August 13, 2014

TO: Santa Clara County Board of Education

FROM: Toni Cordova
Chief Strategy Officer

VIA: Jon R. Gundry
County Superintendent of Schools

SUBJECT: Public Hearing on the Material Revision to Bullis Charter School Petition

Associated Goals
Goal 1: Improve student equity and reduce access discrepancies to high quality education
Goal 2: Provide support to districts, communities, schools, and students

Background
On August 6, 2014, the Santa Clara County Board of Education received a letter from Bullis Charter School requesting a material revision to the charter currently authorized by the Santa Clara County Board of Education. A letter from the Los Altos School District Board of Trustees in support of this revision is included with this submission. This item will be placed on the September 3, 2014 board agenda for a decision.

Attachments
Superintendent Jon R. Gundry
Santa Clara County Office of Education
1290 Ridder Park Drive
San Jose, California 95131-2304

Re: Revision of Charter Element VIII

Dear Superintendent Gundry:

Bullis Charter School ("BCS") submits the following requested revision to its Charter for approval by the Santa Clara County Board of Education ("SCCBOE"). This letter clarifies our request presented by letter yesterday. BCS’ Board of Directors approved submission of this revision on July 28, 2014.

Bullis’ revision adds the following footnote on page 24 of the current charter petition, “Element VIII. Admission Requirements,” with regard to lottery preference number 2:

1 During the 2015-2016 and 2016-2017 school years, lottery preference number 2 is modified with respect to kindergarten openings as follows:

- **2015-2016 School Year**: For incoming kindergarten classes, lottery preference 2 will be limited to 40% of total available openings.
- **2016-2017 School Year**: For incoming kindergarten classes, lottery preference 2 will be limited to 30% of total available openings.

A copy of the revised element of the charter is attached in a redline/strikeout format.

BCS’ Charter term ends June 30, 2016. When BCS submits its Renewal Petition, for school years 2017-18, 2018-19, and 2019-20, it will further modify lottery preference number 2 with respect to kindergarten openings:

- **2017-2018 School Year**: For incoming kindergarten classes, lottery preference 2 will be limited to 20% of total available openings.
- **2018-2019 School Year**: For incoming kindergarten classes, lottery preference 2 will be limited to 10% of total available openings.
• **2018-2019 School Year**: For incoming kindergarten classes, lottery preference 2 will be limited to 10% of total available openings.

• **2019-2020 School Year**: No incoming kindergarten student will be given a preference on account of residence within the boundaries of the Former Bullis Attendance Area.

After consultation with SCCOE staff, we understand that BCS’ request is considered a material revision subject to County Board approval. We further understand that this proposed material revision will likely go to the SCCBOE for hearing and action on August 13, 2014. It is also understood that should the Board wish to request other changes to the charter, BCS may withdraw its request. Should you have any questions, please feel free to contact me.

Sincerely,

Wanny Hersey
Superintendent/Principal

Cc: Superintendent Jeff Baier, Los Altos School District
    Maribel Medina, SCCOE General Counsel
VIII. ADMISSION REQUIREMENTS

Admission requirements, if applicable.
- California Education Code Section 47605 (b) (5) (H)

ENROLLMENT POLICY

All students who reside in the State of California may attend the School subject only to capacity at each grade level.

APPLICATION PROCESS

The application process is comprised of completing an application that includes the following:

- Completion of a student enrollment form
- Home Language survey
- Provision of a copy of official birth certificate
- Signed cumulative record request
- Residency affidavit

After acceptance, attending students will provide the following:

- Proof of immunization and physical exam
- Verification of residency

Applications will be accepted during open enrollment period(s) for enrollment in the following school year. Following each open enrollment period, each year’s applications shall be counted to determine whether any grade level has received more applications than it has space available. In this event, the School will hold a public random lottery to determine enrollment for the impacted grade level, with the exception of existing students who are guaranteed enrollment in the following school year.

Preferences in the lottery shall be extended to the following, in order of priority:

1. Siblings of existing Bullis Charter School students who reside within the boundaries of the Los Altos School District.
2. For no more than half the total available openings for each grade level, students who reside within the boundaries of the former Bullis-Purissima Elementary School attendance area, as drawn by Los Altos School District in the 2002-2003 school year (the “Former Bullis Attendance Area”).

1 During the 2015-2016 and 2016-2017 school years, lottery preference number 2 is modified with respect to kindergarten openings as follows:
   - 2015-2016 School Year: For incoming kindergarten classes, lottery preference 2 will be limited to 40% of total available openings.
   - 2016-2017 School Year: For incoming kindergarten classes, lottery preference 2 will be limited to 30% of total available openings.
3. Students who reside within the boundaries of the Los Altos School District.
4. Siblings of existing Bullis Charter School students who reside outside the boundaries of the Los Altos School District.
5. All other students who reside in California.

Students who are currently under an expulsion from a public school may not enroll in the School until the expulsion term has been documented as completed and the Student completes the rehabilitation plan created by the former school or as created by the School on behalf of the student.

At the conclusion of the lottery, all students who were not granted admission due to capacity shall be given the option to put their name on a wait list according to their draw in the lottery. Wait-lists will be maintained for the current enrollment year only. In no circumstance will a wait list carry over to the following school year.

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BCS’ Charter term ends June 30, 2016. Although BCS understands that the County Board cannot approve revisions that run beyond the current 5-year charter term, BCS hereby informs the County Board that when submits its Renewal Petition, for school years 2017-18, 2018-19, and 2019-20, it will further modify lottery preference number 2 with respect to kindergarten openings:

- 2017-2018 School Year: For incoming kindergarten classes, lottery preference 2 will be limited to 20% of total available openings.
- 2018-2019 School Year: For incoming kindergarten classes, lottery preference 2 will be limited to 10% of total available openings.
- 2019-2020 School Year: No incoming kindergarten student will be given a preference on account of residence within the boundaries of the Former Bullis Attendance Area.
August 7, 2014

Santa Clara County Board of Education
1290 Ridder Park Drive
San Jose, CA 95131-2304

Re: Los Altos School District
5-Year Settlement Agreement with Bullis Charter School
Bullis Charter School Request for Material Revision
August 13, 2014 Meeting

To Board Members Leon F. Beauchman, Michael Chang, Joseph Di Salvo, Darcie Green, Julia Hover-Smoot, Grace H. Mah and Anna Song:

We, the members of the Los Altos School District Board of Trustees, write collectively to support Bullis Charter School’s (BCS’s) request to make a material revision to the admissions procedure in its charter.

As the agency that granted BCS’s charter, you are well aware of the history of acrimony between BCS and the District arising out of the allocation of facilities to BCS, as well as other issues related to serving our students. The ongoing legal disputes have been costly and time-consuming for both parties, and divisive within our community. They have also distracted from both parties’ core mission of providing a world-class education for all students.

Driven by our mutual interest in putting the needs of all students first, BCS and the District recently engaged in a series of lengthy discussions designed to reach a multi-year facilities solution, and address other issues of educational equity, to put an end to over ten years of legal proceedings and the resulting discord in our community. On July 28, 2014, both the BCS and LASD boards approved, by unanimous votes, a 5-Year Settlement Agreement ("Agreement"). Not only does the Agreement provide a 5-Year plan for the allocation of facilities to BCS, as well as a cessation of all current legal proceedings, it addresses issues of educational equity that are important to both parties.

Among the provisions of the Agreement is BCS’s commitment to phase out the admissions preference, granted by the County Board as a material revision to the BCS charter in 2008, for students residing in the attendance area of what was formerly the Bullis-Purissima Elementary School. The Agreement calls for the preference, which currently sets aside 50% of openings for incoming students for residents of the Bullis-
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Purissima attendance area, to be phased out gradually during a 5-year period, at which time the preference would be eliminated.

The admissions preference has been a source of discord in our community, and the District recognizes that BCS's willingness to re-evaluate and modify its admissions policy constitutes an important step in healing and reunifying our community.

The Agreement between BCS and the District is contingent upon the County Board approving the material revision to phase out the admissions preference over 5 years, and is subject to potential termination should the County Office or County Board condition approval of the revision upon other revisions to the BCS charter. The District thereby strongly urges the County Board to approve BCS's request for a material revision to phase out the Bullis-Purissima admissions preference over 5 years, as submitted, and without conditioning such approval on other modifications to the BCS charter.

We know that you recognize the immeasurable benefits to our community by approving BCS's request, and thank you for your role partnering with both BCS and the District while we take this significant step in restoring our singular and unified educational community.

Very Truly Yours,  
The Los Altos School District Board of Trustees

Tamara Logan, Board  
President, signing on behalf of  
the Board

Tamara Logan

cc: Jon R. Gundry, Superintendent, Santa Clara County Office of Education  
Wanny Hersey, Superintendent, Bullis Charter School  
Jeffrey Baier, Superintendent, Los Altos School District  
Governing Board, Bullis Charter School  
Board of Trustees, Los Altos School District