD	Covington		LAHS
203	4	LASD	Covington		LAHS
204	4	LASD	Covington		LAHS
205	4	LASD	Gardner		LAHS
206	4	LASD	Gardner		LAHS
207	4	LASD	Gardner		LAHS
208	4	LASD	Gardner		LAHS
209	4	LASD	Gardner		LAHS
210	4	LASD	Gardner		LAHS
211	4	LASD	Gardner		LAHS
212	4	LASD	Gardner		LAHS
213	4	LASD	Gardner		LAHS
214	4	LASD	Gardner		LAHS
215	4	LASD	Gardner		LAHS
216	4	LASD	Gardner		LAHS
217	4	LASD	Gardner		LAHS
218	4	LASD	Gardner		LAHS
219	4	LASD	Gardner		LAHS
220	4	LASD	Gardner		LAHS

Bullis Charter School Student Roster Fall 2012

Bullis Charter Student Number	2012 Grade	District	District School	JR HS Attendance	HS Attendance
221	4	LASD	Gardner		LAHS
222	4	LASD	Gardner		LAHS
223	4	LASD	Gardner		LAHS
224	4	LASD	Gardner		LAHS
225	4	LASD	Gardner		LAHS
226	4	LASD	Gardner		LAHS
227	4	LASD	Loyola		MVHS
228	4	LASD	Loyola		MVHS
229	4	LASD	Loyola		MVHS
230	4	LASD	Loyola		MVHS
231	4	LASD	Loyola		MVHS
232	4	LASD	Loyola		LAHS
233	4	LASD	Loyola		LAHS
234	4	LASD	Loyola		MVHS
235	4	LASD	Loyola		MVHS
236	4	LASD	Santa Rita		LAHS
237	4	LASD	Santa Rita		LAHS
238	4	LASD	Santa Rita		LAHS
239	4	LASD	Santa Rita		LAHS
240	4	LASD	Santa Rita		LAHS
241	4	LASD	Santa Rita		LAHS
242	4	LASD	Santa Rita		LAHS
243	4	LASD	Santa Rita		LAHS
244	4	LASD	Santa Rita		LAHS
245	4	LASD	Santa Rita		LAHS
246	4	LASD	Santa Rita		LAHS
247	4	LASD	Santa Rita		LAHS
248	4	LASD	Santa Rita		LAHS
249	4	LASD	Santa Rita		LAHS
250	4	LASD	Santa Rita		LAHS
251	4	LASD	Springer		LAHS
252	4	LASD	Springer		MVHS
253	4	LASD	Springer		LAHS
254	4	LASD	Springer		MVHS
255	4	LASD	Springer		LAHS
256	4	LASD	Springer		LAHS
257	4	LASD	Springer		LAHS
258	4	LASD	Springer		LAHS
259	4	LASD	Springer		LAHS
260	4	LASD	Springer		LAHS
261	4	Santa Clara			OOD
262	5	LASD	Almond		LAHS
263	5	LASD	Almond		LAHS
264	5	LASD	Almond		LAHS

Bullis Charter School Student Roster Fall 2012

Bullis Charter Student Number	2012 Grade	District	District School	JR HS Attendance	HS Attendance
265	5	LASD	Almond		LAHS
266	5	LASD	Almond		LAHS
267	5	LASD	Almond		LAHS
268	5	LASD	Almond		LAHS
269	5	LASD	Almond		LAHS
270	5	LASD	Almond		LAHS
271	5	LASD	Almond		LAHS
272	5	LASD	Almond		LAHS
273	5	LASD	Almond		LAHS
274	5	LASD	Almond		LAHS
275	5	LASD	Almond		LAHS
276	5	LASD	Almond		LAHS
277	5	LASD	Almond		LAHS
278	5	LASD	Covington		LAHS
279	5	LASD	Covington		LAHS
280	5	LASD	Covington		LAHS
281	5	LASD	Covington		LAHS
282	5	LASD	Covington		LAHS
283	5	LASD	Covington		LAHS
284	5	LASD	Covington		LAHS
285	5	LASD	Gardner		LAHS
286	5	LASD	Gardner		LAHS
287	5	LASD	Gardner		LAHS
288	5	LASD	Gardner		LAHS
289	5	LASD	Gardner		LAHS
290	5	LASD	Gardner		LAHS
291	5	LASD	Gardner		LAHS
292	5	LASD	Gardner		LAHS
293	5	LASD	Gardner		LAHS
294	5	LASD	Gardner		LAHS
295	5	LASD	Gardner		LAHS
296	5	LASD	Gardner		LAHS
297	5	LASD	Gardner		LAHS
298	5	LASD	Gardner		LAHS
299	5	LASD	Gardner		LAHS
300	5	LASD	Gardner		LAHS
301	5	LASD	Gardner		LAHS
302	5	LASD	Gardner		LAHS
303	5	LASD	Gardner		LAHS
304	5	LASD	Gardner		LAHS
305	5	LASD	Gardner		LAHS
306	5	LASD	Loyola		MVHS
307	5	LASD	Loyola		MVHS
308	5	LASD	Loyola		LAHS

Bullis Charter School Student Roster Fall 2012

Bullis Charter Student Number	2012 Grade	District	District School	JR HS Attendance	HS Attendance
309	5	LASD	Loyola		MVHS
310	5	LASD	Loyola		MVHS
311	5	LASD	Oak		MVHS
312	5	LASD	Oak		MVHS
313	5	LASD	Oak		MVHS
314	5	LASD	Oak		MVHS
315	5	LASD	Oak		MVHS
316	5	LASD	Santa Rita		LAHS
317	5	LASD	Santa Rita		LAHS
318	5	LASD	Santa Rita		LAHS
319	5	LASD	Santa Rita		LAHS
320	5	LASD	Santa Rita		LAHS
321	5	LASD	Santa Rita		LAHS
322	5	LASD	Santa Rita		LAHS
323	5	LASD	Santa Rita		LAHS
324	5	LASD	Santa Rita		LAHS
325	5	LASD	Santa Rita		LAHS
326	5	LASD	Santa Rita		LAHS
327	5	LASD	Santa Rita		LAHS
328	5	LASD	Springer		LAHS
329	5	LASD	Springer		MVHS
330	5	LASD	Springer		MVHS
331	5	LASD	Springer		LAHS
332	5	LASD	Springer		MVHS
333	5	LASD	Springer		LAHS
334	5	LASD	Springer		MVHS
335	5	Mountain View			OOD
336	5	PAUSD			OOD
337	6	LASD	Almond	Egan	LAHS
338	6	LASD	Almond	Egan	LAHS
339	6	LASD	Almond	Egan	LAHS
340	6	LASD	Almond	Egan	LAHS
341	6	LASD	Almond	Egan	LAHS
342	6	LASD	Almond	Egan	LAHS
343	6	LASD	Almond	Egan	LAHS
344	6	LASD	Covington	Egan	LAHS
345	6	LASD	Covington	Blach	LAHS
346	6	LASD	Covington	Blach	LAHS
347	6	LASD	Covington	Blach	LAHS
348	6	LASD	Covington	Blach	LAHS
349	6	LASD	Covington	Blach	LAHS
350	6	LASD	Gardner	Egan	LAHS
351	6	LASD	Gardner	Egan	LAHS
352	6	LASD	Gardner	Egan	LAHS

Bullis Charter School Student Roster Fall 2012

Bullis Charter Student Number	2012 Grade	District	District School	JR HS Attendance	HS Attendance
353	6	LASD	Gardner	Egan	LAHS
354	6	LASD	Gardner	Egan	LAHS
355	6	LASD	Gardner	Egan	LAHS
356	6	LASD	Gardner	Egan	LAHS
357	6	LASD	Gardner	Egan	LAHS
358	6	LASD	Gardner	Egan	LAHS
359	6	LASD	Gardner	Egan	LAHS
360	6	LASD	Gardner	Egan	LAHS
361	6	LASD	Gardner	Egan	LAHS
362	6	LASD	Loyola	Blach	MVHS
363	6	LASD	Loyola	Blach	MVHS
364	6	LASD	Loyola	Blach	MVHS
365	6	LASD	Loyola	Blach	LAHS
366	6	LASD	Loyola	Blach	MVHS
367	6	LASD	Loyola	Blach	MVHS
368	6	LASD	Loyola	Blach	MVHS
369	6	LASD	Loyola	Blach	LAHS
370	6	LASD	Oak	Blach	MVHS
371	6	LASD	Santa Rita	Egan	LAHS
372	6	LASD	Santa Rita	Egan	LAHS
373	6	LASD	Santa Rita	Egan	LAHS
374	6	LASD	Santa Rita	Egan	LAHS
375	6	LASD	Santa Rita	Egan	LAHS
376	6	LASD	Santa Rita	Egan	LAHS
377	6	LASD	Santa Rita	Egan	LAHS
378	6	LASD	Santa Rita	Egan	LAHS
379	6	LASD	Springer	Blach	LAHS
380	6	Mountain View			OOD
381	6	Mountain View			LAHS
382	6	PAUSD			OOD
383	6	Mountain View			OOD
384	6	Mountain View			OOD
385	7	LASD	Almond	Egan	LAHS
386	7	LASD	Almond	Egan	LAHS
387	7	LASD	Almond	Egan	LAHS
388	7	LASD	Almond	Egan	LAHS
389	7	LASD	Almond	Egan	LAHS
390	7	LASD	Covington	Egan	LAHS
391	7	LASD	Covington	Egan	LAHS
392	7	LASD	Covington	Blach	LAHS
393	7	LASD	Covington	Egan	LAHS
394	7	LASD	Covington	Blach	LAHS
395	7	LASD	Covington	Blach	LAHS
396	7	LASD	Covington	Egan	LAHS

Bullis Charter School Student Roster Fall 2012

Bullis Charter Student Number	2012 Grade	District	District School	JR HS Attendance	HS Attendance
397	7	LASD	Covington	Egan	LAHS
398	7	LASD	Covington	Egan	LAHS
399	7	LASD	Gardner	Egan	LAHS
400	7	LASD	Gardner	Egan	LAHS
401	7	LASD	Gardner	Egan	LAHS
402	7	LASD	Gardner	Egan	LAHS
403	7	LASD	Loyola	Blach	LAHS
404	7	LASD	Loyola	Blach	MVHS
405	7	LASD	Loyola	Blach	MVHS
406	7	LASD	Oak	Blach	MVHS
407	7	LASD	Oak	Blach	MVHS
408	7	LASD	Santa Rita	Egan	LAHS
409	7	LASD	Santa Rita	Egan	LAHS
410	7	LASD	Santa Rita	Egan	LAHS
411	7	LASD	Springer	Blach	MVHS
412	7	LASD	Springer	Blach	LAHS
413	7	Sunnyvale			OOD
414	7	Mountain View			OOD
415	7	Mountain View			OOD
416	7	San Mateo			OOD
417	7	Mountain View			OOD
418	7	Sunnyvale			OOD
419	7	Mountain View			OOD
420	7	Sunnyvale			OOD
421	7	Mountain View			OOD
422	7	Mountain View			OOD
423	7	Sunnyvale			OOD
424	7	New Haven			OOD
425	7	Mountain View			OOD
426	7	Mountain View			OOD
427	7	Mountain View			OOD
428	7	Sunnyvale			OOD
429	7	Santa Clara			OOD
430	7	Mountain View			OOD
431	7	Mountain View			OOD
432	7	Mountain View			OOD
433	8	LASD	Covington	Egan	LAHS
434	8	LASD	Covington	Egan	LAHS
435	8	LASD	Covington	Egan	LAHS
436	8	LASD	Gardner	Egan	LAHS
437	8	LASD	Gardner	Egan	LAHS
438	8	LASD	Gardner	Egan	LAHS
439	8	LASD	Gardner	Egan	LAHS
440	8	LASD	Gardner	Egan	LAHS

Bullis Charter School Student Roster Fall 2012

Bullis Charter Student Number	2012 Grade	District	District School	JR HS Attendance	HS Attendance
441	8	LASD	Gardner	Egan	LAHS
442	8	LASD	Santa Rita	Egan	LAHS
443	8	LASD	Santa Rita	Egan	LAHS
444	8	LASD	Springer	Blach	LAHS
445	8	Mountain View			OOD
446	8	Mountain View			OOD
447	8	Mountain View			OOD
448	8	Mountain View			OOD
449	8	Cupertino			OOD
450	8	Cupertino			OOD
451	8	Cupertino			OOD
452	8	PAUSD			OOD
453	8	PAUSD			OOD
454	8	Mountain View			OOD
455	8	Santa Clara			OOD
456	8	PAUSD			OOD
457	8	Mountain View			OOD
458	K	LASD	Almond		LAHS
459	K	LASD	Almond		LAHS
460	K	LASD	Almond		LAHS
461	K	LASD	Almond		LAHS
462	K	LASD	Almond		LAHS
463	K	LASD	Almond		LAHS
464	K	LASD	Covington		LAHS
465	K	LASD	Covington		LAHS
466	K	LASD	Covington		LAHS
467	K	LASD	Covington		LAHS
468	K	LASD	Covington		LAHS
469	K	LASD	Covington		LAHS
470	K	LASD	Covington		LAHS
471	K	LASD	Covington		LAHS
472	K	LASD	Gardner		LAHS
473	K	LASD	Gardner		LAHS
474	K	LASD	Gardner		LAHS
475	K	LASD	Gardner		LAHS
476	K	LASD	Gardner		LAHS
477	K	LASD	Gardner		LAHS
478	K	LASD	Gardner		LAHS
479	K	LASD	Gardner		LAHS
480	K	LASD	Gardner		LAHS
481	K	LASD	Gardner		LAHS
482	K	LASD	Gardner		LAHS
483	K	LASD	Gardner		LAHS
484	K	LASD	Gardner		LAHS

Bullis Charter School Student Roster Fall 2012

Bullis Charter Student Number	2012 Grade	District	District School	JR HS Attendance	HS Attendance
485	K	LASD	Gardner		LAHS
486	K	LASD	Gardner		LAHS
487	K	LASD	Gardner		LAHS
488	K	LASD	Gardner		LAHS
489	K	LASD	Gardner		LAHS
490	K	LASD	Gardner		LAHS
491	K	LASD	Gardner		LAHS
492	K	LASD	Gardner		LAHS
493	K	LASD	Gardner		LAHS
494	K	LASD	Gardner		LAHS
495	K	LASD	Gardner		LAHS
496	K	LASD	Gardner		LAHS
497	K	LASD	Gardner		LAHS
498	K	LASD	Gardner		LAHS
499	K	LASD	Gardner		LAHS
500	K	LASD	Loyola		MVHS
501	K	LASD	Loyola		MVHS
502	K	LASD	Loyola		LAHS
503	K	LASD	Loyola		MVHS
504	K	LASD	Loyola		MVHS
505	K	LASD	Loyola		MVHS
506	K	LASD	Oak		MVHS
507	K	LASD	Oak		MVHS
508	K	LASD	Santa Rita		LAHS
509	K	LASD	Santa Rita		LAHS
510	K	LASD	Santa Rita		LAHS
511	K	LASD	Santa Rita		LAHS
512	K	LASD	Santa Rita		LAHS
513	K	LASD	Santa Rita		LAHS
514	K	LASD	Springer		LAHS
515	K	LASD	Springer		MVHS
516	K	LASD	Springer		MVHS
517	K	LASD	Springer		LAHS



Bullis Charter School
102 West Portola Avenue
Los Altos, CA 94022
www.bullischarterschool.com

DECLARATION

November 1, 2012

To Whom It May Concern:

I am the Superintendent/Principal of Bullis Charter School.

Between November 1, 2011, and February 3, 2012, Bullis Charter School (BCS) conducted open enrollment for students. During that period, BCS placed a number of ads in local newspapers and held informational evenings and school tours.

Interest in BCS during the open enrollment period was strong. Informational events were well attended and additional school tours were required. Through the open enrollment period BCS received over 728 applications. Subsequent to the open enrollment BCS continued to accept registrations for its wait list; eventually these applications totaled nearly 789, resulting in the acceptance of 119 new students. Students were accepted based on available capacity.

After the 2012 lottery, there were 189 children on the waitlist for kindergarten. Of these 189 students, 89 reside within Los Altos School District; the remaining reside out-of-district. There were also 181 students on the waitlist for grades 1 and 2, of whom 103 reside within Los Altos School district. In each case, perspective students provide proof of residency.

BCS has also received affirmative statements from students and families who submitted applications to attend BCS in the 2012-13 school year, were not selected for admission, and have not been selected for admission, that they are meaningfully interested in having their child or children attend BCS for the 2013-14 school year if the opportunity presents itself. These statements are from prospective students who have submitted proof of residency with their prior registration to BCS. Based on their registration materials, which include proof of residency, attached is a list of those 101 "meaningfully interested" students, by grade and LASD school. These include the following:

2013-2014 Grade	Number of Students
1	29
2	23
3	28

The experience of Bullis Charter School has been that from the beginning, interest among students has been strong, and has continued to increase as the school has become more established.

Presently Bullis Charter School is operating at a site in Los Altos, serving approximately 517 students. The Superintendent/Principal and many of the faculty are recipients of numerous awards, including past "Teachers of the Year" and National Board Certification. In its 2nd year of operation, Bullis Charter School was awarded full accreditation by the Western Association of Schools and Colleges, and in May 2008 was named a California Distinguished School. BCS is already viewed to be a model charter school and receives many requests to send presenters to local and state conferences/workshops as well as to provide assistance and support for other public schools.

I believe student interest in Bullis Charter School remains strong. This view is supported generally by my personal experience and that of my staff with telephone and other inquiries of parents and website hits. We also typically receive 30-40 telephone and/or email inquiries a week

Accordingly, I anticipate strong interest in the Charter School during our 2013-2014 open enrollment and another successful recruiting and enrollment for the 2013-2014 school year.

Sincerely,



Wanny Hersey
Superintendent/Principal
Bullis Charter School

Bullis Charter School Meaningfully Interested List

BCS Meaningfully Interested Number	2013-14 Grade	LASD School of Residence
1	1	Almond
2	1	Santa Rita
3	1	Springer
4	1	Springer
5	1	Almond
6	1	Springer
7	1	Almond
8	1	Santa Rita
9	1	Santa Rita
10	1	Springer
11	1	Santa Rita
12	1	Almond
13	1	Springer
14	1	Almond
15	1	Springer
16	1	Covington
17	1	Loyola
18	1	Almond
19	1	Almond
20	1	Loyola
21	1	Oak
22	1	Oak
23	1	Almond
24	1	Loyola
25	1	Santa Rita
26	1	Gardner
27	1	Oak
28	1	Santa Rita
29	1	Covington
30	2	Santa Rita
31	2	Covington
32	2	Almond
33	2	Springer
34	2	Oak
35	2	Loyola
36	2	Springer
37	2	Gardner
38	2	Almond
39	2	Loyola
40	2	Springer
41	2	Almond

Bullis Charter School Meaningfully Interested List

BCS Meaningfully Interested Number	2013-14 Grade	LASD School of Residence
42	2	Loyola
43	2	Santa Rita
44	2	Covington
45	2	Oak
46	2	Almond
47	2	Almond
48	2	Almond
49	2	Santa Rita
50	2	Gardner
51	2	Oak
52	2	Covington
53	3	Oak
54	3	Springer
55	3	Almond
56	3	Santa Rita
57	3	Springer
58	3	Covington
59	3	Almond
60	3	Springer
61	3	Almond
62	3	Almond
63	3	Gardner
64	3	Almond
65	3	Almond
66	3	Almond
67	3	Springer
68	3	Santa Rita
69	3	Loyola
70	3	Loyola
71	3	Loyola
72	3	Santa Rita
73	3	Almond
74	3	Loyola
75	3	Oak
76	3	Mountain View
77	3	Loyola
78	3	Loyola
79	3	Almond
80	3	Gardner
81	4	Oak
82	4	Gardner

Bullis Charter School Meaningfully Interested List

BCS Meaningfully Interested Number	2013-14 Grade	LASD School of Residence
83	4	Springer
84	4	Santa Rita
85	4	Santa Rita
86	4	Springer
87	4	Almond
88	4	Oak
89	4	Oak
90	5	Almond
91	5	Springer
92	5	Springer
93	5	Santa Rita
94	5	Santa Rita
95	5	Loyola
96	5	Oak
97	6	Almond
98	6	Oak
99	6	Almond
100	6	Almond
101	7	Santa Rita

**Facilities Request for the
Bullis Charter School
for the
2013-2014 School Year**

Charter School Operational Calendar

The Charter School Governing Board has, as a policy, adopted an instructional calendar that is closely aligned to that of the Los Altos School District elementary schools. Accordingly, the Charter School has not yet adopted its full instructional calendar for the 2013-2014 school year. We have provisionally determined that the first day of school will be Tuesday, August 20, 2013, and the last day of school will be Friday, June 14, 2014.

In addition to our standard school day from 8:00 a.m. to 4:45 weekdays, we anticipate an extended day on September 20, 2013 until 8 pm. We also anticipate using the site and facilities on October 12, 2013 from 8 am till 5 pm. These dates are provisional.

Exhibit 7 2013-14 Facilities Request Reasonably Equivalent Benchmark of Building Space

School	District Schools						BCS	
	Building Space			Students/Building SF			BCS Benchmark Fair Allocation	
	Budget Report 2013-14 Sq Ft	Additions	Before/After School Care & Gym	Total Building Sq Ft	Students	Stu/SF	Students	SF
Gardner	30,508	960	2650	34,118	321	0.0094		
Covington	48,824		2820	51,644	500	0.0097		
Santa Rita	38,538		960	39,498	567	0.0144		
Almond	43,067	960	2880	46,907	540	0.0115		
Loyola	42,371		6955	49,326	573	0.0116		
Springer	37,763		5886	43,649	517	0.0118		
6 Schools	241,071	1,920	22,151	265,142	3018	0.0114	542	47,617
Blach	59,784		9722	69,506	472	0.0068		
Egan*	63,128		9722	72,850	520	0.0071		
JH Schools				142,356	992	0.0070	73	10,476
TOTAL					615		615	58,092

Exhibit 7 Reasonably Equivalent Site Size Benchmark for Facilities Request 2013-14

Acres Needed Analysis	District Stu. Est. (Based 12-13 Actuals)	Total Site Space w/no change to current campuses		SF/Student	BCS Projected In-District Student Count 2013-14	Reasonable Equivalent Site SF 2013-14	Reasonable Equivalent Site Acres 2013-14
		Acres	Sq. Ft.				
Gardner	321	10	435,600				
Covington	500	14.25	620,730				
Santa Rita	567	11.3	492,228				
Almond	540	10	435,600				
Loyola	573	10	435,600				
Springer	517	10.69	465,656				
6 School Total	3018	66.24	2,885,414	956.07	542	518,189	11.90
Blach	472	14.34	624,828				
Egan	520	11.37	495,277				
JH School Total	992	25.71	1,120,106	1,129.14	73	82,427	1.89
OVERALL TOTAL	4,010	91.95	4,005,520		615	600,616	13.79
OVERALL ACRES						13.79	