

**STAFF ANALYSIS AND PROPOSED FINDINGS OF FACT REGARDING REVIEW OF  
BULLIS CHARTER SCHOOL DISTRICT APPEAL RENEWAL PETITION**

AUGUST 26, 2024, posted AUGUST 9, 2024

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Bullis Charter School (BCS or Bullis) seeks approval to renew its Santa Clara County independent, direct funded, district appeal charter school serving students in grades TK-8. Bullis was initially approved in September 2003 for a three-year term and opened in August of 2004. Bullis was renewed in 2007, 2011, and 2016. It was also materially revised in 2007, 2008, and 2014. Bullis' current term expires June 30, 2025, as its current term was extended by two years in 2021 and an additional year in 2023 by operation of law. Bullis is in the "high" performing category and has requested renewal for a term of seven years from July 2025 through June 2032. Bullis, located within the Los Altos School District (LASD or District) boundaries, currently serves approximately 1,000 students.

**PROCEDURAL STATUS**

The Charter Schools Department of the Santa Clara County Office of Education (County Office of Education or SCCOE) received a renewal charter petition (Renewal Petition or Charter), from Bullis on June 3, 2024. *Education Code (EC)* Sections 47607 and 47607.2 determine the length of charter renewal based on high, middle, or low performing categories for charter schools established by *AB 1505*. The California Department of Education (CDE) has designated, pursuant to criteria in *EC* Section 47607(c), that Bullis is in the high performance category for purposes of this renewal. As a high performing charter school, the Santa Clara County Board of Education (SCCBOE or County Board of Education<sup>1</sup>) may renew the Charter for a term of five, six, or seven years (see further analysis below). If the SCCBOE renews the Charter, the new Charter term begins on July 1, 2025. Renewals and material revisions of district appeal charters are governed by the standards and criteria set forth in *EC Sections 47605, 47607 and 47607.2*.

On July 17, 2024, the SCCBOE held a public hearing on the Bullis Renewal Petition in accordance with the requirement to do so within 60 days of receipt of the renewal application. It is the practice of the Charter Schools Department (CSD) to conduct interviews with Bullis' educational partners, including parents, students, staff, administration, and Bullis Board members. The CSD decided to waive the interviews in this case due to the timing of Bullis' submission of its Renewal Petition in the summer when school is not in session and access to Bullis' educational partners is limited, and in recognition of the school's placement in the high performing category. The CSD's analysis was also informed by the interview responses documented in the recent 2023-24 Annual Oversight Report.

Pursuant to *EC Sections 47607 and 47605*, the County Board of Education has 90 days from receipt of the Renewal Petition to act, which may be extended by an additional 30 days by mutual agreement. In this case, the 90-day period runs through September 3, 2024. Bullis declined SCCOE's request to extend the timeline by one day in order to hold the decision hearing at the regularly scheduled September 4, 2024, SCCBOE

<sup>1</sup> Throughout this document, references to "SCCBOE" or the "County Board" are specifically to the Santa Clara County Board of Education. However, for purposes of convenience, the Santa Clara County Board of Education, the Santa Clara County Superintendent of Schools, and the Santa Clara County Office of Education may be collectively or separately referred to herein as "SCCOE."

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meeting. Therefore, the SCCBOE will hold an additional meeting on Monday, August 26, 2024, to act on the Bullis request for renewal.

In accordance with Board Policy 0420.4, SCCOE, Bullis, and the Bullis-Purisima Elementary School, a non-profit corporation, which governs Bullis, entered into a memorandum of understanding in 2018, and then replaced that memorandum of understanding in 2019 with a First Amended Memorandum of Understanding (First Amended MOU). By its terms, this First Amended MOU “shall continue in full force and effect during the period of any renewal granted by the SCCBOE or during the pendency of an appeal of a denial of a renewal request unless and until such time as the Parties enter into a replacement MOU or specifically agree in writing that the [First Amended MOU] is terminated.” The First Amended MOU governs the respective fiscal, operational, and administrative responsibilities, legal relationships, and other matters not otherwise fully addressed or resolved by the terms of the current charter or the Renewal Petition, pending any further direction or recommendations by the SCCBOE, including SCCBOE’s adoption of the findings and recommendations set forth herein. By its terms, the First Amended MOU is incorporated into the Renewal Petition by reference, therefore, its terms supplement the Renewal Petition submitted by Bullis and were considered as part of CSD’s analysis of the Renewal Petition and continue to bind the Parties unless and until revised or replaced by mutual agreement of the Parties. The CSD has provided Bullis an updated memorandum of understanding (MOU) that is consistent with changes to law since entering into the First Amended MOU, reflects SCCOE’s current best practices, and accurately describes the manner in which Bullis operates as a school of SCCOE for purposes of compliance with the Individuals with Disabilities Education Act (IDEA), among other updates. The Renewal Petition specifies Bullis’ intent to enter into an updated memorandum of understanding, so if SCCBOE renews the Charter, SCCOE will continue to work with Bullis on finalizing the MOU.

The complete Renewal Petition upon which the SCCBOE is acting is attached to the agenda item in BoardDocs and is also available for review at the following location:

[https://www.sccoe.org/supoffice/charter-schools-office/Pending/Bullis\\_Renewal\\_Petition.pdf](https://www.sccoe.org/supoffice/charter-schools-office/Pending/Bullis_Renewal_Petition.pdf)

### **CRITERIA FOR RENEWAL OF A HIGH PERFORMING CHARTER PETITION**

Effective July 1, 2020, the legal standards for determining whether a charter petition should be renewed were updated. *EC* Section 47607(b) specifies that charter renewals “are governed by the standards and criteria described in Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.”

Pursuant to *EC* Section 47605, a charter petition may be denied on the basis of one or more of the following written factual findings:

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain an affirmation of each of the conditions required by statute.
4. The petition does not contain a reasonably comprehensive description of all the required elements.
5. The petition does not contain a declaration of whether the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of the Educational Employment Relations Act (EERA).

As an “additional criterion” for determining whether a charter should be renewed, the chartering authority is required to consider the charter school’s performance on the state and local indicators included in the

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California Dashboard. For this purpose, charter schools are now divided into high, middle, and low performance categories, plus Dashboard alternative status schools (“DASS”), based on performance during the two consecutive years immediately preceding the renewal decision. The pertinent renewal standards and the available length of the renewal term are dependent on this categorization. (EC Section 47607 and 47607.2.)

The CDE annually creates a list of all charter schools and ranks their academic performance indicators from the California School Dashboard, specifying whether each school is in the high, middle, or low performing category, or is a DASS program school. This list was intended to relieve the burden on chartering authorities and provide a starting place for the renewal process. The CDE has designated Bullis as a “high” performing charter school for purposes of this renewal request.

As defined in EC Section 47607(c)(1), with a few exceptions, “high” performing charter schools are those that met one of the following criteria for the two consecutive years immediately preceding the renewal decision:

- i. *The charter school has received the two highest performance levels schoolwide on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels.*
- ii. *For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or higher than the state average and, for a majority of subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average.*

High performing charter schools are only required to update their petitions “to include a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed and as necessary to reflect the current program offered by the charter.” (EC Section 47607(c)(7).) The chartering authority may renew a high performing charter for a term of five to seven years.

The chartering authority “shall not deny” a high performing charter school pursuant to the Dashboard performance criterion. However, a chartering authority may deny renewal of a charter school in any of the three performance categories – including a high performing charter school – if it finds:

- a. *The school is demonstrably unlikely to successfully implement the program due to substantial fiscal factors,*
- b. *The school is demonstrably unlikely to successfully implement the program due to substantial governance factors, or*
- c. *The school is not serving all pupils who wish to attend.*

In such cases, the chartering authority must provide the charter school at least 30 days’ notice of the alleged violation(s) and provide the charter school with a reasonable opportunity to cure the violation(s), including a corrective action plan proposed by the charter school. Pursuant to EC Section 47607(e), the County Board of Education may then deny renewal on these bases only if it makes either of the following findings:

- a. *The corrective action proposed by the charter school has been unsuccessful*
- b. *The violations are sufficiently severe and pervasive as to render a corrective action plan unviable*

As discussed in detail below, on May 21, 2021, SCCOE issued Bullis a notice (“Notice,” attached as Exhibit 1; Bullis’ “Response to Notice” is attached as Exhibit 2) pursuant to EC Section 47607(e) as notice of SCCOE’s determination that BCS is not serving all pupils who wish to attend. The Notice also provided BCS a reasonable opportunity to cure the violations. SCCOE reaffirmed the Notice on August 3, 2023, (“Reaffirmation” attached as Exhibit 3; Bullis’ “Response to Reaffirmation” attached as Exhibit 4). The Notice, Reaffirmation, and all the information and evidence contained therein, including in the exhibits thereto, are

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incorporated herein by this reference as if set forth in full herein. (Included in Exhibits 1-4 are additional related correspondences between the parties relative to the Notice and Reaffirmation.)

### **DETERMINATION CRITERIA FOR RENEWAL OF BULLIS**

As stated above, CDE has designated Bullis as a high performing category school for purposes of this renewal. In its Renewal Petition, Bullis reiterates that it is high performing (and that the data on pages eight through 16 of the Renewal Petition evidence this) and states its academic performance supports Charter renewal. In support, Bullis submitted its data from the California Assessment of Student Performance and Progress ("CAASPP") as well as comparison data for LASD and the LASD schools Bullis students would otherwise have attended. Staff has not reproduced all the information provided by Bullis in this Staff Analysis and Proposed Findings of Fact but incorporates it and the CAASPP data herein by this reference.

During the July 17, 2024, public hearing on the renewal Charter, members of the SCCBOE requested various information and documentation from Bullis, which Bullis' Executive Director Maureen Israel committed to provide. Beginning on the day following the public hearing, CSD Staff directed multiple requests to Ms. Israel seeking the promised information and documentation. Bullis' response was delayed, and Ms. Israel then responded that it was a busy time of year and would take Bullis some time to locate and provide the requested information. In response to an additional request from CSD Staff, including a deadline to provide the information of August 5, 2024, given the timeline for the publication of Staff's recommendations and recommended findings, Ms. Israel responded with several pieces of Bullis marketing materials and an assertion that some of the requested information was included in Bullis' PowerPoint from the public hearing. Ms. Israel stated that Bullis was busy preparing for the return of students, and specified, "We'll continue reviewing when we have capacity to see what other information we can provide." She also asserted that the requested information "is not pertinent to our renewal." CSD Staff disagrees with this assertion, as much of the requested information relates directly to the 47607(e) Notice and whether Bullis' corrective action plan has been effective. It is also noteworthy that Ms. Israel committed to the SCCBOE during the meeting to provide the requested information and documentation and in no way indicated that she believed the information was not relevant to the renewal decision or not readily available. As such, much of the information and documentation Ms. Israel committed during the public hearing to provide to the SCCBOE is not available for consideration as part of this Staff Analysis or to provide to the Board at this time.

Moreover, as CSD Staff specifically noted to Ms. Israel, irrespective of the renewal request, Bullis is legally obligated to promptly respond to all reasonable inquiries from its chartering authority (*EC* Section 47604.3), and these are reasonable inquiries, as tacitly acknowledged by Ms. Israel during the public hearing. CSD Staff also previously made multiple requests for demographic data regarding Bullis' 2024-25 enrollment. Bullis repeatedly declined to provide this information during the pendency of the renewal request but indicated that it would be provided later in the upcoming school year. Ms. Israel asserted that the information was not final and/or that Bullis did not have it available, despite the fact that Bullis indisputably has data regarding students who are currently enrolled for 2024-25, which is the information SCCOE requested.

Throughout the current charter term, CSD Staff has found communications with Bullis and obtaining clear and direct responses to inquiries pertinent to SCCOE's oversight of Bullis to be challenging. CSD Staff strives to work in partnership with SCCBOE-authorized charter schools in conducting its oversight functions and supporting the charter schools in their operations and service to students. With some frequency, Bullis responds to SCCOE's reasonable inquiries and/or exercise of oversight functions with defensiveness rather than clear and open communication, and Bullis resists providing requested information and documentation despite its obligations to promptly respond and to allow SCCOE to conduct its oversight functions. CSD Staff hopes and expects that if Bullis' Charter is renewed, Bullis will work in greater cooperation and partnership with SCCOE and notes that Bullis must understand and comply with its obligations to provide information to SCCOE and allow SCCOE to conduct its oversight functions.



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Below is a discussion of key data provided by Bullis and/or available for consideration of Bullis' academic performance.

## School Academics

### California School Dashboard Data

In 2017, the State of California instituted the California School Dashboard (<https://www.caschooldashboard.org/>) to help parents and educators identify strengths and areas for improvement. The Dashboard reports how districts, schools (including charter and DASS schools), and student groups are performing across state and local measures. For state measures, performance is based on two factors: (1) current year results, or Status; and (2) whether results improved or declined from the prior year, or Change. Performance on state measures, using comparable statewide data, is represented by one of five colors with Red being lowest and Blue being highest (see object 1 below). A performance level, or color is not provided on the Dashboard when a student group has fewer than 30 students. However, the Status and Change data will be displayed. Further, when a student group has fewer than 11 students, the group does not receive a performance level (color) and the group's Status and Change are not displayed in order to protect the anonymity of the students. This information is represented by using a grey color gauge with the words "No Performance Color."

#### Object 1: California Dashboard Performance Color Chart



Due to COVID-19 and the suspension of statewide testing, the California School Dashboard was suspended for 2020 and 2021. The 2022 Dashboard (based on 2021-22 data) did not have any prior year data for comparison and therefore only included Status levels, and no Change was reported. The 2023 Dashboard (based on 2022-23 data) had prior year data for comparison, thus, Change was reinstated. The following data is based on 2022 and 2023 Dashboard data that shows the performance level colors, the Status from 2022-23 and the Change or the difference (growth or decline) from 2021-22.

#### Object 2: Bullis Performance on 2023 California School Dashboard

	2023 CALIFORNIA SCHOOL DASHBOARD									
	ELA		Math		ELPI		Chronic Absenteeism		Suspension	
	DFS	Level	DFS	Level	Rate	Level	Rate	Level	Rate	Level
All Students	112.5	BLUE	128.5	BLUE	70.0	BLUE	5.1	ORANGE	0.2	BLUE
Hispanic/Latino	87.4	0	86.3	0			8.9	ORANGE	0	BLUE
English Learners (EL)	59.3	GREEN	78.2	GREEN			13.9	ORANGE	0	BLUE
Students with Disabilities (SWD)	11.7	GREEN	24.7	GREEN			10.6	ORANGE	0	BLUE
Socioeconomically Disadvantaged (SED)	0.2	0	9.6	0			9.1	0	0	0

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In 2022-23, Bullis received a Distance from Standard (DFS) score of 112.5 points from standard in ELA and maintained DFS within -0.2 points from the prior year, making the performance level for all students Blue. Bullis received a DFS score of 128.5 points from standard in Math and increased performance +6 DFS points from the prior year, making the performance level for all students Blue.

### ***Object 3: 2022 and 2023 California School Dashboard Student Group Report for Bullis***

	Suspension Rate		Chronic Absenteeism		English Language Arts		Mathematics		English Learner Progress	
	2022	2023	2022	2023	2022	2023	2022	2023	2022	2023
<b>All</b>	VERY LOW 0.4%	BLUE 0.2%	LOW 3%	ORANGE 5.1%	VERY HIGH 112.7 DFS	BLUE 112.5 DFS	VERY HIGH 122.4 DFS	BLUE 128.5 DFS	HIGH 56.8%	BLUE 70%
<b>EL</b>	MEDIUM 1.8%	BLUE 0%	LOW 2.8%	ORANGE 13.9%	NPL 1.5 DFS	GREEN 59.3 DFS	VERY HIGH 108.3 DFS	GREEN 78.2 DFS		
<b>SED</b>	NPL 0%	NPC 0%	NPL 7.1%	NPC 9.1%	NPL	NPC 0.2 DFS	NPL -70.6 DFS	NPC 9.6 DFS		
<b>SWD</b>	VERY LOW 0%	BLUE 0%	VERY LOW 1.2%	ORANGE 10.6%	HIGH 31.8 DFS	GREEN 11.7 DFS	VERY HIGH 48.9 DFS	GREEN 24.7 DFS		
<b>Asian</b>	VERY LOW 0.5%	BLUE 0%	VERY LOW 2.1%	YELLOW 4.1%	VERY HIGH 121.6 DFS	BLUE 121.3 DFS	VERY HIGH 138.8 DFS	BLUE 142.3 DFS		
<b>Hispanic/ Latino</b>	VERY LOW 0%	BLUE 0%	MEDIUM 6.4%	ORANGE 8.9%	NPL 109.6 DFS	NPC 87.4 DFS	NPL 107.9 DFS	NPC 86.3 DFS		
<b>White</b>	VERY LOW 0%	BLUE 0.5%	LOW 4.8%	ORANGE 8.3%	VERY HIGH 94.2 DFS	GREEN 88.1 DFS	VERY HIGH 86.9 DFS	BLUE 98.6 DFS		
<b>Two or More Races</b>	VERY LOW 0%	GREEN 0.5%	LOW 3.2%	YELLOW 2.9%	VERY HIGH 115.8 DFS	BLUE 119.5 DFS	VERY HIGH 121.3 DFS	BLUE 128.5 DFS		
<b>African American</b>	NPL	NPC	NPL	NPC	NPL	NPC	NPL	NPC		
<b>American Indian</b>	NPL	NPC	NPL	NPC	NPL	NPC	NPL	NPC		
<b>Filipino</b>	NPL 0%	NPC 0%	NPL 0%	NPC 0%	NPL	NPC	NPL	NPC		
<b>Pacific Islander</b>	NPL	NPC	NPL	NPC	NPL	NPC	NPL	NPC		

*\*No performance level (NPL) given for groups of less than 30 students. Status rates are not given for groups of less than 11 students.  
No performance color (NPC) given for groups of less than 30 students.*

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While many areas of Bullis' Dashboard have no performance color ("NPC"), or no performance level ("NPL") due to the small size of the student group tested, it is evident that Bullis students performed above standard academically. However, Bullis experienced increases in chronic absenteeism for all students and across all student groups. Object 4 below shows the Status and Change information from the 2022 and 2023 Dashboard academic indicators.

### ***Object 4: 2023 California School Dashboard Student Status and Change Report for Bullis***

	<b>Suspension Rate</b>	<b>Chronic Absenteeism</b>	<b>English Language Arts</b>	<b>Mathematics</b>	<b>English Learner Progress</b>
<b>All</b>	Maintained -0.2%	Increased 2.2%	Maintained -0.1 points	Increased 6.1 points	Increased 13.2%
<b>EL</b>	Declined 1.8%	Increased 11.1%	Declined 31.1 points	Declined 30 points	
<b>SED</b>	Maintained* 0%	Increased* 1.9%	NPC	NPC	
<b>SWD</b>	Maintained 0%	Increased 9.4%	Declined 20 points	Declined 24.2 points	
<b>Asian</b>	Declined 0.5%	Increased 2%	Maintained -0.3 points	Increased 3.5 points	
<b>Hispanic/Latino</b>	Maintained 0%	Increased 2.5%	Declined 22.3 points	Declined 21.5 points	
<b>White</b>	Maintained 0%	Increased 3.5%	Declined 6.1 points	Increased 11.7 points	
<b>Two or More Races</b>	Increased 0.5%	Increased 1.8%	Increased 3.7 points	Increased 7.2 points	
<b>Filipino</b>	Maintained* 0%	Maintained* 0%	NPC	NPC	

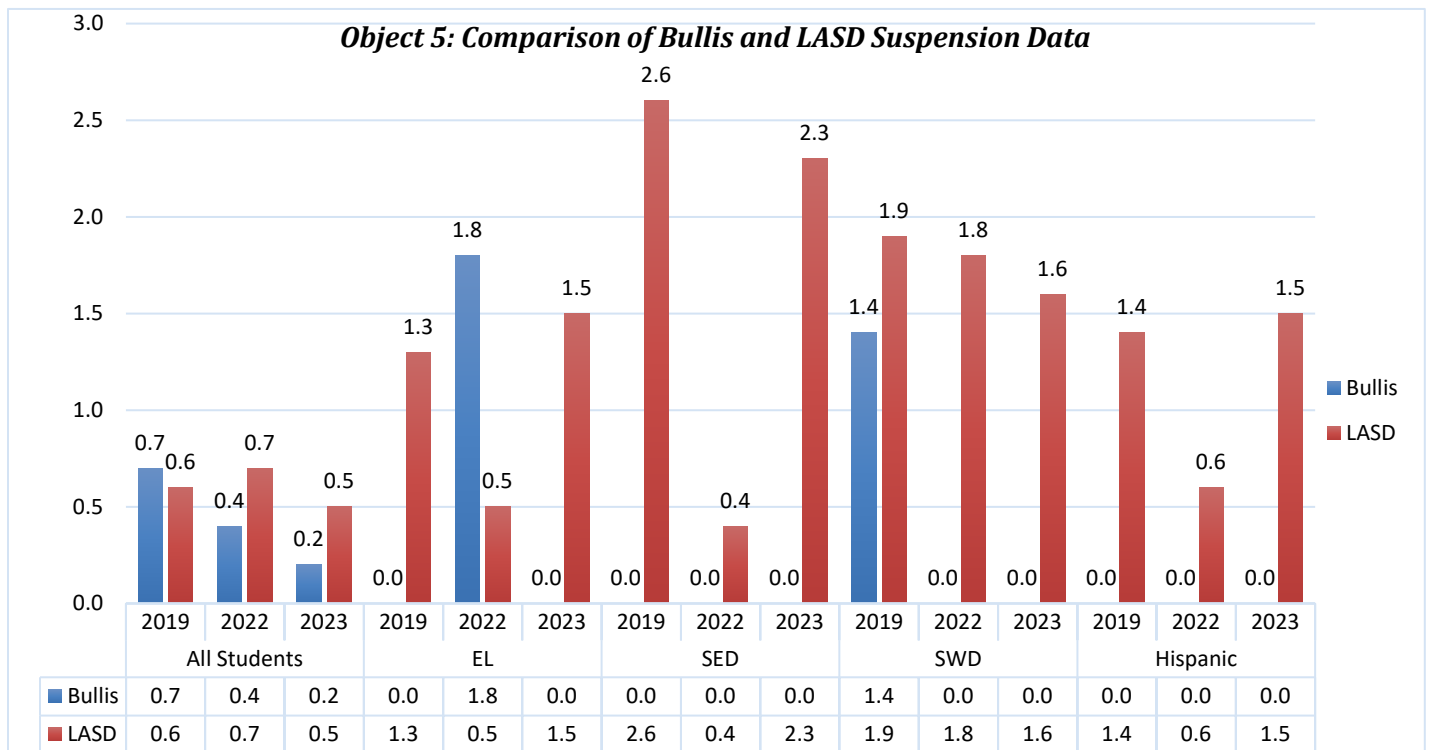
*\*No performance color (NPC) given for groups of less than 30 students. Status rates are not given for groups of less than 11 students.*

*Suspension Rate and Chronic Absenteeism are reverse metrics, therefore increasing in score is not desired.*

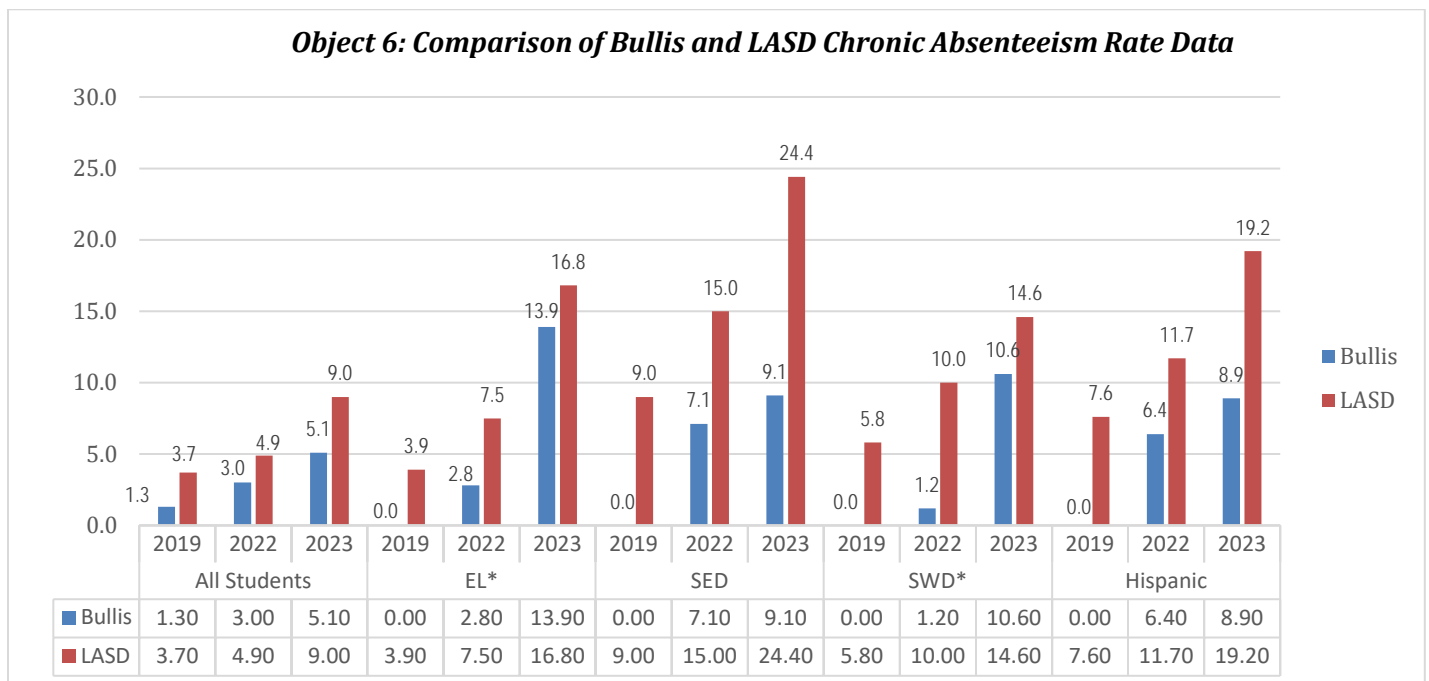
*\*\*No scores are given for groups of less than 11 students.*

Object 5, below, shows data comparing the suspension indicator by student group for Bullis and LASD in 2018-19, 2019-20, and 2020-21. For most of the Dashboard measures, the desired outcome is a high number or percent in the current year as well as an increase from the prior year. A distinguishing feature of the suspension measure is the desired outcome is a low suspension rate, which means a low percent in the current year and a decline from the prior year rate. While LASD showed mixed results schoolwide and for each student group year over year, Bullis showed decreases (the desired outcome) for all students and each targeted student group from 2018-19 to 2022-23. No student group of focus had any suspensions at Bullis in the 2022-23 school year.

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Object 6, below, displays Dashboard data comparing the chronic absenteeism rate indicator by student group for Bullis and LASD in 2018-19, 2021-22, and 2022-23. In all years and student groups, Bullis has a lower chronic absence rate than LASD. However, the chronic absenteeism rate is increasing for Bullis and LASD, instead of decreasing.



Data retrieved from: [www6.cde.ca.gov/californiamodel/](http://www6.cde.ca.gov/californiamodel/)

\* An asterisk indicates there are fewer than 11 students, the minimum size for any reporting

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## CAASPP Data

The tables below reflect the CAASPP data (<https://caaspp-elpac.cde.ca.gov/>) verified by SCCOE staff while determining Bullis' schoolwide student performance and progress relative to LASD and schools with the largest student populations enrolled at Bullis. Due to COVID-19, all statewide testing for 2019-20 was cancelled. Further, Bullis submitted its Renewal Petition at the end of the 2023-24 school year, prior to the testing results for 2023-24 being available. The tables below constitute the most recent academic data available for review. Statewide summative testing begins at third grade and is administered annually through eighth grade but is only given at eleventh grade in high school; therefore, the charts contain data only for the tested grade levels served by Bullis.

### **Object 7: Percentage of ALL STUDENTS at or Above Standard on CAASPP in ELA and Math at Bullis, LASD, and Statewide**

2022-23 CAASPP (ELA)			
Grade	Bullis	LASD	State
3	90.98	81.21	42.96
4	88.46	82.25	43.73
5	90.00	85.93	46.69
6	94.50	87.23	44.16
7	91.57	86.53	47.44
8	97.53	84.65	45.66
All	91.74	84.79	45.11

2022-23 CAASPP (Math)			
Grade	Bullis	LASD	State
3	97.74	86.20	45.11
4	93.08	84.16	40.79
5	90.77	85.16	33.38
6	93.58	86.83	33.19
7	93.90	84.73	33.16
8	96.30	78.46	29.94
All	94.14	84.11	35.93

Object 7, above, reflects the 2022-23 CAASPP results in English Language Arts (ELA) and Math for Bullis, LASD, and the State. In ELA and Math, Bullis outperforms both LASD and the State. While the State serves students K-12, the State scores here represent only grades 3-8 (excluding Grade 11 scores) to provide a comparison to Bullis and LASD.

### **Object 8: Four-Year Trend of the Percentage for ALL STUDENTS at or Above Standard on CAASPP ELA and Math at Bullis, LASD, and Statewide**

Four-Year Trend CAASPP (ELA)				
	19-20	20-21	21-22	22-23
Bullis	NA	90.23	93.03	91.74
LASD	NA	*	85.68	84.79
State	NA	44.77	45.74	45.11

Four-Year Trend CAASPP (Math)				
	19-20	20-21	21-22	22-23
Bullis	NA	91.89	93.64	94.14
LASD	NA	*	84.25	84.11
State	NA	33.62	34.51	35.93

Data for 2019-20 is NA or not available due to cancelation of statewide testing due to COVID-19.

\* LASD did not administer the CAASPP in 2020-21, in accordance with the flexibility granted by the CDE during that school year.

Object 8, above, reflects schoolwide student achievement in ELA and Math across the last four years of CAASPP for Bullis, LASD, and the State. While the results reflect a rate of progress for Bullis students above their peers in LASD and the State, Bullis' scores declined slightly in ELA for 2022-23 from 2021-22, while scores increased for Bullis in Math.

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## **Object 9: Four-Year Trend of the Percentage of Numerically Significant Student Groups at or Above Standard on CAASPP in ELA and Math for Bullis Grades 3-8**

ELA				
	19-20	20-21	21-22	22-23
ALL	*	90.23	93.03	91.74
SWD	*	64.58	63.93	54.39
Hispanic/Latino	*	84.62	89.29	83.87
SED	*	*	*	53.85
EL	*	36.36	55.56	37.50

Math				
	19-20	20-21	21-22	22-23
ALL	*	91.89	93.64	94.14
SWD	*	66.67	70.49	62.50
Hispanic/Latino	*	80.77	89.29	86.67
SED	*	*	*	53.85
EL	*	59.09	55.56	66.67

Data for 2019-20 is NA or not available due to cancelation of statewide testing due to COVID-19.

\* No score provided for student groups with fewer less than 11 students.

Object 9, above, reflects the CAASPP results for numerically significant student groups at Bullis over the last four years. In ELA, the data shows slight increases in the percentages of all students and students who are English learners (EL) at or above standard over the four years. However, in the one year from 2021-22 to 2022-23, the percentage of students at or above standard decreased for all students, students with disabilities (SWD), students who are Hispanic/Latino, and ELs. The 2022-23 school year is the only year in which the students who identify as socio-economically disadvantaged (SED) was large enough to have data reported for both ELA and Math. In Math, all students, students who are Hispanic/Latino, and students who are ELs increased in the percentage of students at or above standard over the four years shown. From 2021-22 to 2022-23, the percentage of students at or above standard decreased for SWD and Hispanic/Latino groups while all students, Hispanic/Latino, and ELs increased the number of students at or above standard.

## **Object 10: Comparison of the Percentage of Students at or Above Standard on 2023 CAASPP ELA Results for LASD, Bullis, and LASD Schools Near Bullis**

2022-23 CAASPP (ELA)							
Group	Bullis	LASD	Santa Rita	Loyola	Blach	Egan	State**
ALL	91.74	84.79	67.86	85.26	86.70	84.69	45.10
SED	53.85	50.00	36.36	*	53.33	53.06	33.44
Hispanic/Latino	83.87	54.51	40.00	*	59.26	63.49	34.22
EL	37.50	29.69	19.51	*	*	34.62	10.53
SWD	54.39	46.15	24.00	42.30	41.67	40.54	15.57

\*No data presented for the group due to size of group at those grade levels.

\*\*The State of California serves students TK-12, but for purposes of comparison to Bullis, the scores below only include grades 3-8 (grade 11 is not included).

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### ***Object 11: Comparison of the Percentage of Students at or Above Standard on 2023 CAASPP Math Results for LASD, Bullis, and LASD Schools in Close Proximity (percentage at or above standard on CAASPP)***

<b>2022-23 CAASPP (Math)</b>							
<b>Group</b>	<b>Bullis</b>	<b>LASD</b>	<b>Santa Rita</b>	<b>Loyola</b>	<b>Blach</b>	<b>Egan</b>	<b>State**</b>
<b>ALL</b>	94.14	84.11	70.87	87.44	86.60	77.55	35.93
<b>SED</b>	53.85	43.89	31.11	*	46.67	36.73	23.96
<b>Hispanic/Latino</b>	86.67	50.21	40.00	*	48.15	49.21	23.98
<b>EL</b>	66.67	43.62	38.30	*	*	38.46	9.63
<b>SWD</b>	62.50	43.75	20.00	53.85	38.89	27.03	13.40

\*No data presented for the group due to size of group at those grade levels.

\*\*The State of California serves students TK-12, but for purposes of comparison to Bullis, the scores below only include grades 3-8 (grade 11 is not included).

Objects 10 and 11, above, reflect the 2022-23 CAASPP data as compared to LASD and the LASD schools that Bullis students would otherwise have attended or are in close physical proximity to Bullis: Santa Rita and Loyola elementary schools and Blach and Egan middle schools. Overall, Bullis' ELA scores outperform or are comparable to comparison schools and the State. In Math, Bullis outperforms LASD, all comparison schools, and the State.

### ***ELPAC Data***

Objects 12 and 13, below (from <https://caaspp-elpac.cde.ca.gov/>), reflect the 2022-23 English Language Proficiency Assessment of California (ELPAC) data as compared to the schools in LASD that Bullis students otherwise would have attended: Santa Rita and Loyola Elementary and Blach and Egan Middle schools. Of the comparison schools, Bullis had the lowest percentage of students who increased one or more English Language Progress Indicator (ELPI) levels. However, Bullis outperformed all others in maintaining level 4 and all but Egan in the total percent making progress.

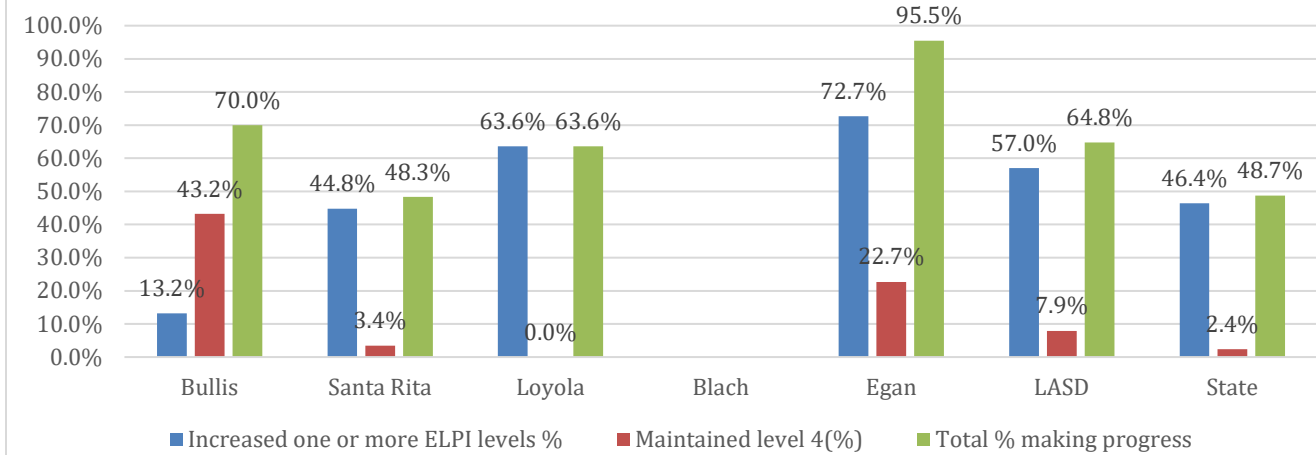
### ***Object 12: 2022 Comparison of EL Progress Measured by ELPAC***

	<b><i>Bullis</i></b>	<b><i>Santa Rita</i></b>	<b><i>Loyola</i></b>	<b><i>Blach</i></b>	<b><i>Egan</i></b>	<b><i>LASD</i></b>	<b><i>State</i></b>
<b><i>Increased one or more ELPI levels</i></b>	13.2%	44.8%	63.6%	*	72.7%	57.0%	46.4%
<b><i>Maintained level 4</i></b>	43.2%	3.4%	0%	*	22.7%	7.9%	2.4%
<b><i>Total % making progress</i></b>	70.0%	48.3%	63.6%	*	95.5%	64.8%	48.7%
<b><i>Performance Level</i></b>	<i>Blue</i>	<i>Orange</i>	*	*	**	<i>Green</i>	<i>Yellow</i>
<b><i>Number of Students</i></b>	30	58	11	*	22	165	829,209

\*EL progress is not reported for student populations under 11 students.

## Bullis Charter School Petition

### **Object 13: 2022 Comparison of EL Progress Measured by ELPAC**



*\*\*This school did not have an EL Progress Indication in 2022, due to a small population. As the performance level is determined by examining status and change, schools must have at least two years of data to have a performance level assigned.*

### **Finances**

Bullis exhibits a healthy financial position. As reflected in Object 14, beginning with the fiscal year 2016-17, Bullis met and exceeded the 4% reserve requirement in its Memorandum of Understanding with the SCCOE. As of June 30, 2023, Bullis had an audited reserve balance of \$2,688,340, or 16% as a percentage of expenses. The Independent Auditor's Report for the Year Ending June 30, 2023, reported an Unmodified Opinion on the financial statements, as well as on State and Federal compliance with various laws and regulations. In addition, there were no identified deficiencies or material weaknesses noted regarding internal controls over financial statements and internal controls over compliance for fiscal year 2022-23. All fiscal reports required by law and by the SCCOE have been timely received. Bullis maintains and implements sound fiscal policies and procedures, including internal controls governing all financial and business-related activities.

Fiscal Staff in the Charter Schools Department is not aware of any significant financial concerns for Bullis.

		Object 14: Historical Financial Summary <sup>1</sup>							
		2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
[A]	Total Revenues	10,383,765	11,312,222	12,735,285	14,265,627	15,283,928	15,647,132	17,204,678	20,334,836
[B]	Total Expenses	10,313,488	11,281,769	12,686,005	14,706,818	14,091,370	15,351,950	16,746,659	19,894,482
[C]	Net Assets Released from Restriction	(63,721)							
[D] = [A - B + C]	Net Income (Loss)	6,556	30,453	49,280	(441,191)	1,192,558	295,182	458,019	440,354
[E]	Beginning Fund Balance	1,097,483	1,104,039	1,134,492	1,183,772	742,581	1,935,139	2,230,321	2,688,340
[F]	Adjustment to Beg. Fund Balance	-	-	-	-	-	-	-	-
[G] = [(D+E) + F]	Total Net Assets, End of Year	\$ 1,104,039	\$ 1,134,492	\$ 1,183,772	\$ 742,581	\$ 1,935,139	\$ 2,230,321	\$ 2,688,340	\$ 3,128,694
[H] = [G/B]	Fund Balance %	11%	10%	9%	5%	14%	15%	16%	16%

1. Source of Data: Audited Financial Reports for FY 2016-17 - 2022-23. FY 2023-24 is based on Second Interim Report



# Bullis Charter School Petition

## Demographic Data

In accordance with EC Section 47607(d), SCCOE requested, received from CDE, and reviewed aggregate data reflecting pupil enrollment patterns and test score patterns at Bullis, as well as other demographic data from CDE through the CDE website, and demographic data provided to SCCOE by Bullis itself.

In Objects 15 and 16, a comparison of the average Distance from Standard (DFS) academic assessment scores is made between students who left Bullis and DFS for the students remaining at Bullis. Object 15 reviews the average DFS for students who left after Census Day, and Object 16 reviews the data for the students who left Bullis at the end of the year and did not return for the following school year. This does not include students who would age out of the school. Per the aggregate data from CDE, students who leave Bullis are not students who appear to have been counseled out based on lower academic performance, as the average DFS in academic assessments for students leaving Bullis or not returning to Bullis are higher than the students remaining at Bullis. Further, the student enrollment numbers for the students who left Bullis are for all grades, whereas the number of students tested only includes grades 3-8, as those are the grade levels tested at Bullis.

### Object 15: Comparison of Average DFS for Students Who Left BCS After Census Day and BCS DFS

Academic Year	Subject	Enrolled Beginning of Year but Not Enrolled Conclusion	Cumulative Enrollment	Percent Enrolled Beginning Not Enrolled Conclusion	Number of Students Tested who left BCS	DFS Average for Students who left BCS	DFS Average for Students Remaining at BCS
2016-17	ELA	7	833	0.84%	6	119.83	111.0
2016-17	Math	7	833	0.84%	6	75.50	112.7
2017-18	ELA	61	888	6.87%	47	118.87	105.8
2017-18	Math	61	888	6.87%	47	121.66	113.7
2018-19	ELA	51	922	5.53%	35	119.63	100.0
2018-19	Math	51	922	5.53%	35	119.29	109.9
2019-20	ELA	66	1051	6.28%	30	101.20	*
2019-20	Math	66	1051	6.28%	30	98.07	*
2022-23	ELA	101	1073	9.41%	66	116.97	112.5
2022-23	Math	101	1073	9.41%	66	110.11	128.5

\* No Dashboard DFS available

**Object 16: Comparison of Average DFS for Students Attended BCS for at Least 90 days and Did Not Return the Following Year and BCS DFS**

Academic Year	Subject	Enrolled for 90 days in Prior Year but Not on Census Day of Current Year	Prior Year Cumulative Enrollment	Percent Enrolled for 90 days Prior Year but Not on Census Day	Number of Students Tested who left BCS	DFS Average for Students who left BCS	DFS Average for Students Remaining at BCS
2016-17	ELA	57	749	7.61%	46	124.76	111.0
2016-17	Math	57	749	7.61%	46	120.93	112.7
2017-18	ELA	78	833	9.36%	62	107.05	105.8
2017-18	Math	78	833	9.36%	62	118.95	113.7
2018-19	ELA	71	888	8.00%	60	117.87	100.0
2018-19	Math	71	888	8.00%	60	130.40	109.9
2019-20	ELA	60	922	6.51%	42	113.17	*
2019-20	Math	60	922	6.51%	42	109.74	*
2022-23	ELA	73	1077	6.78%	53	106.58	112.5
2022-23	Math	73	1077	6.78%	53	114.87	128.5

\* No Dashboard DFS available

The tables below show the cumulative enrollment data for Bullis from 2016-17 to 2022-23; the total enrollment data for Bullis from 2016-17 to 2022-23; and the enrollment stability data for Bullis from 2016-17 to 2022-23. Cumulative enrollment data for 2023-24 was not available as it is still being formulated by CDE. Cumulative enrollment consists of the total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), regardless of whether the student is enrolled multiple times within a school or district. Bullis' cumulative enrollment over the years shows a clear increase in Asian students, stability in Hispanic/Latino and a decrease in White students. When looking at student group data, SED and EL are fluid from year to year, especially when comparing to the total enrollment student numbers for both SED and EL in Object 18 below.

**Object 17: Cumulative Enrollment for Bullis from 2016-17 to 2022-23**

	Cumulative Total Number of Students	Number of Hispanic or Latino	Number of Asian	Number of Filipino	Number of White	Number of African American	Number of Two or More Races	Number of Not Reported
<b>2016-17</b>	833	37	380	*	231	*	146	20
<b>2017-18</b>	888	37	421	*	229	*	164	16
<b>2018-19</b>	922	35	460	*	235	*	167	*
<b>2019-20</b>	1,051	41	546	17	238	*	174	27
<b>2020-21</b>	1,106	39	609	15	233	*	168	35
<b>2021-22</b>	1,077	48	613	13	209	*	156	34
<b>2022-23</b>	1,073	45	634	13	194	*	154	29

\*Data is suppressed for categories if the student population (cumulative students) is 10 or less.

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## **Object 18: Cumulative Bullis Student Group Data from 2016-17 to 2022-23**

	Cumulative Total Number of Students	Number of SED	Number of EL	Number of SWD
<b>2016-17</b>	833	*	92	58
<b>2017-18</b>	888	22	90	61
<b>2018-19</b>	922	16	42	72
<b>2019-20</b>	1,051	16	60	83
<b>2020-21</b>	1,106	24	102	86
<b>2021-22</b>	1,077	14	110	85
<b>2022-23</b>	1,073	22	72	85

\*Data is suppressed for categories if the student population (cumulative students) is 10 or less.

The total enrollment for a school is established on California Basic Educational Data System (CBEDS) day in early October. Objects 19 and 20 below, show the total enrollment demographic and student group data for the number of students enrolled in each category across the charter term for Bullis.

## **Object 19: Bullis Total Enrollment Demographic Data from 2016-17 to 2023-24**

	Total Number of Students	Number of Hispanic or Latino	Number of Asian	Number of Filipino	Number of White	Number of African American	Number of Two or More Races	Number of Not Reported
<b>2016-17</b>	825	36	379	8	228	10	144	19
<b>2017-18</b>	879	37	416	8	227	10	163	15
<b>2018-19</b>	915	35	460	9	233	9	167	*
<b>2019-20</b>	1,039	41	539	17	234	5	173	27
<b>2020-21</b>	1,093	36	602	15	233	4	168	32
<b>2021-22</b>	1,067	47	606	13	209	2	156	32
<b>2022-23</b>	1,058	44	624	13	192	1	153	28
<b>2023-24</b>	1,025	46	634	14	170	2	132	25

Data gathered from Dataquest: <https://data1.cde.ca.gov> \*No data reported for this group in this year.

## **Object 20: Bullis Total Enrollment Student Group Data from 2016-17 to 2023-24**

	Total Number of Students	Total Number of SED	Total Number of EL	Total Number of SWD
<b>2016-17</b>	825	7	90	46
<b>2017-18</b>	879	14	89	61
<b>2018-19</b>	915	11	41	64
<b>2019-20</b>	1,039	15	59	70
<b>2020-21</b>	1,093	19	73	73
<b>2021-22</b>	1,067	14	61	75
<b>2022-23</b>	1,058	20	65	73
<b>2023-24</b>	1,025	38	92	75

Data gathered from Dataquest: <https://data1.cde.ca.gov>

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Objects 21 and 22 show the Stability Rate data for Bullis from 2017-18 to 2022-23. The Stability Rate is defined as the percentage of California public school students enrolled during the academic year (July 1 – June 30) who completed a "full year" of learning in one school. The Stability Rate data below shows the percentage of students who remained at Bullis throughout each school year. Bullis' stability percentage is on average 97.6%, therefore, once a student is admitted to Bullis, that student stays at Bullis. The stability rates averaged across student groups from 2017-18 through 2022-23 are also high: EL is approximately 95.6%, SED is approximately 93.9%, and SWD is approximately 97.0%.

### **Object 21: Bullis Enrollment Demographic Stability Percentage Data from 2017-18 to 2022-23**

	<b>Total Number of Students</b>	<b>% Total</b>	<b>% Hispanic or Latino</b>	<b>% Asian</b>	<b>% Filipino</b>	<b>% White</b>	<b>% African American</b>	<b>% Two or More Races</b>	<b>% Not Reported</b>
<b>2017-18</b>	879	97.6	100.0	97.1	*	96.9	*	99.4	93.8
<b>2018-19</b>	915	98.4	100.0	98.9	*	97.9	*	100.0	*
<b>2019-20</b>	1,039	98.1	100.0	97.8	100.0	97.5	*	98.9	100.0
<b>2020-21</b>	1,093	97.1	92.3	97.7	100.0	96.1	*	98.2	91.4
<b>2021-22</b>	1,067	97.8	93.8	97.7	100.0	99.5	*	100.0	82.4
<b>2022-23</b>	1,058	96.8	97.8	96.8	100.0	96.4	100.0	98.1	89.7

Data gathered from Dataquest: <https://data1.cde.ca.gov>

\*To protect student privacy, data are suppressed population size within a selected student population (eligible cumulative enrollment) is 10 or less.

### **Object 22: Bullis Student Group Stability Percentage Data from 2017-18 to 2022-23**

	<b>Total Number of Students</b>	<b>Stability Percentage SED</b>	<b>Stability Percentage EL</b>	<b>Stability Percentage SWD</b>
<b>2017-18</b>	879	90.9	96.7	98.4
<b>2018-19</b>	915	93.8	100	100
<b>2019-20</b>	1,039	93.8	98.3	91.6
<b>2020-21</b>	1,093	91.7	93.1	98.8
<b>2021-22</b>	1,067	100	96.4	97.6
<b>2022-23</b>	1,058	95.5	91.7	96.5

Data gathered from Dataquest: <https://data1.cde.ca.gov>

## **REVIEW OF THE CHARTER PETITION**

Consistent with the Charter Schools Act and County Board Policy 0420.4, SCCOE Staff reviewed the renewal Petition using the criteria established in *EC* Sections 47605 and 47607, including the requirement that Bullis update its Renewal Petition to include “a reasonably comprehensive description of any new requirement of charter schools enacted into law after the [C]harter was originally granted or last renewed and as necessary to reflect the current program offered by the [C]harter,” and found:

### **1. Sound Education Program**

The Bullis Renewal Petition presents a research based educational program that meets the required elements of a sound educational program, though the description of the means by which Bullis complies with the requirements of the Individuals with Disabilities Education Act (“IDEA”) has not been updated as necessary to reflect the current program offered by Bullis, as discussed more fully below. BCS’ Mission states, “BCS offers a collaborative, experiential learning environment that

## Bullis Charter School Petition

emphasizes individual student growth. As a model of educational innovation, BCS inspires children, faculty, and staff to reach beyond themselves to achieve their full potential. Using a global perspective to teach about the interconnectedness of communities and their environments, the BCS program nurtures mutual respect, civic responsibility, and a lifelong love of learning.”

These mission elements are further supported and reinforced through the schoolwide application of high expectations, personalized learning, integrated learning, real world applications and community supported learning. All curriculum areas (ELA, Math, Science, Social Studies/History, Visual and Performing Arts (VAPA), Physical Education (PE), instructional design, STEAM) are Common Core State Standard (CCSS) and Next Generation Science Standard (NGSS) aligned and supported by researched and staff adopted text and digital content. Academic content delivery is through structured Project Based Learning (PBL) approaches that are thematic, integrated, and supported by technological resources.

Every student has Focused Learning Goals (FLG), developed collaboratively, reviewed, and evaluated consistently, and shared with and supported by the student’s family. The FLG allows for individualized attention to specific outcomes in the academic, social/emotional and passion areas. FLGs are supported through class, teachers, and student groups across the school. They are monitored monthly, and in June every FLG is evaluated on a 1-5 rubric based on the metrics agreed upon in the fall conferences.

The middle school intersession program at Bullis is made up of three two-week units consisting of integrated, interdisciplinary, design-thinking units that promote 21<sup>st</sup> century skill building. Sixth grader students focus on the Early Human Design Challenge – looking at constructing shelters using 21<sup>st</sup> century knowledge for earlier civilizations. Seventh grade focuses on practical, technical skills such as woodworking, cooking, and sewing, so they can collectively produce and stage a student run theater performance at the end of the school year. Eighth grade focuses on design-thinking, financial literacy, and social entrepreneurship through a variety of activities.

### Transitional Kindergarten (TK)

The Renewal Petition includes Transitional Kindergarten (TK) among Bullis’ grade offerings. Bullis has been providing TK since it was enacted into law in 2010, but it was not separately described in the prior charter iterations as it was simply part of a two-year kindergarten program and initially there was no guarantee from the State that TK would continue. Bullis transitioned from a half-day TK/Kindergarten program to a full day TK and Kindergarten, and the Renewal Charter has been updated to reflect this modification in Bullis’ approach. As such, this is not an expansion to add an additional grade level, as it is consistent with the program that has previously been authorized and offered at Bullis. The description of the grade levels and program has simply been revised to reflect the current laws governing TK. Charter schools are not required to offer TK, but those schools that do offer TK must comply with all the requirements established regarding TK. Bullis’ Renewal Petition now formalizes the program it has been providing.

### **Students Performing Below Grade Level:**

In the Renewal Petition, Bullis outlines a comprehensive approach to supporting a diverse student population through a Multi-Tiered System of Supports (MTSS). This evidence-based framework addresses academic, behavioral, and social-emotional needs with a proactive, tiered approach to intervention. By using data to inform decisions and early identification of at-risk students, MTSS ensures prompt interventions to prevent academic and social-emotional difficulties from escalating.

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Academically low-performing students are discussed during weekly “Student Response Team” (SRT) meetings, and goals are created to guide instruction and tailored supports for those students.

### Special Education:

BCS operates as a public school of SCCOE for purposes of compliance with the IDEA in accordance with Education Code 47641(b). The petition describes a relationship in which SCCOE is responsible for all the staffing and services components of special education, “unless SCCOE and Bullis Charter School agree that Bullis may hire site special education staff.” However, at this time, BCS has chosen to move to a model in which it hires its own staff to provide services with SCCOE oversight in an effort to better direct and provide educational services to its students, so the descriptions in the Charter and the First Amended MOU have not been updated accurately to reflect the current program offered by Bullis. As such, it is necessary that Bullis enter into the updated MOU with SCCOE to describe accurately the current means by which Bullis complies with the IDEA as a school of SCCOE for such purposes.

BCS special education staff currently includes: a speech pathologist, resource specialists, an occupational therapist, a behavior interventionist, and paraprofessionals. Bullis also has a school counselor and psychologists on staff. In the Renewal Petition, BCS has allocated an additional one (1) FTE BCS special education administrator to oversee special education program and coordinate with SCCOE (up from a 0.4 FTE in the current charter).

For the 2023-24 school year, BCS had 75 students (7.3%) eligible for special education services, with 98.7% of those students identified as mild/moderate.

Per DataQuest on the CDE website, in 2022-23, 100% of the 68 students with disabilities at BCS spent 80% or more of the day in the regular education classroom. In 2023-24, 98.7% or 74 students spent 80% or more of the day in the regular education classroom as 1.3% of students or one student spent 39% or less of the school day in the regular classroom. When compared to LASD and the schools Bullis students otherwise would have attended, the students with disabilities are not as neurodiverse as the students who are served in LASD.

### Object 23: 2023-24 Special Education Enrollment by Program Setting for Bullis and Comparison Schools and District and State

	Bullis	LASD	Santa Rita	Loyola	Blach	Egan	State
<b>Special Education Enrollment</b>	75	348	41	46	53	25	836,846
<b>Regular Class 80% or More of the Day</b>	98.7%	61.2%	80.5%	56.5%	49.1%	68%	59.1%
<b>Regular Class 40-79% of the Day</b>	0	14.4%	14.6%	21.7%	22.6%	28%	15.2%
<b>Regular Class 39% or Less of the Day</b>	1.3%	13.8%	4.9%	17.4%	28.3%	4%	17.1%
<b>Separate School &amp; Other Settings</b>	0	0.9%	0	0	0	0	2.5%
<b>Preschool Setting</b>	0	9.8%	0	4.3%	0	0	6.1%
<b>Missing/Unknown</b>	0	0	0	0	0	0	0

## Bullis Charter School Petition

### **English Learners (EL):**

The student population at Bullis includes 9.0% identified as English Learners (EL). Bullis has instituted a process to identify English learners and to ensure each student's educational and language development progress is measured annually to help determine individual growth and schoolwide performance. The English Language Development (ELD) Standards are broken down into three parts that allow for (1) interaction with English language, (2) application of English language, and (3) foundational skills for beginning EL students.

According to the Bullis Renewal Petition, Bullis's ELD program provides specialized instruction through both in-class and pull-out small group settings, using personal learning goals in listening, speaking, reading, and writing. Teachers are trained in language acquisition strategies such as Total Physical Response (TPR), visuals, sentence frames, anchor charts, adapted text, and language scaffolding using Sheltered Instruction Observation Protocol (SIOP) strategies. Additionally, technology like Lexia English supports fluency, vocabulary development, grammar, and reading comprehension. An "Enhancement block" is included in the schedule for Grades 1-5 to provide dedicated time for English Learners to receive ELD instruction. Teachers integrate ELD instruction with Common Core State Standards (CCSS) and the California ELD standards, employing strategies like graphic organizers and sentence stems to facilitate learning.

During SCCOE Staff's annual visits across the charter term, informal observations, and discussions with Bullis staff, Bullis agreed that although all staff had been trained, more training and follow-through is needed. Members of the Bullis Team have been working to improve the quality of instruction for English Learners, and improvement has occurred.

During the 2023-24 annual classroom visits, the SCCOE team observed that designated and integrated ELD instruction was not consistent across the school. In response to SCCOE inquiries, Bullis explained that integrated ELD support is provided in the form of sentence frames, word banks, and scaffolded texts for students. Scaffolded texts are available to all students and can also be assigned by the teacher to specific students. These types of supports are more indicative of reading support in ELA rather than language supports for integrated ELD.

BCS is legally required to provide designated and integrated ELD instruction (per California Code of Regulations, Title 5, Section 11309(c)(1)) to the students at Bullis as part of a comprehensive delivery plan designed to overcome language barriers and provide access to the core curriculum if there is even one student identified as EL. Previously, Bullis has submitted a one-page document outlining five key ELD practices, but has not in the most recent term of its charter, submitted a comprehensive English Learner Master Plan. Development and maintenance of an EL Master Plan is a recommended approach in communicating how an LEA addresses EL components/legal requirements when providing services to students who are ELs. Particularly given Bullis' past acknowledgment of the need to increase training and improve the quality of instruction for English learners, SCCOE strongly recommends that Bullis develop and provide SCCOE with an updated plan on integrated and designated ELD instruction to be included in the MOU or an addendum thereto in order to support the school's services to English learner students. SCCOE refers Bullis to resources provided by the CDE and Loyola-Marymount University to assist in development of this plan.

(See <https://www.cde.ca.gov/sp/el/er/charterschoolelltr.asp>, <https://www.cde.ca.gov/nr/el/le/yr15ltr0918.asp>, <https://www.cde.ca.gov/nr/el/le/yr19ltr1218.asp>, and "English Learner Master Plan Playbook".)



### **Educational Leadership**

The Executive Director and Principals are the educational and instructional leaders at Bullis, in addition to being responsible for teacher supervision, evaluation, and providing input and approval of each faculty and staff member's SMARTIE (strategic, measurable, ambitious, realistic, time-bound, inclusive, and equitable) Goals. (The Renewal Petition changes the senior administrator's title from the current "Superintendent" or "Superintendent/Principal" to "Executive Director" and the current title of "Assistant Principal" is now "Principal.") While the current Principals at Bullis each hold teaching or pupil personnel services (PPS) credentials, and two of the principals have an administrative credential, the employee qualifications identified in the body of the Petition for these positions do not explicitly require a teaching or PPS credential. Among other qualifications, these positions required a minimum of three years classroom teaching experience (with five years preferred) and an administrative credential (current California Tier I or Tier II or proof of eligibility for either) is also preferred.

The sample job descriptions for the Executive Director and the Principals included in the Renewal Petition do not specify that the positions require a teaching or PPS credential from California or another state, but do require teaching experience, and it appears Bullis' intent is to require a teaching credential at minimum. Despite omitting a teaching or PPS credential from the list of administrator qualifications in the body of the Renewal Petition, Bullis' preference for a California Administrative Credential implies a teaching credential is required, as a California administrative credential requires an underlying California teaching or PPS credential. Additionally, if Bullis administrators "cover" classes for teachers when a substitute is not available, they are required to hold a California teaching credential.

The job duties assigned in the Renewal Petition to administrative positions are consistent with the need for at least a valid teaching or PPS credential, if not an administrative credential. This is particularly true in light of the mandate that all charter school teachers now hold a Commission on Teacher Credentialing certificate, permit, or other document required for the teacher's certificated assignment. Bullis' current Executive Director and Principals should also meet this requirement applicable to the teachers they supervise and evaluate. The lack of a teaching credential for a person holding one of these positions could negatively impact the quality of educational services provided to Bullis students, and requiring teaching credentials is consistent with the County Board of Education's expressed expectations for charter schools under its oversight in order to help ensure a sound educational program. SCCOE Staff strongly encourages Bullis to commit to revise the minimum qualifications for the positions of Executive Director and Principals to include a valid California or other U.S. teaching or PPS credential through the MOU or an addendum thereto.

The Charter Schools Department Staff concluded the Bullis Renewal Petition provides sufficient information to substantiate the required elements for a sound educational program consistent with new requirements of charter schools pursuant to law and the requirements of Bullis' current program provided that, as a condition of approval, Bullis be required to enter into the MOU accurately updating the means by which Bullis provides its special education program. Additionally, SCCOE strongly encourages Bullis to develop and submit its integrated/designated ELD master plan and explicitly require that the employment qualifications for the Executive Director and Principal positions include California or other U.S. teaching or pupil personnel services credentials through provisions in the MOU or an addendum to the MOU.



**2. Ability to successfully implement the program set forth in the Petition**

Staff identified concerns supporting a determination that Bullis is not serving all students who wish to attend, which were detailed in the Notice and the Reaffirmation Notice, though Staff also determined that Bullis has implemented some changes and made some incremental progress in this area. This issue is discussed more fully below in the “Additional Criteria for Denying a Charter Renewal” Section. Apart from the concerns addressed in that section below, Staff found facts demonstrating the Petitioners are likely to successfully implement the program only if Bullis is required to resolve the other identified conditions through the MOU or an addendum to the MOU, as described more fully throughout this Staff Analysis and Findings of Fact. CSD Staff further recommends that Bullis and SCCOE address the other concerns and issues noted herein through the MOU or addendum.

**3. Affirmation of each of the conditions required by statute**

SCCOE Staff found the Petition contains the required affirmations.

**4. Reasonably comprehensive description of the required elements**

As explained above, as a high performing charter school, Bullis is legally required only “to update its charter to include a reasonably comprehensive description of any new requirement of charter school enacted into law after the charter was originally granted or last renewed and as necessary to reflect the current program offered by the charter.” Of course, this minimum legal requirement does not mean that Bullis cannot or should not include additional information to further improve and/or clarify its Charter. Staff’s analysis of the required charter elements in the Renewal Petition notes issues that SCCOE recommends be improved or revised through the MOU or addendum process in order to be consistent with charter school best practices and SCCOE expectations, irrespective of the minimum legal requirements. Additionally, as noted above, Bullis’ current program and charter include mandatory compliance with the terms of the First Amended MOU, so the provisions thereof are part of Bullis’ current practices, and that First Amended MOU will remain in full force in effect unless and until it is replaced by a new agreement or otherwise terminated by mutual agreement of SCCOE and Bullis. In updating the Renewal Petition to be consistent with law and current practices, Bullis is not empowered unilaterally to materially revise its Charter (including the provisions of the First Amended MOU), but, rather, would have to request such material revisions, which the SCCBOE could then consider and approve or deny separate from its action on the renewal request.

The Charter Schools Department Staff found, as detailed below, that additional specificity and requirements governing Bullis’ educational program, governance, and operations, including its compliance with the required charter elements, should be addressed through the MOU or an addendum to the MOU.

In preparing the Renewal Petition, Bullis appears to have overlooked a variety of updates necessary to a reasonably comprehensive description of legal requirements that have gone into effect since Bullis’ last renewal and/or to reflect Bullis’ current program. Examples include, but are not limited to, failing to update the governance section to include the names and qualifications of all board members, failing to include the current 2024-27 Local Control and Accountability Plan (LCAP), failing to include a description of the process used to conduct the public random drawing for admission, failing to update the special education program and process, and failing to update language in the Renewal Petition that currently indicates the LASD Governing Board is the chartering authority instead of the SCCBOE. As detailed below, CSD Staff recommends the SCCBOE, as a condition of

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renewal, require Bullis to address areas in which Bullis has not fully updated the Charter to be consistent with law and/or to reflect its current program through the MOU or an addendum thereto. Additionally, CSD Staff found, as detailed below, that additional specificity and requirements governing Bullis' operations to be consistent with best practices and expectations should also be addressed through the MOU or an addendum to the MOU. CSD Staff also notes that references in the Renewal Petition to the Education Code have not all been updated to reflect the current law.

### **A. Element One: Description of the Educational Program/Plan for Student Academic Achievement**

The Renewal Petition describes Bullis Charter School's instructional design as emphasizing a student-centered, project-based learning approach aimed at developing critical thinkers and problem solvers. Bullis states the curriculum is rooted in state standards and integrates subjects such as English, Math, Science, and Social Studies with Physical Education, Arts, and World Languages to provide a balanced education. Bullis maintains that it accommodates diverse learning styles through flexible grouping, interdisciplinary inquiry, and real-world applications to foster 21st-century skills like critical thinking, communication, collaboration, and creativity.

Bullis describes its instructional delivery model as involving teachers working in grade level teams to plan and ensure consistent delivery of content, adapted to meet individual student needs. BCS asserts it leverages its charter status to select the most effective curricula and materials, facilitating flexible grouping strategies and incorporating technology, character development, and service learning into instruction. Personalized learning goals are established for each student, focusing on academic, social/emotional, and passion areas, aligned with the school's mission and state standards.

The 2024 Bullis Charter School instructional design reflects significant enhancements and updates compared to the 2016 petition. While maintaining the core principles of project-based learning, interdisciplinary inquiry, and personalized education, the 2024 Renewal Petition incorporates new curriculum pilots, advanced technological tools, and an expanded focus on continuous improvement and state standards alignment. The introduction of the Enhancement Block for targeted academic support and updated professional development for teachers further demonstrate the school's commitment to evolving and improving its educational offerings. Despite these advancements, the foundational elements of fostering critical thinking, creativity, collaboration, and communication remain consistent, ensuring a stable yet progressive learning environment for students.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description consistent with new requirements of charter schools pursuant to law and the requirements of Bullis' current program provided the update to the special education program to reflect Bullis' current program is included in the MOU. CSD Staff further encourages Bullis to develop and submit the integrated/designated ELD master plan, and to commit to minimum credential requirements for the Executive Director and Principals positions.

### **B. Element Two: Measurable Student Outcomes**

In the Renewal Petition, Bullis combined elements two and three, but the elements will be separated here for clarity.

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Bullis Charter School's desired outcomes for students, as outlined in Its Renewal Petition, primarily focus on meeting various educational standards and fostering comprehensive student development. The school aims to ensure that all students attain skills, knowledge, and attitudes aligned with state and local standards, as reflected in its LCAP. Key outcomes include demonstrating proficiency in core academic subjects through performance on standardized tests like CAASPP, CST, PFT, and NWEA MAP, as well as participation in the Silicon Valley Math Initiative's assessments.

Bullis also emphasizes student growth in literacy and mathematics, using both formative and summative assessments to guide instruction and measure progress. For instance, reading inventories are used to establish baseline data in decoding, comprehension, and fluency, while benchmark assessments in Language Arts and Mathematics help tailor instruction to individual student needs. Additionally, the school focuses on enhancing students' global competency through its foreign language program, offering Biliteracy Pathway Awards to recognize proficiency in languages such as Mandarin and Spanish. Bullis's approach also includes fostering student reflection and goal setting, with students regularly reviewing assessment data and setting personal learning goals.

Bullis' Renewal Petition, seemingly in error, included its **2022-23** LCAP. A school's LCAP addresses state requirements and provides both quantitative and qualitative indicators for determining performance and progress, but the 2022-23 LCAP focuses on 2021-22 data. Bullis did not include its 2024-27 LCAP, which would be current and cover part of the prospective term of the Charter or even the 2023-24 LCAP. Pursuant to law, Bullis is required to and has updated its LCAP annually, thus, by definition, including the 2022-23 LCAP to describe its measurable pupil outcomes is inconsistent with the requirement to update the Renewal Petition to reflect the current program and comply with the law. On July 1, 2024, as required by *EC* Section 47604.33, Bullis submitted the 2024-27 LCAP to SCCOE. While not included in the Renewal Petition, CSD Staff reviewed and analyzed the current LCAP, considered it as part of Bullis' reasonably comprehensive description of measurable student outcomes, and addresses that version in this staff analysis.

For the 2024-27 LCAP, Charter-wide parental input was considered as Bullis determined the best way to utilize its Local Control Funding Formula (LCFF) funds. Bullis' LCAP sets benchmarks scaffolded across the three-year span, utilizing student proficiency levels on CAASPP in English Language Arts and Math as the academic criteria. Additional academic metrics involve student performance and progress on the English Language Proficiency Assessments for California (ELPAC), attendance, absenteeism, suspension, and expulsion rates, with broad benchmark goals. However, several metrics were missing, and the LCAP did not fully address all the eight State Priorities, namely middle school dropout rates, promoting parental participation in programs for unduplicated pupils and for individuals with exceptional needs, and programs and services developed and provided to unduplicated pupils and individuals with exceptional needs.

SCCOE has concerns about the baseline student satisfaction data in the 2024-27 LCAP. In goal 3, student satisfaction data demonstrates that only 69% of elementary students and 58% of middle school students feel they belong at Bullis. Also, while 74% of elementary students feel they are respected by teachers, only 48% feel respected by peers. In the middle school, 61% of students feel respected by teachers and 43% feel respected by peers. Although Bullis has developed a plan to raise all these results to 80% over the next three years, it is concerning that approximately 40% of students do not feel they belong at this high-performing school.

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Parent satisfaction survey results, phone calls, and community meetings help round out additional measurable outcomes in Bullis' LCAP. SCCOE Staff also notes the law regulating charter school adoption of an LCAP was revised as of July 1, 2019, and Bullis is now required to comply with all requirements for adoption and revision of an LCAP, including the holding of at least one public hearing to solicit public input on the LCAP in accordance with *EC* Section 47606.5. Bullis held its 2024-25 public hearing on May 6, 2024.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description consistent with new requirements of charter schools pursuant to law and the requirements of Bullis' current program when incorporating the 2024-27 LCAP, rather than the 2022-23 LCAP Bullis actually attached to the Renewal Petition, and that current LCAP must be required to be attached to the MOU or addendum.

### **C. Element Three: Method by Which Pupil Progress in Meeting Outcomes will be Measured**

According to the Renewal Petition, Bullis Charter School employs a variety of assessments to measure pupil outcomes. These include standardized assessments such as the California Assessment of Student Performance and Progress (CAASPP) and California Science Test (CAST), administered annually per state requirements, as well as the NWEA Measures of Academic Progress (MAP), administered in the Fall, Winter, and Spring. These assessments are used for summative evaluation of student proficiency in core subjects relative to state standards, providing benchmarks to measure overall school performance and individual student progress.

Additionally, Bullis uses formative assessments regularly throughout the academic year. These include reading inventories, benchmark assessments in Language Arts and Mathematics, and teacher-designed assessments that are administered on a bi-weekly or monthly basis. Formative assessments are primarily for progress monitoring, allowing teachers to tailor instruction based on immediate feedback and student needs. Diagnostic assessments, such as initial reading and math screenings, are administered at the beginning of the school year to establish baseline data and guide the development of personalized learning plans. Summative assessments, including final exams and project-based assessments, are used at the end of instructional units or the academic year to evaluate overall student learning outcomes and determine mastery of content. The data from these assessments are used to inform instruction, develop individualized learning goals, and guide professional development for teachers, supporting continuous improvement in student learning and achievement.

Overall, Bullis Charter School's petition provides a comprehensive framework for assessing pupil outcomes through a variety of instruments. The detailed plan includes the types of assessments used, their frequency, purposes, and how the data will be leveraged to enhance instruction and student learning. Specific performance targets are also set to ensure continuous monitoring and improvement of student outcomes.

Bullis communicates assessment data to educational partners using several methods to ensure transparency and involvement in the educational process. Students engage with their assessment data in developmentally appropriate ways, fostering reflection and goal setting. For example, fifth-grade students review a variety of assessment data related to their Focus Learning Goals every month. Parents receive regular updates on their children's progress through various means. This includes real-time access for middle school parents and students to view assessment results via PowerSchool, the online gradebook. Additionally, parents are

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invited to Focus Learning Goal Conferences where teachers (and students, depending on age) discuss student performance data, goals, and progress. Finally, formal, and informal communications are provided to parents such as regular updates on in-class assessments, tri-annual report cards, and individual student score reports from state and NWEA testing, sent home with explanatory letters.

The school staff analyzes and disaggregates data across individual and grade levels, identifying patterns of strengths and weaknesses. This data guides instruction, determines student needs, measures progress, and informs families about their children's progress. Staff meetings and professional development sessions focus on data analysis, program adjustments, and training based on this data. These formative assessments are embedded into the LCAP and MTSS processes, requiring ongoing examination of assessments and creation of action plans for students not meeting grade-level expectations.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description consistent with new requirements of charter schools pursuant to law and the requirements of Bullis' current program.

### **D. Element Four: Governance Structure**

The Bullis Renewal Petition states the Board will consist of no more than nine (9) directors, including two seats reserved for current parents and one for a non-parent community member who resides within LASD. Bullis has stated that it currently has eight members on its Board. Per the Petition (p.106), two of the Board of Directors' terms expired on June 30, 2024, during the pendency of the Renewal Petition. Further, the Charter Schools Act has been updated (*EC* Section 47605(h)) to require that Bullis include with its Renewal Petition the names and relevant qualifications of the charter board members. Bullis merely included the names and term end dates, without any information about their qualifications, including which members serve in the seats reserved for parents and a local resident. Bullis is required to provide the relevant qualification information for its Board members, including the persons who it has nominated to fill the positions that expired June 30, 2024.

The Renewal Petition acknowledges the SCCBOE's right to appoint a representative to the Bullis Board, but its description of the manner by which Bullis Board members are selected omits to note that those procedures do not apply to any SCCBOE representative, consistent with law and the First Amended MOU. The bylaws also do not explicitly except from the nominations committee process any SCCBOE representative.

The Renewal Petition states the Board will comply with all federal, state, and local laws applicable to independent public charter schools and Bullis has adopted a Conflict of Interest (COI) Code (included in the appendix section), which has been approved by the County Board of Supervisors.

Since the Charter's last renewal, *EC* Section 47604.1 has been added, which requires Bullis to comply with the Political Reform Act of 1974, Government Code Section 1090 et seq., the Brown Act, and the California Public Records Act. The Renewal Petition specifies Bullis shall comply with each of these laws. Additionally, the First Amended MOU required that the bylaws be updated by September 1, 2017, to prohibit actions that would violate, among other things, the Political reform Act, nor can the bylaws violate Government Code Section 1090 and/or the mandates of *EC* Section 47604.1. The bylaws attached to the Renewal Petition were approved by the Bullis Board in June 2013 and are not executed. There is no indication

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that the bylaws have been reviewed since 2013. These 2013 bylaws provide for means of entering into “contracts with directors and officers” that would violate those legal prohibitions. Further, the Charter and bylaws allow for no more than 49% of the board members to be interested members; yet, no teachers or staff are permitted to be on the board, so it is unclear how other “interested” members could serve on the Board who do not come within the limited exception for employees to serve on the Board pursuant to *EC* Section 47604.1(d).

In accordance with the Political Reform Act and Bullis’ conflict of interest code, all directors and senior Bullis staff are required to file a “Form 700” annually disclosing specified interests. During the charter term, SCCOE staff have reviewed the Forms 700 filed on behalf of Bullis reporters and found that directors or staff appear to have identified reportable interests as required. There is no date included on the conflict of interest code indicating when it was adopted.

Bullis has an established Parent Organization – Bullis Booster Club or BBC – and parents are strongly encouraged to become actively involved and engaged in meaningful ways in their child’s education, in addition to parent involvement in the governance of Bullis through the Board seats reserved for parents.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description consistent with new requirements of charter schools pursuant to law and the requirements of Bullis’ current program only if Bullis is required to submit the board member qualifications and resolve the bylaws and conflict issues through the MOU or an addendum to the MOU, including updates to the bylaws.

### **E. Element Five: Employee Qualifications**

Bullis states it recruits qualified personnel for all administrative, instructional, instructional support, and non-instructional support capacities. Bullis further asserts the staff recruited believe in the instructional philosophy outlined in its vision statement. In accordance with *EC* Section 47605(c)(5)(e), Bullis shall be nonsectarian in its employment practices and all other operations. Bullis shall not discriminate against any individual (employee or student) on the basis of the characteristics listed in *EC* Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics).

As described above, the Bullis administrator qualifications described in the renewal Charter do not state these positions require a valid teaching or PPS credential. While administrative credentials are not legally required for administrators at charter schools, possession of at least valid California teaching credentials for the Executive Director and Principal positions would allow those administrators to cover classrooms or teach classes as needs arise, and a valid teaching credential or PPS credential is consistent with both Bullis’ preference that these administrators have administrative credentials and the duties of these positions.

Bullis continues to work with SCCOE Human Resources to ensure the teaching staff are enrolled in Teacher Credentialing Programs and fulfilling all the legal requirements necessary to perform as teachers. Bullis also partners with Marshall Teacher Residency to provide teacher interns. Due to the Renewal Petition being submitted at the end of the 2023-

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24 school year and prior to the start of the 2024-25 school year, Bullis is in the process of hiring for the 2024-25 school year, and SCCOE staff was unable to determine if all Bullis staff have the appropriate credentials. As part of the annual review process, SCCOE Staff will determine whether all Bullis Staff meet the current credentialing requirements.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description consistent with new requirements of charter schools pursuant to law and the requirements of Bullis' current program, but SCCOE Staff strongly encourages Bullis to explicitly require that the employment qualifications for the Executive Director and Principal positions include California or other U.S. teaching or pupil personnel services credentials through provisions in the MOU or an addendum to the MOU.

### **F. Element Six: Health and Safety**

Bullis provided an overview of Health and Safety Policies and Procedures and the process for employee fingerprinting and background checks. All staff are required to undergo annual mandated reporter training pursuant to EC Section 44691. (CSD Staff notes that in its ongoing oversight role, it is currently monitoring Bullis' compliance with the Child Abuse and Neglect Reporting Act.) Bullis states it is committed to providing a safe, compliant working environment. Bullis submitted its 2023-24 Comprehensive School Safety Plan that declares Bullis will review and update the plan by March 1 of every year and that the plan shall include the required safety topics.

CSD Staff notes that, despite correction of this in the First Amended MOU, the Renewal Petition includes a requirement that employees are required to provide "I-9 Proof of American citizenship or other forms of legal work permissions form with a copy of driver's license and social security card, or other acceptable identification." As clarified in the First Amended MOU, however, the required I-9 form is the Employment Eligibility Verification Form, and potential employees of Bullis are not required to prove that they are American citizens, but, rather, that they are legally eligible to work in the United States. Bullis must stop incorrectly referring to the I-9 form or any requirement to work at Bullis as requiring proof of U.S. citizenship.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description consistent with new requirements of charter schools pursuant to law and the requirements of Bullis' current program, and notes the updated MOU provided to Bullis includes supplemental information on compliance with health and safety requirements.

### **G. Element Seven: Racial, Ethnic, English Learner, and Special Education Balance**

On July 1, 2020, AB 1505 took effect, updating Element G to require schools to provide a reasonably comprehensive description of the means by which the school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, reflective of the general population residing within the territorial jurisdiction of the district to which the Bullis charter was initially submitted, which, as previously established, is LASD. This element of Bullis' Renewal Petition has been updated to reference that change in the law.

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Object 24, below, shows the Filipino, African American and Two or More Race student groups at Bullis are reflective of those same populations at LASD. The Asian, White, and Hispanic or Latino student groups, however, are not reflective of their peer groups at LASD.

Object 25, below, demonstrates that while the EL group is reflective of the population at LASD, the SED and SWD populations at Bullis do not reflect the population at LASD. Further, the SWD population is not as neurodiverse as LASD, as discussed in the special education analysis above.

### ***Object 24: Comparison of 2023-24 Demographic Data Among Bullis, LASD, and Schools Bullis Students Would Otherwise Have Attended***

	Hispanic or Latino	Asian	Filipino	White	African American	Two or More Races
<b>Bullis</b>	4.5%	61.9%	1.4%	16.6%	0.2%	12.9%
<b>LASD</b>	9.6%	39.5%	0.8%	36.1%	0.5%	12.9%
<b>Santa Rita</b>	22.1%	32.4%	1.9%	32.7%	0.3%	10.1%
<b>Loyola</b>	4.3%	39.3%	0.3%	40.2%	0.3%	15.4%
<b>Blach</b>	6.9%	36.9%	0.5%	41.8%	0.5%	13.4%
<b>Egan</b>	13.1%	38.3%	0.6%	36.7%	0.6%	9.7%

Data gathered from Dataquest: <https://data1.cde.ca.gov>

### ***Object 25: Comparison of 2023-24 Student Group Data Among Bullis, LASD, and Schools Bullis Students Would Otherwise Have Attended***

	Total Number of Students	SED	EL	SWD
<b>Bullis</b>	1,025	3.7%	9.0%	7.3%
<b>LASD</b>	3,361	7.0%	10.2%	9.5%
<b>Santa Rita</b>	367	18.8%	24.8%	11.2%
<b>Loyola</b>	351	2.6%	10%	13.1%
<b>Blach</b>	404	3.2%	1.7%	13.1%
<b>Egan</b>	496	10.3%	7.1%	5.0%

Data gathered from Dataquest: <https://data1.cde.ca.gov>

Bullis, in its renewal Charter, states the school strives through recruitment and outreach practices, to achieve a balance of racial and ethnic pupils, special education pupils, English learner pupils, and socioeconomically disadvantaged pupils that is reflective of the general population residing within LASD. During the current term of the Charter, Bullis hired a Director of Community Engagement and Outreach to manage and direct Bullis' outreach strategy, which includes, but is not necessarily limited to:

- Parent information nights
- School tours
- Translation of website into Spanish and Mandarin
- Have staff members fluent in a variety of languages, available daily to assist with parent inquiries
- Sessions to provide 1:1 support to complete online enrollment form at school
- Direct mailings



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- Fliers/signage/advertising in multiple languages

Unfortunately, this element of the Charter does not explicitly commit Bullis to at least annually review and audit the outcomes of its efforts to achieve this student balance and increase the number of students from historically underserved groups who are recruited and admitted to and enrolled at Bullis – including a fact- and data-based analysis of which strategies are and are not effective – and to continue to make changes and improvements in an effort to reach these goals. This charter element requires a description of the means by which the requisite balance will be achieved, therefore, it is not a reasonably comprehensive description of compliance with the current law without a commitment to modify and improve the methodology if that balance has not been met, which it has not yet in Bullis’ case.

SCCOE also notes, during the current charter term, including in response to the 47607(e) Notice and Reaffirmation, as discussed more fully below, Bullis has submitted various recruitment and corrective action plans to address this area. Those plans and commitments are part of Bullis’ current program for achieving this pupil balance, and to the extent that those plans are not fully described herein, they remain obligations of and components of this charter element with which Bullis must comply unless and until such components are updated through audit, review, and improvement to Bullis’ work and plans in this area.

### ***Object 26: Bullis Demographic Data from 2016-17 to 2023-24***

	<b>Total Number of Students</b>	<b>Hispanic or Latino %</b>	<b>Asian %</b>	<b>Filipino %</b>	<b>White %</b>	<b>African American %</b>	<b>Two or More Races %</b>
<b>2016-17</b>	825	4.4	45.9	1.0	27.6	1.2	17.5
<b>2017-18</b>	879	4.2	47.3	0.9	25.8	1.1	18.5
<b>2018-19</b>	915	3.8	50.3	1.0	25.5	1.0	18.3
<b>2019-20</b>	1,039	3.9	51.9	1.6	22.5	0.5	16.7
<b>2020-21</b>	1,093	3.3	55.1	1.4	21.3	0.4	15.4
<b>2021-22</b>	1,067	4.4	56.8	1.2	19.6	0.2	14.6
<b>2022-23</b>	1,058	4.2	59.0	1.2	18.1	0.1	14.5
<b>2023-24</b>	1,025	4.5	61.9	1.4	16.6	0.2	12.9

Data gathered from Dataquest: <https://data1.cde.ca.gov>

### ***Object 27: Bullis Student Group Data from 2016-17 to 2023-24***

	<b>Total Number of Students</b>	<b>Percentage of SED</b>	<b>Percentage of EL</b>	<b>Percentage of SWD</b>
<b>2016-17</b>	825	0.8	10.9	5.6
<b>2017-18</b>	879	1.6	10.1	6.9
<b>2018-19</b>	915	1.2	4.5	7.0
<b>2019-20</b>	1,039	1.4	5.7	6.7
<b>2020-21</b>	1,093	1.7	6.7	6.7
<b>2021-22</b>	1,067	1.3	5.7	7.0
<b>2022-23</b>	1,058	1.9	6.1	6.9
<b>2023-24</b>	1,025	3.7	9.0	7.3

Data gathered from Dataquest: <https://data1.cde.ca.gov>

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Although Bullis' Hispanic/Latino population has not remained steady across the charter term, the SED population has grown across the charter term and almost doubled from 2022-23 to 2023-24. The EL population was 10.9% in 2016-17, fell to 4.5% in 2018-19, and has grown back to 9.0% in 2023-24. The SWD population has also experienced some growth and relative stability across the charter term.

Bullis' student demographics do not closely reflect the demographics of LASD, as there are statistically significant differences. As detailed below, SCCOE conducted a statistical analysis comparing Bullis and LASD's populations of the following historically underserved groups: Hispanic/Latino, EL, SED, and SWD (both with and without including students who have transferred to LASD from out of LASD's boundaries, so may not be reflective of the population residing within LASD, as referenced in this charter element). Notwithstanding Bullis' assertions in the Charter, there continues to be a statistically significant difference in the enrollment of students who are Hispanic/Latino, students with disabilities, and students who are socio-economically disadvantaged, between Bullis and LASD, though there is not currently a statistically significant difference in the enrollment of students who are English learners.

In 2021-22, the SCCBOE approved changes to Bullis' enrollment preferences to include a preference for students who qualify for free or reduced-price meals who live in LASD (limited to 10% of the total openings at each grade level) and another preference for students who qualify for free or reduced-price meals and who live outside of LASD. These preference changes were in response to the 47607(e) Notice and are part of the school recruitment plan submitted by Bullis as its corrective action plan in response to the 47607(e) Notice. The preference for students who qualify for free or reduced-price meals who live outside of LASD is quite low on Bullis' preference list, above only all other applicants who reside outside of LASD. Based on the information Bullis has provided to SCCOE on this topic, it appears that no students who qualified for this preference who reside outside of LASD have been offered admission to Bullis since the admission preference was approved, so that particular preference has not been effective in helping bring Bullis' enrollment into closer alignment with LASD's population. Through the MOU or addendum to the MOU, Bullis should be required to provide further updates to its plan, including, but not limited to, a commitment to audit and expand its efforts as necessary to achieve the requisite balance in accordance with EC Section 47605(c)(5)(G).

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description consistent with new requirements of charter schools pursuant to law and the requirements of Bullis' current program only if, through the MOU or an addendum to the MOU, it incorporates any additional components of the plans previously submitted by Bullis on this topic and includes a BCS commitment to at least annually review, audit, and modify as needed this plan, as described more fully above and in the discussion of the 47607(e) Notice and the need for Bullis to serve all students, below. Additionally, as explained above, Bullis' separately submitted plans in this area continue to be commitments and obligations of Bullis whether or not fully specified in the description in this element of the Renewal Petition.

### **H. Element Eight: Admissions Policies and Procedures**

The requirements of this charter element have been revised since Bullis' charter was last renewed. Previously, Bullis was required only to describe "[a]dmission requirements, if

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applicable.” Under the current law, however, the required description is now “[a]dmission policies and procedures, consistent with [EC Section 47605] subdivision (e).” As such, Bullis was required to update this charter element to provide a reasonably comprehensive description of its actual admissions policies and procedures, and, those policies and procedures must be consistent with all of the requirements of EC Section 47605(e), which includes mandates regarding nondiscrimination, a requirement to admit all students without regard to the place of residence of the pupil/parent/guardian within California, requirements governing admission preferences, and prohibitions against discouraging enrollment or encouraging disenrollment for any reason.

The Renewal Charter specifies the school is nonsectarian, tuition free, does not discriminate against any pupil on the basis of protected characteristics, and includes affirmations of other provisions of EC Section 47605(e).

The Charter specifies, consistent with the requirements of the Charter Schools Act, that Bullis sets an open enrollment period and, if there are more applicants than spaces at any grade level, existing (returning) students are guaranteed enrollment and admission for all other applicants is through a public random drawing process (lottery).

The Renewal Petition proposes to implement the following preferences in the following order:

1. Siblings of students admitted to or attending Bullis Charter School who reside within the boundaries of the Los Altos School District.
2. Children who qualify for free or reduced priced meals and reside within the boundaries of the Los Altos School District, limited to 10% of the total openings at each grade level.
3. Children of BCS staff members who reside within the boundaries of the Los Altos School District.
4. Children who reside within the boundaries of the Los Altos School District.
5. Children of BCS staff members who reside outside the boundaries of the Los Altos School District but within California.
6. Siblings of students admitted to or attending Bullis Charter School who reside outside the boundaries of the Los Altos School District but within California.
7. Children who qualify for free or reduced priced meals who reside outside the boundaries of the Los Altos School District but within California.
8. All other applicants who reside within California.

The Charter Schools Act provides for preference to be provided to students who reside within LASD in the case of a lottery (though the law does not specify how such preference is to be extended). However, any other preferences are within the SCCBOE's discretion, as the chartering authority, and must be approved at a public hearing. SCCBOE has already approved most of the preferences that Bullis proposes in the Renewal Charter, but Bullis has proposed some changes to these preferences, including the addition of two preferences (without specifically bringing the proposed revisions to SCCOE's attention). Whether or not to approve those revisions to the preferences is within the SCCBOE's discretion.

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First, Bullis has changed the order of preferences by moving the out-of-District sibling preference (level 6, above) to be below the preference for children of out-of-District resident staff members (level 5, above). As previously approved, the out-of-District sibling preference came before the out-of-District staff preference. CSD Staff believes that moving the preference for children of staff up may be an effective means of attracting and retaining high quality staff to Bullis, to the benefit of Bullis students, so recommends approval of this change.

Additionally, Bullis has modified both sibling preferences (levels 1 and 6, above) to add additional preferences. The currently approved sibling preferences grant preference only to siblings of *current* BCS students. In the renewal Charter, Bullis is proposing to expand that sibling preference to include not only siblings of current BCS students, but also to grant preference to “siblings ***admitted to***” BCS. (Emphasis added.) In other words, as currently authorized by SCCBOE, if a student who is attending BCS in 2024-25 has a sibling apply during the open enrollment process for admission for 2025-26, that student would be eligible for a sibling preference. As proposed in the Renewal Petition, that preference would continue to apply, but, additionally, if two siblings who do not attend Bullis in 2024-25 both apply for admission for 2025-26, immediately upon one of those siblings receiving a place through the lottery, the other sibling would automatically be entitled to an admission preference even though neither of the siblings are current Bullis students.

While CSD Staff recognizes the benefits of allowing families to enroll all of their children at the same school, CSD Staff believes that in the case of the proposed expansion of the sibling preferences at Bullis, that benefit is outweighed by the need for Bullis to expand enrollment opportunities to a larger number of historically underserved students. CSD Staff recommends that the SCCBOE deny these proposed additional preferences for siblings of admitted (not current) students.

In 2023-24, Bullis offered seats to 100% of in-District students who qualified for free or reduced-price meals (FRPM). Bullis has not yet provided that data for its 2024-25 admissions. The fact that Bullis did not exceed the 10% cap for the preference for in-District students who qualify for FRPM for 2023-24, does not mean that it will not receive applications in excess of that cap in the future. Therefore, CSD Staff recommends that Bullis remove the cap on that preference, as it is the only capped preference and removing that cap could help increase equitable enrollment opportunities at Bullis. Making such a change may assist Bullis in addressing the concerns regarding not serving all students who wish to attend.

Additionally, as noted above, based on the admissions and enrollment data that Bullis has provided to date, Bullis did not offer admission to a single student who qualified for the preference for out-of-District students who qualify for FRPM. As such, that preference has had no impact on Bullis’ stated desire to expand enrollment opportunities or to address the concerns with Bullis serving all student who wish to attend. To increase the number of students in this historically underserved group who are offered admission and enroll at Bullis, and to make further progress in remediating the issue of not serving all pupils who wish to attend, CSD Staff strongly encourages Bullis to either eliminate the distinction between in-District and out-of-District students who qualify for FRPM by including out-of-District residents in its level 2 preference or by otherwise moving the preference for out-of-District students who qualify for FRPM (even with a cap) up in the preference list to a position in which students in this group are likely to have a meaningful opportunity of obtaining admission.

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While SCCOE is aware Bullis has a formalized procedure for implementing its public random drawing for admission should one be necessary, with the changes to the Charter Schools Act since Bullis' most recent renewal, the actual policies and procedures for admission – including how Bullis implements the admissions preferences, conducts the admission lottery, adds students to the waitlist, and offers them admission from the waitlist – must also be included in the Renewal Petition. While some basic information about the lottery procedure is identified in the Charter, SCCOE Staff recommends Bullis be required as a condition of approval to provide more specificity through the MOU or an addendum to the MOU in order to comply with Bullis' obligation to update the Charter to be consistent with current law and to describe Bullis' current program.

Additionally, the Renewal Petition specifies, "Applications received after the close of an Open Enrollment Period may be added to the waitlist according to admission preference and criteria herein." It is unclear exactly what this means or what "criteria" is being referenced, since the admissions procedures are not reasonably described in the Renewal Petition. It is imperative to ensure that Bullis does not in any circumstances place a student who did not participate in the open enrollment and lottery process on the waitlist or offer them admission ahead of any student who did apply during open enrollment, regardless of what admission preference the student may have qualified for had they participated in the lottery process. The Charter Schools Act is explicit, "If the number of pupils who wish to attend the charter school exceeds the charter school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing." As such, even an applicant who would have qualified for the highest level preference who did not participate in the open enrollment lottery process may not be offered admission ahead of any student who did so participate (including the last student pulled from the lowest preference group in the lottery).

The Renewal Petition also correctly affirms, as required by law, "Admission, except in the case of a public random drawing, shall not be determined by the place of residence of the pupil or his or her parent or legal guardian within the state." Questions were raised during the last school year about whether Bullis has been fully complying with this requirement and admitting students who reside outside of LASD's boundaries for whom the school has had space. In some communications with SCCOE, as well as in a media report, Bullis' Superintendent/Principal stated that Bullis is prevented from accepting more than 8% of its total enrollment from out-of-District students due to the facilities use agreement (FUA) between Bullis and LASD. While the FUA may allow LASD to terminate the FUA at the end of any school year in which Bullis' in-District enrollment falls below 92%, and require Bullis to recommence the legal process for acquiring LASD facilities, Bullis may not lawfully exclude out of LASD enrollment based on this provision of the FUA. CSD Staff specifically informed Bullis and Ms. Israel that, regardless of the FUA terms, Bullis is legally required to enroll out-of-District students for which it has space, and Bullis cannot reduce the number of openings it has established in order to avoid enrolling out-of-District students. Ms. Israel affirmed to CSD that it does enroll out of district students in compliance with the law, notwithstanding her other statements on this topic. CSD Staff is committed to ongoing review and monitoring of this issue to ensure compliance with the law.

The current FUA expires June 30, 2025, therefore, Bullis and LASD will undoubtedly be negotiating for LASD facilities for any Bullis renewal term. SCCOE is not involved in facilities arrangements between Bullis and LASD, which are outside of SCCOE's jurisdiction.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description consistent with new requirements of charter schools pursuant to

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law and the requirements of Bullis' current program only if Bullis is required to remediate the issues described above – including a fuller, clearer, and legally compliant description of the admissions, lottery, and waitlist procedures – are addressed in the MOU or addendum to the MOU. Additionally, CSD Staff recommends that the SCCBOE deny Bullis' proposal to add admissions preferences for siblings of students who are *admitted* to Bullis and approve the change to move the preference for children of staff who reside out-of-District above the preference for siblings who reside out-of-District. Additionally, SCCOE Staff strongly encourages Bullis to request to move the preference for out-of-District residents who qualify for FRPM to a position in which students in this group are likely to have a meaningful opportunity at obtaining admission.

### **I. Element Nine: Financial Audit**

Bullis states in the Petition that the audit will be conducted in accordance with *EC* Sections 47605(b)(5)(I) and 47605(m), generally accepted accounting procedures, and with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller's K-12 Audit Guide. The Petition describes Bullis' financial audit procedure, which includes how the independent auditor will be selected and retained, the required qualifications for the independent auditor, the timing of the audit, and how this will be communicated to the necessary outside parties. Bullis has a finance committee that selects the independent auditor. The First Amended MOU includes additional provisions that govern Bullis' audit process and are part of Bullis' current program and with which Bullis must comply.

The Charter Schools Department Staff believes that this section, in conjunction with the provisions of the First Amended MOU, includes a reasonably comprehensive description consistent with new requirements of charter schools pursuant to law and the requirements of Bullis' current program.

### **J. Element Ten: Student Suspension/Expulsion Procedures**

Bullis' Renewal Petition sets forth its comprehensive suspension and expulsion policies and procedures that have been updated to reflect current law and are also supplemented by provisions of the First Amended MOU. However, the Charter Schools Act specifies that this charter element must "[c]ontain a clear statement" of specific information related to notice and procedures prior to any involuntary removal of a student from attendance at the charter school. This statement is required to include information specific to situations in which the student is homeless, is a foster child or youth, or is an Indian child as defined in Welfare and Institutions Code 224.1. While the Renewal Charter cites to the correct provision of law, the Charter's statement regarding involuntary removal omits the specifically required information applicable to situations in which the student is homeless, is a foster child or youth, or is an Indian child as defined in Welfare and Institutions Code 224.1. Bullis must be required to specifically include this mandatory statement in the MOU or addendum to the MOU in order to comply with the updated requirements of law.

The policies and procedures set forth in the Renewal Petition and First Amended MOU are consistent with SCCOE's usual practices and are otherwise consistent with the changes to this portion of the Charter Schools Act.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description consistent with new requirements of charter schools pursuant to law and the requirements of Bullis' current program only if Bullis is required to include

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the full mandatory statement regarding involuntary removal in the MOU or addendum to the MOU.

### **K. Element Eleven: Employee Retirement System**

The Bullis Renewal Petition states all certificated employees of Bullis shall participate in the State Teachers Retirement System (STRS), and all other employees will participate in the federal social security system. The Renewal Petition also states the Bullis Board may consider offering a 403(b) or alternative supplemental retirement programs. The Executive Director or designee is responsible for ensuring that appropriate arrangements for retirement coverage are made for all employees at Bullis Charter School.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description consistent with new requirements of charter schools pursuant to law and the requirements of Bullis' current program.

### **L. Element Twelve: Public School Attendance Alternatives**

Students who reside within LASD who choose not to attend Bullis may attend other LASD schools or pursue an intra- or inter-district transfer in accordance with existing LASD enrollment and transfer policies. Parents and guardians of each student enrolled in Bullis will be informed their students have no right to admission to any school of LASD as a consequence of enrollment in the Charter School, unless the student is an LASD resident or is otherwise approved for attendance by LASD.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description consistent with new requirements of charter schools pursuant to law and the requirements of Bullis' current program.

### **M. Element Thirteen: Description of the Rights of An Employee of the County Superintendent of Schools, Upon Leaving the Employment of the County Superintendent of Schools, to be Employed by the Charter School**

Bullis must update this element of the Charter to address the rights of employees of the County Superintendent of Schools who choose to leave the employment of the County Superintendent to work at the Charter School, and any rights of return to the County Superintendent's employment after employment at the Charter School. Currently, all references in the Charter continue to refer to employment by a "public school district" and "rights of district employees" and to LASD specifically.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description consistent with new requirements of charter schools pursuant to law and the requirements of Bullis' current program, but it must be updated through the MOU or addendum to the MOU description to be consistent with the SCCBOE as the chartering authority and address rights of employees of the County Superintendent rather than of LASD.

### **N. Element Fourteen: Dispute Resolution**

The current dispute resolution provision is set forth in the First Amended MOU, and that is the dispute resolution provision that should have been included in the Charter in order to update the Charter to reflect Bullis' current program. Inexplicably, the Charter incorporates much of the dispute resolution process from the First Amended MOU, but then also includes additional and contradictory dispute resolution procedures. Bullis cannot bind the County Office of Education to any dispute resolution process to which it did not agree, nor is it

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appropriate to include internally inconsistent dispute resolution procedures. As such, the additional provisions are not consistent with Bullis' current practices and its obligations pursuant to the First Amended MOU. Additionally, Bullis has included a provision on Internal Disputes that also contradicts the provisions of the First Amended MOU and purports improperly to restrict SCCOE's response to complaints it may receive regarding Bullis.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description consistent with new requirements of charter schools pursuant to law and the requirements of Bullis' current program only through implementation of the provisions specified in the First Amended MOU and omission of the contradictory provisions included in the Renewal Petition, through the MOU or addendum to the MOU.

### **O. Element Fifteen: Closure Protocol**

Bullis outlines a process to be used if the charter school closes. Once documented as official action by the BCS Board, there is a process addressing notification of all entities, and to ensure smooth transition of students/records to suitable alternative programs. Bullis will provide a Final Audit and plans for disposition of assets and liabilities and transfer of public records. On closure, the school shall remain solely responsible for all liabilities arising from the operation of the school. As a non-profit public benefit corporation, the school board will follow the California Corporations Code for any dissolution of the corporation and comply with all necessary filings with appropriate state and federal agencies. As part of the SCCOE standards of excellence contained in the First Amended MOU, Bullis agreed to supplementary closure procedures described therein, and specifically agreed that in the case of a discrepancy between the First Amended MOU and Charter closing procedures, the First Amended MOU will prevail. For example, the Renewal Petition includes a provision that on closure, all assets of Bullis, including "all ADA apportionments and other revenues generated by students attending the Charter School, remain the sole property of the School...." This is in direct contradiction of the First Amended MOU, which specifies that upon closure, "all assets of the Charter School - including but not limited to all leaseholds, personal property, intellectual property developed or acquired using state or federal funds, and all ADA apportionments and other revenues generated by students attending the Charter School - which have been determined to have been generated exclusively through state and federal apportionment funds for Charter School students, after payment of all debts and liabilities and refunds to applicable agencies, shall be distributed to another Bullis school within Santa Clara County or if there are no other Bullis schools in Santa Clara County to a California public school or school district, which identity shall to be determined by mutual agreement between Bullis Charter School and SCCOE," The contradictory closure procedure provisions set forth in the Renewal Petition are not consistent with Bullis' current program and Bullis' obligations.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description consistent with new requirements of charter schools pursuant to law and the requirements of Bullis' current program, only as supplemented and updated through the First Amended MOU, which provisions should be required to be included in the MOU or addendum to the MOU, and any contradictory provisions in the Renewal Petition are ineffective.

### **Required Supplemental Information**

SCCOE Staff reviewed the Bullis Renewal Petition, which includes the Budget Narrative and a projected budget for Fiscal Years (FY) 2025-26 through 2029-30. SCCOE Staff has also



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reviewed additional information from documents and the public hearing to provide clarification on Bullis' financial position. This included reviewing financial audits, monthly financial statements, state-required financial reports, annual visit documents, and the Fiscal Crisis Management Assessment Team (FCMAT) Local Control Funding Formula (LCFF) Calculator, which SCCOE Staff recreated to recalculate the LCFF Revenue sources reported in the Renewal Petition.

### **Enrollment & Average Daily Attendance (ADA)**

As presented in Object 27, Bullis' enrollment increased from FY 2016-17 through FY 2020-21, with a consistent 97% ADA. From FY 2021-22 through FY 2023-24, Bullis experienced a slight decrease in enrollment. As reflected in Object 28, the Charter Renewal Petition submitted by Bullis projects a 2% increase in enrollment from FY 2023-24 Second Interim reporting period to 2024-25 and a 6% increase in enrollment from FY 2024-25 to 2025-26. Beginning with FY 2026-27 through 2029-30, Bullis projects stagnant enrollment growth and an overall steady 96% ADA.

Bullis enrollment and ADA projections are reasonable and aligned with its historical enrollment variance percentage point change year over year.

**Object 28: Bullis Historical and Projected Enrollment and ADA<sup>1</sup>**

	Historical Data								Enrollment Projection					
	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Grades TK - 3	400	417	420	508	539	535	518	507	497	537	537	537	537	537
Grades 4-6	307	306	312	349	362	361	371	373	376	364	364	366	366	366
Grades 7-8	118	156	183	182	192	171	169	145	169	204	204	208	208	208
A. Actual Enrollment	825	879	915	1039	1093	1067	1058	1025						
B. Projected Enrollment									1,042	1,105	1,105	1,111	1,111	1,111
C. Incr/(Decr) in Enrollment <sup>2</sup>	81	54	36	124	54	(26)	(9)	(33)	17	63	0	6	0	0
D. Enrollment Variance <sup>3</sup>	11%	7%	4%	14%	5%	-2%	-1%	-3%	2%	6%	0%	1%	0%	0%
E. Incr/(Decr) in Enrollment Variance <sup>4</sup>		-4%	-2%	9%	-8%	-8%	2%	-2%	5%	4%	-6%	1%	-1%	0%
F. ADA	803.54	854.40	889.09	1008.49	1043.90	1035.67	1017.23	985.26	1000.32	1060.80	1060.80	1066.56	1066.56	1066.56
G. ADA % <sup>5</sup>	97%	97%	97%	97%	96%	97%	96%	96%	96%	96%	96%	96%	96%	96%

<sup>1</sup> Historical enrollment data is based on Census Day enrollment and historical ADA is based on P-Annual.

FY 2023-24 ADA data is based on P-2. FY 2024-25 through 2029-30 is based on Petition Renewal Projections.

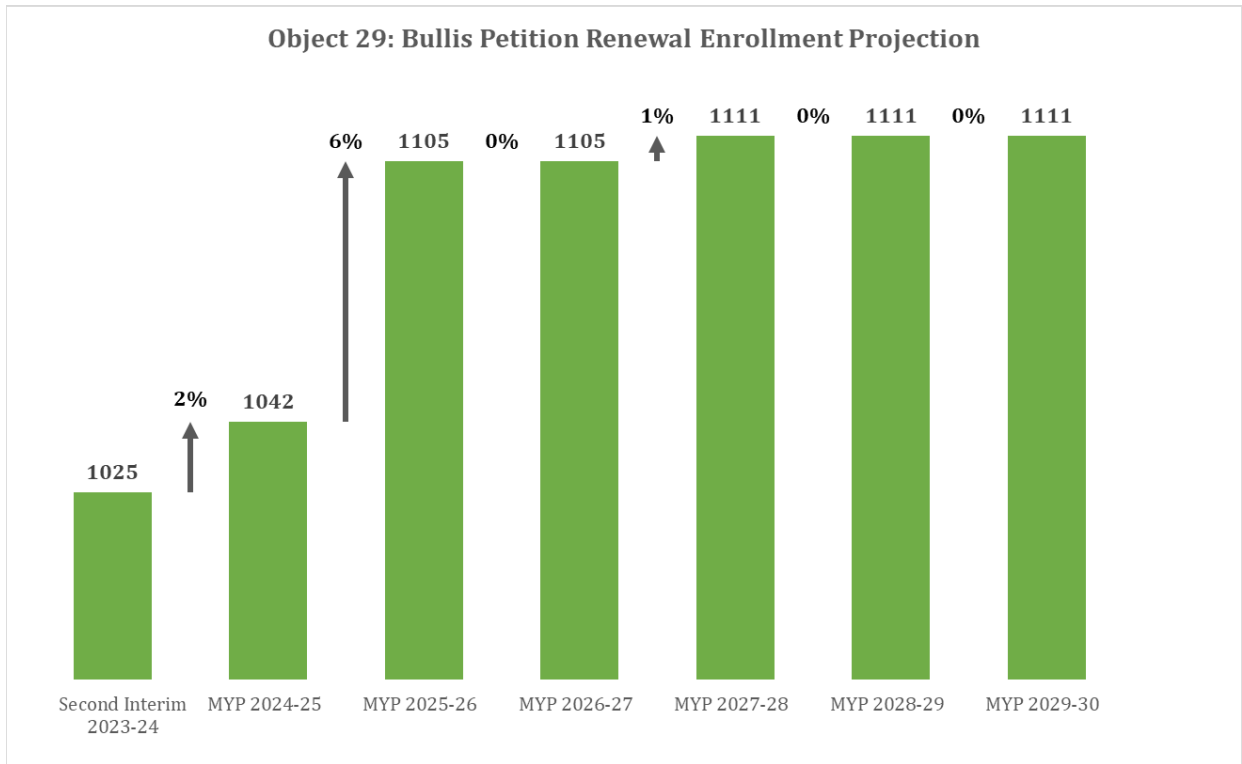
<sup>2</sup> Current Year Enrollment - Prior Year Enrollment

<sup>3</sup> Row C/Prior Year Enrollment

<sup>4</sup> Current Year Enrollment Variance - Prior Year Enrollment Variance (Row D)

<sup>5</sup> Row F/Row A or Row B

## Bullis Charter School Petition



### Revenues & Expenses

As reflected in Object 30, Bullis presents a balanced five-year Charter Renewal Petition budget for FYs 2025-26 through 2029-30, with a projected positive net income each fiscal year and, at minimum, maintains a 16% reserve as a percentage of total expenditures. The presented multi-year budget includes reasonable revenue and expense projections, with the major anticipated sources of revenue including state, federal, and local.

		Object 30: Bullis Petition Renewal Multi-Year Projection Summary <sup>1</sup>					
		2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
[A]	Total Revenues	20,561,253	21,447,702	22,076,517	22,581,320	23,092,786	23,505,845
[B]	Total Expenses	20,454,429	21,309,449	21,936,910	22,438,664	22,933,506	23,480,546
[C] = [A - B]	Net Income (Loss)	106,824	138,253	139,607	142,655	159,281	25,298
[D]	Beginning Fund Balance	3,230,758	3,337,583	3,475,836	3,615,442	3,758,097	3,917,378
[E]	Adj. to Beg. Fund Balance						
[F] = [(D+E) + C]	Total Net Assets, End of Year	\$ 3,337,583	\$ 3,475,836	\$ 3,615,442	\$ 3,758,097	\$ 3,917,378	\$ 3,942,677
[G] = [F/B]	Reserve Percentage	16%	16%	16%	17%	17%	17%

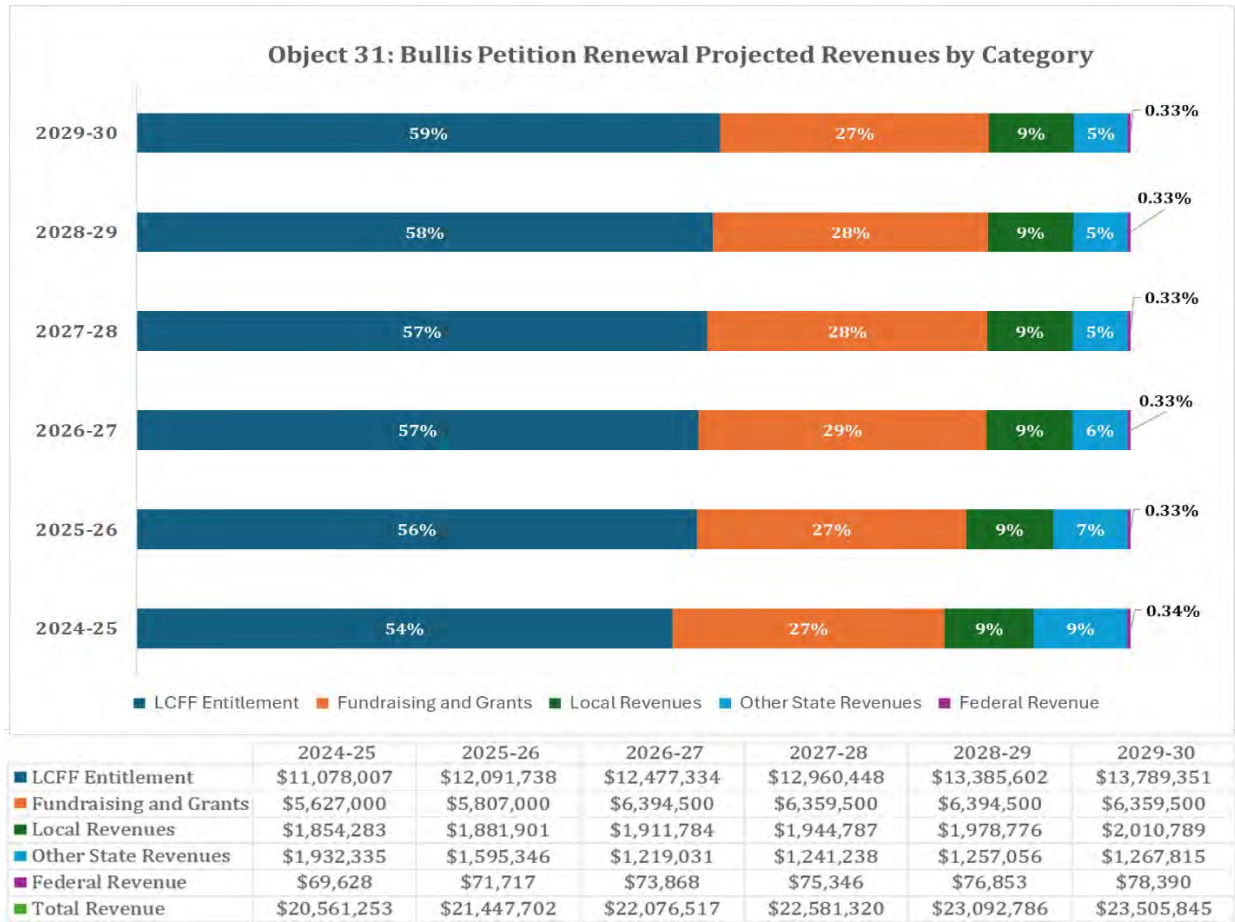
1. Source of Data: For FY 2024-25 - 2029-30 is Bullis Petition Renewal projections

## Bullis Charter School Petition

As shown in Object 31, Bullis projects approximately 85% of its total revenue from LCFF funding and Fundraising and Grants, with the latter, on average, accounting for 28% of Bullis' annual total revenue. As reported in the Charter Renewal Petition, the Fundraising and Grants amount includes contributions from the Bullis-Purissima Elementary School Foundation (BPESF), which annually provides support to Bullis by collecting donations to fund the gap between ADA-generated public funding and the per-student cost of operating the Bullis program. As demonstrated in Object 32, the projected Fundraising and Grants are in alignment with the 30% historical average of total audited revenues that were attributed to Donations and Contributions. The BPESF-projected funding commitments to Bullis are established during the annual budgeting process and include the multi-year commitment presented in the petition renewal and supported by the BPESF Letter of Support. Additionally, Bullis has taken a conservative approach to budgeted expenses. As noted in Object 33, 75% of the projected average expenditures are personnel costs, and the staffing financial projections appear reasonable. The remaining 25% of the projected average expenditures include, but are not limited to, expenses for facilities, anticipated Special Education encroachment, and materials and supplies.

The SCCOE Staff finds that the multi-year budget projections presented in the Charter Renewal Petition include a reasonably comprehensive description of anticipated revenues and expenses and satisfactorily demonstrates Bullis' ability to meet its financial obligations with support from the BPESF. To ensure Bullis continues to independently operate and has no related party transactions or conflict of interest with BPESF, SCCOE Staff recommends the Bullis governing board annually documents, in conjunction with Bullis' adopted budget, BPESF's financial commitment through an annual grant award/financial commitment letter or written agreement, that, at minimum, defines the BPESF contribution amount, the purpose, and the allowable use of the funds contributed to Bullis, in addition to including a payment schedule and any conditions or requirements imposed. SCCOE Staff recommends that this be incorporated into the MOU or addendum, and, if it is not, SCCOE Staff anticipates that it will make a reasonable request for this information and documentation pursuant to *EC* Section 47604.3 as part of its ongoing oversight, including monitoring Bullis' fiscal condition in accordance with *EC* Section 47604.32(a)(4).

## Bullis Charter School Petition

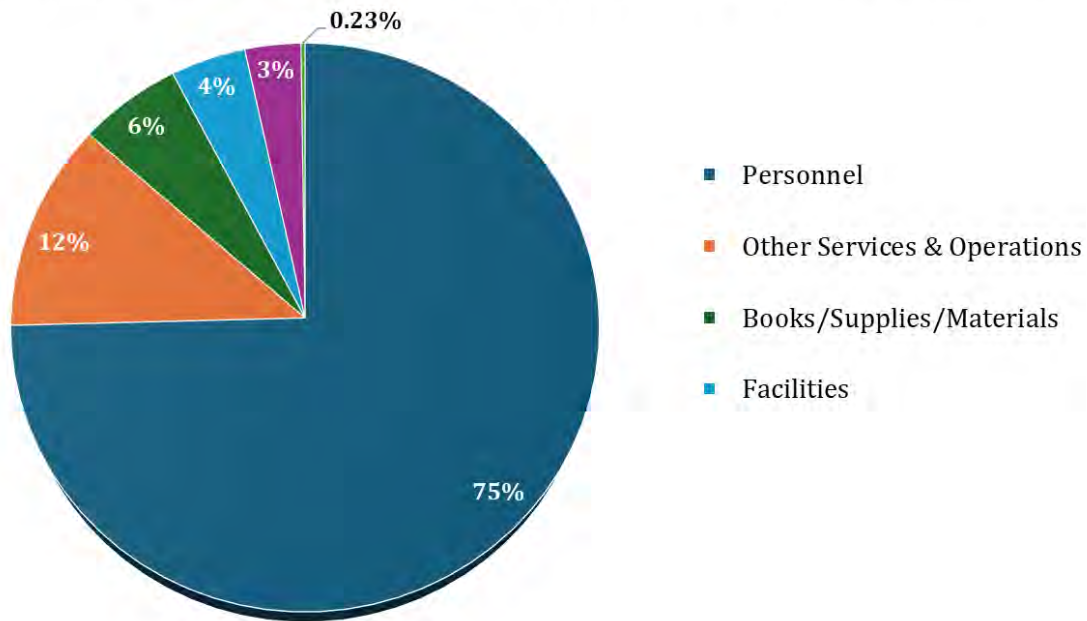


Object 32: Bullis Historical Revenues <sup>1</sup>								
	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
LCFF Sources	6,133,176	6,653,144	7,348,616	8,588,885	8,890,956	9,262,474	10,285,814	10,748,971
Federal Revenues					113,993		208,739	108,160
Other State Revenue	326,356	321,997	409,244	244,309	357,327	299,601	1,121,669	2,018,083
Investment Income	4,434	5,103	5,786	6,415	3,562	1,869	2,598	
PPP loan forgiveness revenue					2,027,431			
<b>Donations &amp; Contributions</b>	<b>3,683,577</b>	<b>3,735,000</b>	<b>3,929,189</b>	<b>4,618,668</b>	<b>3,211,186</b>	<b>4,906,000</b>	<b>4,213,684</b>	<b>5,504,500</b>
Parcel tax revenue							655,846	625,000
Local Revenue	172,501	596,978	1,042,450	807,350	679,473	1,177,188	716,328	1,330,122
Net assets released from restriction	63,721							
<b>Total Revenues</b>	<b>\$ 10,383,765.00</b>	<b>\$ 11,312,222.00</b>	<b>\$ 12,735,285.00</b>	<b>\$ 14,265,627.00</b>	<b>\$ 15,283,928.00</b>	<b>\$ 15,647,132.00</b>	<b>\$ 17,204,678.00</b>	<b>\$ 20,334,836.22</b>
<b>% Donations &amp; Contributions<sup>2</sup></b>	<b>35%</b>	<b>33%</b>	<b>31%</b>	<b>32%</b>	<b>21%</b>	<b>31%</b>	<b>24%</b>	<b>27%</b>

<sup>1</sup> Data Source: FY 2016-17 - 2022-23 is based on Financial Audit Reports. FY 2023-24 data is unaudited and based on Second Interim Report.

<sup>2</sup> Donations & Contributions/Total Revenues

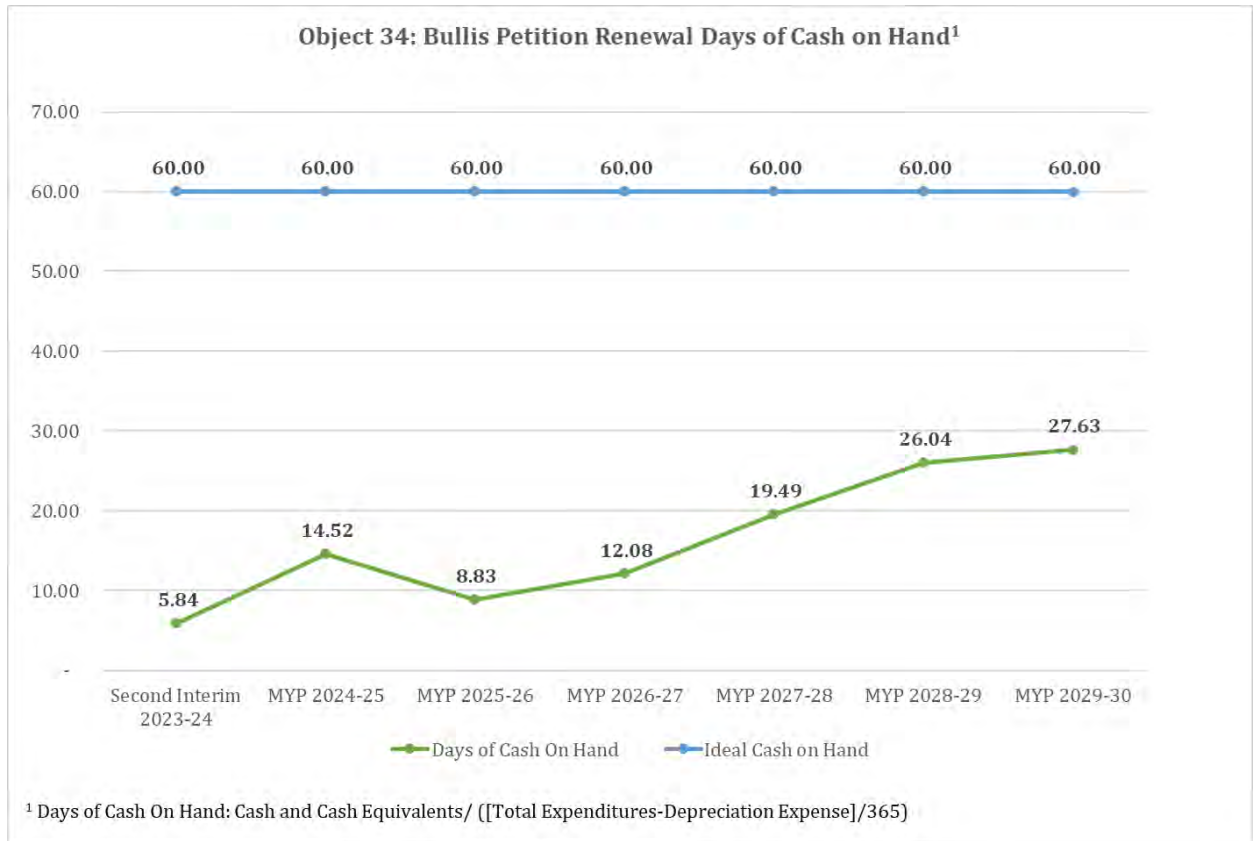
**Object 33: Bullis Petition Renewal Projected Average Expenses by Category**



### **Cash Flow**

The Bullis Charter Renewal Petition includes cash flow projections for FY 2025-26 through FY 2029-30. The cash flow projections include reasonable assumptions pertaining to the timings of cash inflows from major revenue sources and all the months of the projections anticipate a positive ending cash balance. However, the projections include several months with significantly low days of cash on hand, and as shown in Object 34, Bullis projects a fiscal year ending cash balance ranging from six days to 28 days of cash on hand. Based on prior financial audit reports, Bullis typically accrues accounts receivable that consist of sources such as LCFF in-lieu property taxes and contributions. As evidenced by the interim financial reports for the current charter term, Bullis receives a majority of its prior year accruals within the first few months of the new fiscal year. Bullis has stated it does not anticipate any issues with meeting its financial obligations. However, the SCCOE Staff recommends Bullis commit to maintain and monitor its cash to meet the best practice and SCCOE's expectation of 60 days of cash on hand.

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### **Potential Civil Liability Effects on the School and County Office**

Bullis is in compliance with its current First Amended MOU, including the insurance and indemnification, defense, and hold harmless provisions. This First Amended MOU will remain in effect until a new MOU or addendum to the MOU is entered into, which will address any new provisions as required by SCCOE's risk management team. There is no reason to believe Bullis will not continue to abide by SCCOE's requirements as incorporated into the MOU and any addendum thereto, which protect both Bullis and SCCOE from potential liabilities.

### **5. Exclusive Public Employer**

As required by the Charter Schools Act, the Charter specifies The Bullis-Purissima Elementary School shall be deemed the exclusive public employer of the employees of the Charter School for the purposes of the Educational Employment Relations Act ("EERA").

### **6. Requirements for Grade-Levels Served, Facility Location, and Students Served**

Bullis currently serves TK-8. It is located within the boundaries of the LASD and sets forth specific requirements for its facility needs. Bullis North serves TK-8 and is located at 102 West Portola Avenue, Los Altos, CA 94022. Bullis South serves TK-5 and is located at 1124 Covington Road, Los Altos, CA 94024. The current FUA for the use of these facilities is set to expire June 30, 2025, and Bullis will be required to keep SCCOE apprised of any potential changes to the location(s) of its operations.

The Charter Schools Department Staff found the Petitioners are able to meet the requirements for grade levels served, facility location, and students served.

## **7. Any Other Criteria Set Forth in the Statute**

Since Bullis' Charter was last renewed, several new laws have gone into effect, including but not limited to AB 1505, AB 1507, AB 1219, SB 126, SB 820, and SB 98, which enacted broad changes to the Charter Schools Act. Bullis will need to comply with the changes to the law. The Charter has incorporated many provisions to reflect changes to the law, and the updated MOU and any addendum to the MOU that Bullis intends to enter into with SCCOE may include compliance with additional provisions of law applicable to charter schools, to which Bullis is bound whether or not listed in the Charter.

## **ADDITIONAL CRITERIA FOR DENYING A CHARTER RENEWAL**

### **Background**

As noted above, any charter, including that of a high performing charter school, may be denied renewal pursuant to the standards and procedures in *EC* Section 47607(e), including upon a finding that the school is not serving all pupils who wish to attend. The chartering authority must provide at least 30 days' notice to the charter school of the alleged violation and provide the school a reasonable opportunity to cure the violation, including a corrective action plan proposed by the charter school. The chartering authority may then only deny renewal if it finds either (1) "The corrective action proposed by the charter school has been unsuccessful" or (2) "The violations are sufficiently severe and pervasive as to render a corrective action plan unviable." (*EC* Section 47607(e).)

On May 21, 2021, in response to direction from SCCBOE, in accordance with the requirements of *EC* Section 47607(e) related to potential nonrenewal of a charter because the charter school is not serving all pupils who wish to attend, SCCOE issued Bullis the 47607(e) Notice and provided Bullis a reasonable opportunity to cure the violations. Given the multi-year delay in renewing charters in response to the COVID-19 pandemic, again at SCCBOE's direction, SCCOE reaffirmed the Notice on August 3, 2023, by issuing the Reaffirmation. The Notice, Reaffirmation, and all the information and evidence contained therein, including in the exhibits thereto and the additional documentation included in Exhibits 1-and 3, are incorporated herein by this reference as if set forth in full herein and will not be repeated in detail in this Staff Analysis and Proposed Findings of Fact. Thus, SCCBOE has complied fully with the procedural requirements for charter denial pursuant to *EC* Section 47607(e), including providing more than three years as Bullis' reasonable opportunity to cure the violation described in the Notice and Reaffirmation.

As detailed in the Notice, concerns about under-enrollment of historically underserved student groups in Bullis' enrollment have long been a concern of SCCOE, and SCCOE has addressed this concern more and less formally with Bullis prior to the issuance of the Notice. This included a 2020 effort to work cooperatively with Bullis to develop an effective plan to ensure equal access while continuing Bullis' strong educational program. Bullis "warmly" accepted what it referred to as SCCOE's "forward-looking invitation to collaborate and develop a strong plan to educate and serve all students in our community." The Notice, Reaffirmation, and consideration of this issue as part of the analysis of Bullis' Renewal Petition is a continuation of the effort to address this area of concern, consistent with the Charter Schools Act's updated renewal standards, including the *EC* Section 47607(e) requirements relative to a concern that a charter school is not serving all pupils who wish to attend.

SCCOE notes that during the public hearing, Bullis attributed to County Superintendent Dr. Dewan a statement to the effect that Bullis had taken the necessary steps to enroll students from historically underserved groups in response to the Notice and Reaffirmation Notice. SCCOE believes that Bullis was referring to a February 2024 *San Jose Spotlight* article. Dr. Dewan did not say that Bullis had taken the steps

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necessary to resolve the issues regarding serving all students as described in the Notice and Reaffirmation Notice, as is clear from the ongoing communications between SCCOE and Bullis around this topic since issuance of the Reaffirmation Notice. Rather, as directly quoted in that article, Dr. Dewan stated then and confirms at this time, “When [Bullis] submits its request for renewal of its charter (expected in the 2024-25 school year), the county board of education will process that renewal request in accordance with all requirements of law and will make its renewal decision based on all the facts and applicable legal standards.”

This section of the Staff Analysis analyzes this violation, whether Bullis’ corrective action plan has been successful, and whether the Charter should be denied renewal on this basis.

While in response to the concerns in the 47607(e) Notice and Reaffirmation, Bullis has stated that its student population more closely reflects the demographics of the District in which it is located than is the case at some other SCCBOE-authorized charter schools, the issue is not how Bullis reflects its community compared to how other charter schools reflect their communities. In considering Bullis’ renewal and the application of this finding, the issue is Bullis’ own demographics, not those of other charter schools. However, it is also noteworthy that many of the schools to which Bullis is comparing itself include in their mission serving historically underserved students. Thus, some of these schools have larger populations of historically underserved students than may the district in which they are located. This is consistent with the Charter Schools Act’s emphasis on equity in access and serving all students.

Bullis has also made some incorrect legal arguments in response to the Notice and Reaffirmation in an effort to establish that SCCBOE may not deny the Bullis Renewal Petition pursuant to the clear authority in *EC* Section 47607(e) and SCCBOE’s compliance with the procedural prerequisites for such a denial. BCS has seemingly asserted that the only pertinent legal requirement is that Bullis include in its Charter a reasonably comprehensive description of the “means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils . . . that is reflective of the general population residing within the territorial jurisdiction of the [Los Altos] school district,” and claimed that Bullis is in full compliance with the applicable legal requirements because its Charter includes such a description. Bullis’ implication that its only obligation is simply to include some plan in the Charter is incorrect. That is not true for any element of an approved charter – the school must comply with the charter, not just write something or anything and forget about it. In this particular case, the law specifies that it is a description of how the charter school will “achieve” this balance, not just describe a plan, whether or not that plan is effective. Further, as Bullis is aware, a charter may be revoked for committing “a material violation of any of the conditions, standards, or procedures set forth in the charter,” which includes the pupil balance element. As SCCOE and Bullis have previously discussed, the Charter Schools Act has been revised over time to bolster further the mandates of inclusivity and equity in enrollment at charter schools. Moreover, Bullis’ assertions in its Response to Reaffirmation that nonrenewal pursuant to 47607(e) for failing to serve all pupils who wish to attend applies only to situations in which particular enrolled students have left or been disenrolled for discriminatory reasons and/or that a chartering authority would have to produce a particular, individual student(s) who “wishes to attend” in order to nonrenew on this basis is also misplaced. There simply is no such restriction or requirement in the law.

Bullis has also mistakenly attempted to assert that SCCBOE may not consider all of the evidence, including but not limited to all of Bullis’ demographic data, in assessing whether Bullis is not serving all students who wish to attend, but is instead limited only to considering data provided by CDE. That is not what the law states, nor would that be logical or consistent with the Charter Schools Act and the authority to deny renewal of a charter because it is not serving all students who wish to attend. If Bullis’ position were correct, even in a situation in which a charter school has explicitly stated to the chartering authority that it does not serve all student who wish to attend, by denying admission to certain pupil groups or counseling students who may be struggling academically to disenroll, or for any other reason, the chartering authority would be prohibited



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from nonrenewing the charter on the basis that the school is not serving all pupils. While a chartering authority could pursue revocation in the extreme circumstances of this example, the notion that it could not also deny the charter's renewal on this basis because the evidence did not come from CDE is untenable and inconsistent with both the plain language and the purpose of the statutory authorization to deny renewal because the charter school is not serving all pupils who wish to attend.

Bullis' misplaced argument is premised in a misapplication of the provisions of *EC* Section 47605(d), which is constituted of three separate subdivisions. *EC* Section 47607(d)(1) provides that at the conclusion of the year immediately preceding the last year of a charter term, the chartering authority may request, and CDE will provide, specified aggregate data reflecting pupil enrollment patterns at the school. This data relates to cumulative enrollment data and data about students who were enrolled in and left the school mid-year. SCCOE requested this data and received it from CDE only on August 2, 2024, a mere nine days before the deadline for posting Staff's recommendations and recommended findings on Bullis' request for renewal, and 24 days before SCCBOE's action. That data is described above.

*EC* Section 47607(d)(2) directs that when it is determining whether to renew a charter petition, the chartering authority "shall review" the data provided pursuant to (d)(1), as well as "any data" provided by CDE to chartering authorities, and any "substantiated complaints" that the charter school did not comply with the requirements for suspending, expelling, or otherwise involuntarily removing a student from the school. SCCOE has reviewed and analyzed all such data as part of its consideration whether to renew Bullis' Charter. In fact, the data analysis below about Bullis' current demographics and comparison to LASD relative to whether Bullis is serving all pupils who wish to attend and whether its corrective action plan has been successful is primarily from DataQuest, which is data provided by CDE through CDE's website, so it constitutes "any data" provided by CDE to chartering authorities.

Finally, *EC* Section 47607(d)(3), states, "As **part** of its determination of whether to grant a charter renewal based on the criterion established pursuant to [the provisions setting forth the different charter performance categories and the renewal standards applicable to each], the chartering authority may make a finding that the charter school is not serving all pupils who wish to attend and, upon making such a finding, **specifically identify the evidence supporting the finding.**" (Emphasis added.) Bullis has asserted that these three provisions somehow restrict SCCBOE only to considering data from CDE in determining whether Bullis is not serving all pupils who wish to attend. This assertion is incorrect.

First, Bullis' argument ignores the fact that (d)(2) specifically requires a chartering authority to consider substantiated complaints regarding noncompliance with the suspension/expulsion/involuntary removal requirements, which would not be data provided by CDE. Further, nothing in *EC* Section 47607(d) limits in any way what may constitute "the evidence supporting the finding." It does not cross-reference or otherwise refer to the data provided by CDE pursuant to (d)(1) or the other data and/or complaints that a chartering authority "shall review" pursuant to (d)(2), and it certainly does not limit the evidence that may support this finding only to those limited categories of evidence. Rather, (d)(1) specifies data that SCCOE may request, (d)(2) specifies some data that SCCOE must consider, and (d)(3) specifies that SCCOE must specifically identify whatever evidence (not necessarily even limited to "data") it has determined supports the finding that the charter school is not serving all pupils who wish to attend.

Nor would it be practical or consistent with the mandates for approval or denial of a charter renewal as a whole to so limit the pertinent evidence. In addition to the reasons explained above, *EC* Section 47607(e) provides that a chartering authority may deny charter renewal "upon a finding that the school ... is not serving all pupils who wish to attend, as documented in [*EC* Section 47607] subdivision (d)." To deny on this basis requires the chartering authority to provide at least 30 days' prior notice of the alleged violation and a reasonable opportunity to cure. The data provided by CDE pursuant to subdivision (d)(1) is by definition not available until after the end of the penultimate year of operation, and then naturally takes CDE some time to compile and provide to the chartering authority. As such, pursuant to Bullis' argument, any renewal

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submission submitted early in the last year of a charter's term – as in Bullis' case – would effectively be able to circumvent a substantial component of the accountability for serving all students imposed by *EC* Section 47607(e). Despite persistent and early requests for the data from CDE, SCCOE did not receive the data until August 2, less than 30 days before the SCCBOE's action on the Renewal Petition. Obviously, SCCBOE would not be able to use this information as the evidentiary basis for issuing a 47607(e) notice, which requires a minimum of 30 days' notice and a reasonable opportunity to cure.

Thus, the legal requirements for denying a charter because it is not serving all pupils who wish to attend are that the chartering authority comply with the legal notice and opportunity to cure provisions; that it consider at least certain evidence; that it "identify the evidence" on which its finding is based, whatever that evidence may be; and then, if necessary, that it makes a finding that the charter school's corrective action plan has been unsuccessful or is unviable. SCCBOE has indisputably complied with the first two requirements, and is in the process, including through consideration of the information this staff analysis, of complying with the final requirement. There is simply no requirement that the evidence supporting such a denial be limited to data provided to SCCBOE by CDE.

### **Notice and Reaffirmation**

The Charter Schools Department Staff identified significant concerns to support a determination that Bullis is not serving all students who wish to attend, which implicated potential denial of a request to renew the Bullis Charter.

Prior to the COVID-19 pandemic, Bullis' current charter term ran through June 30, 2022, and it was anticipated that Bullis would submit its request for charter renewal during the 2021-22 school year. During its meeting of May 5, 2021, the County Board authorized the County Superintendent of Schools or designee to issue the Notice in accordance with Section 47607(e). This Notice provided detailed information to Bullis on the concerns and of the reasonable opportunity afforded by Section 47607(e) for Bullis to correct these concerns, including the submission and implementation of a corrective action plan. The analysis of the issues in the Notice included information, evidence, and documentation of the rationale for determining that Bullis was not serving all pupils who wished to attend. Again, all that information will not be repeated here, as it is detailed in the Notice itself. SCCOE's analysis and determination, however, relied on a statistical analysis completed by SCCOE's Integrated Data, Research, and Evaluation Department of Bullis' enrollment demographics, including a comparison of the proportion of pupils in historically underserved groups attending Bullis and attending LASD. That analysis determined that Bullis' enrollment of students in some of these groups was statistically significantly lower than at LASD.

The SCCOE issued the Notice to Bullis via email on May 21, 2021. However, Bullis' current charter term was extended by operation of law for three years, thereby providing Bullis three additional years of notice and opportunity to implement (and revise and refine as necessary) its corrective action plan and correct the violations raised in the May 21, 2021, Notice.

Bullis acknowledged receipt of the Notice, and Bullis then proposed changes to its admission preferences as part of its corrective action plan in response to the Notice. At a public hearing on October 6, 2021, SCCBOE approved the addition of two new preferences for students who would qualify for FRPM. These are two separate preferences; one is for in-District residents and the other is a lower-level preference for out-of-District residents. Bullis also submitted its corrective action plan, referred to as its "Enrollment Action Plan," and SCCOE and Bullis engaged in multiple communications about the details of the plan, including SCCOE providing input on information or actions that it believed were necessary or would be helpful to the Enrollment Action Plan. (Communications between the Parties on this topic are included in Exhibits 1-4.)

While not required by law, given the term extensions and the time that had passed since issuance of the Notice, the SCCBOE authorized and delegated to the County Superintendent or designee authority to issue

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the Reaffirmation, which was sent to Bullis on August 3, 2023. This was not a new notice pursuant to *EC* Section 47607(e), and the Notice remained in full force and effect, but, as explained in the Reaffirmation, given the time that had passed as well as the extended time that remained in Bullis' current term, and recognizing Bullis had submitted its corrective action plan and implemented at least some components thereof, SCCOE desired to ensure Bullis remained on notice of these concerns and the necessity for remediating them or risking denial of its renewal Charter. SCCOE also included with the Reaffirmation an update on issues addressed in the Notice and statistical data related to Bullis' then most recent demographic data. SCCOE requested that Bullis continue to provide additional information responsive to these concerns and take appropriate steps to update its corrective action plan and its plan to achieve a student balance in accordance with *EC* Section 47605(c)(5)(G) in order to remediate these issues.

At the time of issuing the Reaffirmation, SCCOE's Integrated Data, Research, and Evaluation Department again completed a statistical analysis of Bullis' enrollment demographics, including a comparison of the proportion of pupils in historically underserved groups attending Bullis and attending LASD, and analyzing changes over time. As noted in the Reaffirmation, Bullis had asserted that its demographics should be compared to LASD excluding interdistrict attendance students at LASD because the requirement in *EC* Section 47605(c)(5)(G) is for the Charter to include the means by which BCS will achieve a pupil balance "reflective of the general population residing within the territorial jurisdiction of" LASD, rather than of the students who attend LASD schools. While, as SCCOE has previously noted, that is not the only standard of equity in access and inclusion applicable to Bullis or that affects whether Bullis is serving all students who wish to attend Bullis, SCCOE did agree that this is a pertinent data point to consider in the overall analysis of the issue of whether Bullis is not serving all students who wish to attend. As such, the statistical analysis in the Reaffirmation also included a comparison excluding LASD students with interdistrict transfer agreements. The analysis also looked specifically at TK/kindergarten, as those are reportedly the only grade levels at which Bullis is able to enroll meaningful numbers of new students due to limited openings at the higher grade levels.

As specified in the Reaffirmation, the statistical analysis established ongoing underrepresentation of historically underserved student groups at Bullis, evidencing that Bullis continued not to serve all students who wish to attend the school. This reemphasized the need for Bullis to continue to address the concern, including by making and implementing the updates to its corrective action plan necessary to result in increasing the proportions of Bullis' student body who are members of the underrepresented groups. The Reaffirmation was also explicit that Bullis' plan to remediate this issue needed to build in the means by which Bullis would continue monitoring its successes and, as necessary, pivot and enhance its methodology to make meaningful progress. The Reaffirmation specifically includes SCCOE's expectation, consistent with Bullis' Charter and its Enrollment Action Plan, that at least annually Bullis will formally evaluate the effectiveness of the means and plans by which it was addressing this issue and make adjustments accordingly.

### **Renewal Analysis and Correction of 47607(e) Violations**

In reviewing and analyzing Bullis' request for renewal of its Charter, SCCOE has carefully reviewed and analyzed the pertinent information, evidence, and documentation in accordance with the standards and requirements applicable to renewal of a high performing charter school, including but not limited to the provisions of *EC* 47607(e). As detailed in this Staff Analysis and Proposed Findings of Fact, this has included analysis of the Renewal Petition, data provided by CDE pursuant to *EC* Section 47607(d)(1) as well as other data provided by CDE, and the Enrollment Action Plan/plan to address the issue of serving all students who wish to attend and other information, responses, and documentation submitted by Bullis. SCCOE's analysis took into consideration that, particularly given that Bullis annually has more applicants than space, any change based on Bullis' corrective actions would take multiple enrollment cycles to be fully effectuated across the entire enrollment.

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Once again, Staff from the SCCOE's Integrated Data, Research, and Evaluation Department analyzed the Bullis and LASD data, by conducting two-tailed Z-Score proportion difference tests with *a priori* alpha level set at 0.05. The data used was obtained from the CDE, specifically its web-based data reporting system, DataQuest, which is used to publicly report a wide variety of information about California students, including, but not limited to, student enrollment, English Learner, and course enrollment data. The "Annual Enrollment Data Reports" used for this analysis can be found at the following link: <https://dq.cde.ca.gov/dataquest/>. The analysis considers change over time, reviews Bullis' own enrollment year over year as well as comparing Bullis to LASD.

The Annual Enrollment Data Reports do not include information about interdistrict transfer students or identify or separate data for students who do not reside within LASD. Thus, the analysis using this data has not been disaggregated to include or exclude students enrolled in LASD through interdistrict transfer permits. However, as detailed below, SCCOE's Integrated Data, Research, and Evaluation Department also separately analyzed data which was self-reported by Bullis and LASD excluding interdistrict transfer students who attend LASD, because, as discussed above, this is also a relevant data point. An analysis was also conducted specifically of TK, kindergarten, and first grade, as Bullis reports that TK/kindergarten are the primary entry point grades at the school.

The DataQuest data was analyzed at several points in time, including 2016-17, the beginning of Bullis' seven-year charter term; a three-year period representing the time between SCCOE's 47607(e) Notice to Bullis in 2021-22 to 2023-24, the last year for which official enrollment data is available; a two-year period from 2022-23 to 2023-24, representing the second full year in which Bullis had the opportunity to implement its Enrollment Action Plan (EAP) created in response to the 47607(e) Notice and revised admission lottery preferences.

The analyses focused on four student groups: students who are Hispanic/Latino, students who are English Learners (EL), students who are socioeconomically disadvantaged (SED), and students with disabilities (SWD). The results of the statistical analyses are attached as Exhibit 5 and are summarized below:

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A comparison of Bullis' total student enrollment across the seven-years of its term from 2016-17 to 2023-24 demonstrates the following:

- There is no statistically significant difference between the proportion of students who identify as Hispanic/Latino enrolled at Bullis in 2016-17 and in 2023-24
- There is no statistically significant difference between the proportion of students who are EL enrolled at Bullis in 2016-17 and in 2023-24
- The proportion of students who identify as SED enrolled at Bullis in 2023-24 is statistically significantly higher than the proportion enrolled at Bullis in 2016-17
- There is no statistically significant difference between the proportion of SWD enrolled at Bullis in 2016-17 and in 2023-24

A comparison of Bullis' total student enrollment across the three-years of its term from 2021-22 to 2023-24 demonstrates the following:

- There is no statistically significant difference between the proportion of students who identify as Hispanic/Latino enrolled at Bullis in 2021-22 and in 2023-24
- The proportion of students who identify as EL enrolled at Bullis in 2023-24 is statistically significantly higher than the proportion enrolled at Bullis in 2021-22

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- The proportion of students who identify as SED enrolled at Bullis in 2023-24 is statistically significantly higher than the proportion enrolled at Bullis in 2021-22
- There is no statistically significant difference between the proportion of SWD enrolled at Bullis in 2021-22 and in 2023-24

A comparison of Bullis' total student enrollment from 2022-23 to 2023-24, the last two years for which data is available for the term, demonstrates the following:

- There is no statistically significant difference between the proportion of students who identify as Hispanic/Latino enrolled at Bullis in 2022-23 and in 2023-24
- The proportion of students who identify as EL enrolled at Bullis in 2023-24 is statistically significantly higher than the proportion enrolled at Bullis in 2022-23
- The proportion of students who identify as SED enrolled at Bullis in 2023-24 is statistically significantly higher than the proportion enrolled at Bullis in 2022-23
- There is no statistically significant difference between the proportion of SWD enrolled at Bullis in 2022-23 and in 2023-24

The overall takeaways from the information above include that there is no statistically significant difference in the proportion of students who identify as Hispanic/Latino at Bullis in 2023-24 (the final year for which data is available) when compared to 2016-17 (the beginning of the charter term), 2021-22 (the year SCCOE issued the Notice), or 2022-23 (the first full year of EAP implementation). Similarly, there is no statistically significant difference in the proportion of SWD at Bullis in 2023-24 when compared to 2016-17, 2021-22, and 2022-23. However, the proportion of students who are ELs at Bullis is statistically significantly higher in 2023-24 than in the 2021-22 and 2022-23 school years (3.3 and 2.8 percentage points higher, respectively). On the other hand, when looking at the seven-year change, there is no statistically significant difference in the proportion of students who are ELs at Bullis in 2023-24 when compared to 2016-17 (the length of the charter term). The proportion of students who are SED at Bullis in 2023-24 is statistically significantly higher than in 2016-17, 2021-22, and 2022-23. Specifically, the proportion of SED students at BCS in 2023-24 is 2.9 percentage points higher than in 2016-17 and 1.8 percentage points higher than in 2022-23.

### *Bullis Charter School Compared to Los Altos School District, Including Interdistrict Transfer Students*

A comparison of Bullis and LASD student enrollment for the four student groups at the beginning of Bullis' seven-year term in 2016-17 demonstrates the following:

- The proportion of students who are Hispanic/Latino enrolled at LASD in 2016-17 is statistically significantly higher than the proportion enrolled at Bullis in 2016-17
- There is no statistically significant difference between the proportion of students who are EL enrolled at LASD and Bullis in 2016-17
- The proportion of students who are SED enrolled at LASD in 2016-17 is statistically significantly higher than the proportion enrolled at Bullis in 2016-17
- The proportion of SWD enrolled at LASD in 2016-17 is statistically significantly higher than the proportion enrolled at Bullis in 2016-17

A comparison of Bullis and LASD student enrollment for the four student groups in 2021-22, the year SCCOE issued the Notice, demonstrates the following:

- The proportion of students who are Hispanic/Latino enrolled at LASD in 2021-22 is statistically significantly higher than the proportion enrolled at Bullis in 2021-22

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- The proportion of students who are EL enrolled at LASD in 2021-22 is statistically significantly higher than the proportion enrolled at Bullis in 2021-22
- The proportion of students who are SED enrolled at LASD in 2021-22 is statistically significantly higher than the proportion enrolled at Bullis in 2021-22
- The proportion of SWD enrolled at LASD in 2021-22 is statistically significantly higher than the proportion enrolled at Bullis in 2021-22

A comparison of Bullis and LASD student enrollment for the four student groups in 2022-23, the first full year in which Bullis implemented its EAP and its revised lottery preferences, demonstrates the following:

- The proportion of students who are Hispanic/Latino enrolled at LASD in 2022-23 is statistically significantly higher than the proportion enrolled at Bullis in 2022-23
- The proportion of students who are EL enrolled at LASD in 2022-23 is statistically significantly higher than the proportion enrolled at Bullis in 2022-23
- The proportion of students who are SED enrolled at LASD in 2022-23 is statistically significantly higher than the proportion enrolled at Bullis in 2022-23
- The proportion of SWD enrolled at LASD in 2022-23 is statistically significantly higher than the proportion enrolled at Bullis in 2022-23

A comparison of Bullis and LASD student enrollment for the four student groups in 2023-24, the last year for which data is available, demonstrates the following:

- The proportion of students who are Hispanic/Latino enrolled at LASD in 2023-24 is statistically significantly higher than the proportion enrolled at Bullis in 2023-24
- There is no statistically significant difference between the proportion of students who are EL enrolled at LASD and Bullis in 2023-24
- The proportion of students who are SED enrolled at LASD in 2023-24 is statistically significantly higher than the proportion enrolled at Bullis in 2023-24
- The proportion of SWD enrolled at LASD in 2023-24 is statistically significantly higher than the proportion enrolled at Bullis in 2023-24

The above data analysis results from the comparison of the four student groups at Bullis to those at LASD demonstrates that Bullis, which had no statistically significant gains in its enrollment of students who are Hispanic/Latino in the years reviewed (2016, 2021-22, 2022-23, and 2023-24), maintained a statistically significantly lower enrollment of students who are Hispanic/Latino students than the LASD for the same years. The same is true for SWD at Bullis. There was no statistically significant increase in enrollment for the group at Bullis in the years reviewed, and Bullis continued to enroll a proportion of SWD that is statistically significantly lower than the proportion at LASD. On the other hand, Bullis increased its enrollment of students who are SED over the course of its charter term. Specifically, the proportion of SED students at BCS in 2023-24 is 2.9 percentage points higher than in 2016-17 and 1.8 percentage points higher than in 2022-23. However, the increase was not enough to make Bullis' SED enrollment reflective the enrollment of students who are SED in LASD. Therefore, the proportion of students who are SED remains statistically significantly lower in Bullis than in LASD though Bullis has made growth in this area. Also, although the proportion of students who are English learners was statistically significantly lower at Bullis than at LASD in 2016-17 and 2021-22, Bullis' EL enrollment increased in the three years since SCCOE issued the Notice and was reflective of LASD's EL enrollment in 2023-24, meaning there was no statistically significant difference in the proportion of EL enrolled at Bullis and LASD.

In summary, the proportion of SWD and students who are Hispanic/Latino enrolled at Bullis showed no statistically significant increase in the years reviewed, and the proportion of both groups remains statistically

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significantly less than the proportions enrolled in LASD. However, the proportion of Bullis students who are SED increased significantly across the years reviewed but continues to be statistically significantly lower than the LASD's enrollment of the same student group. Bullis also made statistically significant increases in its enrollment of students who are EL. Unlike Bullis' SED group, however, the proportion of students who are EL enrolled at Bullis showed no statistical difference with EL enrollment in LASD in 2023-24, meaning EL at Bullis were reflective of EL in LASD.

### *Bullis Charter School Compared to Los Altos School District, Excluding Interdistrict Transfer Students*

As stated previously, Bullis contends that a comparison to LASD demographics is not accurate as LASD data is skewed due to the influx of interdistrict transfer students, which might increase the various student populations. Therefore, SCCOE conducted a statistical analysis of the comparison data between Bullis and LASD, excluding interdistrict transfer students to LASD, using self-reported data from each entity. (The self-reported data varies slightly from the DataQuest data, potentially due to the date each data set was reported, though the specific reason for the variations is not known by SCCOE.) Thus, this analysis was conducted using datasets provided by Bullis for 2021-22, 2022-23, and 2023-24 and datasets provided LASD for 2021-22, 2022-23, and 2023-24. SCCOE did not have datasets for 2016, and a comparison of Bullis and LASD student enrollment for the four student groups, excluding interdistrict transfer students, from the beginning of Bullis' term was not included. All other aspects of the analysis remain the same as the analysis conducted including interdistrict transfer students.

A comparison of Bullis and LASD student enrollment for the four student groups, excluding interdistrict transfer students, in 2021-22, the year SCCOE issued the Notice, demonstrates the following:

- The proportion of students who are Hispanic/Latino enrolled at LASD in 2021-22 is statistically significantly higher than the proportion enrolled at Bullis in 2021-22
- The proportion of students who are EL enrolled at LASD in 2021-22 is statistically significantly higher than the proportion enrolled at Bullis in 2021-22
- The proportion of students who are SED enrolled at LASD in 2021-22 is statistically significantly higher than the proportion enrolled at Bullis in 2021-22
- There is no statistically significant difference between the proportion of SWD enrolled at LASD and Bullis in 2021-22

A comparison of Bullis and LASD student enrollment for the four student groups, excluding interdistrict transfer students, in 2022-23, the first full year in which Bullis implemented its EAP and its revised lottery preferences, demonstrates the following:

- The proportion of students who are Hispanic/Latino enrolled at LASD in 2022-23 is statistically significantly higher than the proportion enrolled at Bullis in 2022-23
- The proportion of students who are EL enrolled at LASD in 2022-23 is statistically significantly higher than the proportion enrolled at Bullis in 2022-23
- The proportion of students who are SED enrolled at LASD in 2022-23 is statistically significantly higher than the proportion enrolled at Bullis in 2022-23
- There is no statistically significant difference between the proportion of SWD enrolled at LASD and Bullis in 2022-23

A comparison of Bullis and LASD student enrollment for the four student groups, excluding interdistrict transfer students, in 2023-24, the last year for which data is available, demonstrates the following:

- The proportion of students who are Hispanic/Latino enrolled at LASD in 2023-24 is statistically significantly higher than the proportion enrolled at Bullis in 2023-24

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- There is no statistically significant difference between the proportion of students who are EL at LASD and the proportion enrolled at Bullis in 2023-24
- The proportion of students who are SED enrolled at LASD in 2023-24 is statistically significantly higher than the proportion enrolled at Bullis in 2023-24
- The proportion of students who are SWD enrolled at LASD in 2023-24 is statistically significantly higher than the proportion enrolled at Bullis in 2023-24

When excluding interdistrict transfer students for each of the four student groups, the data shows that while the proportion of ELs was statistically significantly higher at LASD than at Bullis in 2021-22 and 2022-23, there was no statistically significant difference in 2023-24. Excluding interdistrict transfer students from the dataset also demonstrates there was not a statistically significant difference in the proportion of SWD in Bullis and LASD in 2021-22 and 2022-23; but in 2023-24 - the last year for which data is available - the proportion of SWD at LASD was 2.9 percentage points greater than at Bullis. Further, LASD's proportion of students who are Hispanic/Latino was 5.0, 5.1, and 5.4 percentage points greater than the proportion of students who are Hispanic/Latino at Bullis in 2021-22, 2022-23, and 2023-24, respectively. Similarly, for the years 2021-22, 2022-23, and 2023-24, the proportion of students who are SED at LASD was 6.0, 5.8, and 4.4 percentage points higher, respectively, than at Bullis.

Removing interdistrict transfer students from the analysis comparing Bullis' enrollment to LASD's shows that while in 2023-24 students who are ELs reached par with LASD, the remaining three groups continue to be statistically significantly lower at Bullis.

### Transitional Kindergarten/Kindergarten and First Grade, including Interdistrict Transfer Students

SCCOE Integrated Data, Research, and Evaluation staff also reviewed enrollment data for Transitional Kindergarten (TK)/Kindergarten (K), and Grade 1 for both Bullis and LASD for the school years 2016-17, 2021-22, 2022-23, and 2023-24 and for the one-year period between 2022-23 and 2023-24, the two-year period between 2021-22 and 2023-24, and the seven-year period between 2016-17 and 2023-24. This analysis was conducted because TK/K and first grade are reportedly the only grade levels at which Bullis experiences meaningful new enrollment due to the limited number of openings at other grade levels. The data used in this analysis was self-reported and provided to SCCOE by Bullis and LASD and includes enrollment data for interdistrict transfers because as explained above, CDE does not report school district data specific to or excluding students who reside outside of district boundaries but attend district schools. As such, self-reported data is the only source of such data. SCCOE notes that this self-reported data varies somewhat from the data report via DataQuest, which could be due to various factors, including but not limited to the reported data being collected on different dates when enrollment may have changed. The test conducted were two-tailed Z-Score proportion difference tests with *a priori* alpha level set at 0.05. The analyses focused on four student groups: students who are Hispanic/Latino, students who are EL, students who are SED, and SWD.

When comparing TK/K enrollment at Bullis for the one-, two-, and seven-year periods reviewed, there is no significant difference in the TK-K Hispanic/Latino population at BCS. However, the proportion of students who are EL in TK-K at Bullis Charter School in 2023-24 is statistically significantly higher compared to that in 2016-17, 2021-22 and 2022-23. In fact, the proportion of TK-K who are EL at BCS in 2023-24 is 15.9 percentage points greater than the proportion of TK-K who are EL at BCS in 2022-23, 26.8 percentage points greater than the proportion of TK-K who are EL at BCS in 2021-22, and 16.2 percentage points greater than the proportion of TK-K who are EL at BCS in 2016-17. The proportion of enrollment for students who are SED and for SWD in grades TK/K was not calculated due to the unavailability of data for the small sample size in order to protect student privacy.



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In Grade 1 at Bullis, there is no significant difference in the proportion of students who are Hispanic/Latino students in the last one-year or two-year period. Similarly, there is no significant difference in the proportion of students who are EL in Grade 1 at BCS in the one-year or two-year periods compared. When looking at the seven-year period, however, there is a statistically significant 3.6 percentage point increase in the proportion of Grade 1 students who are Hispanic/Latino as well as a statistically significant 14 percentage point decrease in the proportion of students who are EL in Grade 1 at BCS. As with TK/K, the proportion of enrollment in Grade 1 for students who are SED and for SWD in Grade 1 was not calculated due to the unavailability of data for the small sample size in order to protect student privacy.

A comparison of the proportion of TK/K and Grade 1 enrollment at Bullis and LASD reveals the proportion of TK-K students who are Hispanic/Latino at LASD was statistically significantly higher than at BCS in both 2022-23 and 2023-24, from 5.7 percentage points higher in 2022-23 to 6.9 percentage points higher in 2023-24. When looking at grade 1, LASD had a statistically significantly higher proportion of Grade 1 students who are Hispanic/Latino in 2016-17 and 2021-22. Since 2022-23 there has been no statistically significant difference in Grade 1 enrollment between BCS and LASD for this subgroup. There was no comparison for grades TK/K and Grade 1 due to the unavailability of data for the small sample sizes in order to protect student privacy.

Additionally, there was no statistically significant difference in the proportion of students who are English learners in TK-K at BCS compared to LASD in 2016-17, 2021-22, or 2022-23. Moreover, in 2023-24, BCS had a statistically significantly higher proportion of students who are English learners in TK-K than LASD, with a proportion that is 22.7 percentage points higher than LASD. However, the proportion of Grade 1 ELs at LASD was statistically significantly higher than at BCS in 2021-22 and 2022-23, by a difference of about 10 percentage points.

Overall, the TK/K and Grade 1 data excluding interdistrict transfer students demonstrates that, although the proportion of enrollment for Bullis students who are Hispanic /Latino and ELs has fluctuated between statistically significantly different and not statistically significantly different from LASD across the years analyzed, there is not currently a predictable pattern of increase in enrollment. The fact that the population of students who are SED and SWD in TK/K and Grade 1 at Bullis are too small to be reported by CDE indicates there is work yet to be done to recruit and enroll students from these groups.

### Transitional Kindergarten/Kindergarten and First Grade, excluding Interdistrict Transfer Students

This analysis was conducted using datasets provided by Bullis for 2021-22, 2022-23, and 2023-24; datasets provided LASD for 2021-22, 2022-23, and 2023-24. SCCOE did not compare datasets for 2016. The Bullis datasets for some years did not include a field for SED, and Superintendent Israel informed SCCOE that combining the fields for the variables used to determine SED would provide Bullis' total count of students who are SED. Therefore, SCCOE calculated Bullis' total count of students who are SED by determining the unduplicated count of students who met any of the following conditions: Socioeconomically disadvantaged as indicated by the 'Socioeconomically' variable, FRL eligible (FRL variable), Title I Part C eligible (Title I Part C variable), homeless (Homeless variable), and/or parent not a high school graduate (Parent High School Graduate variable). Further, SED counts traditionally include variables such as foster students and directly certified students which are not included in the SCCOE calculation. As a result, the counts do not match those on DataQuest and may represent an undercount. All other aspects of the analysis remain the same as the analysis conducted with interdistrict transfer students included.

When excluding interdistrict transfer students for the LASD enrollment counts, the proportion of TK-K students who are Hispanic/Latino at LASD was statistically significantly higher than at BCS in both 2022-23 and 2023-24, from 6.1 percentage points higher in 2022-23 to 8.1 percentage points higher in 2023-24. Whereas there was no statistically significant difference between the TK-K enrollment at Bullis and LASD for

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students who are SED in 2022-23, LASD had an enrollment of students who are SED that was 4.8 and 6.0 percentage points higher than Bullis' in 2021-22 and 2023-24, respectively. Additionally, there was no statistically significant difference in the proportion of TK-K students who are EL in 2021-22 and 2022-23, and in 2023-24 the proportion of TK-K students who are EL at Bullis was 21.4 percentage points higher than the proportion at LASD. Moreover, there was no statistically significant difference in the proportion of TK-K SWD at Bullis and LASD in 2021-22, 2022-23, and 2023-24.

A comparison of Bullis and LASD Grade 1 data, excluding interdistrict transfers from LASD, shows the proportion of students who are Hispanic/Latino were 7.0 percentage points higher at LASD than at Bullis in 2021-22. Contrarily, in 2022-23 and 2023-24 there was no significant difference in the proportion of Grade 1 students who are Hispanic/Latino at Bullis and LASD. The proportion of Grade 1 students who are EL was statistically significantly higher at LASD than at Bullis in 2021-22, 2022-23, and 2023-24 by 40.9, 40.1, and 9.0 percentage points, respectively. The proportion of Grade 1 students who are SED at LASD was statistically significantly higher by 6.7 percentage points than the proportion at Bullis in 2021-22, but in 2022-23 and 2023-24 there was no statistically significant difference. The proportion of SWD at Bullis and LASD was not statistically significantly different in 201-22 and 2022-23 but was 5.9 percentage points lower at Bullis than at LASD in 2023-24.

Taken altogether, the TK-K and Grade 1 data for Bullis and LASD, excluding interdistrict transfers, demonstrates that similar to the comparison including interdistrict transfer, for the three years reviewed, there is no statistically consistent pattern of increase in the enrollment of the four student groups at Bullis.

Thus, based on the facts and evidence, including the data provided by CDE, there continues to be underrepresentation of some historically underserved student groups at Bullis, to a statistically significant degree when compared to LASD. In some areas there has not been statistically significant improvement over the course of the current charter term or since issuance of the initial Notice and submission of Bullis' corrective action plan in response thereto. Thus, the corrective action plan has not yet been successful.

Considering the facts and evidence as a whole, however, CSD Staff believes that there are areas of improvement and there has been incremental progress in Bullis' service of students from historically underserved student groups. Most notably, there currently is not a statistically significant difference in the proportions of students who are English learners enrolled at Bullis as compared to LASD. Additionally, the proportion of students who are SED enrolled at Bullis has statistically significantly increased, though it is still statistically significantly lower than the proportion enrolled at LASD. There is more work that Bullis can and must do in this area to remediate this issue and serve all students who wish to attend the school.

CSD Staff also recognizes that Bullis provides a valuable, high quality educational program to its students who benefit therefrom. As such, CSD Staff believes that, on balance, it is not in the best interests of students to nonrenew Bullis's Charter and for the school to close, ***provided that*** Bullis commits to and is required to comply with the obligation to continuing improving and implementing its corrective action plan, including by complying with each of the conditions and requirements listed below to help address this issue so that Bullis serves all students who wish to attend. CSD Staff believes that conditional approval, subject to the conditions described herein and in the proposed resolution, is consistent with sound educational practice.

### **RENEWAL TERM**

The SCCBOE has discretion to renew the Bullis Charter for five to seven years. As detailed in this staff analysis, the issue of Bullis serving all students continues to be a concern that requires monitoring and ongoing work by Bullis. Additionally, communication and promptly obtaining reasonable, necessary, and appropriate information and documentation from Bullis presents a challenge that SCCOE hopes will improve during any renewal term. Considering the current facts and circumstances as described in this staff analysis, CSD Staff recommends that any renewal be for a period of five years.

## **CONCLUSION**

The Charter Schools Department Staff reviewed Bullis' Renewal Petition, in conjunction with Bullis' Responses to the Notice and Reaffirmation, including its corrective action plan in responses to the Notice and Reaffirmation, and assessed the effectiveness of Bullis' corrective action plan in response to the Notice and Reaffirmation, utilizing the criteria for charter renewal set forth in *EC* Sections 47605 and 47607.

The Charter Schools Department Staff recommends the SCCBOE conditionally approve the request for renewal of the Charter for a term of five years (July 1, 2025-June 30, 2030) on the condition that Bullis Charter School, The Bullis-Purissima Elementary School, and SCCOE enter into an MOU and/or addendum to the MOU on or before December 6, 2024, or such later deadline as may be agreed to by the County Superintendent or designee, that includes all the provisions listed below, as well as any additional conditions or requirements identified by the SCCBOE, and adopt the Board Resolution Conditionally Approving for the period of July 1, 2025, through June 30, 2030, the Charter Renewal for Bullis Charter School, and, Alternatively, Making Written Factual Findings Supporting Denial and Denying the Bullis Charter School Charter Renewal if the Conditions Are Not Met.

The MOU and/or addendum thereto shall address all of the following requirements on terms acceptable to the County Superintendent:

1. Addresses/remediates each of the items identified as “requiring” remediation/correction/updating and/or identified as a condition of renewal in the Staff Analysis and Recommended Findings of Fact.
2. Specifies that Bullis will continue its efforts in accordance with its Enrollment Action Plan/plan to address the issue of serving all students who wish to attend, as the same may be updated from time to time, to ensure equitable access to attendance at Bullis and to increase its enrollment of historically underserved student groups who are underrepresented at Bullis as compared to LASD.
3. Bullis shall announce the number of openings at each grade level **prior** to commencing the open enrollment period each year in order to avoid the possibility or perception that the number of openings is affected based on who applied (e.g. how many students are in each preference group and/or the number of in-District versus out-of-District applicants). If the number of openings would result in an overall decrease in enrollment spaces from the prior year, Bullis shall explain in writing to SCCOE the reason for the enrollment reduction. After that announcement, Bullis may increase the number of openings in any grade level but may not decrease the number of seats at any grade level for that open enrollment and lottery period. Bullis shall inform SCCOE should it increase the number of openings after the original announcement, including providing a written explanation as to the basis for the increase.
4. Bullis shall unequivocally commit to offer students each of the announced open seats at each grade level, in the order drawn in the lottery (in accordance with all requirements as described in the portion of the staff analysis addressing the Admissions Policies and Procedures element of the Charter) until all such openings have been filled and/or there are no more applicants for the seat(s).
5. Bullis' updated plan shall include metrics for measuring the success/effectiveness of the plan and its components. This section of the plan will include the following information, which may be summarized in a table:
  - a. Identified Metric – measures that will provide actionable data related to enrollment

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(e.g., Students who are socioeconomically disadvantaged)

- b. Methodology – how the metric will be measured to ensure valid and reliable results

(e.g., Number/Percent of students who are socioeconomically disadvantaged who enrolled in the last open enrollment period)

- c. Data Source – the origin of the data (i.e., from where will the data come)

(e.g., School's student data system)

- d. Baseline Calculation –the initial, or starting, enrollment data

(e.g., 3.71%)

- e. Annual target(s) and plan for achieving the target – where do you want the metric to be after implementing the Enrollment Action Plan for the current year. (Consider past trend and comparable growth rates)

(e.g., 4.91%)

- f. Progress Monitoring – interim measures that will monitor progress toward annual target(s)

(e.g., number of applications received in advance of lottery that qualify for the FRPM preference)

6. At least annually, Bullis shall review and audit the results of its open enrollment process, including an assessment of the effectiveness of the various components of the Enrollment Action Plan/plan to address the issue of serving all students who wish to attend. The assessment shall not simply assume that the plan is or is not working as a whole based on who enrolled, but it shall include a more specific analysis of facts and factors indicating effectiveness. Bullis shall provide SCCOE a written report of this analysis and any changes/updates to its plan by April 1 each year.

7. Bullis shall annually provide SCCOE a report (including a data file setting forth the backup data) within 10 days of each public random drawing for admission (lottery) setting forth the results of the lottery, including at least the information below. Bullis shall provide an update to this report within 10 days following Census Day each year:

- a. How many openings at each grade level were announced prior to commencement of the open enrollment period (and an update if Bullis subsequently increased that number).
- b. How many applicants there were for each grade level, disaggregated by preference group.
- c. How many applicants were initially offered admission from each preference group at each grade level based on the original lottery results.
- d. How many applicants were subsequently offered admission from each preference group at each grade level based on their position on the waitlist because an applicant(s) before them declined enrollment.
- e. How many applicants from each preference group on are the wait list for each grade level.

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- f. In the post-Census Day update, how many students from each preference group at each grade level enrolled at and are attending Bullis.

Bullis is also strongly encouraged to work cooperatively with SCCOE to address through the MOU or an addendum to the MOU, the other issues and recommendations noted by SCCOE Staff in the Staff Analysis and Proposed Findings of Fact.

### Student Impact

The Charter School Department provides oversight and monitoring for 21 County Board of Education authorized charter schools. Bullis was authorized in 2003 and currently serves approximately 1,000 students.

## Bullis Charter School Petition

### EXHIBITS

1. 47607(e) Notification – May 21, 2021, and Accompanying Documents
2. Bullis Responses to Notification and Accompanying Documents
3. Reaffirmation of 47607(e) Notification – August 5, 2023, and Accompanying Documents
4. Bullis Responses to Reaffirmation and Accompanying Documents
5. SCCOE Statistical Analysis

# Bullis Charter School Petition

## EXHIBIT 1

47607(e) Notification – May 21, 2021, and Accompanying Documents



## Bullis Charter School Petition

Santa Clara County Office of Education

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

May 21, 2021

***SENT VIA EMAIL (MISRAEL@BULLISCHARTERSCHOOL.COM)***

Bullis Charter School  
c/o Maureen Israel, Superintendent  
102 West Portola Ave.  
Los Altos, CA 94022

**Re: Notice in Accordance with Education Code Section 47607(e) and Notice of Concern**

Dear Members of the Board and Ms. Israel:

The Santa Clara County Board of Education<sup>1</sup> initially authorized Bullis Charter School in or about November 2003, and its current term runs through June 30, 2022. Bullis Charter School is governed by The Bullis-Purissima Elementary School, a nonprofit public benefit corporation. In this Notice, for all purposes, a reference to “Bullis Charter School” or “Bullis” or “BCS” or “School” or “Charter School” shall constitute a reference to The Bullis-Purissima Elementary School and its Board of Directors, and a reference to “The Bullis-Purissima Elementary School” or “Bullis-Purissima” shall constitute a reference to Bullis Charter School. The School, the corporation, and the corporate Board will be referred to herein collectively and/or individually and interchangeably as “BCS.” Without regard to the terminology used, throughout this Notice, all references are intended to and do apply to the nonprofit corporation, its Board of Directors, and the School and, to the extent the School and corporation are separate entities, SCCOE holds both responsible for all matters.

SCCOE is sending this notice (“Notice”) pursuant to Education Code Section 47607(e)<sup>2</sup> as notice of SCCOE’s determination that BCS is demonstrably unlikely to successfully implement the program set forth in its expected charter renewal petition (“Charter”) because BCS is not serving all pupils who wish to attend, and SCCOE is providing BCS a reasonable opportunity to cure the violations. If BCS fails to cure the violations set forth in this Notice, including providing and implementing a corrective action plan, SCCOE may deny BCS’s renewal Charter in accordance with Section 47607(e). This Notice also serves as a general notice of concern consistent with SCCOE’s general oversight obligations whereby SCCOE is notifying BCS of the concerns described herein and SCCOE’s expectation and requirement that BCS will take all necessary and appropriate steps to remediate these concerns.

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<sup>1</sup> The Santa Clara County Board of Education, the Santa Clara County Superintendent of Schools, and the Santa Clara County Office of Education are collectively referred to herein as “SCCOE.”

<sup>2</sup> All further statutory references are to the Education Code unless otherwise indicated.

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## **I. BACKGROUND**

BCS is expected to submit its renewal Charter during the 2021-22 school year. In addition to the other bases for denial of a charter renewal, a chartering authority may deny a renewal upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors, or because the charter school is not serving all pupils who wish to attend. In this context, “not serving all pupils who wish to attend” means situations in which a charter school is not serving all demographic groups, including but not limited to, historically underserved student groups and/or students based on their academic performance. To deny on this basis, SCCOE must first provide BCS with at least 30 days’ notice of the violation(s) and a reasonable opportunity to cure the violation(s). (Ed. Code § 47607(e).) SCCOE desires to provide BCS as much time as possible to cure the violations detailed herein, including through development and implementation of a corrective action plan.

As BCS is aware, concerns about a lack of diversity in BCS’s student body, has long been a concern of SCCOE. While not the first time this concern was raised by the Los Altos School District (“LASD”), members of the public, and/or SCCOE, during the fall and winter of 2019 a great deal of discussion was brought to SCCOE’s attention concerning enrollment at BCS. In February 2020, SCCOE sent BCS correspondence about these issues, specifying that despite the disagreement among BCS, LASD, and members of the local community who had all provided SCCOE various information on this topic, at that juncture SCCOE wanted to focus on what SCCOE trusts are the shared expectations and priorities of ensuring fair and equal access to all schools for all students, without regard to any protected characteristics.

We believe that it is appropriate to repeat much of the information contained in that prior letter in the context of this Notice, as the concerns, motivations, and ideals remain consistent. Over the last few years, numerous changes have been made to the Charter Schools Act (“CSA”) that have focused on ensuring that charter school admissions are fair, open, equal, and non-discriminatory; that no students are discouraged from enrolling in any charter school for any reason; and that charter school admissions do not result in limiting charter school enrollment on the basis of protected characteristics. These revisions to the law governing charter schools have been far-reaching, impacting enrollment preferences and practices, mandating that charter schools define the means by which they will ensure that their student enrollment is reflective of the racial and ethnic, special education, and English learner populations of their local community, and including consideration of whether a charter school is serving all pupils who wish to attend when determining whether to renew a charter. In light of these changes, there can be no doubt that the Legislature and Governor, as well as the public education advocates who provided input into these statutory changes – which included advocates from the charter school community – perceived unequal access to all charter schools, and high performing charter schools in particular, to be a substantial concern requiring remediation by charter schools and authorizers.

SCCOE expressed concern about the percentages of BCS’s enrolled students who are socio-economically disadvantaged, English Learners, and students with special needs, being smaller than their counterpart percentages at LASD. SCCOE also noted that through the years, it has consistently expressed concern about BCS’s enrollment of socio-economically disadvantaged

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students, and the BCS administration has expressed a desire to serve a broader spectrum of students, including increasing enrollment of socio-economically disadvantaged students.

LASD and individual members of the local community have made a variety of allegations about the causes for the enrollment disparities. SCCOE has received anecdotal reports that, in the past, BCS employees have improperly informed potential families that BCS does not provide the full continuum of services to students with disabilities. There have been concerns with the manner in which BCS has marketed its requests for substantial financial donations and whether, even when specifically noting that donations are voluntary, the way the requests are conveyed to potential families implies that donations are required or that the children of families who cannot or will not donate may not be offered initial or continued enrollment at BCS.

SCCOE is also aware that BCS has attempted to counter these allegations, including through comparisons to the enrollment percentages at a number of individual LASD schools and disagreement over the significance of the disparities. BCS has also asserted that it has experienced substantial growth in enrollment of students with special needs in recent years. Additionally, in December 2019, BCS cooperated with the County and entered into a First Amended Memorandum of Understanding terminating the previous admission preference for residents of the former Bullis-Purissima Elementary School, which was a major source of concern relative to enrollment of socio-economically disadvantaged students.

Just as expressed in the February 2020 correspondence, while there is an unfortunate history of tension and disputes between LASD and BCS, rather than continuing to focus on those disagreements, SCCOE's goal is for BCS and SCCOE to work cooperatively with an emphasis on serving student needs, ensuring equal access, and stopping the cycle of allegations, counter-arguments and defenses that are not serving our students or community. SCCOE continues to want to provide assistance to BCS to create and implement an effective plan whereby BCS can increase its efforts and successes in enrolling a more diverse student population consistent with the letter and spirit of the law.

At that time, the County endeavored to initiate a cooperative and creative dialogue with BCS to develop an effective plan consistent with what we believe to be our shared desires and priorities of ensuring equal access and continuing BCS's strong educational program. The County requested that BCS develop a results-oriented plan, consistent with the revised provisions of the CSA. As SCCOE explained, we believed that this plan must include, but is not limited to, concrete means of increasing outreach efforts and the dissemination of information targeted at addressing any lingering misapprehensions about enrollment at BCS, including relative to donation expectations/requirements and assurances that BCS welcomes and serves all students, including by providing the full continuum of placements and services to students with special needs. As before, SCCOE stands ready to support BCS in the development and implementation of this plan.

We were pleased that BCS received SCCOE's correspondence in the manner in which it was intended, as an invitation to move forward in a strong, productive, and collaborative fashion to implement the mission of educating and serving all students and to alleviate any and all real or perceived disparities in the educational opportunities and services afforded by BCS. Notably, on

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March 4, 2020, BCS “warmly” accepted SCCOE’s “forward-looking invitation to collaborate and develop a strong plan to educate and serve all students in our community.” BCS expressed a desire to work with SCCOE “to develop an effective plan consistent with our shared desires and priorities of ensuring equal access and continuing BCS’s strong educational program.”

To be clear, SCCOE continues to believe that our mutual focus should be educating students, and SCCOE continues to look forward to working with BCS in furthering the statewide mandate to expand access to charter schools. That purpose and focus have not changed.

SCCOE recognizes that BCS objected to the County Board’s May 5, 2021, agenda item whereby the County Board authorized the issuance of this Notice, and delegated authority to the County Superintendent or designee to send this Notice. (A response to BCS’s specific objections is set forth below.) However, the CSA has been revised to include a finding that the charter school is demonstrably unlikely to successfully implement the program set forth in its charter because it is not serving all students who wish to attend as a separate cause for denying renewal of any charter school. That cause for denial is clearly and directly related to the concerns with access and diversity in BCS’s enrollment that BCS itself previously agreed to work with SCCOE to correct. The CSA mandates specific procedures be followed when this is an issue or finding facing a charter school that could affect the renewal of the school’s charter. The first step in that procedure is the issuance of at least 30 days’ notice to the charter school, and the provision of a reasonable opportunity to cure the violation, including by creating and implementing a corrective action plan. Thus, this Notice, and the corresponding opportunity to cure and correct these concerns, are clearly and explicitly for BCS’s benefit and provide BCS added protections and opportunity to resolve matters that could negatively impact BCS’s request to have its Charter renewed.

Issuing notice pursuant to Section 47607(e) is a formal legal procedure mandated by law that directly relates to renewal or nonrenewal of BCS’s renewal Charter. This Notice is consistent with SCCOE’s prior clearly stated concerns and the need for BCS to remediate those concerns. As noted during the May 5 SCCOE public meeting, this Notice is not a decision to deny BCS’s Charter. Rather, it is a clear statement and notice to BCS that this is an issue of serious concern that BCS is expected to rectify. This is entirely consistent with our February 2020 letter and invitation to BCS to work collaboratively to develop and implement meaningful changes necessary to ensure access and inclusivity at BCS. Once again, SCCOE hopes that BCS takes these matters seriously, and also understands and accepts that this Notice is a continuation of the opportunity for BCS to take significant steps to implement our shared priorities and the mandates of the CSA in collaboration with SCCOE.

## **II. FINDINGS**

SCCOE hereby notifies BCS of evidence that BCS is not serving all students who wish to attend. This evidence constitutes cause for denying BCS’s renewal if not remedied and affords BCS a reasonable opportunity to address these concerns. The CSA has always required that charters include a description of the means by which the charter school will achieve a balance of racial and

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ethnic pupils reflective of the general population of the school district in which they are located. As of July 1, 2020, the requirement has been expanded such that charter schools are to provide the means by which they will also achieve a balance of special education pupils and English learner pupils reflective of the district in which they operate. Moreover, the CSA includes a variety of other requirements and prohibitions mandating equal access and nondiscrimination in access to and ongoing enrollment at charter schools. Section 47607(d) and (e) make clear that equity in access and a charter school's success in ensuring this equity and that it enrolls and serves all students is fundamental and necessary to a determination whether to renew a charter school petition. Importantly, Section 47607(e) explicitly specifies that notwithstanding the multi-tiered approach to renewal decisions based on a particular charter school's performance on the California State Dashboard, any charter school, even those with the highest Dashboard performance, may be denied renewal if they are not serving all students who wish to attend. Consistent with these requirements of the CSA, SCCOE has been and continues to monitor BCS's enrollment and demographic data.

It appears that BCS has misconstrued the statutory language that a charter school "is not serving all students who wish to attend" in the context of this Notice. In a May 5, 2021, letter to SCCOE, BCS asserted that it "cannot serve all students and families who wish to attend" because it receives more applications than it has spaces, so must admit students on the basis of a public random drawing. The language that a charter school "is not serving all pupils who wish to attend" is taken directly from Section 47607(e) and does not refer to BCS's inability to enroll all applicants because of capacity considerations. In fact, the public random drawing process for selecting students when a charter school has more applicants than spaces is a fundamental legal requirement of the CSA. Clearly, this additional cause for nonrenewal is not directed at penalizing charter schools that are successful enough to have more applicants than spaces, which then follow the CSA's admissions lottery mandates. The fact that this is not what the statute means by "failing to serve all students who wish to attend" is also clear from the provisions of Section 47607(d) and (e) that link this finding to data about charter school enrollment patterns disaggregated by race, ethnicity, and pupil groups; other data from CDE; and substantial complaints that a charter school is not complying with the due process protections required to be provided prior to suspending, expelling, or otherwise involuntarily removing a student from attendance at a charter school.

Rather, this is the language that the Legislature used to refer to situations in which a charter school is not serving all demographic groups, including but not limited to historically underserved student groups and/or students based on their academic performance. As such, the fact that BCS cannot accommodate all applicants because it does not have space is not a defense to or a correction of the concerns detailed in this Notice. It is important to recognize, however, that BCS is able to seek approval of admissions preferences to be implemented in the public random drawing process that are designed to assist in remediating these concerns. Thus, despite being at capacity and unable accept all applicants, BCS can modify not only to its outreach and recruitment efforts, but also its public random drawing process to assist in these efforts.

**A. BCS Enrollment and Demographic Data.**

At the commencement of the 2020-21 school year, SCCOE requested from the California Department of Education (“CDE”) all the demographic data for the SCCOE-authorized charter schools in their last year of their charter term that Section 47607(d) specifies CDE will provide to charter school authorizers. CDE provided some demographic data for every charter school authorized by SCCOE, including BCS and all the charter schools that were not in the last year of their terms. Contrary to Section 47607(d), however, the data provided by CDE did not include all the information specified in that statute. Section 47605(d) specifies that CDE is to provide a variety of “aggregate data reflecting pupil enrollment patterns at the charter school” during the school’s current term, and “cumulative data” is specifically defined as “the total number of pupils, disaggregated by race, ethnicity, and pupil subgroups, who enrolled in school at any time during the school year.” The data provided by CDE was not disaggregated by race, ethnicity, or any other pupil group. Thus, while the data indicated some information about total enrollment, how many students left BCS at different times, and the respective CAASPP results for students who remained enrolled at BCS and those who left, it did not provide any information relevant to enrollment at BCS relative to race, ethnicity, or any other pupil group. As such the data provide by CDE at that time is not pertinent to SCCOE’s consideration of whether BCS is serving all pupils who wish to attend or this Notice.

SCCOE has reviewed the verified CALPADS data on the demographic breakdown of the enrollment at BCS and at LASD, the school district in which BCS is located, for the period 2016-17 through 2020-21 (thereby including the last year of BCS’s prior charter term through the first four of the five years of BCS’s current charter term). The data is from census day data for each respective year, and CDE reports of this data can be found at the following link: <https://dq.cde.ca.gov/dataquest/>. This demographic data is summarized below. The percentage for each student group is listed first, with the actual number of students in each group listed below the percentage:

**NUMBER AND PERCENTAGE OF TOTAL ENROLLMENT AT BCS AND LASD FOR 2017-2021**

STUDENT GROUP	2016-17	2017-18	2018-19	2019-20	2020-21
<b>BCS TOTAL ENROLLMENT</b>	825	879	915	1,039	1,093
<b>LASD TOTAL ENROLLMENT</b>	4,527	4,403	4,246	3,999	3,576
<b>BCS ENGLISH LEARNERS</b>	10.9% 90	10.1% 89	4.5% 41	5.7% 59	6.7% 73
<b>LASD ENGLISH LEARNERS</b>	12.7% 575	13.1% 577	12.9% 548	11.1% 444	9.5% 337
<b>BCS RECLASSIFIED FLUENT ENGLISH PROFICIENT</b>	6.7% 55	9.0% 79	14.3% 131	14.0% 145	12.8% 140

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STUDENT GROUP	2016-17	2017-18	2018-19	2019-20	2020-21
<b>LASD RECLASSIFIED FLUENT ENGLISH PROFICIENT</b>	8.3% 374	9.3% 411	8.9% 380	10.6% 423	11.0% 392
<b>BCS STUDENTS W/DISABILITIES</b>	5.6% 46	6.9% 61	7.0% 64	6.7% 70	6.7% 73
<b>LASD STUDENTS W/DISABILITIES</b>	9.0% 407	8.7% 383	9.20% 391	9.50% 380	9.34% 334
<b>BCS SOCIO-ECONOMICALLY DISADVANTAGED</b>	0.8% 7	1.6% 14	1.2% 11	1.4% 15	1.7% 19
<b>LASD SOCIO-ECONOMICALLY DISADVANTAGED</b>	5.5% 249	6.2% 273	6.1% 259	6.0% 240	6.7% 240
<b>BCS AFRICAN AMERICAN</b>	1.2% 10	1.1% 10	1.0% 9	0.5% 5	0.4% 4
<b>LASD AFRICAN AMERICAN</b>	0.5% 23	0.5% 22	0.5% 21	0.6% 24	0.6% 20
<b>BCS ASIAN</b>	45.9% 379	47.0% 416	50.0% 460	52.0% 539	55.1% 602
<b>LASD ASIAN</b>	31.9% 1,444	33.6% 1,479	34.2% 1,452	34.4% 1,376	34.8% 1,246
<b>BCS HISPANIC</b>	4.4% 36	4.2% 37	3.8% 35	3.9% 41	3.3% 36
<b>LASD HISPANIC</b>	8.0% 362	7.6% 335	7.9% 335	8.0% 320	8.4% 300
<b>BCS WHITE</b>	27.6% 228	25.8% 227	25.5% 233	22.5% 234	21.3% 233
<b>LASD WHITE</b>	47.3% 2,141	45.4% 1,999	44.0% 1,868	43.2% 1,728	41.1% 1,470
<b>BCS TWO OR MORE RACES</b>	17.5% 144	18.5% 163	18.3% 167	16.7% 174	15.4% 168
<b>LASD TWO OR MORE RACES</b>	11.4% 516	11.7% 515	12.0% 510	12.4% 496	12.7% 453

SCCOE also reviewed the following information that BCS provided concerning the results of its public random admissions drawing for its kindergarten class of 2021-22 (which is reportedly the only grade level at which BCS experienced any meaningful new enrollment for 2021-22 due to BCS's capacity limits). BCS informed SCCOE that it had admitted 102 kindergarteners and provided the available demographic data for the 81 kindergarteners who had completed their registration as of the date that BCS provided the data.<sup>3</sup> (This means that more than 20 percent of

<sup>3</sup> At this time BCS has not provided SCCOE additional information for the remaining newly admitted kindergartens.

the newly admitted kindergarteners are not accounted for by this data.) BCS did not have any information about how many of the incoming kindergarteners are socioeconomically disadvantaged because that determination is based on qualification for free and reduced price meals, which information is not gathered until the beginning of the school year. The demographic data for these 81 kindergarten students is summarized below.

**DEMOGRAPHIC DATA FOR 81 OF 102 KINDERGARTEN STUDENTS ADMITTED  
FOR THE 2021-22 SCHOOL YEAR**

STUDENT GROUP	# OF STUDENTS	PERCENTAGE OF 81 STUDENT KINDER ENROLLMENT
ASIAN	39	48.1%
WHITE	15	18.58%
TWO OR MORE RACES	29	35.8%
HISPANIC	5	6.2%
AFRICAN AMERICAN	0	0%
STUDENTS WITH DISABILITIES*	1*	1.2%*
POTENTIAL ENGLISH LEARNERS	35**	43.2%**

\* This is the number of students who self-identified as having a current IEP, but this information is limited because incoming kindergarten students may have not yet been identified as qualifying for services pursuant to the Individuals with Disabilities Education Act ("IDEA").

\*\* This is the number of students who have a home language survey indicating a language other than English, but do not have initial ELPAC test results confirming their status as English learners.

**B. Analysis of Demographic Data**

SCCOE staff that specializes in statistical analysis conducted statistical analyses of the above-described demographic data for the following four student groups: Hispanic students; students who are English learners; students who are socioeconomically disadvantaged; and students with disabilities. The specific results of these statistical analyses are attached as Exhibit 1 and can be summarized as follows:

- As of the 2020-21 academic year, the proportions of LASD's student body who are Hispanic, English learners, socioeconomically disadvantaged, and with disabilities are all statistically significantly higher than the proportions of the student body in those student groups at BCS

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- There is no meaningful difference in the proportion of Hispanic students enrolled at BCS from 2016-17 to 2020-21
- The proportion of English learners enrolled at BCS in 2020-21 is statistically significantly lower than the proportion enrolled in 2016/17
- The proportion of students who are socioeconomically disadvantaged enrolled at BCS in 2020-21 is statistically significantly higher than the proportion enrolled in 2016-17
- There is no meaningful difference in the proportion of students with disabilities enrolled at BCS from 2016-17 to 2020-21
- There is no meaningful difference in the proportion of Hispanic students enrolled at LASD from 2016-17 to 2020-21
- The proportion of English learners enrolled at LASD in 2020-21 is statistically significantly lower than the proportion enrolled in 2016/17
- The proportion of socioeconomically disadvantaged students enrolled at LASD in 2020-21 is statistically significantly higher than the proportion enrolled in 2016-17
- There is no meaningful difference in the proportion of students with disabilities enrolled at LASD from 2016-17 to 2020-21
- From 2016-17 to 2020-21, the proportions of English learners enrolled at BCS and at LASD both statistically significantly decreased; however, the rate of decline was twice as great for LASD, though in 2021, the proportion of English learners at LASD remains statistically significantly higher than the proportion enrolled at BCS
- From 2016-17 to 2020-21, the proportions of socioeconomically disadvantaged students enrolled at BCS and at LASD both statistically significantly increased
- From 2016-17 to 2020-21, both BCS and LASD observed no meaningful difference in the proportions of Hispanic and students with disabilities served
- From 2016-17 to 2020-21, the proportion of Hispanic students at both BCS and LASD did not change significantly; however, as of 2020-21, the proportion of students who are Hispanic is statistically, significantly higher at LASD than at BCS
- From 2016-17 to 2020-21, the proportion of students who are socioeconomically disadvantaged increased significantly at both BCS and LASD, and in 2020-21, the proportion of socioeconomically disadvantaged students enrolled is statistically, significantly higher at LASD than at BCS.

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- From 2016-17 to 2020-21, both BCS and LASD experienced a significant decrease in the proportion of English learner enrollment, and in 2020-21, the proportion of English learners at LASD is statistically, significantly higher than the proportion enrolled at BCS; however, the rate of decline from 2016-17 to 2020-21 in the number of English learners enrolled was twice as great for LASD
- From 2016-17 to 2020-21, the proportion of Students with Disabilities at both BCS and LASD did not change significantly; however, as of 2020-21, the proportion of Students with Disabilities is statistically, significantly higher at LASD than at BCS

Overall, it is clear that BCS is serving statistically significantly lower proportions of all four of these student groups than is LASD. While the proportion of Hispanic students and students with disabilities at BCS remained steady during this period, and the proportion of socioeconomically disadvantaged students at BCS increased significantly at the same time, in all three cases BCS continues to remain statistically significantly below LASD. Similarly, while the proportion of English learners enrolled at both LASD and BCS declined significantly, and the decline at LASD was two times greater than at BCS, nevertheless, BCS continues to serve a statistically significantly lower proportion of English learners than does LASD.

These statistics establish underrepresentation in all four student groups at BCS, evidencing that BCS continues to not serve all students who wish to attend BCS. BCS must address this concern, including the creation and implementation of a corrective action plan that will result in increasing the proportions of the BCS student body who are members of each of these student groups. Any such plan must also build in means by which BCS will continue to monitor its successes and, if necessary, pivot and enhance its methods to make real progress.

### **C. BCS's Efforts to Increase Enrollment Access and Diversity**

As noted above, BCS readily agreed to SCCOE's request to develop a results-oriented plan to increase equity in access and inclusivity at BCS. BCS also indicated that it has been working on that goal for several years. On March 5, 2021, in response to SCCOE's request for information, Superintendent Israel provided SCCOE with BCS's revised outreach plan, including details on additional steps that BCS planned to take. Ms. Israel also provided examples from BCS's outreach efforts, including a document entitled "Tips for Inviting Friends and Neighbors to Consider BCS;" "revised FAQ" (SCCOE is unsure whether this was newly revised or if it was used during the most recent open enrollment period); and some examples of advertising efforts. Those documents are attached as Exhibit 2.

While the documents speak for themselves, and we will not attempt to summarize all of the information contained therein, we will note a few highlights. BCS established a new Superintendent's Task Force, comprised of representatives from the BCS administration, staff Board, and Bullis Boosters Club (PTO) "focused on improving outreach to students and families who were underserved by [BCS] in the past." BCS, with the Task Force, developed a new campaign with a focus on welcoming students/families from across the community, including students with socioeconomic disadvantages, English learners, students with disabilities, and

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students of all races and ethnic backgrounds. BCS reported that the campaign strengthened BCS's outreach in key areas, including the San Antonio neighborhood (north of El Camino Real). BCS made the following "three major additions" to its outreach efforts:

- Recruiting current families and staff as Parent Ambassadors and providing them support with coaching and information resources. Materials were developed in English, Spanish, and Mandarin
- Hiring a part-time Community Outreach Coordinator, who has focused on expanding BCS's contact lists with programs/organizations that might be a source of new students; engaging new and potential parents through social media and parent chat rooms; and discussing volunteer opportunities for current families to build long-term connections between BCS and other programs and networks in the community
- Updating all resources (including print, online, and in social media) to reflect the children and families of BCS's community

BCS also explained that the COVID-19 pandemic impacted and limited some of its planned outreach efforts, particularly in-person outreach efforts. BCS pivoted to online efforts in light of the impacts of COVID-19 and plans to conduct more in-person outreach as public health restrictions allow.

Over the course of the last year, BCS has also had a number of conversations and virtual meetings with SCCOE Charter Schools Department Staff to discuss plans and means of increasing the effectiveness of its outreach efforts in recruiting students from the underrepresented student groups. While SCCOE believes that those conversations have been valuable, SCCOE notes that BCS declined to take SCCOE's strongest suggestion for making change, which was, prior to BCS's open enrollment period for the 2021-22 school year, seeking to add an enrollment preference for students who qualify for free or reduced price meals.

SCCOE acknowledges these efforts by BCS but believes that they are inadequate without more to result in the necessary progress in diversifying BCS's enrollment.

### **III. REMEDIAL/CORRECTIVE ACTION**

Based on the substantial issues and concerns described above, SCCOE is issuing this Notice supporting a determination that BCS is demonstrably unlikely to successfully implement its program because it is not serving all pupils who wish to attend, and as a general notice of concern about the need to correct the fact that the Hispanic, students with disabilities, English learner, and socioeconomically disadvantaged student groups are underrepresented at BCS. Consistent with Section 47607(e), BCS is being provided a reasonable opportunity to cure the concerns identified in this Notice, including providing a corrective action plan.

BCS must determine how it will resolve the concerns, including the development, submission, and implementation of a corrective action plan, which should also include details and explanations of

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how the proposal(s) will cure the concern(s). Equity, inclusion, and diversity are complex issues, and determining the most effective means of resolving these concerns is complicated. As such, SCCOE expects that BCS will engage the services of a professional expert(s) to assist in the development of BCS's corrective action plan, based on the specific facts and circumstances. As noted above, BCS has undertaken some efforts and measures to attempt to remediate these issues, and SCCOE has worked to provide suggestions and insights, but the services of experts on these complex questions is important to the likelihood of success. SCCOE continues to be ready to collaborate and support BCS in these efforts, and anticipates that the plan and BCS's response will include, at a minimum, the following, though this is not intended to be and should not be interpreted as the scope of what is required in order for BCS to cure and correct these concerns:

1. Engagement or retention of outside professional experts to assist BCS, including the Superintendent's Task Force, in developing plans and creating change to diversify BCS's applicant pool and enrollment
2. Addition of admissions preference(s) for students who reside within the attendance areas of the Santa Rita and Almond Elementary schools and/or students in other underrepresented student groups as permitted by law
3. Specific strategies to proactively overcome any perceptions that may exist that BCS does not welcome/serve all students with disabilities or provide the full continuum of placements and services and/or that monetary donations are required or expected

Additionally, below are a variety of concepts for BCS's consideration in consultation with its professional expert to determine if they would be effective components of BCS's overall plan:.

1. Modification/limitation of existing admissions preferences
2. Simplify and provide assistance in understanding and completing the application process, including through information and application assistance meetings at times and locations convenient to the underrepresented communities and in multiple languages. Assist families to complete applications and paperwork required for enrollment after admission
3. Make hardcopies of applications and informational materials available at BCS, at each informational meeting, and at other locations throughout the community
4. Consider the word choice in FAQ and advertisements to ensure that it is accessible, clear, understandable, and welcoming
5. Consistently refer to the school and all of its programs as "free," rather than "tuition free," which may be clearer and cannot be misinterpreted to mean that there are costs aside from tuition

6. Reintroduce BCS's summer kindergarten prep program for socioeconomically disadvantaged children and/or other programs that will engage the underrepresented student groups
7. Publicize more detailed information about how BCS provides the full continuum of placements and services for students with special needs
8. Implement school and community programs that celebrate diversity
9. Train staff members, volunteers, and parents who organize activities, run the Booster Club, seek donations, etc., on the requirements and prohibitions of the free schools guarantee and Education Code Section 49010 et seq. and prohibit any communications implying that donations or volunteerism are required or have any impact on a student's initial or continued enrollment or participation at BCS.

This is not intended to be a comprehensive list of actions that BCS should consider or implement but is provided as a resource to assist and support BCS in this process.

#### **IV. RESPONSE TO MAY 5, 2021, CORRESPONDENCE FROM BCS**

On May 5, 2021, BCS Superintendent Israel sent correspondence to the SCCOE opposing the County Board's authorization of the issuance of this Notice and delegation of the authority to the County Superintendent or designee to send this Notice, which was included on the agenda for that evening. SCCOE wants to take this opportunity to respond briefly to several assertions made by BCS in that correspondence. As an initial matter, SCCOE wants to note that contrary to the statement in the letter that this item came as a complete surprise to BCS, on April 22, 2021, SCCOE Charter Schools Department Director Fairley specifically mentioned to Ms. Israel the possibility of SCCOE issuing this notice, at which time Ms. Israel expressed no objection to such a course of action. BCS's apparent misunderstanding of the phrase "not serving all students who wish to attend" in the context of Section 47605(d) and (e) and this Notice is addressed above.

##### **A. This Notice is Not Statutorily Premature**

BCS incorrectly asserts that this Notice can only be based on data provided by the CDE "at the conclusion of the year immediately preceding the final year of the charter school's term." While it is true that Section 47607(d)(1) provides that at that point in the charter term SCCOE may request from CDE data about the students being served by BCS, this Notice is not limited only to that data or that timeline. Section 47607, subdivision (d)(1) makes the request for that data discretionary on the part of the charter authorizer; subdivision (d)(2) mandates that the chartering authority consider various data about whom the charter school is serving and how; and subdivision (d)(3) specifies that, as part of determining whether to renew a charter, the chartering authority "may make a finding that the charter school is not serving all pupils who wish to attend and, upon making such a finding, specifically identify the evidence supporting the finding." The data a chartering agency is required to review pursuant to subdivision (d)(2) is *not* limited only to the data that may

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be requested pursuant to Section 47607(d)(1), but also *any* data that may be provided by CDE and substantial complaints that the charter did not comply with the requirements of Section 47605(c)(5)(J). Moreover, subdivision (d)(3) specifies that the chartering authority must identify the evidence on which it relies in making this finding but includes no limitation on the source(s) of that evidence. There are no time parameters on the data or evidence that may be considered, nor any time limit on when the chartering entity may consider the data. Similarly, Section 47607(e), which provides specific authority to deny renewal if the charter school is not serving all pupils who wish to attend and provides for the provision of notice and an opportunity for the charter school to correct this concern, does not include any time restrictions on when this process can be commenced, other than a minimum notice period of 30 days.

BCS argues that by providing this Notice prior to the end of the penultimate year of its current Charter term – thus farther in advance of BCS’s request for renewal – SCCOE is “tainting what should be a fair renewal process, in violation of BCS’ right to due process.” While BCS does not explain precisely what it means by such claims, SCCOE disagrees. Due process is fundamentally notice and an opportunity to be heard. Rather than “tainting” or diminishing BCS’s due process rights relative to renewal, by providing this Notice at an earlier time, SCCOE is expanding BCS’s due process protections by providing extra notice and an additional opportunity to be heard and to remediate the issues raised herein. Having the County Board authorize issuance of the Notice in May 2021 rather than July 2021 in no way taints BCS’s renewal procedures. As specified in Section 47607, and noted during the May 5, 2021, meeting, this Notice is not a decision to deny renewal of BCS’s Charter. Rather, it is notice of concerns that could impact BCS’s renewal, and it is being issued now in order to afford BCS as much time and opportunity as possible to respond to those concerns, including the development and implementation of a corrective action plan. Delaying the issuance of this Notice would not provide BCS any additional due process protections.

#### **B. BCS Has Not Exceeded the Applicable Legal Requirements**

SCCOE has not conflated “the obligation to admit all students” with the requirement that BCS describe the means by which it will achieve a pupil balance reflective of the population of LASD. While it is true that BCS is required to admit all students subject to capacity, the concern at issue in this Notice is that BCS is not *serving* all students who wish to attend. Again, this is not a question simply of BCS being unable to admit all students because there are more applicants than spaces, but, rather, that BCS is not serving an appropriate mix of students, specifically the underrepresented student groups identified above. The CSA requires charter schools to describe the means by which they will achieve a balance of pupils reflective of the district in which they are located. This pupil balance is inextricably linked with consideration of whether BCS is serving all pupils.

Contrary to BCS’s assertion, BCS has not “exceeded” the requirements of the CSA because its Charter describes its “Outreach Recruitment Plan.” This Outreach Recruitment Plan is a mandatory Charter element and simply including it does not “exceed” the legal requirements, but, rather, at most would constitute compliance with the CSA’s requirements. Moreover, the CSA’s requirement is that the Charter describe “[t]he *means* by which the charter school will *achieve* a



balance of” pupils. (§ 47605(c)(5)(G), emphasis added.) BCS has *not* achieved the requisite pupil balance, so its Outreach Recruitment Plan has not yet been successful. It is incumbent on BCS to make changes to its plans and operations to improve those outcomes.

SCCOE also notes that BCS attempted to rely upon a portion of a sentence taken out of context from a communication issued by SCCOE in 2012, almost a decade ago, as proof in opposition to the serious concerns described herein. As noted, BCS has taken the sentence out of context and has implied that it was a far broader statement than was the case. Moreover, the CSA has been substantially and repeatedly revised since that 2012 communication, including regarding both charter schools’ obligations relative to diversity in enrollment, specifically including for students with special needs, and the causes for nonrenewal of a charter, including for failure to serve all students who wish to attend.

### C. BCS’s Demographics

The demographic data is detailed above and will not be repeated here. However, SCCOE notes that it disagrees with BCS’s description of the import of that data in its May 5, 2021, letter, and the above-described data evidences SCCOE’s position. SCCOE agrees with BCS that continued engagement between SCCOE and BCS on diversity, access to enrollment, and actual enrollment at BCS is important. This Notice is neither superficial nor outside of the statutory parameters, and it is not intended as a source of contention between BCS and SCCOE. Rather, this Notice is an extension of the myriad prior communications between BCS and SCCOE about this important topic and the necessity of increasing diversity and access to BCS, to which BCS has been receptive. SCCOE has long made clear to BCS that these are vitally important issues, made even more so by the revisions to the CSA and the addition of failure to serve all pupils who desire to attend as a cause for denying charter renewal. The purpose and intent of this Notice is to comply with the procedural requirements of the CSA, and to provide BCS substantial notice and a meaningful and reasonable opportunity to remediate these concerns. As BCS is aware, these issues are not susceptible to quick or easy cures, which is why SCCOE has long been working with BCS on these matters and has now also afforded BCS the procedures and protections specified in the CSA.

## V. CONCLUSION

In compliance with SCCOE’s expectations in response to this notice of concern, and in accordance with Section 47607(e), please submit BCS’s response, including its corrective action plan, **by the earlier of (1) the date of submission of BCS’s renewal charter petition or (2) six weeks before commencement of BCS’s open enrollment period for the 2022-23 school year.** This affords BCS a reasonable opportunity to cure and to commence implementation of the corrective action plan prior to open enrollment for the next school year and provides SCCOE an opportunity to evaluate and, if necessary, work with BCS on its corrective action plan prior to any action on a BCS renewal Charter. SCCOE encourages BCS to commence curing and correcting and providing responsive information to and discussing its plans with SCCOE as quickly as possible. As always,

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Bullis Charter School

Bullis Charter School Petition

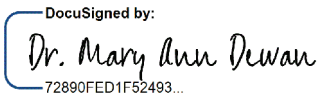
May 21, 2021

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SCCOE stands ready to collaborate with BCS and provide support and assistance to BCS's efforts to increase equity and access in its applicant pool and enrollment.

SCCOE looks forward to BCS's response to the concerns identified in this Notice. Should you have any questions regarding the foregoing, please do not hesitate to contact me or Director Fairley.

Very truly yours,

DocuSigned by:  
  
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Mary Ann Dewan, Ph.D.  
County Superintendent

Attachments

cc: Santa Clara County Board of Education  
Mefula Fairley, Director  
Davina Harden, Esq.

# Bullis Charter School Petition

Table 1. Percent Change in Bullis Charter School Enrollment for Select Student Groups (2016/17 to 2020/21)

	2016/17 Count	2020/21 Count	Difference	Percent Change	2016/17 Percent	2020/21 Percent	Z Score	p-value	Decision
Student Group									
Hispanic/Latino Students	36	36	0	0.0%	4.4%	3.3%	1.2517	0.10565	Not Significant
Students who are English Learners	90	73	-17	-18.9%	10.9%	6.7%	3.2643	0.00056	Significant
Students who are Socioeconomically Disadvantaged	7	19	12	171.4%	0.8%	1.7%	1.7144	0.04363	Significant
Students with Disabilities	46	73	27	58.7%	5.6%	6.7%	0.0987	0.161109	Not Significant
Total Enrollment	825	1,093	268	32.5%	NA	NA	NA	NA	NA

Notes: Z-Score proportion difference tests are one-tailed with *a priori* alpha level set at 0.05.

Table 2. Comparison of Bullis Charter School (BCS) and Los Altos School District (LASD) Student Enrollment for Select Student Groups (2020/21)

	BCS	LASD	Z Score	p-value	Decision
Student Group					
Hispanic/Latino Students	3.3%	8.4%	5.7063	<0.00001	Significant
Students who are English Learners	6.7%	9.4%	2.7621	0.00578	Significant
Students who are Socioeconomically Disadvantaged	1.7%	6.7%	6.3296	<0.00001	Significant
Students with Disabilities	6.7%	9.3%	2.6704	0.00758	Significant
Total Enrollment (Count)	1,093	3,576	NA	NA	NA

Notes: Z-Score proportion difference tests are two-tailed with *a priori* alpha level set at 0.05.

Table 3. Percent Change in Los Altos Elementary School District Enrollment for Select Student Groups (2016/17 to 2020/21)

	2016/17 Count	2020/21 Count	Difference	Percent Change	2016/17 Percent	2020/21 Percent	Z Score	p-value	Decision
Student Group									
Hispanic/Latino Students	362	300	-62	-17.1%	8.0%	8.4%	0.6525	0.25785	Not Significant
Students who are English Learners	575	336	-239	-41.6%	12.7%	9.4%	4.6692	<.00001	Significant
Students who are Socioeconomically Disadvantaged	249	240	-9	-3.6%	5.5%	6.7%	2.2533	0.0122	Significant
Students with Disabilities	407	334	-73	-17.9%	9.0%	9.3%	0.4655	0.31918	Not Significant
Total Enrollment	4,527	3,576	-951	-21.0%	NA	NA	NA	NA	NA

Notes: Z-Score proportion difference tests are one-tailed with *a priori* alpha level set at 0.05.

## Takeaways

- As of the 2020/21 academic year the proportions of Los Altos Elementary School District's student body that are Hispanic, English learners, socioeconomically disadvantaged, and with disabilities are all significantly higher than those of Bullis Charter School.
- From 2016/17 to 2020/21, Bullis Charter School observed a significant increase in the proportions of its student body that are English learners and socioeconomically disadvantaged.
- From 2016/17 to 2020/21, no meaningful differences were observed in the proportions of Bullis Charter School's student body that are Hispanic and with disabilities.
- From 2016/17 to 2020/21, the number of Hispanic students, socioeconomically disadvantaged students, and students with disabilities enrolled in Los Altos Elementary School District declined while the numbers stayed the same (for Hispanics) or increased (for socioeconomically disadvantaged students and students with disabilities) at Bullis Charter School.
- From 2016/17 to 2020/21, both Los Altos Elementary School District and Bullis Charter School observed a decrease in English learner enrollment, however, the rate of decline was 2x greater for Los Altos Elementary School District.

## Notes

- No significant difference in the proportion of Hispanic students enrolled at Bullis Charter School from 2016/17 to 2020/21.
- The proportion of English learners enrolled at Bullis Charter School in 2020/21 is significantly lower than the proportion enrolled in 2016/17.
- The proportion of socioeconomically disadvantaged students enrolled at Bullis Charter School in 2020/21 is significantly higher than the proportion enrolled in 2016/17.
- No significant difference in the proportion of students with disabilities enrolled at Bullis Charter School from 2016/17 to 2020/21.

## Notes

- The proportion of Hispanic students enrolled at LASD in 2020/21 is significantly higher than the proportion enrolled at BCS.
- The proportion of English learners enrolled at LASD in 2020/21 is significantly higher than the proportion enrolled at BCS.
- The proportion of socioeconomically disadvantaged students enrolled at LASD in 2020/21 is significantly higher than the proportion enrolled at BCS.
- The proportion of students with disabilities enrolled at LASD in 2020/21 is significantly higher than the proportion enrolled at BCS.

## Notes

- No significant difference in the proportion of Hispanic students enrolled at Los Altos Elementary School District from 2016/17 to 2020/21.
- The proportion of English learners enrolled at Los Altos Elementary School District in 2020/21 is significantly lower than the proportion enrolled in 2016/17.
- The proportion of socioeconomically disadvantaged students enrolled at Los Altos Elementary School District in 2020/21 is significantly higher than the proportion enrolled in 2016/17.
- No significant difference in the proportion of students with disabilities enrolled at Los Altos Elementary School District from 2016/17 to 2020/21.





### **Expanding BCS Enrollment Outreach for 2021-22 and Beyond**

For several years, BCS has dedicated time and energy to reaching and welcoming all families to our school. Some of our most significant efforts in past years included:

- The BCS Stretch to Kindergarten program, in partnership with the Family Engagement Institute (FEI) at Foothill College. This six-week, tuition-free summer program helped children from low-income families, many of whom had not attended preK, adapt to an academic setting.
- The Bullis Boosters Camp, a free, week-long language arts and science engineering day camp for incoming 2nd-6th graders from Los Altos and Mountain View.
- An effort to launch a new Bullis Mountain View school. While the effort did not come to fruition, we learned important lessons about the needs and interests of our neighboring community.

More recently, in collaboration with the Santa Clara County Office of Education, we have worked to expand and strengthen our efforts to ensure equity in access and diversity in enrollment. In April 2020, we created a new Superintendent's Task Force focused on improving outreach to students and families who were underserved by our school in the past. Our Task Force, which included representatives from the BCS administration and staff, Board, and our Bullis Boosters Club (PTO), meets monthly to discuss strategies and plans.

With the help of the Task Force, we developed a new campaign focused on attracting and welcoming new students and families across our community, including students of all races and ethnic backgrounds, English Learners, students with disabilities, and students with socioeconomic disadvantages.

We encourage all families to consider BCS, and this campaign has strengthened our outreach in key areas, including the San Antonio neighborhood (north of El Camino Real), and emphasizes several key strategies, including:

- Direct parent-to-parent and teacher-to-parent engagement.
  - Recruiting new BCS K3 parents.
  - Engaging BCS teachers living in the San Antonio neighborhood.
- Local information events, including asking apartment complex managers if we can host events for their residents.
- Developing key messages for parents to share on social media.

Our messages -- for all families -- highlight several key points:

- BCS is an excellent public school, open to all students and families,
- Individualized learning experiences help each child, and
- Great teachers and a highly engaged community build success.

## Bullis Charter School Petition

Messengers are as important as messages, and this campaign encourages current parents to engage directly with other families and share how their children are thriving at BCS. Parents network with new families through:

- Faith communities, children's sports, and community organizations,
- Child care or preschool programs their children attended,
- Block parties and neighborhood events, and
- Social media.

We recruit current parents and teachers:

- Primarily K-3 and new parents, including through survey and focus groups on their onboarding experiences.
- Parents and teachers who speak other languages (Spanish, Mandarin)
  - We also provide informational materials in Spanish and Mandarin.
- Coach parents and teachers on key messages and outreach strategies.

Communities for expanded outreach:

- Key streets in the San Antonio neighborhood include Del Medio Ave, Monroe Drive, Miller Ave, California St, Fayette Drive, San Antonio Circle
- Apartment complexes in the area include:
  - Fayette Town House, 2675 Fayette Drive
  - Palo Alto Plaza, 541 Del Medio Ave
  - Fayette Arms Apartments, 2680 Fayette Drive
  - Domus on the Boulevard, 2650 W El Camino Real
  - Franciscan Apartments, 439 Del Medio Ave
  - Camille Apartments, 2645 California Street
  - Del Medio Manor Apartments, 141 Del Medio Ave
  - Del Medio Park Apartments, 2700 Del Medio Court
  - Del Medio Gardens, 250 Del Medio Ave
  - Kentfield Apartments, 2650 California Street
  - California Apartments, 2320/2326 California Street

In our initial Task Force meetings, we discussed opportunities for providing in-person presentations in small neighborhood settings, including apartment complexes, preschool programs, churches, temples, and other community centers. As the COVID-19 pandemic grew, we revised plans to focus more on sharing information through social media and other distanced communications, in addition to advertising in local publications, and sharing flyers and information in high-traffic areas such as supermarkets, restaurants, and apartment complexes.

These communications encouraged families to participate in the three virtual Information Nights we held in November, December, and January -- and hundreds of parents participated in those events. We also contacted Los Altos School District leadership to ask if we could participate in their annual Parent Information Nights.

## Bullis Charter School Petition

Whether face-to-face or digitally, we decided to make three major additions to our previous outreach efforts:

- Recruiting current BCS families (and staff) as Parent Ambassadors and supporting them with coaching and information resources. We developed materials (in English, Spanish, and Mandarin) to help our Parent Ambassadors engage with new families, share their experiences with BCS, and respond to questions or concerns.
- Hiring a part-time Community Outreach Coordinator, who has focused on
  - Expanding our contact list (preschools, churches, etc.) and reaching out directly to staff at those programs, encourage them to share information about BCS and our Open Enrollment Information Nights with their families. Our Coordinator found more than 40 new programs and organizations, and more than 15 of them agreed to share BCS flyers and information with their families.
  - Engaging new and potential parents directly through social media and online parent chat rooms (examples attached.)
  - Discussing volunteer opportunities for current BCS families that can help build more long-term connections between our school and other programs and networks in our community.
- Updating all resources -- print, online, social media, etc -- to reflect the children and families of our community.

### **Goals and evaluation:**

- Reach more students and families who have been under-represented at BCS, and move toward a balance of English Learners, students with disabilities, and students of diverse race and ethnicity that is more reflective of the general population in the Los Altos School District.
- At the start of the 2021-22 school year, ask new families how they learned about BCS -- to evaluate how our new strategies worked.
  - Also ask for their advice on encouraging other new families to consider BCS for the 2022-23 school year.

### **Additional Steps to Strengthen Enrollment Outreach**

- As public health conditions improve, we will conduct more in-person outreach activities, including Kickoff to Kinder events for teachers and families in local preschools, family child care programs, and other community centers. These events will help families prepare for their children's transition to kindergarten, and highlight BCS as one of their neighborhood options.

### **Attachments:**

- *Tips for Connecting New Families to BCS (in English - also shared in Spanish, Mandarin)*
- *BCS FAQ for New Families (revised, in English - also shared in Spanish, Mandarin)*
- *Examples of BCS advertisements, flyers, social media*



**BULLIS** charter school  
A CALIFORNIA K – 8 PUBLIC SCHOOL

### Tips for Inviting Friends and Neighbors to Consider BCS

- Tell them your story. When did your family begin at BCS? What do you -- and your children -- like most about the school?
- Emphasize important facts all families should know about BCS.
  - BCS is an excellent **public** school, open to all students and families.
  - Teachers work with students and families to develop individualized learning goals. This helps each child take responsibility for their learning, and achieve their full potential.
  - One thing that helps BCS succeed is families who are active and engaged, and we'd like you to join us!
- Think about different ways to share your messages about BCS, especially since COVID-19 makes it harder to connect in person.
  - Email your neighbors who have children starting kindergarten next year.
  - Share messages about BCS and your family on Facebook, NextDoor, WeChat and other social media networks -- and encourage your neighbors to ask questions. (If they have questions you can't answer, send them to [info@bullischarterschool.com](mailto:info@bullischarterschool.com))
  - Here's a sample email/text you can edit to include your family's experience:  
*I know your kids are almost ready for school, and I wanted to tell you about our experience with Bullis Charter School. We've been at BCS for three years, it's great! The kids love all the creative activities and projects. The teachers are wonderful, and we've made a lot of new friends in the BCS community. BCS is a public school, and open to all students. Can you join us for an upcoming parent information event?*
- If you live in an apartment building, ask the managers if we can share flyers about upcoming parent information events at BCS.



## Frequently Asked Questions about Bullis Charter School (BCS) (Revised)

### **Is BCS a public school?**

Yes. BCS is a K-8 public school founded in 2003, with a charter authorized by the Santa Clara County Board of Education (SCCBOE). BCS offers a collaborative, experiential learning environment that emphasizes individual student growth, educational innovation, and a global perspective. BCS has earned numerous awards and has been recognized as a California Distinguished School, a National Blue Ribbon School, and a California Gold Ribbon School.

### **Can all children attend BCS?**

BCS is a public school open to any K-8 student in California who would like to attend. Preference is given to students who reside in the Los Altos School District.

BCS is committed to meeting the needs of all students regardless of ability level or learning needs, including but not limited to: Special Education, Gifted & Talented, and English Language Learners. Our collaborative, experiential learning environment and our emphasis on individual student growth make BCS a great fit for all kinds of learners.

### **What makes BCS unique?**

BCS offers many resources and opportunities and uses an individualized approach to inspire children to reach beyond themselves and achieve their full potential. We provide students with an innovative, empowering, rigorous and well-rounded learning environment that includes free extra-curricular courses, foreign language starting in kindergarten, and classes in drama, art, dance, music and physical education, taught by professional instructors.

Teachers work with each student and family to develop Focused Learning Goals based on the student's unique needs and interests. We create these goals every year, starting in kindergarten, and celebrate progress toward the goals every month. Goals include academic achievements as well as social and organizational skills, and help each student take responsibility for their learning and development.

Academic excellence and social and emotional growth are cornerstones of BCS, and we provide rich, deep learning experiences that nurture the whole child. We emphasize experiential and project-based learning so our students learn to think critically, work collaboratively, empathize, problem-solve, and communicate more effectively.

BCS provides an integrated curriculum, which fosters deeper learning by students studying topics across curriculum areas. In addition, our K-8 model allows students to mentor and collaborate with students of other grades, and helps educators know students well and nurture their long-term growth.

### **How does BCS support students who are English Language Learners?**

Our support for each student begins with the understanding that learning is personal. BCS is committed to meeting students where they are, academically, socially, developmentally, and supporting their positive growth. For English Language Learners, that includes developing Focused Learning Goals with each student and family around specific areas of language development.

BCS provides specialized instruction in English in contextually rich small group settings. The goal is to facilitate English language acquisition that will allow each student to compare academically with their English-only peers, to have access to the core curriculum and all other programs, and to maintain their self-esteem and cultural identity.

### **How does BCS support students with special needs or learning differences?**

The BCS model was designed to meet the needs of students across a spectrum of learning styles and help every child reach their full potential. This includes individualized support, an inclusive setting, and teachers and specialists with experience helping students with a variety of special needs, including dyslexia and other learning differences, ADHD, autism, and many others.

BCS also provides many different opportunities for each student to build on their strengths and assets, including through art, drama, music, physical education and free extracurriculars. For more information about how we support every student and learning style, visit [http://www.bullischarterschool.com/personalized\\_learning/](http://www.bullischarterschool.com/personalized_learning/)

### **Why is BCS a K-8 school?**

Our K-8 model enables students to work with students of other grades and mentor each other. The K-8 structure also provides for more real world learning experiences, and helps students learn and grow with a community of teachers and administrators over multiple years.

### **How has BCS adjusted to distance learning and social distancing?**

BCS moved quickly in March 2020 to ensure that all students were able to continue learning when in-person learning was suspended. We've made free devices available to every student who needs one, and our distance learning and activities were very successful. Our staff has conducted surveys with students, parents, and teachers to ensure that we learn from this experience and continue to improve.

### **How does the registration process work? Why is there a lottery?**

Each year, there are more students interested in BCS than we can enroll. So we hold a random drawing (a lottery) to determine which students will be admitted to BCS, and the order of students on the waiting list. The lottery is open to the public, and there is no fee to register, since BCS is a public school.

The Santa Clara County Board of Education has authorized BCS to give enrollment preference to students based on the following order:

- 1) Siblings of current BCS students who reside in the Los Altos School District;
- 2) Children of BCS staff members who reside in the Los Altos School District;
- 3) Children who reside in the Los Altos School District;
- 4) Siblings of current BCS students who reside outside the Los Altos School District;
- 5) Children of BCS staff members who reside outside the Los Altos School District;
- 6) All other applicants who reside in California.

BCS **does not discriminate or give preference** based on actual or perceived disability, English language proficiency, race or ethnicity, nationality, or any other protected characteristic. For more details about our enrollment process and preferences, [please visit our BCS website](#).

### **How do you ensure that the lottery is fair?**

In addition to the SCCOE-approved preferences, we use SchoolMint software to ensure that the lottery is run fairly, and to minimize any chance of human error. Thousands of public charter schools and school districts around the country use this software.

### **How many spaces are there each year? What are my child's chances?**

The chances vary depending on how many families apply, and how many spaces we have available. Most new families apply for Kindergarten or Transitional Kindergarten (TK). Last year, for example, 382 families requested a space in TK/Kindergarten, and we had 134 spaces available.

### **Are there required contributions or donations?**

No. BCS is a public school, and there is no tuition or required fees or donations.

We encourage all families to help support the BCS community by volunteering time, energy and ideas through the Bullis Boosters Club, and we are proud that the majority of BCS families make voluntary contributions to our BCS Foundation.

**Do you have a preschool or preK program?**

Not at this time. BCS does offer Transitional Kindergarten (TK), which is designed to be a bridge between preschool and kindergarten for four-year-olds who will turn five between Sept 2nd and Dec 2nd. TK students will be placed in Kindergarten classrooms as appropriate, but they will follow a modified curriculum that will be supported by their Focused Learning Goals.

**Why is BCS a charter school?**

Charter schools have freedom to be more innovative while being held accountable for advancing student achievement. BCS's founders chose the charter school model because of a deeply held belief not only that schools should be accountable for student learning, but also that infusing a school with entrepreneurial spirit would result in ongoing measurable improvements. As a public charter school, BCS is free to innovate and implement new programs and teaching methods in order to provide the best education possible for our students.



## BCS 2020-2021 Enrollment Outreach - Advertising Examples

Alianza, November 2020

Alianza, December 2020

Mountain View Voice, November 2020

Los Altos Town Crier, November 2020



# Bullis Charter School Petition

## Examples of BCS Enrollment Outreach - Social Media and Flyers

**Bullis Charter School**  
Published by Alan Simpson · November 3, 2020 ·

Our enrollment period for the 2021-22 school year is now open! Tell your friends and neighbors to visit [www.bullischarterschool.com/enrollment](http://www.bullischarterschool.com/enrollment)

**Enroll Now GRADES K-8**  
for 2021-22 School Year  
Open enrollment ends January 15, 2021

**Upcoming Virtual Parent Information Nights**

November 19	Grades K-5	December 9	Grades 6-8
7:00 PM		7:00 PM	

RSVP: [bullischarterschool.com/enrollment](http://bullischarterschool.com/enrollment)

Bullis Charter School meets the needs of all students regardless of ability level or learning needs including but not limited to: Special Education, Gifted and Talented, and English Language Learners.

1,432 People Reached      66 Engagements      [Boost Post](#)

**Mountain View Moms**

Hi Mountain View mom's! My name is Jasmine, and I'm the Community Outreach Coordinator with Bullis Charter School.

Bullis is an excellent K-8 public charter school in the area that is open to all students and families. We are currently trying to spread the word about our school so more students have access to the free, high-quality education that BCS has to offer.

This is just a reminder that Open Enrollment for our 2021-22 school year ends tomorrow, January 15! If you are interested, you can find enrollment information and a video of our Parent Info Night at [www.bullischarterschool.com/enrollment](http://www.bullischarterschool.com/enrollment).

**BULLIS charter school**  
A CALIFORNIA K-8 PUBLIC SCHOOL

- Model Public School
- Nationally Recognized
- Top Performing

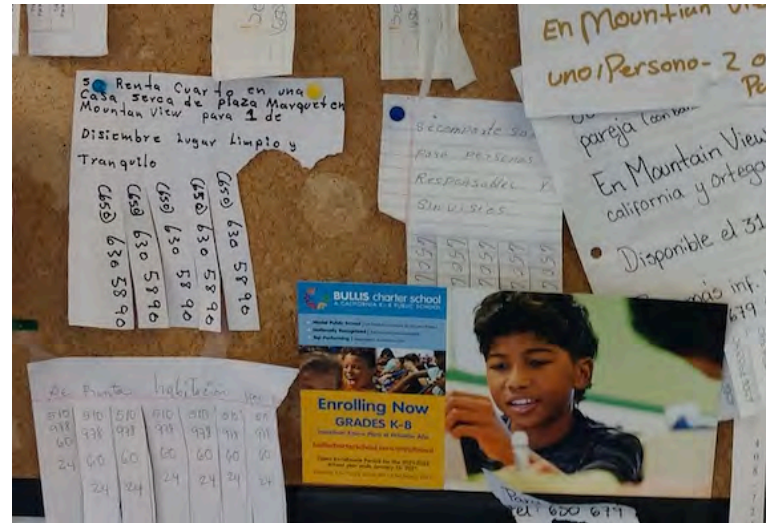
**Enroll Now!**  
**GRADES K-8 for 2021-22 School Year**  
Open enrollment ends January 15, 2021

[bullischarterschool.com/enrollment](http://bullischarterschool.com/enrollment)

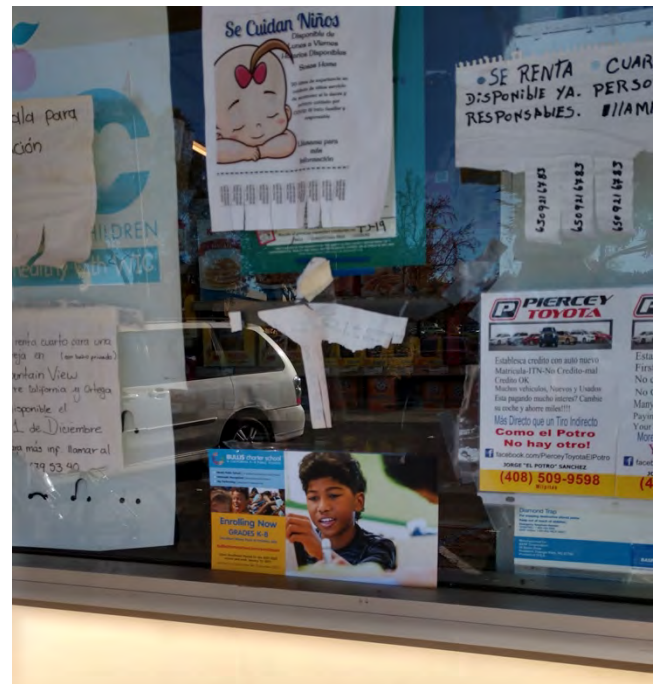
Don't Miss the Deadline!

6

8 Comments



Lauderland, California Street, Mt. View



Joya Supermarket, California St, Mt. View

# Bullis Charter School Petition

## EXHIBIT 2

### Bullis Responses to Notification and Accompanying Documents



**BULLIS CHARTER SCHOOL**  
102 West Portola Avenue  
Los Altos, CA 94022  
Tel 650.947.4100 Fax 650.947.4989  
www.bullischarterschool.com

## Bullis Charter School Petition



May 21, 2021

SENT VIA EMAIL

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools  
Santa Clara County Office of Education  
1290 Ridder Park Drive  
San Jose, CA 95131

Dear Dr. Dewan,

Thank you for your letter of May 21. The Board and staff of Bullis Charter School look forward to collaborating with the County Office of Education to address the concerns raised in the County's letter in a timely, constructive, and effective manner.

Sincerely,

Francis La Poll, Board Chair

Maureen Israel, Superintendent





August 25, 2021

**VIA EMAIL: MaryAnn\_Dewan@sccoe.org**

cc: MFairley@sccoe.org, MJohnson@sccoe.org

Mary Ann Dewan, Ph.D., County Superintendent of Schools  
Santa Clara County Office of Education  
1290 Ridder Park Drive  
San Jose, CA 95131

Dear Dr. Dewan,

While the new California budget legislation provides an automatic two-year extension for all charter schools with terms expiring between January 1, 2022 and June 30, 2025, Bullis Charter School would like to continue working with you to improve our Enrollment Action Plan, as outlined in your letter of May 21, 2021.

As we have discussed previously with your staff -- and as noted in your letter -- one significant step would be revising our Admissions Policies and Procedures to add an admission preference for students who qualify for free and reduced-price meals and live within the Los Altos School District. BCS would like to establish such a preference for up to 10% of our open spaces by grade, which would be significantly more than the current percentage of socio-economically disadvantaged students making up the student population of either BCS or the Los Altos School District. We would like to work with the County staff to add this new admission preference, which we expect would help BCS increase the enrollment of certain targeted segments of the local student population.

This admission preference change would strengthen the BCS Enrollment Action Plan in two fundamental ways. First, it would improve the chances for students who qualify for free and reduced-price meals in our public random drawing ("the lottery") to be able to enroll in BCS. Secondly, the change would incentivize more underserved families to apply.

If approved, this admission preference change will complement other steps we are taking -- and expanding -- in our Enrollment Action Plan, which include:

- Bullis Summer Camp, which we expanded to two weeks this year -- the first at Christopher Elementary School in San Jose, and the second at BCS. The camp emphasizes art, science, hands-on learning and fun, to help young learners prepare for the coming school year. Bullis Summer Camp is free for underserved families, and nearly 60 students attended this year.



- New outreach events with preschools and child care programs in the San Antonio neighborhood (north of El Camino Real) to help more families with young children see BCS as a great choice, and to invite them to our Parent Information Nights where they'll connect with other families.
- Updating our website and social media platforms to ensure they are accessible and welcoming to all families.
- Emphasizing in our communications that BCS is a free public charter school without any required fees or contributions.

We would like your help in expediting this admission preference change, so that it could take effect for our Open Enrollment Period for the 2022-2023 school year, which will begin in November 2021. We would like to work with the County to update our Admissions Policies and Procedures and clarify the preference change.

BCS continues to agree to comply at all times with laws which generally apply to charter schools and to comply with applicable federal or state laws. We appreciate your continued support and assistance to our efforts to increase equity and access in the BCS applicant pool and enrollment.

Sincerely,

Maureen Israel  
Superintendent  
Bullis Charter School

# Bullis Charter School Petition

## EXHIBIT 3

Reaffirmation of 47607(e) Notification – August 5, 2023, and Accompanying Documents

## Bullis Charter School Petition



Santa Clara County Office of Education

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

August 4, 2023

***SENT VIA EMAIL ([MISRAEL@BULLISCHARTERSCHOOL.COM](mailto:MISRAEL@BULLISCHARTERSCHOOL.COM))***

Bullis Charter School  
c/o Maureen Israel, Superintendent  
102 West Portola Ave.  
Los Altos, CA 94022

**Re: Reaffirmation of Notice in Accordance with Education Code Section 47607(e) and Notice of Concern**

Dear Members of the Board and Ms. Israel:

The Santa Clara County Board of Education<sup>1</sup> initially authorized Bullis Charter School in November 2003, and its current term runs through June 30, 2025. Bullis Charter School is governed by The Bullis-Purissima Elementary School, a nonprofit public benefit corporation. In this Reaffirmation of the Notice (“Reaffirmation”), for all purposes, a reference to “Bullis Charter School” or “Bullis” or “BCS” or “School” or “Charter School” shall constitute a reference to The Bullis-Purissima Elementary School and its Board of Directors, and a reference to “The Bullis-Purissima Elementary School” or “Bullis-Purissima” shall constitute a reference to Bullis Charter School. The School, the corporation, and the corporate Board will be referred to herein collectively and/or individually and interchangeably as “BCS.” Without regard to the terminology used, throughout this Reaffirmation, all references are intended to and do apply to the nonprofit corporation, its Board of Directors, and the School and, to the extent the School and corporation are separate entities, SCCOE holds both responsible for all matters.

On May 21, 2021, SCCOE sent BCS a notice (“Notice,” attached as Exhibit 1) pursuant to Education Code Section 47607(e)<sup>2</sup> as notice of SCCOE’s determination that BCS is demonstrably unlikely to successfully implement the program set forth in its expected charter renewal petition<sup>3</sup> because BCS was not serving all pupils who wish to attend, and SCCOE was providing BCS a reasonable opportunity to cure the violations. That Notice specified that if BCS fails to cure the violations set forth in the Notice, including providing and implementing a corrective action plan, SCCOE may deny BCS’s renewal Charter in

(Continued on next page)

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<sup>1</sup> The Santa Clara County Board of Education, the Santa Clara County Superintendent of Schools, and the Santa Clara County Office of Education are collectively referred to herein as “SCCOE.”

<sup>2</sup> All further statutory references are to the Education Code.

<sup>3</sup> For purposes of convenience, BCS’s current charter and its anticipated renewal charter are both referred to herein as “Charter.”



## Bullis Charter School Petition



Santa Clara County Office of Education

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

RE: Reaffirmation of Notice

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accordance with Section 47607(e). That Notice also served as a general notice of concern consistent with SCCOE's general oversight obligations whereby SCCOE notified BCS of the concerns described therein and SCCOE's expectation and requirement that BCS take all necessary and appropriate steps to remediate those concerns.

At the time SCCOE issued the Notice, BCS's current charter term was set to run through June 30, 2022, and SCCOE anticipated BCS would submit its renewal Charter during the 2021-22 school year. However, since that time BCS's current charter term has been extended twice by operation of law, with the term now set to run through and including June 30, 2025. As a result of these term extensions, BCS has been granted three additional years in which to cure the violations set forth in the Notice, thereby extending BCS's reasonable opportunity to cure and correct the violations and implement (and revise and refine as necessary) its corrective action plan.

While not required by law, SCCOE has determined it is appropriate to issue this Reaffirmation of the Notice as a courtesy to BCS and to help ensure BCS serves all students who wish to attend BCS. On August 2, 2023, the County Board adopted a Resolution authorizing and delegating authority to the County Superintendent or designee to issue this Reaffirmation to BCS. This is not a new notice pursuant to Education Code Section 47607(e) or a new general notice of concern, and the information, concerns, and evidence provided with the Notice remain in full force and effect. However, given the time that has passed as well as the extended time remaining in BCS's current term, and recognizing BCS has submitted its corrective action plan and implemented at least some components of its plan, SCCOE desires to ensure BCS remains on notice of these concerns and the necessity for remediating them or risking denial of its renewal Charter. SCCOE is also including with this Reaffirmation an update on issues addressed in the Notice and some statistical data related to BCS's most recent demographic data. SCCOE requests that BCS continue to provide additional information responsive to these concerns and take appropriate steps to update its corrective action plan and its plan to achieve a student balance in accordance with Section 47605(c)(5)(G) in order to remediate these issues.

This Reaffirmation should not be interpreted as indicating SCCOE is not aware of or does not appreciate the work BCS has done and reported to SCCOE since issuance of the Notice. Nevertheless, the issues and concerns as set forth in the Notice and supported by the information in this Reaffirmation have not been fully resolved or remediated and there is substantial work to be done and progress yet to be made for BCS to serve all students who wish to attend. Therefore, SCCOE is issuing this Reaffirmation to ensure BCS is afforded due process in accordance with the Charter Schools Act, specifically including Section 47607(e), and in an effort to achieve greater equity and access to BCS for all students.

(Continued on next page)

## Bullis Charter School Petition



Santa Clara County Office of Education

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

RE: Reaffirmation of Notice

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SCCOE believes it is worth repeating some information from the Notice to provide clarity as to the purpose, intent, and context of this Reaffirmation and its expectations of BCS. As SCCOE has repeatedly expressed, its “goal is for BCS and SCCOE to work cooperatively with an emphasis on serving student needs, ensuring equal access, and stopping the cycle of allegations, counter-arguments, and defenses that are not serving our students or community.” SCCOE previously invited BCS, and BCS “warmly” accepted that invitation, to engage in a dialogue “to develop an effective plan consistent with what we believe to be our shared desires and priorities of ensuring equal access and continuing BCS’s strong educational program.” SCCOE reiterates its belief that our mutual focus should be educating students and doing so equitably. “SCCOE continues to look forward to working with BCS in furthering the statewide mandate to expand access to charter schools.”

## **I. BACKGROUND**

Issuing the Notice pursuant to Section 47607(e), and the corresponding opportunity to cure and correct the concerns therein, is a legally mandated formal procedure directly related to renewal or nonrenewal of BCS’s Charter. This Reaffirmation is in furtherance of that purpose and is consistent with the Notice wherein SCCOE clearly stated its concerns and the need for BCS to remediate those concerns, and SCCOE’s efforts to work collaboratively with BCS to develop and implement meaningful changes necessary to ensure access and inclusivity at BCS. Neither the Notice nor this Reaffirmation are a decision to deny BCS’s anticipated request for renewal of its Charter. Rather, these actions provide clear notice to BCS that this is an issue of serious concern BCS is expected to rectify. Both the Notice and this Reaffirmation are for BCS’s benefit by providing BCS additional information and protections and an opportunity to resolve matters that could negatively impact its future Charter renewal. SCCOE encourages BCS to understand this Reaffirmation is a continuation of BCS’s opportunity to take significant steps to implement our shared priorities and the mandates of the Charter Schools Act, including by taking advantage of the extensions to its current charter term to make and implement effective plans to bring about change.

The following timeline is a broad overview of events and documents immediately preceding and following the issuance of the Notice related to the issues set forth in the Notice:

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Date	Event	Exhibit Number
3/5/21	BCS sends revised enrollment outreach plan based on meeting with SCCOE	2
4/22/21	Zoom meeting between SCCOE and BCS regarding concerns.	N/A
5/3/21	BCS sends email regarding County Board agenda item regarding Letter of Concern and 47607(e) Notice to Cure	3
5/3/21	SCCOE sends email response to BCS concerns	4
5/5/21	County Board authorizes issuance to BCS of Notice of Concern and Reasonable Opportunity to Cure Pursuant to Section 47607(e)	5
5/21/21	SCCOE sends the Notice to BCS	1
5/21/21	BCS acknowledges receipt of SCCOE Letter of Concern	6
2021-22	BCS hires consulting company to help with enrollment	N/A
8/25/21	BCS sends letter to SCCOE re proposed change to admissions preferences	7
9/8/21	SCCOE sends response to BCS's August 25, 2021, letter	8
9/15/21	BCS sends redline of proposed admissions preference adjustment	9
9/20/21	BCS sends response letter regarding updating BCS's admissions/lottery preferences and attached BCS's updated enrollment plan for 2021-22 to take effect in 2022-23	10
10/6/21	County Board approves BCS's admissions preference change	11
11/1/21-1/22	BCS open enrollment incorporating the new admissions preferences	N/A
11/18/21	SCCOE sends feedback on BCS Enrollment Action Plan	12
12/17/21	BCS sends response to SCCOE November 18, 2021 letter	13
3/2/22	SCCOE letter to BCS, including request for BCS enrollment data	14
3/31/22	BCS Board sends letter re clarification regarding data requested by SCCOE	15

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4/8/22	SCCOE sends response to BCS's March 31, 2022, letter	16
5/5/22	BCS provides updated 2021-22 enrollment information	17
2022-23	BCS hires Director of Outreach	N/A
2022-23	BCS institutes all day TK and Kinder program pilot with emphasis on serving students who are socioeconomically disadvantaged	N/A
9/7/22	SCCOE requests 2022-23 lottery data	18
10/10/22	BCS provides 2022-23 lottery data	19
10/17/22	BCS provides additional demographic data	20
11/16/22	SCCOE presentation to County Board on BCS Notice in Accordance with <i>Education Code</i> 47607(e) and Notice of Concern	21
11/1/22 - 1/23	Second BCS open enrollment including the new admissions preferences	N/A
Fall 2022 & Summer 2023	SCCOE conducts statistical analyses of BCS and Los Altos School District enrollment demographics	22
Current	BCS to provide update on 2023-24 enrollment at commencement of school year	N/A

## II. DEMOGRAPHICS

Consistent with the issues raised in the Notice and the requirements of the Charter Schools Act, SCCOE continues to monitor BCS's enrollment and demographic data.

### A. BCS Enrollment and Demographic Data.

SCCOE has reviewed the verified CALPADS data and self-reported school and district data on the demographic breakdown of the enrollment at BCS and at Los Altos School District ("LASD"), the school district in which BCS is located. The CALPADS data is from census day data for each respective year, and the California Department of Education ("CDE") data reports for this data can be found at the following link: <https://dq.cde.ca.gov/dataquest/>. The self-reported enrollment data is from internal enrollment records for both BCS and LASD, which has been disaggregated to include or exclude students attending LASD on inter-district transfers or who do not reside within LASD. The overall enrollment demographic data is summarized in the table below. In this table, the percentage for each student group is listed first, with the actual number of

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students in each group listed below the percentage

STUDENT GROUPS	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
<b>BCS TOTAL ENROLLMENT</b>	879	915	1,039	1,093	1,067	1,031
<b>LASD TOTAL ENROLLMENT</b>	4,403	4,246	3,999	3,576	3,185	3,202
<b>BCS ENGLISH LEARNERS</b>	10.1%	4.5%	5.7%	6.7%	5.7%	5.9%
	89	41	59	73	61	61
<b>LASD ENGLISH LEARNERS</b>	13.1%	12.9%	11.1%	9.5%	10.6%	10.26%
	577	548	444	337	339	344
<b>BCS RECLASSIFIED FLUENT ENGLISH PROFICIENT</b>	9.0%	14.3%	14.0%	12.8%	14.2%	14.0%
	79	131	145	140	152	144
<b>LASD RECLASSIFIED FLUENT ENGLISH PROFICIENT</b>	9.3%	8.9%	10.6%	11.0%	10.5%	11.1%
	411	380	423	392	336	356
<b>BCS STUDENTS W/DISABILITIES</b>	6.9%	7.0%	6.7%	6.7%	7.0%	7.2%
	61	64	70	73	75	74
<b>LASD STUDENTS W/DISABILITIES</b>	8.7%	9.2%	9.5%	9.4%	9.4%	9.5%
	383	391	380	334	298	317
<b>BCS SOCIO-ECONOMICALLY DISADVANTAGED</b>	1.6%	1.2%	1.4%	1.7%	1.3%	1.9%
	14	11	15	19	14	20
<b>LASD SOCIO-ECONOMICALLY DISADVANTAGED</b>	6.2%	6.1%	6.0%	6.7%	7.0%	7.6%
	273	259	240	240	235	254

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STUDENT GROUPS	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
<b>BCS AFRICAN AMERICAN</b>	1.1%	1.0%	0.5%	0.4%	0.2%	0.1%
	10	9	5	4	2	1
<b>LASD AFRICAN AMERICAN</b>	0.5%	0.5%	0.6%	0.6%	0.5%	0.5%
	22	21	24	20	17	18
<b>BCS ASIAN</b>	47.0%	50.0%	52.0%	55.1%	56.9%	58.4%
	416	460	539	602	607	602
<b>LASD ASIAN</b>	33.6%	34.2%	34.4%	34.8%	36.3%	38.3%
	1,479	1,452	1,376	1,246	1,215	1,283
<b>BCS HISPANIC/LATINO</b>	4.2%	3.8%	3.9%	3.3%	4.4%	4.3%
	37	35	41	36	47	44
<b>LASD HISPANIC/LATINO</b>	7.6%	7.9%	8.0%	8.4%	9.6%	9.4%
	335	335	320	300	321	315
<b>BCS WHITE</b>	25.8%	25.5%	22.5%	21.3%	19.6%	18.3%
	227	233	234	233	209	189
<b>LASD WHITE</b>	45.4%	44.0%	43.2%	41.1%	38.4%	36.4%
	1,999	1,868	1,728	1,470	1,299	1,221
<b>BCS TWO OR MORE RACES</b>	18.5%	18.3%	16.7%	15.4%	14.6%	14.6%
	163	167	174	168	156	150
<b>LASD TWO OR MORE RACES</b>	11.7%	12.0%	12.4%	12.7%	12.8%	12.6%
	515	510	496	453	428	422



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**B. Analysis of Demographic Data**

SCCOE staff that specializes in statistical analysis extended the statistical analyses set forth in the Notice to the data for the 2021-22 and 2022-23 school years (the two years for which BCS has provided data since the issuance of the Notice). The demographic data analysis on which SCCOE concentrated was for the following four student groups: students who are Hispanic/Latino; students who are English learners; students who are socioeconomically disadvantaged; and students with disabilities. SCCOE's analysis included consideration of the demographics of BCS and LASD as a whole and an analysis when excluding any students at either school who do not reside within LASD's boundaries, and also comparing BCS's entire enrollment to LASD's enrollment excluding students who attend LASD pursuant to interdistrict attendance permits.<sup>4</sup> The results of these statistical analyses are attached in Exhibits 21 and 22, and key takeaways are summarized below:

- As of the 2022-23 academic year, the proportions of LASD's student body who are Hispanic/Latino, English learners, socioeconomically disadvantaged, and have disabilities are statistically significantly **higher** than those of BCS.
- From 2017-18 to 2022-23, BCS observed a significant **decrease** in the proportion of its student body who are English learners.
- From 2017-18 to 2022-23, **no meaningful differences** were observed in the proportion of BCS's students with disabilities, students who are Hispanic/Latino, or students who are socioeconomically disadvantaged.
- From 2017-18 to 2022-23, LASD observed a statistically significant **increase** in the proportion of students who are Hispanic/Latino and students who are socioeconomically disadvantaged, and a significant **decrease** in the proportion of students who are English learners.

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<sup>4</sup> BCS has asserted that its demographics should be compared to LASD excluding interdistrict attendance students at LASD because the requirement in Section 47605(c)(5)(G) is for the Charter to include the means by which BCS will achieve a pupil balance "reflective of the general population residing within the territorial jurisdiction of" LASD, rather than of the students who attend LASD schools. While, as SCCOE has previously noted, that is not the only standard of diversity and inclusion applicable to BCS or that affects a determination whether BCS is serving all students who wish to attend BCS, SCCOE agrees that it is a pertinent data point to consider in this overall analysis.

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- Excluding LASD students with interdistrict transfer agreements, the proportion of students who are Hispanic/Latino, English learners, and socioeconomically disadvantaged enrolled at LASD is statistically significantly **higher** than the proportion of these student groups enrolled at BCS in 2022-23.
- Excluding LASD students with interdistrict transfer agreements, there is **not** a statistically significant difference between the proportion of students with disabilities enrolled at LASD and the proportion of students with disabilities enrolled at BCS in 2022-23.

TK/kindergarten are reportedly the only grade levels at which BCS experienced any meaningful new enrollment due to the limited number of openings at other grade levels. As such, SCCOE looked specifically at the TK/kindergarten and first grade demographics at BCS and LASD in the 2021-22 and 2022-23 school years, as reflected in the update presented by the SCCOE Charter Schools Department during the County Board of Education's November 16, 2022, meeting. The specific data points available to SCCOE and reviewed at that time are reflected in the PowerPoint slide deck from that meeting (Exhibit 21.) As noted in the "Key Takeaways" from that presentation:

- The small data set makes strong conclusions difficult to draw;
- BCS's efforts appear to have made some impact at kindergarten; and
- Change will take time to impact other grade levels.

A review and analysis of the demographic data for the impending 2023-24 school year will be necessary in order to assess BCS's progress further. This must specifically include the data for new incoming TK and kindergarten students, as well as the current cohorts moving into kindergarten, first grade, and second grade, since those are the grade levels at which BCS has had the greatest ability to implement changes since receiving the Notice. SCCOE requests BCS provide all demographic data for 2023-24, including a breakdown by grade level, at its earliest opportunity.

These statistics establish ongoing underrepresentation of traditionally underserved student groups at BCS, evidencing that BCS continues not to serve all students who wish to attend BCS. BCS must address this concern, including making and implementing the updates to its corrective action plan necessary to result in increasing the proportions of the BCS student body who are members of each of these student groups. Any such plan must also build in the means by which BCS will continue to monitor its successes and, if necessary, pivot and enhance its methods to make meaningful progress.

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### **III. REMEDIAL/CORRECTIVE ACTION**

Based on the substantial issues and concerns described in the Notice and above, SCCOE is issuing this Reaffirmation supporting a determination that BCS is demonstrably unlikely to successfully implement its program because it is not serving all pupils who wish to attend and supporting the prior Notice's general concerns about the need to correct the underrepresentation at BCS of historically underserved student groups. SCCOE acknowledges work done by BCS since issuance of the Notice but reaffirms the concerns in the Notice and the fact that more progress is required in diversifying BCS's enrollment and serving all students who wish to attend.

BCS must determine how it will resolve the concerns, including updates to and implementation of its corrective action plan, which should also include details and explanations of how the proposal(s) and revision(s) will cure the concern(s). Equity, inclusion, and diversity are complex issues, and determining the most effective means of resolving these concerns is complicated. As such, SCCOE continues to expect BCS will engage the services of a professional expert(s) to assist in the update and implementation of BCS's corrective action plan, based on the specific facts and circumstances. As recognized above, BCS has undertaken some efforts and measures to attempt to remediate these issues, and SCCOE has worked to provide suggestions and insights, but the services of experts on these complex questions is important to the likelihood of success. SCCOE continues to be ready to collaborate and support BCS in these efforts.

As part of BCS's work to address these issues, SCCOE requests that BCS provide all the following:

1. A comprehensive, point-by-point analysis of the provisions in Element G of the BCS Charter and BCS's current corrective action plan/Enrollment Action Plan. This should include each specific provision/item, a description of if and how BCS has implemented each item, an analysis of how effective each item has been, and any revisions BCS has made or is making to each item.
  - a. Please include a clear explanation of how BCS has assessed and measured the effectiveness of the plan components and determined which were successful and which may need to be modified or replaced.

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- b. The Charter specifies that BCS's recruitment strategy includes "[a]n enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based recruiting and enrollment process." Please specifically include an analysis of whether and how BCS's recruitment and open enrollment schedule – which appears to be earlier than that of most schools – comports with this provision of the Charter, and whether and how BCS has considered if modifying its recruitment and open enrollment schedule might increase its effectiveness.
2. Within the first month of school, a detailed demographic breakdown for 2023-24, including a breakdown of the results of the public random drawing for admission for 2023-24 for newly admitted students, total BCS enrollment, and enrollment by grade level. Please provide any pertinent updates to this information no later than Census Day for 2023-24. The breakdown should include all the following:
  - a. A comparison to prior years' enrollment;
  - b. Information about how many students applied for admission using the preferences for students who qualify for free or reduced price meals (distinguishing between the preferences for students who do and who do not reside within LASD), and including for those students:
    - i. how many were offered admission;
    - ii. how many were placed on the waiting list;
    - iii. how many have enrolled; and
    - iv. how many are attending BCS.
3. A detailed assessment of the effectiveness of the TK pilot program in increasing diversity in enrollment.

This is not a comprehensive list of actions BCS should consider or implement or information BCS should provide to SCCOE, but it is a request for information relevant to SCCOE's ongoing monitoring and support of BCS's progress in addressing these concerns.

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County Superintendent of Schools

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#### IV. CONCLUSION

As BCS is aware, and as noted in the Notice, the issues set forth in the Notice and this Reaffirmation are not susceptible to quick or easy cures, which is why SCCOE has long been working with BCS on these matters and continues to afford BCS the procedures and protections specified in the Charter Schools Act. SCCOE trusts that issuance of this Reaffirmation – including the additional information, evidence, and data analyses – supports BCS’s understanding and efforts to remediate the concerns in the Notice by providing further notice and additional meaningful opportunity to respond to these issues.

In compliance with SCCOE’s expectations in response to this Reaffirmation, and in accordance with Section 47607(e), please submit BCS’s response, including any updates to its corrective action plan, by **October 10, 2023**. SCCOE encourages BCS to review and update its corrective action plan and plan for achieving a student balance in accordance with Section 47605(c)(5)(G). This should include reviewing its past and current practices with a critical eye and working with professional experts, to make greater progress towards resolving and remediating these concerns as quickly as possible, including during BCS’s next open enrollment period for the 2024-25 school year. SCCOE also specifies its expectation – consistent with BCS’s Charter and Enrollment Action Plan – that at least annually BCS will formally evaluate the effectiveness of these means and plans and adjust them accordingly. SCCOE hereby requests that, at least annually, BCS provide SCCOE a written report of this annual evaluation process and any changes it makes in response thereto. SCCOE also specifically requests that BCS provide reports of the results of its open enrollment process within **two** weeks of the completion of each public random drawing for admission and updated reports by Census Day each year for the remainder of BCS’s Charter term, including for 2023-24.<sup>5</sup>

SCCOE hopes to maintain frank and open communications with BCS regarding these issues in the best interests of all students. As always, SCCOE stands ready to collaborate with BCS and to support and assist BCS in its efforts to increase equity and access in its applicant pool and enrollment.

SCCOE looks forward to BCS’s response to the concerns identified in the Notice and reaffirmed in this Reaffirmation. Should you have any questions regarding the foregoing, please do not hesitate to contact Executive Director Fairley or me.

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<sup>5</sup> BCS should also include a commitment to provide such reports in any future material revision or renewal Charter petition it may submit to SCCOE.

## Bullis Charter School Petition



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County Superintendent of Schools

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Very truly yours,

DocuSigned by:  
*Dr. Mary Ann Dewan*  
72890FED1F52493...

Mary Ann Dewan, Ph.D.  
County Superintendent

Exhibits

cc: Santa Clara County Board of Education  
Mefula Fairley, Executive Director, Charter Schools Department  
Davina Harden, Esq.

## Bullis Charter School Petition

# EXHIBIT 1



## Bullis Charter School Petition

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

May 21, 2021

***SENT VIA EMAIL (MISRAEL@BULLISCHARTERSCHOOL.COM)***

Bullis Charter School  
c/o Maureen Israel, Superintendent  
102 West Portola Ave.  
Los Altos, CA 94022

**Re: Notice in Accordance with Education Code Section 47607(e) and Notice of Concern**

Dear Members of the Board and Ms. Israel:

The Santa Clara County Board of Education<sup>1</sup> initially authorized Bullis Charter School in or about November 2003, and its current term runs through June 30, 2022. Bullis Charter School is governed by The Bullis-Purissima Elementary School, a nonprofit public benefit corporation. In this Notice, for all purposes, a reference to “Bullis Charter School” or “Bullis” or “BCS” or “School” or “Charter School” shall constitute a reference to The Bullis-Purissima Elementary School and its Board of Directors, and a reference to “The Bullis-Purissima Elementary School” or “Bullis-Purissima” shall constitute a reference to Bullis Charter School. The School, the corporation, and the corporate Board will be referred to herein collectively and/or individually and interchangeably as “BCS.” Without regard to the terminology used, throughout this Notice, all references are intended to and do apply to the nonprofit corporation, its Board of Directors, and the School and, to the extent the School and corporation are separate entities, SCCOE holds both responsible for all matters.

SCCOE is sending this notice (“Notice”) pursuant to Education Code Section 47607(e)<sup>2</sup> as notice of SCCOE’s determination that BCS is demonstrably unlikely to successfully implement the program set forth in its expected charter renewal petition (“Charter”) because BCS is not serving all pupils who wish to attend, and SCCOE is providing BCS a reasonable opportunity to cure the violations. If BCS fails to cure the violations set forth in this Notice, including providing and implementing a corrective action plan, SCCOE may deny BCS’s renewal Charter in accordance with Section 47607(e). This Notice also serves as a general notice of concern consistent with SCCOE’s general oversight obligations whereby SCCOE is notifying BCS of the concerns described herein and SCCOE’s expectation and requirement that BCS will take all necessary and appropriate steps to remediate these concerns.

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<sup>1</sup> The Santa Clara County Board of Education, the Santa Clara County Superintendent of Schools, and the Santa Clara County Office of Education are collectively referred to herein as “SCCOE.”

<sup>2</sup> All further statutory references are to the Education Code unless otherwise indicated.

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## **I. BACKGROUND**

BCS is expected to submit its renewal Charter during the 2021-22 school year. In addition to the other bases for denial of a charter renewal, a chartering authority may deny a renewal upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors, or because the charter school is not serving all pupils who wish to attend. In this context, “not serving all pupils who wish to attend” means situations in which a charter school is not serving all demographic groups, including but not limited to, historically underserved student groups and/or students based on their academic performance. To deny on this basis, SCCOE must first provide BCS with at least 30 days’ notice of the violation(s) and a reasonable opportunity to cure the violation(s). (Ed. Code § 47607(e).) SCCOE desires to provide BCS as much time as possible to cure the violations detailed herein, including through development and implementation of a corrective action plan.

As BCS is aware, concerns about a lack of diversity in BCS’s student body, has long been a concern of SCCOE. While not the first time this concern was raised by the Los Altos School District (“LASD”), members of the public, and/or SCCOE, during the fall and winter of 2019 a great deal of discussion was brought to SCCOE’s attention concerning enrollment at BCS. In February 2020, SCCOE sent BCS correspondence about these issues, specifying that despite the disagreement among BCS, LASD, and members of the local community who had all provided SCCOE various information on this topic, at that juncture SCCOE wanted to focus on what SCCOE trusts are the shared expectations and priorities of ensuring fair and equal access to all schools for all students, without regard to any protected characteristics.

We believe that it is appropriate to repeat much of the information contained in that prior letter in the context of this Notice, as the concerns, motivations, and ideals remain consistent. Over the last few years, numerous changes have been made to the Charter Schools Act (“CSA”) that have focused on ensuring that charter school admissions are fair, open, equal, and non-discriminatory; that no students are discouraged from enrolling in any charter school for any reason; and that charter school admissions do not result in limiting charter school enrollment on the basis of protected characteristics. These revisions to the law governing charter schools have been far-reaching, impacting enrollment preferences and practices, mandating that charter schools define the means by which they will ensure that their student enrollment is reflective of the racial and ethnic, special education, and English learner populations of their local community, and including consideration of whether a charter school is serving all pupils who wish to attend when determining whether to renew a charter. In light of these changes, there can be no doubt that the Legislature and Governor, as well as the public education advocates who provided input into these statutory changes – which included advocates from the charter school community – perceived unequal access to all charter schools, and high performing charter schools in particular, to be a substantial concern requiring remediation by charter schools and authorizers.

SCCOE expressed concern about the percentages of BCS’s enrolled students who are socio-economically disadvantaged, English Learners, and students with special needs, being smaller than their counterpart percentages at LASD. SCCOE also noted that through the years, it has consistently expressed concern about BCS’s enrollment of socio-economically disadvantaged

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students, and the BCS administration has expressed a desire to serve a broader spectrum of students, including increasing enrollment of socio-economically disadvantaged students.

LASD and individual members of the local community have made a variety of allegations about the causes for the enrollment disparities. SCCOE has received anecdotal reports that, in the past, BCS employees have improperly informed potential families that BCS does not provide the full continuum of services to students with disabilities. There have been concerns with the manner in which BCS has marketed its requests for substantial financial donations and whether, even when specifically noting that donations are voluntary, the way the requests are conveyed to potential families implies that donations are required or that the children of families who cannot or will not donate may not be offered initial or continued enrollment at BCS.

SCCOE is also aware that BCS has attempted to counter these allegations, including through comparisons to the enrollment percentages at a number of individual LASD schools and disagreement over the significance of the disparities. BCS has also asserted that it has experienced substantial growth in enrollment of students with special needs in recent years. Additionally, in December 2019, BCS cooperated with the County and entered into a First Amended Memorandum of Understanding terminating the previous admission preference for residents of the former Bullis-Purissima Elementary School, which was a major source of concern relative to enrollment of socio-economically disadvantaged students.

Just as expressed in the February 2020 correspondence, while there is an unfortunate history of tension and disputes between LASD and BCS, rather than continuing to focus on those disagreements, SCCOE's goal is for BCS and SCCOE to work cooperatively with an emphasis on serving student needs, ensuring equal access, and stopping the cycle of allegations, counter-arguments and defenses that are not serving our students or community. SCCOE continues to want to provide assistance to BCS to create and implement an effective plan whereby BCS can increase its efforts and successes in enrolling a more diverse student population consistent with the letter and spirit of the law.

At that time, the County endeavored to initiate a cooperative and creative dialogue with BCS to develop an effective plan consistent with what we believe to be our shared desires and priorities of ensuring equal access and continuing BCS's strong educational program. The County requested that BCS develop a results-oriented plan, consistent with the revised provisions of the CSA. As SCCOE explained, we believed that this plan must include, but is not limited to, concrete means of increasing outreach efforts and the dissemination of information targeted at addressing any lingering misapprehensions about enrollment at BCS, including relative to donation expectations/requirements and assurances that BCS welcomes and serves all students, including by providing the full continuum of placements and services to students with special needs. As before, SCCOE stands ready to support BCS in the development and implementation of this plan.

We were pleased that BCS received SCCOE's correspondence in the manner in which it was intended, as an invitation to move forward in a strong, productive, and collaborative fashion to implement the mission of educating and serving all students and to alleviate any and all real or perceived disparities in the educational opportunities and services afforded by BCS. Notably, on

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March 4, 2020, BCS “warmly” accepted SCCOE’s “forward-looking invitation to collaborate and develop a strong plan to educate and serve all students in our community.” BCS expressed a desire to work with SCCOE “to develop an effective plan consistent with our shared desires and priorities of ensuring equal access and continuing BCS’s strong educational program.”

To be clear, SCCOE continues to believe that our mutual focus should be educating students, and SCCOE continues to look forward to working with BCS in furthering the statewide mandate to expand access to charter schools. That purpose and focus have not changed.

SCCOE recognizes that BCS objected to the County Board’s May 5, 2021, agenda item whereby the County Board authorized the issuance of this Notice, and delegated authority to the County Superintendent or designee to send this Notice. (A response to BCS’s specific objections is set forth below.) However, the CSA has been revised to include a finding that the charter school is demonstrably unlikely to successfully implement the program set forth in its charter because it is not serving all students who wish to attend as a separate cause for denying renewal of any charter school. That cause for denial is clearly and directly related to the concerns with access and diversity in BCS’s enrollment that BCS itself previously agreed to work with SCCOE to correct. The CSA mandates specific procedures be followed when this is an issue or finding facing a charter school that could affect the renewal of the school’s charter. The first step in that procedure is the issuance of at least 30 days’ notice to the charter school, and the provision of a reasonable opportunity to cure the violation, including by creating and implementing a corrective action plan. Thus, this Notice, and the corresponding opportunity to cure and correct these concerns, are clearly and explicitly for BCS’s benefit and provide BCS added protections and opportunity to resolve matters that could negatively impact BCS’s request to have its Charter renewed.

Issuing notice pursuant to Section 47607(e) is a formal legal procedure mandated by law that directly relates to renewal or nonrenewal of BCS’s renewal Charter. This Notice is consistent with SCCOE’s prior clearly stated concerns and the need for BCS to remediate those concerns. As noted during the May 5 SCCOE public meeting, this Notice is not a decision to deny BCS’s Charter. Rather, it is a clear statement and notice to BCS that this is an issue of serious concern that BCS is expected to rectify. This is entirely consistent with our February 2020 letter and invitation to BCS to work collaboratively to develop and implement meaningful changes necessary to ensure access and inclusivity at BCS. Once again, SCCOE hopes that BCS takes these matters seriously, and also understands and accepts that this Notice is a continuation of the opportunity for BCS to take significant steps to implement our shared priorities and the mandates of the CSA in collaboration with SCCOE.

## **II. FINDINGS**

SCCOE hereby notifies BCS of evidence that BCS is not serving all students who wish to attend. This evidence constitutes cause for denying BCS’s renewal if not remedied and affords BCS a reasonable opportunity to address these concerns. The CSA has always required that charters include a description of the means by which the charter school will achieve a balance of racial and

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ethnic pupils reflective of the general population of the school district in which they are located. As of July 1, 2020, the requirement has been expanded such that charter schools are to provide the means by which they will also achieve a balance of special education pupils and English learner pupils reflective of the district in which they operate. Moreover, the CSA includes a variety of other requirements and prohibitions mandating equal access and nondiscrimination in access to and ongoing enrollment at charter schools. Section 47607(d) and (e) make clear that equity in access and a charter school's success in ensuring this equity and that it enrolls and serves all students is fundamental and necessary to a determination whether to renew a charter school petition. Importantly, Section 47607(e) explicitly specifies that notwithstanding the multi-tiered approach to renewal decisions based on a particular charter school's performance on the California State Dashboard, any charter school, even those with the highest Dashboard performance, may be denied renewal if they are not serving all students who wish to attend. Consistent with these requirements of the CSA, SCCOE has been and continues to monitor BCS's enrollment and demographic data.

It appears that BCS has misconstrued the statutory language that a charter school "is not serving all students who wish to attend" in the context of this Notice. In a May 5, 2021, letter to SCCOE, BCS asserted that it "cannot serve all students and families who wish to attend" because it receives more applications than it has spaces, so must admit students on the basis of a public random drawing. The language that a charter school "is not serving all pupils who wish to attend" is taken directly from Section 47607(e) and does not refer to BCS's inability to enroll all applicants because of capacity considerations. In fact, the public random drawing process for selecting students when a charter school has more applicants than spaces is a fundamental legal requirement of the CSA. Clearly, this additional cause for nonrenewal is not directed at penalizing charter schools that are successful enough to have more applicants than spaces, which then follow the CSA's admissions lottery mandates. The fact that this is not what the statute means by "failing to serve all students who wish to attend" is also clear from the provisions of Section 47607(d) and (e) that link this finding to data about charter school enrollment patterns disaggregated by race, ethnicity, and pupil groups; other data from CDE; and substantial complaints that a charter school is not complying with the due process protections required to be provided prior to suspending, expelling, or otherwise involuntarily removing a student from attendance at a charter school.

Rather, this is the language that the Legislature used to refer to situations in which a charter school is not serving all demographic groups, including but not limited to historically underserved student groups and/or students based on their academic performance. As such, the fact that BCS cannot accommodate all applicants because it does not have space is not a defense to or a correction of the concerns detailed in this Notice. It is important to recognize, however, that BCS is able to seek approval of admissions preferences to be implemented in the public random drawing process that are designed to assist in remediating these concerns. Thus, despite being at capacity and unable accept all applicants, BCS can modify not only to its outreach and recruitment efforts, but also its public random drawing process to assist in these efforts.

**A. BCS Enrollment and Demographic Data.**

At the commencement of the 2020-21 school year, SCCOE requested from the California Department of Education (“CDE”) all the demographic data for the SCCOE-authorized charter schools in their last year of their charter term that Section 47607(d) specifies CDE will provide to charter school authorizers. CDE provided some demographic data for every charter school authorized by SCCOE, including BCS and all the charter schools that were not in the last year of their terms. Contrary to Section 47607(d), however, the data provided by CDE did not include all the information specified in that statute. Section 47605(d) specifies that CDE is to provide a variety of “aggregate data reflecting pupil enrollment patterns at the charter school” during the school’s current term, and “cumulative data” is specifically defined as “the total number of pupils, disaggregated by race, ethnicity, and pupil subgroups, who enrolled in school at any time during the school year.” The data provided by CDE was not disaggregated by race, ethnicity, or any other pupil group. Thus, while the data indicated some information about total enrollment, how many students left BCS at different times, and the respective CAASPP results for students who remained enrolled at BCS and those who left, it did not provide any information relevant to enrollment at BCS relative to race, ethnicity, or any other pupil group. As such the data provide by CDE at that time is not pertinent to SCCOE’s consideration of whether BCS is serving all pupils who wish to attend or this Notice.

SCCOE has reviewed the verified CALPADS data on the demographic breakdown of the enrollment at BCS and at LASD, the school district in which BCS is located, for the period 2016-17 through 2020-21 (thereby including the last year of BCS’s prior charter term through the first four of the five years of BCS’s current charter term). The data is from census day data for each respective year, and CDE reports of this data can be found at the following link: <https://dq.cde.ca.gov/dataquest/>. This demographic data is summarized below. The percentage for each student group is listed first, with the actual number of students in each group listed below the percentage:

**NUMBER AND PERCENTAGE OF TOTAL ENROLLMENT AT BCS AND LASD FOR 2017-2021**

STUDENT GROUP	2016-17	2017-18	2018-19	2019-20	2020-21
<b>BCS TOTAL ENROLLMENT</b>	825	879	915	1,039	1,093
<b>LASD TOTAL ENROLLMENT</b>	4,527	4,403	4,246	3,999	3,576
<b>BCS ENGLISH LEARNERS</b>	10.9% 90	10.1% 89	4.5% 41	5.7% 59	6.7% 73
<b>LASD ENGLISH LEARNERS</b>	12.7% 575	13.1% 577	12.9% 548	11.1% 444	9.5% 337
<b>BCS RECLASSIFIED FLUENT ENGLISH PROFICIENT</b>	6.7% 55	9.0% 79	14.3% 131	14.0% 145	12.8% 140

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STUDENT GROUP	2016-17	2017-18	2018-19	2019-20	2020-21
<b>LASD RECLASSIFIED FLUENT ENGLISH PROFICIENT</b>	8.3% 374	9.3% 411	8.9% 380	10.6% 423	11.0% 392
<b>BCS STUDENTS W/DISABILITIES</b>	5.6% 46	6.9% 61	7.0% 64	6.7% 70	6.7% 73
<b>LASD STUDENTS W/DISABILITIES</b>	9.0% 407	8.7% 383	9.20% 391	9.50% 380	9.34% 334
<b>BCS SOCIO-ECONOMICALLY DISADVANTAGED</b>	0.8% 7	1.6% 14	1.2% 11	1.4% 15	1.7% 19
<b>LASD SOCIO-ECONOMICALLY DISADVANTAGED</b>	5.5% 249	6.2% 273	6.1% 259	6.0% 240	6.7% 240
<b>BCS AFRICAN AMERICAN</b>	1.2% 10	1.1% 10	1.0% 9	0.5% 5	0.4% 4
<b>LASD AFRICAN AMERICAN</b>	0.5% 23	0.5% 22	0.5% 21	0.6% 24	0.6% 20
<b>BCS ASIAN</b>	45.9% 379	47.0% 416	50.0% 460	52.0% 539	55.1% 602
<b>LASD ASIAN</b>	31.9% 1,444	33.6% 1,479	34.2% 1,452	34.4% 1,376	34.8% 1,246
<b>BCS HISPANIC</b>	4.4% 36	4.2% 37	3.8% 35	3.9% 41	3.3% 36
<b>LASD HISPANIC</b>	8.0% 362	7.6% 335	7.9% 335	8.0% 320	8.4% 300
<b>BCS WHITE</b>	27.6% 228	25.8% 227	25.5% 233	22.5% 234	21.3% 233
<b>LASD WHITE</b>	47.3% 2,141	45.4% 1,999	44.0% 1,868	43.2% 1,728	41.1% 1,470
<b>BCS TWO OR MORE RACES</b>	17.5% 144	18.5% 163	18.3% 167	16.7% 174	15.4% 168
<b>LASD TWO OR MORE RACES</b>	11.4% 516	11.7% 515	12.0% 510	12.4% 496	12.7% 453

SCCOE also reviewed the following information that BCS provided concerning the results of its public random admissions drawing for its kindergarten class of 2021-22 (which is reportedly the only grade level at which BCS experienced any meaningful new enrollment for 2021-22 due to BCS's capacity limits). BCS informed SCCOE that it had admitted 102 kindergarteners and provided the available demographic data for the 81 kindergarteners who had completed their registration as of the date that BCS provided the data.<sup>3</sup> (This means that more than 20 percent of

<sup>3</sup> At this time BCS has not provided SCCOE additional information for the remaining newly admitted kindergarteners.

the newly admitted kindergarteners are not accounted for by this data.) BCS did not have any information about how many of the incoming kindergarteners are socioeconomically disadvantaged because that determination is based on qualification for free and reduced price meals, which information is not gathered until the beginning of the school year. The demographic data for these 81 kindergarten students is summarized below.

**DEMOGRAPHIC DATA FOR 81 OF 102 KINDERGARTEN STUDENTS ADMITTED  
FOR THE 2021-22 SCHOOL YEAR**

STUDENT GROUP	# OF STUDENTS	PERCENTAGE OF 81 STUDENT KINDER ENROLLMENT
ASIAN	39	48.1%
WHITE	15	18.58%
TWO OR MORE RACES	29	35.8%
HISPANIC	5	6.2%
AFRICAN AMERICAN	0	0%
STUDENTS WITH DISABILITIES*	1*	1.2%*
POTENTIAL ENGLISH LEARNERS	35**	43.2%**

\* This is the number of students who self-identified as having a current IEP, but this information is limited because incoming kindergarten students may have not yet been identified as qualifying for services pursuant to the Individuals with Disabilities Education Act ("IDEA").

\*\* This is the number of students who have a home language survey indicating a language other than English, but do not have initial ELPAC test results confirming their status as English learners.

**B. Analysis of Demographic Data**

SCCOE staff that specializes in statistical analysis conducted statistical analyses of the above-described demographic data for the following four student groups: Hispanic students; students who are English learners; students who are socioeconomically disadvantaged; and students with disabilities. The specific results of these statistical analyses are attached as Exhibit 1 and can be summarized as follows:

- As of the 2020-21 academic year, the proportions of LASD's student body who are Hispanic, English learners, socioeconomically disadvantaged, and with disabilities are all statistically significantly higher than the proportions of the student body in those student groups at BCS

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- There is no meaningful difference in the proportion of Hispanic students enrolled at BCS from 2016-17 to 2020-21
- The proportion of English learners enrolled at BCS in 2020-21 is statistically significantly lower than the proportion enrolled in 2016/17
- The proportion of students who are socioeconomically disadvantaged enrolled at BCS in 2020-21 is statistically significantly higher than the proportion enrolled in 2016-17
- There is no meaningful difference in the proportion of students with disabilities enrolled at BCS from 2016-17 to 2020-21
- There is no meaningful difference in the proportion of Hispanic students enrolled at LASD from 2016-17 to 2020-21
- The proportion of English learners enrolled at LASD in 2020-21 is statistically significantly lower than the proportion enrolled in 2016/17
- The proportion of socioeconomically disadvantaged students enrolled at LASD in 2020-21 is statistically significantly higher than the proportion enrolled in 2016-17
- There is no meaningful difference in the proportion of students with disabilities enrolled at LASD from 2016-17 to 2020-21
- From 2016-17 to 2020-21, the proportions of English learners enrolled at BCS and at LASD both statistically significantly decreased; however, the rate of decline was twice as great for LASD, though in 2021, the proportion of English learners at LASD remains statistically significantly higher than the proportion enrolled at BCS
- From 2016-17 to 2020-21, the proportions of socioeconomically disadvantaged students enrolled at BCS and at LASD both statistically significantly increased
- From 2016-17 to 2020-21, both BCS and LASD observed no meaningful difference in the proportions of Hispanic and students with disabilities served
- From 2016-17 to 2020-21, the proportion of Hispanic students at both BCS and LASD did not change significantly; however, as of 2020-21, the proportion of students who are Hispanic is statistically, significantly higher at LASD than at BCS
- From 2016-17 to 2020-21, the proportion of students who are socioeconomically disadvantaged increased significantly at both BCS and LASD, and in 2020-21, the proportion of socioeconomically disadvantaged students enrolled is statistically, significantly higher at LASD than at BCS.

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- From 2016-17 to 2020-21, both BCS and LASD experienced a significant decrease in the proportion of English learner enrollment, and in 2020-21, the proportion of English learners at LASD is statistically, significantly higher than the proportion enrolled at BCS; however, the rate of decline from 2016-17 to 2020-21 in the number of English learners enrolled was twice as great for LASD
- From 2016-17 to 2020-21, the proportion of Students with Disabilities at both BCS and LASD did not change significantly; however, as of 2020-21, the proportion of Students with Disabilities is statistically, significantly higher at LASD than at BCS

Overall, it is clear that BCS is serving statistically significantly lower proportions of all four of these student groups than is LASD. While the proportion of Hispanic students and students with disabilities at BCS remained steady during this period, and the proportion of socioeconomically disadvantaged students at BCS increased significantly at the same time, in all three cases BCS continues to remain statistically significantly below LASD. Similarly, while the proportion of English learners enrolled at both LASD and BCS declined significantly, and the decline at LASD was two times greater than at BCS, nevertheless, BCS continues to serve a statistically significantly lower proportion of English learners than does LASD.

These statistics establish underrepresentation in all four student groups at BCS, evidencing that BCS continues to not serve all students who wish to attend BCS. BCS must address this concern, including the creation and implementation of a corrective action plan that will result in increasing the proportions of the BCS student body who are members of each of these student groups. Any such plan must also build in means by which BCS will continue to monitor its successes and, if necessary, pivot and enhance its methods to make real progress.

### **C. BCS's Efforts to Increase Enrollment Access and Diversity**

As noted above, BCS readily agreed to SCCOE's request to develop a results-oriented plan to increase equity in access and inclusivity at BCS. BCS also indicated that it has been working on that goal for several years. On March 5, 2021, in response to SCCOE's request for information, Superintendent Israel provided SCCOE with BCS's revised outreach plan, including details on additional steps that BCS planned to take. Ms. Israel also provided examples from BCS's outreach efforts, including a document entitled "Tips for Inviting Friends and Neighbors to Consider BCS;" "revised FAQ" (SCCOE is unsure whether this was newly revised or if it was used during the most recent open enrollment period); and some examples of advertising efforts. Those documents are attached as Exhibit 2.

While the documents speak for themselves, and we will not attempt to summarize all of the information contained therein, we will note a few highlights. BCS established a new Superintendent's Task Force, comprised of representatives from the BCS administration, staff Board, and Bullis Boosters Club (PTO) "focused on improving outreach to students and families who were underserved by [BCS] in the past." BCS, with the Task Force, developed a new campaign with a focus on welcoming students/families from across the community, including students with socioeconomic disadvantages, English learners, students with disabilities, and

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students of all races and ethnic backgrounds. BCS reported that the campaign strengthened BCS's outreach in key areas, including the San Antonio neighborhood (north of El Camino Real). BCS made the following "three major additions" to its outreach efforts:

- Recruiting current families and staff as Parent Ambassadors and providing them support with coaching and information resources. Materials were developed in English, Spanish, and Mandarin
- Hiring a part-time Community Outreach Coordinator, who has focused on expanding BCS's contact lists with programs/organizations that might be a source of new students; engaging new and potential parents through social media and parent chat rooms; and discussing volunteer opportunities for current families to build long-term connections between BCS and other programs and networks in the community
- Updating all resources (including print, online, and in social media) to reflect the children and families of BCS's community

BCS also explained that the COVID-19 pandemic impacted and limited some of its planned outreach efforts, particularly in-person outreach efforts. BCS pivoted to online efforts in light of the impacts of COVID-19 and plans to conduct more in-person outreach as public health restrictions allow.

Over the course of the last year, BCS has also had a number of conversations and virtual meetings with SCCOE Charter Schools Department Staff to discuss plans and means of increasing the effectiveness of its outreach efforts in recruiting students from the underrepresented student groups. While SCCOE believes that those conversations have been valuable, SCCOE notes that BCS declined to take SCCOE's strongest suggestion for making change, which was, prior to BCS's open enrollment period for the 2021-22 school year, seeking to add an enrollment preference for students who qualify for free or reduced price meals.

SCCOE acknowledges these efforts by BCS but believes that they are inadequate without more to result in the necessary progress in diversifying BCS's enrollment.

### **III. REMEDIAL/CORRECTIVE ACTION**

Based on the substantial issues and concerns described above, SCCOE is issuing this Notice supporting a determination that BCS is demonstrably unlikely to successfully implement its program because it is not serving all pupils who wish to attend, and as a general notice of concern about the need to correct the fact that the Hispanic, students with disabilities, English learner, and socioeconomically disadvantaged student groups are underrepresented at BCS. Consistent with Section 47607(e), BCS is being provided a reasonable opportunity to cure the concerns identified in this Notice, including providing a corrective action plan.

BCS must determine how it will resolve the concerns, including the development, submission, and implementation of a corrective action plan, which should also include details and explanations of

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how the proposal(s) will cure the concern(s). Equity, inclusion, and diversity are complex issues, and determining the most effective means of resolving these concerns is complicated. As such, SCCOE expects that BCS will engage the services of a professional expert(s) to assist in the development of BCS's corrective action plan, based on the specific facts and circumstances. As noted above, BCS has undertaken some efforts and measures to attempt to remediate these issues, and SCCOE has worked to provide suggestions and insights, but the services of experts on these complex questions is important to the likelihood of success. SCCOE continues to be ready to collaborate and support BCS in these efforts, and anticipates that the plan and BCS's response will include, at a minimum, the following, though this is not intended to be and should not be interpreted as the scope of what is required in order for BCS to cure and correct these concerns:

1. Engagement or retention of outside professional experts to assist BCS, including the Superintendent's Task Force, in developing plans and creating change to diversify BCS's applicant pool and enrollment
2. Addition of admissions preference(s) for students who reside within the attendance areas of the Santa Rita and Almond Elementary schools and/or students in other underrepresented student groups as permitted by law
3. Specific strategies to proactively overcome any perceptions that may exist that BCS does not welcome/serve all students with disabilities or provide the full continuum of placements and services and/or that monetary donations are required or expected

Additionally, below are a variety of concepts for BCS's consideration in consultation with its professional expert to determine if they would be effective components of BCS's overall plan:.

1. Modification/limitation of existing admissions preferences
2. Simplify and provide assistance in understanding and completing the application process, including through information and application assistance meetings at times and locations convenient to the underrepresented communities and in multiple languages. Assist families to complete applications and paperwork required for enrollment after admission
3. Make hardcopies of applications and informational materials available at BCS, at each informational meeting, and at other locations throughout the community
4. Consider the word choice in FAQ and advertisements to ensure that it is accessible, clear, understandable, and welcoming
5. Consistently refer to the school and all of its programs as "free," rather than "tuition free," which may be clearer and cannot be misinterpreted to mean that there are costs aside from tuition

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6. Reintroduce BCS's summer kindergarten prep program for socioeconomically disadvantaged children and/or other programs that will engage the underrepresented student groups
7. Publicize more detailed information about how BCS provides the full continuum of placements and services for students with special needs
8. Implement school and community programs that celebrate diversity
9. Train staff members, volunteers, and parents who organize activities, run the Booster Club, seek donations, etc., on the requirements and prohibitions of the free schools guarantee and Education Code Section 49010 et seq. and prohibit any communications implying that donations or volunteerism are required or have any impact on a student's initial or continued enrollment or participation at BCS.

This is not intended to be a comprehensive list of actions that BCS should consider or implement but is provided as a resource to assist and support BCS in this process.

#### **IV. RESPONSE TO MAY 5, 2021, CORRESPONDENCE FROM BCS**

On May 5, 2021, BCS Superintendent Israel sent correspondence to the SCCOE opposing the County Board's authorization of the issuance of this Notice and delegation of the authority to the County Superintendent or designee to send this Notice, which was included on the agenda for that evening. SCCOE wants to take this opportunity to respond briefly to several assertions made by BCS in that correspondence. As an initial matter, SCCOE wants to note that contrary to the statement in the letter that this item came as a complete surprise to BCS, on April 22, 2021, SCCOE Charter Schools Department Director Fairley specifically mentioned to Ms. Israel the possibility of SCCOE issuing this notice, at which time Ms. Israel expressed no objection to such a course of action. BCS's apparent misunderstanding of the phrase "not serving all students who wish to attend" in the context of Section 47605(d) and (e) and this Notice is addressed above.

##### **A. This Notice is Not Statutorily Premature**

BCS incorrectly asserts that this Notice can only be based on data provided by the CDE "at the conclusion of the year immediately preceding the final year of the charter school's term." While it is true that Section 47607(d)(1) provides that at that point in the charter term SCCOE may request from CDE data about the students being served by BCS, this Notice is not limited only to that data or that timeline. Section 47607, subdivision (d)(1) makes the request for that data discretionary on the part of the charter authorizer; subdivision (d)(2) mandates that the chartering authority consider various data about whom the charter school is serving and how; and subdivision (d)(3) specifies that, as part of determining whether to renew a charter, the chartering authority "may make a finding that the charter school is not serving all pupils who wish to attend and, upon making such a finding, specifically identify the evidence supporting the finding." The data a chartering agency is required to review pursuant to subdivision (d)(2) is *not* limited only to the data that may

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be requested pursuant to Section 47607(d)(1), but also *any* data that may be provided by CDE and substantial complaints that the charter did not comply with the requirements of Section 47605(c)(5)(J). Moreover, subdivision (d)(3) specifies that the chartering authority must identify the evidence on which it relies in making this finding but includes no limitation on the source(s) of that evidence. There are no time parameters on the data or evidence that may be considered, nor any time limit on when the chartering entity may consider the data. Similarly, Section 47607(e), which provides specific authority to deny renewal if the charter school is not serving all pupils who wish to attend and provides for the provision of notice and an opportunity for the charter school to correct this concern, does not include any time restrictions on when this process can be commenced, other than a minimum notice period of 30 days.

BCS argues that by providing this Notice prior to the end of the penultimate year of its current Charter term – thus farther in advance of BCS’s request for renewal – SCCOE is “tainting what should be a fair renewal process, in violation of BCS’ right to due process.” While BCS does not explain precisely what it means by such claims, SCCOE disagrees. Due process is fundamentally notice and an opportunity to be heard. Rather than “tainting” or diminishing BCS’s due process rights relative to renewal, by providing this Notice at an earlier time, SCCOE is expanding BCS’s due process protections by providing extra notice and an additional opportunity to be heard and to remediate the issues raised herein. Having the County Board authorize issuance of the Notice in May 2021 rather than July 2021 in no way taints BCS’s renewal procedures. As specified in Section 47607, and noted during the May 5, 2021, meeting, this Notice is not a decision to deny renewal of BCS’s Charter. Rather, it is notice of concerns that could impact BCS’s renewal, and it is being issued now in order to afford BCS as much time and opportunity as possible to respond to those concerns, including the development and implementation of a corrective action plan. Delaying the issuance of this Notice would not provide BCS any additional due process protections.

**B. BCS Has Not Exceeded the Applicable Legal Requirements**

SCCOE has not conflated “the obligation to admit all students” with the requirement that BCS describe the means by which it will achieve a pupil balance reflective of the population of LASD. While it is true that BCS is required to admit all students subject to capacity, the concern at issue in this Notice is that BCS is not *serving* all students who wish to attend. Again, this is not a question simply of BCS being unable to admit all students because there are more applicants than spaces, but, rather, that BCS is not serving an appropriate mix of students, specifically the underrepresented student groups identified above. The CSA requires charter schools to describe the means by which they will achieve a balance of pupils reflective of the district in which they are located. This pupil balance is inextricably linked with consideration of whether BCS is serving all pupils.

Contrary to BCS’s assertion, BCS has not “exceeded” the requirements of the CSA because its Charter describes its “Outreach Recruitment Plan.” This Outreach Recruitment Plan is a mandatory Charter element and simply including it does not “exceed” the legal requirements, but, rather, at most would constitute compliance with the CSA’s requirements. Moreover, the CSA’s requirement is that the Charter describe “[t]he *means* by which the charter school will *achieve* a

balance of” pupils. (§ 47605(c)(5)(G), emphasis added.) BCS has *not* achieved the requisite pupil balance, so its Outreach Recruitment Plan has not yet been successful. It is incumbent on BCS to make changes to its plans and operations to improve those outcomes.

SCCOE also notes that BCS attempted to rely upon a portion of a sentence taken out of context from a communication issued by SCCOE in 2012, almost a decade ago, as proof in opposition to the serious concerns described herein. As noted, BCS has taken the sentence out of context and has implied that it was a far broader statement than was the case. Moreover, the CSA has been substantially and repeatedly revised since that 2012 communication, including regarding both charter schools’ obligations relative to diversity in enrollment, specifically including for students with special needs, and the causes for nonrenewal of a charter, including for failure to serve all students who wish to attend.

### C. BCS’s Demographics

The demographic data is detailed above and will not be repeated here. However, SCCOE notes that it disagrees with BCS’s description of the import of that data in its May 5, 2021, letter, and the above-described data evidences SCCOE’s position. SCCOE agrees with BCS that continued engagement between SCCOE and BCS on diversity, access to enrollment, and actual enrollment at BCS is important. This Notice is neither superficial nor outside of the statutory parameters, and it is not intended as a source of contention between BCS and SCCOE. Rather, this Notice is an extension of the myriad prior communications between BCS and SCCOE about this important topic and the necessity of increasing diversity and access to BCS, to which BCS has been receptive. SCCOE has long made clear to BCS that these are vitally important issues, made even more so by the revisions to the CSA and the addition of failure to serve all pupils who desire to attend as a cause for denying charter renewal. The purpose and intent of this Notice is to comply with the procedural requirements of the CSA, and to provide BCS substantial notice and a meaningful and reasonable opportunity to remediate these concerns. As BCS is aware, these issues are not susceptible to quick or easy cures, which is why SCCOE has long been working with BCS on these matters and has now also afforded BCS the procedures and protections specified in the CSA.

## V. CONCLUSION

In compliance with SCCOE’s expectations in response to this notice of concern, and in accordance with Section 47607(e), please submit BCS’s response, including its corrective action plan, **by the earlier of (1) the date of submission of BCS’s renewal charter petition or (2) six weeks before commencement of BCS’s open enrollment period for the 2022-23 school year.** This affords BCS a reasonable opportunity to cure and to commence implementation of the corrective action plan prior to open enrollment for the next school year and provides SCCOE an opportunity to evaluate and, if necessary, work with BCS on its corrective action plan prior to any action on a BCS renewal Charter. SCCOE encourages BCS to commence curing and correcting and providing responsive information to and discussing its plans with SCCOE as quickly as possible. As always,

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Bullis Charter School

Bullis Charter School Petition

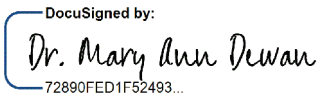
May 21, 2021

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SCCOE stands ready to collaborate with BCS and provide support and assistance to BCS's efforts to increase equity and access in its applicant pool and enrollment.

SCCOE looks forward to BCS's response to the concerns identified in this Notice. Should you have any questions regarding the foregoing, please do not hesitate to contact me or Director Fairley.

Very truly yours,

DocuSigned by:  
  
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Mary Ann Dewan, Ph.D.  
County Superintendent

Attachments

cc: Santa Clara County Board of Education  
Mefula Fairley, Director  
Davina Harden, Esq.

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Table 1. Percent Change in Bullis Charter School Enrollment for Select Student Groups (01/17 to 2020/21)

Student Group	2016/17 Count	2020/21 Count	Difference	Percent Change	2016/17 Percent	2020/21 Percent	Z Score	p-value	Decision
Hispanic/Latino Students	36	36	0	0.0%	4.4%	3.3%	1.2517	0.10565	Not Significant
Students who are English learners	90	73	-17	-18.9%	10.9%	6.7%	3.2643	0.00056	Significant
Students who are Socioeconomically Disadvantaged	7	19	12	171.4%	0.8%	1.7%	1.7144	0.04363	Significant
Students with Disabilities	46	73	27	58.7%	5.6%	6.7%	0.0987	0.161109	Not Significant
Total Enrollment	185	199	14	7.6%	NA	NA	NA	NA	NA

Notes: Z-Score proportion difference tests are one-tailed with a priori alpha level set at 0.05.

Table 2. Comparison of Bullis Charter School (BCS) and Los Altos School District (LASD) Student Enrollment for Select Student Groups (2007/21)

Student Group	BCS	LASD	Z Score	p-value	Decision
Hispanic/Latino Students	3.3%	8.4%	5.7063	<0.00001	Significant
Students who are English learners	6.7%	9.4%	2.7621	0.00578	Significant
Students who are Socioeconomically Disadvantaged	1.7%	6.7%	6.3296	<0.00001	Significant
Students with Disabilities	6.7%	9.3%	2.6704	0.00758	Significant
Total Enrollment (Count)	1,093	3,576	NA	NA	NA

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

Table 3. Percent Change in Los Altos Elementary School District Enrollment for Select Student Groups (2016/17 to 2020/21)

Student Group	2016/17 Count	2020/21 Count	Difference	Percent Change	2016/17 Percent	2020/21 Percent	Z Score	p-value	Decision
Hispanic/Latino Students	369	390	63	17.1%	8.8%	8.4%	0.6525	0.25286	Not Significant
Students who are English learners	575	336	-239	-41.6%	12.7%	9.4%	4.6602	<0.0001	Significant
Students who are Socioeconomically Disadvantaged	249	240	-9	-3.6%	5.5%	6.7%	2.2533	0.0122	Significant
Students with Disabilities	407	334	-73	-17.9%	9.0%	9.3%	0.4655	0.31918	Not Significant
Total Enrollment	4,527	3,576	-951	-21.0%	NA	NA	NA	NA	NA

Notes: Z-Score proportion difference tests are one-tailed with a priori alpha level set at 0.05.

Takeaways

As of the 2020/21 academic year the proportions of Los Altos Elementary School District's student body that are Hispanic, English learners, socioeconomically disadvantaged, and with disabilities are all significantly higher than those of Bullis Charter School.

From 2016/17 to 2020/21, Bullis Charter School observed a significant increase in the proportions of its student body that are English learners and socioeconomically disadvantaged.

From 2016/17 to 2020/21, no meaningful differences were observed in the proportions of Bullis Charter School's student body that are Hispanic and with disabilities.

From 2016/17 to 2020/21, the number of Hispanic students, socioeconomically disadvantaged students, and students with disabilities enrolled in Los Altos Elementary School District declined while the numbers stayed the same (for Hispanic) or increased (for socioeconomically disadvantaged students and students with disabilities) at Bullis Charter School.

From 2016/17 to 2020/21, both Los Altos Elementary School District and Bullis Charter School observed a decrease in English learner enrollment, however, the rate of decline was 2x greater for Los Altos Elementary School District.

Notes

No significant difference in the proportion of Hispanic students enrolled at Bullis Charter School from 2016/17 to 2020/21.  
The proportion of English learners enrolled at Bullis Charter School in 2020/21 is significantly lower than the proportion enrolled in 2016/17.  
The proportion of socioeconomically disadvantaged students enrolled at Bullis Charter School in 2020/21 is significantly higher than the proportion enrolled in 2016/17.  
No significant difference in the proportion of students with disabilities enrolled at Bullis Charter School from 2016/17 to 2020/21.

Notes

The proportion of Hispanic students enrolled at LASD in 2020/21 is significantly higher than the proportion enrolled at BCS.  
The proportion of English learners enrolled at LASD in 2020/21 is significantly higher than the proportion enrolled at BCS.  
The proportion of socioeconomically disadvantaged students enrolled at LASD in 2020/21 is significantly higher than the proportion enrolled at BCS.  
The proportion of students with disabilities enrolled at LASD in 2020/21 is significantly higher than the proportion enrolled at BCS.

Notes

No significant difference in the proportion of Hispanic students enrolled at Los Altos Elementary School District from 2016/17 to 2020/21.  
The proportion of English learners enrolled at Los Altos Elementary School District in 2020/21 is significantly higher than the proportion enrolled in 2016/17.  
The proportion of socioeconomically disadvantaged students enrolled at Los Altos Elementary School District in 2020/21 is significantly higher than the proportion enrolled in 2016/17.  
No significant difference in the proportion of students with disabilities enrolled at Los Altos Elementary School District from 2016/17 to 2020/21.

## Bullis Charter School Petition



### Expanding BCS Enrollment Outreach for 2021-22 and Beyond

For several years, BCS has dedicated time and energy to reaching and welcoming all families to our school. Some of our most significant efforts in past years included:

- The BCS Stretch to Kindergarten program, in partnership with the Family Engagement Institute (FEI) at Foothill College. This six-week, tuition-free summer program helped children from low-income families, many of whom had not attended preK, adapt to an academic setting.
- The Bullis Boosters Camp, a free, week-long language arts and science engineering day camp for incoming 2nd-6th graders from Los Altos and Mountain View.
- An effort to launch a new Bullis Mountain View school. While the effort did not come to fruition, we learned important lessons about the needs and interests of our neighboring community.

More recently, in collaboration with the Santa Clara County Office of Education, we have worked to expand and strengthen our efforts to ensure equity in access and diversity in enrollment. In April 2020, we created a new Superintendent's Task Force focused on improving outreach to students and families who were underserved by our school in the past. Our Task Force, which included representatives from the BCS administration and staff, Board, and our Bullis Boosters Club (PTO), meets monthly to discuss strategies and plans.

With the help of the Task Force, we developed a new campaign focused on attracting and welcoming new students and families across our community, including students of all races and ethnic backgrounds, English Learners, students with disabilities, and students with socioeconomic disadvantages.

We encourage all families to consider BCS, and this campaign has strengthened our outreach in key areas, including the San Antonio neighborhood (north of El Camino Real), and emphasizes several key strategies, including:

- Direct parent-to-parent and teacher-to-parent engagement.
  - Recruiting new BCS K3 parents.
  - Engaging BCS teachers living in the San Antonio neighborhood.
- Local information events, including asking apartment complex managers if we can host events for their residents.
- Developing key messages for parents to share on social media.

Our messages -- for all families -- highlight several key points:

- BCS is an excellent public school, open to all students and families,
- Individualized learning experiences help each child, and
- Great teachers and a highly engaged community build success.



## Bullis Charter School Petition

Messengers are as important as messages, and this campaign encourages current parents to engage directly with other families and share how their children are thriving at BCS. Parents network with new families through:

- Faith communities, children's' sports, and community organizations,
- Child care or preschool programs their children attended,
- Block parties and neighborhood events, and
- Social media.

We recruit current parents and teachers:

- Primarily K-3 and new parents, including through survey and focus groups on their onboarding experiences.
- Parents and teachers who speak other languages (Spanish, Mandarin)
  - We also provide informational materials in Spanish and Mandarin.
- Coach parents and teachers on key messages and outreach strategies.

Communities for expanded outreach:

- Key streets in the San Antonio neighborhood include Del Medio Ave, Monroe Drive, Miller Ave, California St, Fayette Drive, San Antonio Circle
- Apartment complexes in the area include:
  - Fayette Town House, 2675 Fayette Drive
  - Palo Alto Plaza, 541 Del Medio Ave
  - Fayette Arms Apartments, 2680 Fayette Drive
  - Domus on the Boulevard, 2650 W El Camino Real
  - Franciscan Apartments, 439 Del Medio Ave
  - Camille Apartments, 2645 California Street
  - Del Medio Manor Apartments, 141 Del Medio Ave
  - Del Medio Park Apartments, 2700 Del Medio Court
  - Del Medio Gardens, 250 Del Medio Ave
  - Kentfield Apartments, 2650 California Street
  - California Apartments, 2320/2326 California Street

In our initial Task Force meetings, we discussed opportunities for providing in-person presentations in small neighborhood settings, including apartment complexes, preschool programs, churches, temples, and other community centers. As the COVID-19 pandemic grew, we revised plans to focus more on sharing information through social media and other distanced communications, in addition to advertising in local publications, and sharing flyers and information in high-traffic areas such as supermarkets, restaurants, and apartment complexes.

These communications encouraged families to participate in the three virtual Information Nights we held in November, December, and January -- and hundreds of parents participated in those events. We also contacted Los Altos School District leadership to ask if we could participate in their annual Parent Information Nights.

## Bullis Charter School Petition

Whether face-to-face or digitally, we decided to make three major additions to our previous outreach efforts:

- Recruiting current BCS families (and staff) as Parent Ambassadors and supporting them with coaching and information resources. We developed materials (in English, Spanish, and Mandarin) to help our Parent Ambassadors engage with new families, share their experiences with BCS, and respond to questions or concerns.
- Hiring a part-time Community Outreach Coordinator, who has focused on
  - Expanding our contact list (preschools, churches, etc.) and reaching out directly to staff at those programs, encourage them to share information about BCS and our Open Enrollment Information Nights with their families. Our Coordinator found more than 40 new programs and organizations, and more than 15 of them agreed to share BCS flyers and information with their families.
  - Engaging new and potential parents directly through social media and online parent chat rooms (examples attached.)
  - Discussing volunteer opportunities for current BCS families that can help build more long-term connections between our school and other programs and networks in our community.
- Updating all resources -- print, online, social media, etc -- to reflect the children and families of our community.

### Goals and evaluation:

- Reach more students and families who have been under-represented at BCS, and move toward a balance of English Learners, students with disabilities, and students of diverse race and ethnicity that is more reflective of the general population in the Los Altos School District.
- At the start of the 2021-22 school year, ask new families how they learned about BCS -- to evaluate how our new strategies worked.
  - Also ask for their advice on encouraging other new families to consider BCS for the 2022-23 school year.

### Additional Steps to Strengthen Enrollment Outreach

- As public health conditions improve, we will conduct more in-person outreach activities, including Kickoff to Kinder events for teachers and families in local preschools, family child care programs, and other community centers. These events will help families prepare for their children's transition to kindergarten, and highlight BCS as one of their neighborhood options.

### Attachments:

- *Tips for Connecting New Families to BCS (in English - also shared in Spanish, Mandarin)*
- *BCS FAQ for New Families (revised, in English - also shared in Spanish, Mandarin)*
- *Examples of BCS advertisements, flyers, social media*



**BULLIS** charter school  
A CALIFORNIA K – 8 PUBLIC SCHOOL

## Tips for Inviting Friends and Neighbors to Consider BCS

- Tell them your story. When did your family begin at BCS? What do you -- and your children -- like most about the school?
- Emphasize important facts all families should know about BCS.
  - BCS is an excellent **public** school, open to all students and families.
  - Teachers work with students and families to develop individualized learning goals. This helps each child take responsibility for their learning, and achieve their full potential.
  - One thing that helps BCS succeed is families who are active and engaged, and we'd like you to join us!
- Think about different ways to share your messages about BCS, especially since COVID-19 makes it harder to connect in person.
  - Email your neighbors who have children starting kindergarten next year.
  - Share messages about BCS and your family on Facebook, NextDoor, WeChat and other social media networks -- and encourage your neighbors to ask questions. (If they have questions you can't answer, send them to [info@bullischarterschool.com](mailto:info@bullischarterschool.com))
  - Here's a sample email/text you can edit to include your family's experience:  
*I know your kids are almost ready for school, and I wanted to tell you about our experience with Bullis Charter School. We've been at BCS for three years, it's great! The kids love all the creative activities and projects. The teachers are wonderful, and we've made a lot of new friends in the BCS community. BCS is a public school, and open to all students. Can you join us for an upcoming parent information event?*
- If you live in an apartment building, ask the managers if we can share flyers about upcoming parent information events at BCS.



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# Bullis Charter School Petition

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**BULLIS** charter school  
A CALIFORNIA K-8 PUBLIC SCHOOL

- ★ Un Modelo Excelente de Escuela Pública
- ★ Reconocido Nacionalmente
- ★ Desempeño Académico Alto

**Inscriban Ahora  
Para el Próximo Año**

Inscriba a su  
hijo/a antes del  
15 de enero 2021

[bullischarterschool.com/enrollment](http://bullischarterschool.com/enrollment)

## Virtual Noches de Información para Padres

<p><b>Noviembre</b></p> <p><b>19</b></p> <p>7:00 PM</p>	<p>Grados</p> <p><b>K-5</b></p>
<p><b>Diciembre</b></p> <p><b>9</b></p> <p>7:00 PM</p>	<p>Grados</p> <p><b>6-8</b></p>

RSVP: [bullischarterschool.com/enrollment](http://bullischarterschool.com/enrollment)

Bullis Charter School satisface las necesidades de todos los estudiantes, independientemente de su nivel de habilidad o necesidades de aprendizaje, incluidos, entre otros: Educación Especial, Dotados y Talentosos, y Aprendices del Idioma Inglés.

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**PAGE 8** 12/20/2011 www.alianzanews.com

## CEFCU ANNOUNCES MARK SPENNY'S RETIREMENT AND MATT MAMER AS NEXT PRESIDENT/CEO



*CEFCU's Board of Directors has named Matt Mamer as CEFCU's President/CEO. Mamer has been with CEFCU for 25 years. Mark Spenny served as CEFCU's President/CEO for 25 years.*



*CEFCU announces the retirement of Mark Spenny, CEFCU's President/CEO, effective May 1, 2012. An announcement of CEFCU for 1 year. Spenny stated that he is CEFCU's President/CEO for 25 years.*

FOOTIA, B. - CEFCU announces the retirement of Mark Spenny, CEFCU's President/CEO, effective May 1, 2012. An employee of CEFCU for 27 years, Spenny started his career at CEFCU as the First Mortgage Origination Manager. He went on to serve as Vice President of Mortgages & Business Services, and then Chief Lending Officer before being named President/CEO of the Credit Union in May 2006. During his career with CEFCU, Spenny directed the credit union's growth through continued expansion in the Bloomington, Normal, Decatur, and Springfield areas as well as the addition of the

San Jose, California, and Bloomington-Indianapolis markets in CEFCU's first year of franchising. CEFCU also focused on member service and member account growth through the addition and enhancement of its addition. Spenny served on many community boards including Wildlife Prairie Park, Santa Francis Medical Center, College of Nursing, the OHSU Health-Care, Santa Francis Medical Center Community Advisory Board, and the Tri County Urban League. Spenny, and his wife Renee, were the Chair of the 2010 Annual Hunt of Illinois Union Day Campaign.

Spenny's Professional

development included serving as the Managing Chair of the CEO Methodists-Practitioner Council and on the board of the Greater Prairie Community Economic Development Council as well as a past president of the Credit Union National Association's Developmental Cooperation.


With assets totaling over \$6.9 billion, CEFCU serves nearly 355,000 members through 26 Illinois Member Centers, and 5 California Member Centers. The CEFCU Financial Center, the Money Center 24 ATM Network, CEFCU's website, eFCU.com, the savings-free CD, OFAT Money Center, the CU Service Center, Shared Branch Network,




**ALIANZA**  
Community Network  
Since 1989

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Since 1989

12/20/2011 www.alianzanews.com



**Nurse Bullitts' school**  
Un Modelo Excelente • Reconocido Nacionalmente •  
 Desempeño Académico Alto




**BULLITT'S charter school**  
A CALIFORNIA K - 8 PUBLIC SCHOOL


## Become a CNA


**Nursing Assistant**


**Contact: Linda Reyes**  
**(405) 970-5025**  
[nursebullitts@bullitts.org](mailto:nursebullitts@bullitts.org)



## Sterile Processing Technician



  
www.bullitts.org



**Virtual Noche de  
Información para Padres**

Inicio  
**7**  
:00 PM

**Grados  
K-5**

**RSVP:** [bullittscharterschool.com/enrollment](http://bullittscharterschool.com/enrollment)

Bullitts Charter School satisface las necesidades de todos los estudiantes, independientemente de sus niveles de habilidad o necesidades de aprendizaje, incluidas, entre otras, Educación Especial, Donantes y Talento, y Aprendizajes del idioma inglés.

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The image is a promotional graphic for Bullis Charter School. At the top, the school's logo is displayed, featuring a stylized blue star with colorful rays. To the right of the logo, the text "BULLIS charter school" is written in a large, bold, sans-serif font, with "BULLIS" in all caps and "charter school" in title case. Below this, in a smaller font, is "A CALIFORNIA K-8 PUBLIC SCHOOL". The middle section of the image shows a photograph of three young girls with dark hair, looking down and to the right, seemingly engaged in a classroom activity. Overlaid on the left side of this photo is a pink circular button with the text "Enroll Now", "Enlistate", and "Ahora" in white. The bottom section is a solid blue horizontal band containing the website "bullischarterschool.com/enrollment" in white, followed by "GRADES K-8" and "Para el año escolar 2021-22" in white text.

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## BULLIS charter school

A CALIFORNIA K-8 PUBLIC SCHOOL

**Model Public School** Un Modelo Excelente de Escuela Pública

**Nationally Recognized** Reconocido Nacionalmente

**Top Performing** Desempeño Académico Alto

**Enroll Now**

**GRADES K-8**

for 2021-22 School Year

Open enrollment ends January 15, 2021


[bullischarterschool.com/enrollment](http://bullischarterschool.com/enrollment)

### Upcoming Virtual Parent Information Nights

<p><b>December</b> Diciembre</p> <p><b>9</b></p> <p><b>7:00 PM</b></p>	<p><b>Grades</b> Grados</p> <p><b>K-5</b></p>
<p><b>January</b> Enero</p> <p><b>7</b></p> <p><b>7:00 PM</b></p>	<p><b>Grades</b> Grados</p> <p><b>K-5</b></p>

RSVP: [bullischarterschool.com/enrollment](http://bullischarterschool.com/enrollment)

Bullis Charter School meets the needs of all students regardless of ability level or learning needs including but not limited to Special Education, Gifted and Talented, and English Language Learners.



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# Bullis Charter School Petition

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**Bullis Charter School**  
Published by Alan Simpson · November 3, 2020 ·

Our enrollment period for the 2021-22 school year is now open! Tell your friends and neighbors to visit [www.bullischarterschool.com/enrollment](http://www.bullischarterschool.com/enrollment)

**BULLIS charter school**  
A CALIFORNIA K-8 PUBLIC SCHOOL

**Enroll Now GRADES K-8**  
for 2021-22 School Year  
Open enrollment ends January 15, 2021

**Model Public School** Un Modelo Excelente de Escuela Pública  
**Nationally Recognized** Reconocido Nacionalmente  
**Top Performing** Desempeño Académico Alto



[bullischarterschool.com/enrollment](http://bullischarterschool.com/enrollment)

**Upcoming Virtual Parent Information Nights**

**November**  
Noviembre  
**19**  
7:00 PM  
**Grades K-5**

**December**  
Diciembre  
**9**  
7:00 PM  
**Grades 6-8**

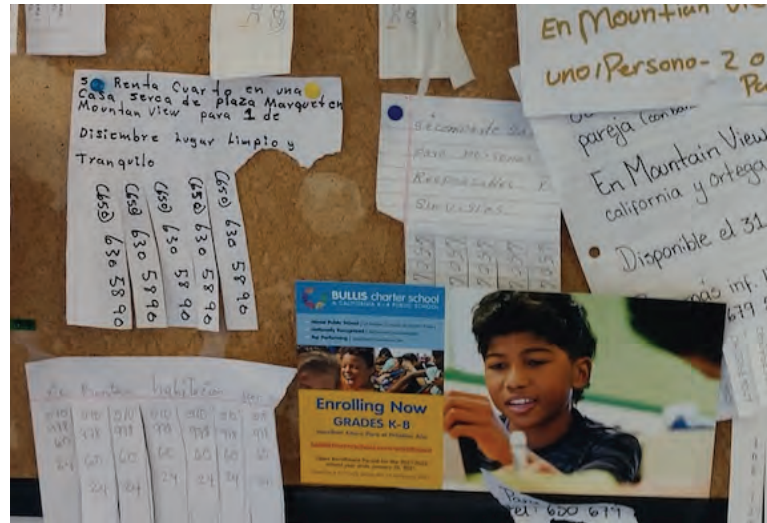
RSVP: [bullischarterschool.com/enrollment](http://bullischarterschool.com/enrollment)

Bullis Charter School meets the needs of all students regardless of ability level or learning needs including but not limited to: Special Education, Gifted and Talented, and English Language Learners.

1,432  
People Reached

66  
Engagements

Boost Post



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**Mountain View Moms**

Hi Mountain View mom's! My name is Jasmine, and I'm the Community Outreach Coordinator with Bullis Charter School.

Bullis is an excellent K-8 public charter school in the area that is op to all students and families. We are currently trying to spread the about our school so more students have access to the free, high-quality education that BCS has to offer.

This is just a reminder that Open Enrollment for our 2021-22 scho year ends tomorrow, January 15! If you are interested, you can fin enrollment information and a video of our Parent Info Night at [www.bullischarterschool.com/enrollment](http://www.bullischarterschool.com/enrollment).

**BULLIS charter school**  
A CALIFORNIA K-8 PUBLIC SCHOOL

**Enroll Now!**  
**GRADES K-8 for 2021-22 School Year**  
Open enrollment ends January 15, 2021  
[bullischarterschool.com/enrollment](http://bullischarterschool.com/enrollment)

**Model Public School** Un Modelo Excelente de Escuela Pública  
**Nationally Recognized** Reconocido Nacionalmente  
**Top Performing** Desempeño Académico Alto



**Don't Miss the Deadline!**

BÇÄÄÄÇCÄÇÉÄÇÄÄÇDÄÄÄÄÄBCÉÄÄÄÄÄÇDÄÄÇDÄÄÄÄÇÄ

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## Bullis Charter School Petition

# EXHIBIT 2

## Bullis Charter School Petition

From: [Maureen Israel](#)  
To: [Mefula Fairley](#)  
Cc: [Michelle Johnson](#); [Mary Ann Dewan](#); [Alan Simpson](#)  
Subject: BCS Enrollment Outreach and Data  
Date: Friday, March 5, 2021 4:04:50 PM  
Attachments: [BCS preliminary kindergarten enrollment data 030521.pdf](#)  
[BCS current and recent enrollment data.pdf](#)  
[BCS 2020-21 Open Enrollment Advertising and Outreach examples.pdf](#)  
[BCS FAQ for New Families revised.pdf](#)  
[Tips for Connecting New Families to BCS.pdf](#)  
[Expanding BCS Enrollment Outreach.docx.pdf](#)

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Hi Mefula,

Following up on our conversation last week, here is the revised enrollment outreach plan for BCS, including details on additional steps we will take. I've also attached preliminary demographic data for new kindergarten students and for our current enrollment and recent years.

In addition, I've attached examples from our recent outreach efforts, including a revised FAQ.

I hope this information is helpful - let me know if you have any questions. We appreciate all the input and guidance SCCOE is providing as we continue to increase diversity in access to and enrollment at BCS.

Have a great weekend,  
Maureen

--

Maureen Israel  
Superintendent  
**Bullis Charter School**  
713.208.1545



**CAUTION:** This email originated from outside of the organization. Do not click links, open attachments or reply unless you recognize the sender and know the content is safe. Contact the Help Desk at 4357 if you need assistance.



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# Bullis Charter School Petition

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**BULLIS charter school**  
A CALIFORNIA K-8 PUBLIC SCHOOL

- ★ Un Modelo Excelente de Escuela Pública
- ★ Reconocido Nacionalmente
- ★ Desempeño Académico Alto

**Inscriban Ahora Para el Próximo Año**  
Inscríbase a su hijo/a antes del 15 de enero 2021

[bullischarterschool.com/enrollment](http://bullischarterschool.com/enrollment)

**Virtual Noches de Información para Padres**

<b>Noviembre 19</b> 7:00 PM	<b>Grados K-5</b>	<b>Diciembre 9</b> 7:00 PM	<b>Grados 6-8</b>
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**CEFCU ANNOUNCES MARK SPENNY'S RETIREMENT AND MATT MAMER AS NEXT PRESIDENT/CEO**

CEFCU's Board of Directors has named Matt Mamer as CEFCU's President/CEO, effective May 1, 2021. An employee of CEFCU for 27 years, Spenny served as CEO from 2006 to 2020. Mamer began his career at CEFCU as a Member Assistant.

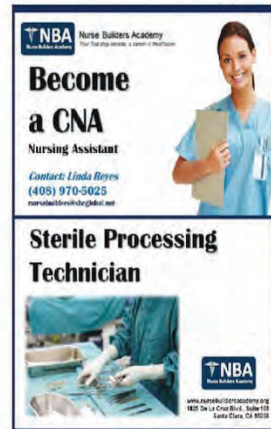
127,000 new members joining the Credit Union since 2006, Spenny also oversaw the distribution of \$345 million in Extraordinary Dividends to members.

In addition, Spenny served on many community boards including Wildlife Prairie Park, Saint Francis Medical Center, the Tri-County Urban League, Spenny, and his wife Renee, were the Chairs of the 2020 Annual Heart of Illinois United Way Campaign.

Spenny's Professional involvement included serving as the inaugural Chair of the CEO Council and on the board of the Greater Peoria Economic Development Council as well as a past Chair of the Credit Union Roundtable.

Upon Spenny's retirement, CEFCU's Board of Directors has named Matt Mamer as CEFCU's President/CEO. Mamer has been with CEFCU for 25 years. Most recently serving as Chief Operations Officer, Mamer began his career at CEFCU as a Member Assistant. Mamer, an East Peoria native, is active in the community, serving as a Director on the board of Eastside, the UnityPoint Health Methodist-Proctor Foundation, the East Peoria Community Foundation, and the Bloomington-Normal JDC's Community National Association's National Credit Union Roundtable.

With assets totaling over \$6.9 billion, CEFCU serves nearly 355,000 members through 26 Illinois Member Centers and 7 California Member Centers, the CEFCU Financial Center, the Money Center 24 ATM Network, CEFCU's website, eLife.com, the workplace-free CO-OP ATM Network, and the CU Service Center Branch Network.



**Nurse Bullers Academy**  
Your Training Starts Here

**Become a CNA**  
Nursing Assistant

Contact: Linda Reyes  
(408) 970-5625  
lreyes@nursebullers.com

**Sterile Processing Technician**

**T NBA**  
www.nursebullersacademy.com  
1887 Duane Street, Suite 100  
Santa Clara, CA 95050



**BULLIS charter school**  
A CALIFORNIA K-8 PUBLIC SCHOOL

- ★ Un Modelo Excelente de Escuela Pública
- ★ Reconocido Nacionalmente
- ★ Desempeño Académico Alto

**Inscriban Ahora Para el Próximo Año**  
Inscríbase a su hijo/a antes del 15 de enero 2021

[bullischarterschool.com/enrollment](http://bullischarterschool.com/enrollment)

**Virtual Noche de Información para Padres**

<b>Enero 7</b> 7:00 PM	<b>Grados K-5</b>
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RSVP: [bullischarterschool.com/enrollment](http://bullischarterschool.com/enrollment)

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**BULLIS charter school**  
A CALIFORNIA K-8 PUBLIC SCHOOL

**Enroll Now Enlístate Ahora**

[bullischarterschool.com/enrollment](http://bullischarterschool.com/enrollment)

**GRADES K-8**  
for 2021-22 school year

**GRADOS K-8**  
Para el año escolar 2021-22

RSVP: [bullischarterschool.com/enrollment](http://bullischarterschool.com/enrollment)

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**BULLIS charter school**  
A CALIFORNIA K-8 PUBLIC SCHOOL

- ★ Model Public School Un Modelo Excelente de Escuela Pública
- ★ Nationally Recognized Reconocido Nacionalmente
- ★ Top Performing Desempeño Académico Alto

[bullischarterschool.com/enrollment](http://bullischarterschool.com/enrollment)

**Upcoming Virtual Parent Information Nights**

<b>December 9</b> 7:00 PM	<b>Grados K-5</b>	<b>January 7</b> 7:00 PM	<b>Grados K-5</b>
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RSVP: [bullischarterschool.com/enrollment](http://bullischarterschool.com/enrollment)

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**Enroll Now GRADES K-8**  
for 2021-22 School Year  
Open enrollment ends January 15, 2021

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Bullis Charter School Petition

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Bullis Charter School Petition

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## Bullis Charter School Petition



### Expanding BCS Enrollment Outreach for 2021-22 and Beyond

For several years, BCS has dedicated time and energy to reaching and welcoming all families to our school. Some of our most significant efforts in past years included:

- The BCS Stretch to Kindergarten program, in partnership with the Family Engagement Institute (FEI) at Foothill College. This six-week, tuition-free summer program helped children from low-income families, many of whom had not attended preK, adapt to an academic setting.
- The Bullis Boosters Camp, a free, week-long language arts and science engineering day camp for incoming 2nd-6th graders from Los Altos and Mountain View.
- An effort to launch a new Bullis Mountain View school. While the effort did not come to fruition, we learned important lessons about the needs and interests of our neighboring community.

More recently, in collaboration with the Santa Clara County Office of Education, we have worked to expand and strengthen our efforts to ensure equity in access and diversity in enrollment. In April 2020, we created a new Superintendent's Task Force focused on improving outreach to students and families who were underserved by our school in the past. Our Task Force, which included representatives from the BCS administration and staff, Board, and our Bullis Boosters Club (PTO), meets monthly to discuss strategies and plans.

With the help of the Task Force, we developed a new campaign focused on attracting and welcoming new students and families across our community, including students of all races and ethnic backgrounds, English Learners, students with disabilities, and students with socioeconomic disadvantages.

We encourage all families to consider BCS, and this campaign has strengthened our outreach in key areas, including the San Antonio neighborhood (north of El Camino Real), and emphasizes several key strategies, including:

- Direct parent-to-parent and teacher-to-parent engagement.
  - Recruiting new BCS K3 parents.
  - Engaging BCS teachers living in the San Antonio neighborhood.
- Local information events, including asking apartment complex managers if we can host events for their residents.
- Developing key messages for parents to share on social media.

Our messages -- for all families -- highlight several key points:

- BCS is an excellent public school, open to all students and families,
- Individualized learning experiences help each child, and
- Great teachers and a highly engaged community build success.

## Bullis Charter School Petition

Messengers are as important as messages, and this campaign encourages current parents to engage directly with other families and share how their children are thriving at BCS. Parents network with new families through:

- Faith communities, children's sports, and community organizations,
- Child care or preschool programs their children attended,
- Block parties and neighborhood events, and
- Social media.

We recruit current parents and teachers:

- Primarily K-3 and new parents, including through survey and focus groups on their onboarding experiences.
- Parents and teachers who speak other languages (Spanish, Mandarin)
  - We also provide informational materials in Spanish and Mandarin.
- Coach parents and teachers on key messages and outreach strategies.

Communities for expanded outreach:

- Key streets in the San Antonio neighborhood include Del Medio Ave, Monroe Drive, Miller Ave, California St, Fayette Drive, San Antonio Circle
- Apartment complexes in the area include:
  - Fayette Town House, 2675 Fayette Drive
  - Palo Alto Plaza, 541 Del Medio Ave
  - Fayette Arms Apartments, 2680 Fayette Drive
  - Domus on the Boulevard, 2650 W El Camino Real
  - Franciscan Apartments, 439 Del Medio Ave
  - Camille Apartments, 2645 California Street
  - Del Medio Manor Apartments, 141 Del Medio Ave
  - Del Medio Park Apartments, 2700 Del Medio Court
  - Del Medio Gardens, 250 Del Medio Ave
  - Kentfield Apartments, 2650 California Street
  - California Apartments, 2320/2326 California Street

In our initial Task Force meetings, we discussed opportunities for providing in-person presentations in small neighborhood settings, including apartment complexes, preschool programs, churches, temples, and other community centers. As the COVID-19 pandemic grew, we revised plans to focus more on sharing information through social media and other distanced communications, in addition to advertising in local publications, and sharing flyers and information in high-traffic areas such as supermarkets, restaurants, and apartment complexes.

These communications encouraged families to participate in the three virtual Information Nights we held in November, December, and January -- and hundreds of parents participated in those events. We also contacted Los Altos School District leadership to ask if we could participate in their annual Parent Information Nights.



## Bullis Charter School Petition

Whether face-to-face or digitally, we decided to make three major additions to our previous outreach efforts:

- Recruiting current BCS families (and staff) as Parent Ambassadors and supporting them with coaching and information resources. We developed materials (in English, Spanish, and Mandarin) to help our Parent Ambassadors engage with new families, share their experiences with BCS, and respond to questions or concerns.
- Hiring a part-time Community Outreach Coordinator, who has focused on
  - Expanding our contact list (preschools, churches, etc.) and reaching out directly to staff at those programs, encourage them to share information about BCS and our Open Enrollment Information Nights with their families. Our Coordinator found more than 40 new programs and organizations, and more than 15 of them agreed to share BCS flyers and information with their families.
  - Engaging new and potential parents directly through social media and online parent chat rooms (examples attached.)
  - Discussing volunteer opportunities for current BCS families that can help build more long-term connections between our school and other programs and networks in our community.
- Updating all resources -- print, online, social media, etc -- to reflect the children and families of our community.

### Goals and evaluation:

- Reach more students and families who have been under-represented at BCS, and move toward a balance of English Learners, students with disabilities, and students of diverse race and ethnicity that is more reflective of the general population in the Los Altos School District.
- At the start of the 2021-22 school year, ask new families how they learned about BCS -- to evaluate how our new strategies worked.
  - Also ask for their advice on encouraging other new families to consider BCS for the 2022-23 school year.

### Additional Steps to Strengthen Enrollment Outreach

- As public health conditions improve, we will conduct more in-person outreach activities, including Kickoff to Kinder events for teachers and families in local preschools, family child care programs, and other community centers. These events will help families prepare for their children's transition to kindergarten, and highlight BCS as one of their neighborhood options.

### Attachments:

- *Tips for Connecting New Families to BCS (in English - also shared in Spanish, Mandarin)*
- *BCS FAQ for New Families (revised, in English - also shared in Spanish, Mandarin)*
- *Examples of BCS advertisements, flyers, social media*

## Bullis Charter School Petition

# EXHIBIT 3

## Bullis Charter School Petition

From: [Maureen Israel](#)  
To: [Mefula Fairley](#)  
Subject: Bullis Agenda Item  
Date: Monday, May 3, 2021 3:07:49 PM

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Hi Mefula,

I hope you are well. I wanted to reach out, as I was incredibly surprised to read the agenda item regarding Bullis for Wednesday's meeting. I wish we were notified that this was coming; the language in the agenda feels like an attempt to undermine our reputation. I would like to get on the phone with you to talk about this development. It is incredibly disappointing and contrary to the work we've done, after our multiple conversations and submissions of our plan for increasing outreach with you and your team.

As we shared with you and Michelle, we've seen an increase in many of the demographic groups noted. All indicators are showing that our Outreach Plan is continuing to increase these specific demographic groups, and continuing our progress toward achieving balance with the school district. This is true even though our intake point is mostly Kindergarten, due to our student retention and enrollment cap. As we've discussed, including a SED preference in our lottery would continue to support these efforts.

Please let me know when you can speak further before Wednesday.

Thanks,  
Maureen

--

Maureen Israel  
Superintendent  
**Bullis Charter School**  
713.208.1545



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## Bullis Charter School Petition

# EXHIBIT 4

## Bullis Charter School Petition

From: [Mefula Fairley](#)  
To: ["Maureen Israel"](#)  
Subject: RE: Bullis Agenda Item  
Date: Monday, May 3, 2021 4:59:00 PM

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Maureen,

I welcome a call with you. It was definitely not my intent to undermine the reputation of BCS. I truly appreciate the collaboration we've had with you and Alan.

As you know, your charter renewal petition must describe the means by which BCS will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including RFEP, that is reflective of the general population residing within LASD. The Charter Schools Department anticipates this will become an issue during the BCS renewal process. As a result, we are relying on EC 47607(e) - which provides additional procedures and opportunities for the charter school to resolve and remediate areas of concern that could negatively affect renewal - to help BCS demonstrate its commitment and plans to resolve this issue. The agenda item is consistent with the terms and requirements of 47607(e). When I mentioned issuance of a 47607(e) notice to cure during our Zoom call on April 22, I explained that this would give you an opportunity to think through and commit to an updated plan for bringing demographic groups into balance with LASD prior to the renewal process. Again, it is absolutely not my intent to undermine the reputation of BCS. In fact, my intention is to provide support and assistance to BCS relative to its operations and upcoming renewal.

I am available for a call tomorrow from 11:00 am to 1:00 pm or after 3:30. Please let me know if any of these times match you availability.

Sincerely,

Mefula

---

**From:** Maureen Israel <misrael@bullischarterschool.com>  
**Sent:** Monday, May 3, 2021 3:08 PM  
**To:** Mefula Fairley <mfairley@sccoe.org>  
**Subject:** Bullis Agenda Item

Hi Mefula,

I hope you are well. I wanted to reach out, as I was incredibly surprised to read the agenda item regarding Bullis for Wednesday's meeting. I wish we were notified that this was coming; the language in the agenda feels like an attempt to undermine our reputation. I would like to get on the phone with you to talk about this development. It is incredibly disappointing and contrary to the work we've done, after our multiple conversations and submissions of our plan for increasing outreach with you and your team.

As we shared with you and Michelle, we've seen an increase in many of the demographic groups

## Bullis Charter School Petition

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Please let me know when you can speak further before Wednesday.

Thanks,  
Maureen

--

Maureen Israel  
Superintendent  
**Bullis Charter School**  
713.208.1545

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## Bullis Charter School Petition

# EXHIBIT 5



## Bullis Charter School Petition

## Agenda Item Details

Meeting	May 05, 2021 - Regular Board Agenda (#2281)
Category	7. ACTION ITEMS
Subject	A. Request Authorization to Issue to Bullis Charter School a Notice of Concern and Reasonable Opportunity to Cure Pursuant to Education Code Section 47607(e)
Type	Action
Recommended Action	Authorize and delegate authority to the Superintendent or designee to issue a notice(s) to Bullis Charter School pursuant to Education Code Section 47607(e).
Goals	<a href="#">Santa Clara County Office of Education Goal #1</a> <a href="#">Santa Clara County Office of Education Goal #2</a>

Administrator

Mary Ann Dewan, Ph.D., County Superintendent of Schools  
Mefula Fairley, Director of Charter Schools

Background

Pursuant to Education Code Section 47607(e), the County Board may nonrenew a charter if it finds that the charter school is demonstrably unlikely to successfully implement the program due to substantial fiscal factors, substantial governance factors, or it is not serving all pupils who wish to attend. Education Code Section 47607(e) also provides procedural steps to follow in such cases, including providing at least 30 days' notice to the charter school of the alleged violation(s) and providing the charter school with a reasonable opportunity to cure the violation(s), including submission of a corrective action plan proposed by the charter school.

Bullis Charter School (BCS) was initially approved in September 2003 for a three-year term as a grade K-6 school on appeal from Los Altos School District. Bullis opened fall 2004 with 187 students. Bullis' charter has been renewed three times in 2007, 2011, and 2016. The charter was also materially revised in 2007 to change the enrollment preferences and in 2008 to add grades seven and eight. Bullis operates as a school of the County Board for Special Education purposes. Current enrollment is approximately 1100 students. Bullis' current term expires June 30, 2022. Thus, the Charter is due for renewal in 2021-22.

The pupil balance at BCS has long been a concern of the County Board and the Santa Clara County Office of Education. County Staff has been working to collaborate with BCS and support its development and implementation of a plan to increase its efforts and successes in enrolling a more diverse student population, consistent with the letter and spirit of the Charter Schools Act.

BCS's enrollment data, as well as the data provided by BCS about the results of its open enrollment process for the 2021-2022 school year, continue to indicate that BCS is not serving all pupils who wish to attend. The demographic data indicate that the percentage of BCS's enrollment of some pupil groups has actually decreased, rather than increased. Pupil groups that are underrepresented at BCS include:

- English learners
- Hispanic
- Socioeconomically disadvantaged
- Students with disabilities

BCS has recently contacted County Staff to discuss additional means to increase its diversity and enrollment of underrepresented student groups, which is a positive development.

The additional procedures provided by Education Code Section 47607(e) in cases in which a charter school may not be renewed because it is not serving all pupils who wish to attend afford a charter school additional notice of this concern that could lead to nonrenewal of a charter, and an opportunity for the charter school to cure the issue, including by developing and implementing a corrective action plan. By authorizing the issuance of this notice in advance of receipt of BCS's renewal charter petition, BCS is provided additional time to cure these issues, including through a corrective action plan that could be incorporated into and/or otherwise be addressed as part of BCS's renewal charter petition.

County Staff recommends that the County Board authorize the issuance and delegate to the County Superintendent or designee authority to issue a notice to BCS pursuant to Education Code Section 47607(e) and provide BCS a reasonable opportunity to cure the matters raised in the notice(s).

Requested Action

Authorize and delegate authority to the Superintendent or designee to issue a notice to Bullis Charter School pursuant to Education Code Section 47607(e).

## Bullis Charter School Petition

### Motion & Voting

Authorize and delegate authority to the Superintendent or designee to issue a notice(s) to Bullis Charter School pursuant to Education Code Section 47607(e).

Motion by Peter Ortiz, second by Claudia Rossi.

Final Resolution: Motion Carries

Yes: Claudia Rossi, Grace Mah, Rosemary Kamei, Kathleen King, Peter Ortiz, Victoria Chon

No: Joseph Di Salvo

Committed to serving, inspiring and promoting student and public school success

## Bullis Charter School Petition

# EXHIBIT 6



**BULLIS CHARTER SCHOOL**  
102 West Portola Avenue  
Los Altos, CA 94022  
Tel 650.947.4100 Fax  
650.947.4989  
www.bullischarterschool.com

## Bullis Charter School Petition



May 21, 2021

SENT VIA EMAIL

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools  
Santa Clara County Office of Education  
1290 Ridder Park Drive  
San Jose, CA 95131

Dear Dr. Dewan,

Thank you for your letter of May 21. The Board and staff of Bullis Charter School look forward to collaborating with the County Office of Education to address the concerns raised in the County's letter in a timely, constructive, and effective manner.

Sincerely,

Francis La Poll, Board Chair

Maureen Israel, Superintendent

Bullis Charter School Petition

**EXHIBIT 7**





August 25, 2021

**VIA EMAIL: MaryAnn\_Dewan@sccoe.org**

cc: MFairley@sccoe.org, MJohnson@sccoe.org

Mary Ann Dewan, Ph.D., County Superintendent of Schools

Santa Clara County Office of Education

1290 Ridder Park Drive

San Jose, CA 95131

Dear Dr. Dewan,

While the new California budget legislation provides an automatic two-year extension for all charter schools with terms expiring between January 1, 2022 and June 30, 2025, Bullis Charter School would like to continue working with you to improve our Enrollment Action Plan, as outlined in your letter of May 21, 2021.

As we have discussed previously with your staff -- and as noted in your letter -- one significant step would be revising our Admissions Policies and Procedures to add an admission preference for students who qualify for free and reduced-price meals and live within the Los Altos School District. BCS would like to establish such a preference for up to 10% of our open spaces by grade, which would be significantly more than the current percentage of socio-economically disadvantaged students making up the student population of either BCS or the Los Altos School District. We would like to work with the County staff to add this new admission preference, which we expect would help BCS increase the enrollment of certain targeted segments of the local student population.

This admission preference change would strengthen the BCS Enrollment Action Plan in two fundamental ways. First, it would improve the chances for students who qualify for free and reduced-price meals in our public random drawing ("the lottery") to be able to enroll in BCS. Secondly, the change would incentivize more underserved families to apply.

If approved, this admission preference change will complement other steps we are taking -- and expanding -- in our Enrollment Action Plan, which include:

- Bullis Summer Camp, which we expanded to two weeks this year -- the first at Christopher Elementary School in San Jose, and the second at BCS. The camp emphasizes art, science, hands-on learning and fun, to help young learners prepare for the coming school year. Bullis Summer Camp is free for underserved families, and nearly 60 students attended this year.



- New outreach events with preschools and child care programs in the San Antonio neighborhood (north of El Camino Real) to help more families with young children see BCS as a great choice, and to invite them to our Parent Information Nights where they'll connect with other families.
- Updating our website and social media platforms to ensure they are accessible and welcoming to all families.
- Emphasizing in our communications that BCS is a free public charter school without any required fees or contributions.

We would like your help in expediting this admission preference change, so that it could take effect for our Open Enrollment Period for the 2022-2023 school year, which will begin in November 2021. We would like to work with the County to update our Admissions Policies and Procedures and clarify the preference change.

BCS continues to agree to comply at all times with laws which generally apply to charter schools and to comply with applicable federal or state laws. We appreciate your continued support and assistance to our efforts to increase equity and access in the BCS applicant pool and enrollment.

Sincerely,

Maureen Israel  
Superintendent  
Bullis Charter School



## EXHIBIT 8

## Bullis Charter School Petition



Santa Clara County Office of Education

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

September 8, 2021

*SENT VIA EMAIL ([MISRAEL@BULLISCHARTERSCHOOL.COM](mailto:MISRAEL@BULLISCHARTERSCHOOL.COM))*

Maureen Israel, Superintendent  
Bullis Charter School  
102 W. Portola Ave  
Los Altos, CA 94022

RE: Bullis Charter School Admission Preferences

Dear Ms. Israel,

This correspondence is in response to your correspondence of August 25, 2021, concerning proposed changes to Bullis Charter School's ("BCS") admissions preferences. In that correspondence you expressed a desire to work with Santa Clara County Office of Education ("SCCOE") Staff to add an admission preference for socioeconomically disadvantaged students in an effort that BCS expects to assist in increasing the enrollment of target student groups.

BCS has specified that it is proposing the change to its admission preferences as part of an ongoing effort by SCCOE to work with BCS on increasing enrollment access and diversity at BCS, and specifically in response to the Notice in Accordance with Education Code Section 47607(e) and Notice of Concern sent to BCS on May 21, 2021 ("Notice"). Without repeating all of the information in that Notice, it described serious concerns about the lack of diversity at BCS, and specifically that students who are socioeconomically disadvantaged, who have disabilities, who are English learners, and who are Hispanic are underrepresented at BCS, and the need for BCS to establish and implement a corrective action plan to address these issues. SCCOE specifically recommended in the Notice that BCS consider adding to and revising its admission preferences as appropriate as one of its actions to remediate these concerns.

Your letter specifies:

As we have discussed previously with your staff – and as noted in your letter – one significant step would be revising our Admissions Policies and Procedures to add an admission preference for students who qualify for free and reduced-price meals and live within the Los Altos School District. BCS would like to establish such a preference for up to 10% of our open spaces by

(Continued on next page)

## Bullis Charter School Petition

### Bullis Charter School Admission Preferences

#### Page 2

grade, which would be significantly more than the current percentage of socio-economically disadvantaged students making up the student population of either BCS or Los Altos School District. . . .

\* \* \*

We would like your help in expediting this admission preference change, so that it could take effect for our Open Enrollment Period for the 2022-2023 school year, which will begin in November 2021. We would like to work with the County to update our Admissions Policies and Procedures and clarify the preference change.

As you are aware, the First Amended Memorandum of Understanding between BCS and SCCOE (“MOU”) specifies that BCS’s preferences may not be amended or deviated from without prior approval of a material revision by the Santa Clara County Board of Education. However, we understand that BCS is proposing the change to its admission preferences in response to the Notice and SCCOE’s specific requirement that BCS take prompt and effective action to implement changes to increase access to admission and diversity in BCS’s student population, effective with the 2022-23 open enrollment process. Moreover, SCCOE also recognizes the ongoing impacts of the COVID-19 pandemic and the need to meet the educational and health and safety needs of our students, staffs, and community during this unprecedented time, and their corresponding impacts on our collective resources and time. As such, I hereby agree to waive the provision of the MOU specifying that any changes to BCS’s admission preferences require approval of a material revision, and instead agree that BCS may on this occasion seek County Board approval of changes to its preferences to increase diversity and equity in access to admission to BCS by submitting a request that the County Board consider and act on such request at a public hearing in accordance with Education Code Section 47605(e)(2)(B).

This waiver of the MOU requirement that proposed changes to BCS’s approved admission preferences require approval of a material revision to its charter is based on the particular facts and circumstances at this time, and is limited exclusively to a request from BCS to revise its preferences on this occasion in response to the Notice. This waiver shall not serve as an ongoing waiver of this or any other provision of the MOU and shall not be a waiver of any breach or default concerning the same or any other provision of the MOU.

As detailed in the Notice, there are multiple student groups that are underrepresented at BCS. SCCOE encourages BCS to consider carefully whether there are additional and/or different admission preferences or changes to its existing preferences for which BCS might concurrently seek County Board approval in order to further advance the goals of increasing

(Continued on next page)

## Bullis Charter School Petition

### Bullis Charter School Admission Preferences

#### Page 3

access to and diversity in enrollment at Bullis. This is an important opportunity for BCS to take meaningful steps to address the concerns described in the Notice.

In order for BCS's request to modify its admission preferences to be included on a County Board agenda, BCS will need to submit the clear and specific terms of the admission preference(s) it is requesting to change/add, including the full list of preferences that specifies where the additional preference(s) fits. Please ensure clarity and specificity in the language proposed by BCS. With respect to the description of the contemplated preference in your August 25<sup>th</sup> letter, quoted above, the language would need to be clear that the 10% determination is based on the number of open spaces at each grade level prior to drawing any names in the lottery, and that any students who qualify for this preference who are not admitted pursuant to this preference will continue to have their names included in any subsequent lottery pools for which they qualify (e.g. all residents of Los Altos School District). We request that you submit this specific preference language by end of business on Monday, **September 13, 2020**, in order for the request to be included on the County Board's October 6, 2021, agenda.

We would appreciate BCS providing some additional information on how many students BCS anticipates being able to enroll pursuant to this new proposed preference for 2022-23. We recognize that BCS cannot be certain at this time, but we are hoping for some insight regarding what BCS anticipates as far as the potential impact of this proposed preference. Please also provide information about how BCS plans to advertise and recruit students who would qualify for the preference should it be approved in order to ensure it has the greatest possible impact.

We note that no other admission preferences at BCS are capped at a specified percentage, so we were wondering what BCS's rationale is for capping the proposed preference for students who qualify for free or reduced-price meals. Similarly, we wondered why BCS has not proposed a corresponding preference for students who reside outside of the Los Altos School District given that there is an out-of-district preference that corresponds to each of BCS's current in-district preferences.

I also wanted to take this opportunity to follow up on the Charter Schools Department's prior request that BCS provide a detailed explanation of how it conducts its admissions drawing. We are seeking further clarity on precisely how the lottery is structured and how BCS actually implements the various preference levels. One particular question is whether, and if so by what process, the sibling preference is implemented when applicants do not have a sibling who currently attends BCS, but multiple siblings are applying for admission in the same year, and one of the siblings is admitted. It would be helpful to SCCOE's understanding if BCS would supplement its explanations with examples. Please also specify

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## Bullis Charter School Petition

### Bullis Charter School Admission Preferences

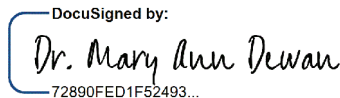
Page 4

how BCS publicly announces the number of openings at each grade level prior to commencing the drawing of names in the lottery.

Please provide all of above-requested additional information – beyond the actual preference language that BCS is seeking to have approved – by **September 20, 2021**. SCCOE also looks forward to receipt of BCS’s full response and corrective action plan as required by the Notice.

Please do not hesitate to contact Charter Schools Department Director Mefula Fairley or me if you have any questions.

Very truly yours,

DocuSigned by:  
  
72890FED1F52493...

Mary Ann Dewan, Ph.D.  
County Superintendent

cc: Mefula Fairley, Director

## Bullis Charter School Petition

# EXHIBIT 9

September 15, 2021

**VIA EMAIL: MaryAnn\_Dewan@sccoe.org**

cc: MFairley@sccoe.org, MJohnson@sccoe.org

Mary Ann Dewan, Ph.D., County Superintendent of Schools  
Santa Clara County Office of Education  
1290 Ridder Park Drive  
San Jose, CA 95131

Dear Dr. Dewan,

Below is the redline version of the proposed admissions preference adjustment for Bullis Charter School. We will provide additional information and response to your questions by Monday, September 20, 2021.

Sincerely,



Maureen Israel  
Superintendent  
Bullis Charter School



Bullis Charter School Petition

2015

## Bullis Charter School Petition

### **H. ADMISSION REQUIREMENTS**

*Admission requirements, if applicable.*

*- California Education Code Section 47605(b)(5)(H)*

Bullis Charter School is nonsectarian in its programs, admission policies, and all other operations. Bullis Charter School does not charge tuition and the school does not discriminate against any pupil based upon any of the characteristics listed in Education Code Section 220.

Bullis Charter School shall admit all pupils who wish to attend Bullis Charter School. No test or assessment shall be administered to students prior to acceptance and enrollment into Bullis Charter School. Bullis Charter School shall comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission, except in the case of a public random drawing, shall not be determined by the place of residence of the pupil or his or her parent or legal guardian within the state.

#### **Admission Requirements**

Bullis Charter School shall require students who wish to attend Bullis Charter School to complete an enrollment form. Enrollment forms are available on-line or in hard copy form in both English and Spanish. After admission, students will be required to submit a registration packet, which shall include the following:

- Student registration form
- Proof of Immunization
- Home Language Survey
- Proof of minimum age requirements, e.g. birth certificate
- Release of records

#### **Immunizations**

California law requires that parents/guardians of all children must submit completed immunization records, or exemption materials, prior to admission of their children in school. School verification of immunizations is to be by written medical records from a physician or immunization clinic. All new and transfer students must present a current immunization record at the time of enrollment. There is no grace period. Pupils who fail to complete the series of required immunizations will be denied enrollment until the series has been completed.

Exceptions are allowed under the conditions provided in SB 277 (2015).

#### **Public Random Drawing**

Applications will be accepted during a publicly advertised open enrollment period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, Bullis Charter School will hold a public random drawing to determine admission for the impacted grade level, with the exception of existing students, who are guaranteed admission in the following school year. All parents of students who completed an enrollment form are



## Bullis Charter School Petition

contacted via their stated preferred means of communication and made aware of the lottery date, time, and location. Public notice for the date and time of the public random drawing will also be posted once the application deadline has passed.

Admission preferences in the case of a public random drawing shall be given to the following students in the following order:

1. Siblings of 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, limited as follows:
  - ~~— For incoming kindergarten classes for the 2017-2018 school year, limited to 20% of total available openings.~~
  - ~~— For incoming kindergarten classes for the 2018-2019 school year, limited to 10% of total available openings.~~For incoming kindergarten classes for the 2019-2020 school year and following, there will be no preference for this category.~~
2. Children who qualify for free or reduced priced meals and reside within the boundaries of the Los Altos School District, limited to 10% of the total openings at each grade level.
3. Children of BCS staff members who reside within the boundaries of the Los Altos School District.
4. Children who reside within the boundaries of the Los Altos School District.
5. Siblings of Bullis Charter School students who reside outside the boundaries of the Los Altos School District but within California.
6. Children of BCS staff members who reside outside the boundaries of the Los Altos School District but within California.
7. Children who qualify for free or reduced priced meals who reside outside the boundaries of the Los Altos School District but within California, limited to 10% of the total openings at each grade level.
8. All other applicants who reside within California.

Any student who qualifies for a preference but is not chosen in the drawing for that preference shall be included in the drawing for each subsequent preference for which he or she qualifies until his or her name is drawn or the sooner conclusion of the lottery. At the conclusion of the public random drawing, any student not granted admission due to lack of capacity shall be given the option to put his or her name on a wait list according to the student's draw in the lottery. This wait list will allow students the option of enrollment in the case of an opening during the current school year. The wait list will not carry over to the following school year.

## Bullis Charter School Petition

Enrollment paperwork is accepted year round. Enrollment forms received after the close of an Open Enrollment Period will be offered admission if a spot is available. If a wait list is already in place, the student will be added to the proper wait list according to the admission preferences.

## Bullis Charter School Petition

# EXHIBIT 10



September 20, 2021

**VIA EMAIL: MaryAnn\_Dewan@sccoe.org**

cc: MFairley@sccoe.org, MJohnson@sccoe.org

Mary Ann Dewan, Ph.D., County Superintendent of Schools  
Santa Clara County Office of Education  
1290 Ridder Park Drive  
San Jose, CA 95131-2304

RE: Bullis Charter School Admission Preferences

Dear Dr. Dewan:

In response to your letter of September 8, 2021, thank you for working with us to facilitate the change to our list of enrollment preferences. We greatly appreciate the County's willingness to help us through this process. You raised several enrollment-related questions and our answers are as follows:

1. Considering additional admission preferences or changes.

BCS is willing to consider further changes to its admission preferences. It is important to note our concerns with relying too heavily on this path. We worry about the legality as a matter of state law and constitutional jurisprudence if we were to institute preferences for Hispanic students (race/ethnicity-based) or based on being an English Language Learner (typically tied to ethnicity and/or national origin). We also have fears about unconstitutional disparate impact on enrollment of Blacks and Asians, who as we all know have been subject to centuries of de jure discrimination at the state and federal levels. We also want to avoid changes that would create conflict within the community, for example replicating a geographic favoritism such as we had before and which BCS eliminated in response to community and County displeasure with it, not to mention threats of legal action. Obviously, we cannot institute a preference based on disability because (1) we cannot ask during the enrollment process whether a child has a disability and (2) many children with disabilities are not identified as such until after they begin to attend school. That said, we would appreciate suggestions and approaches that might help BCS achieve the desired diversity, including changes to enrollment preferences, and would like to continue to work with County staff on possible ways to achieve common goals.

I can confirm that students who do not qualify for a preference continue to have their names included in subsequent lottery pools for which they qualify. This has always been the case and will continue to be.

2. How many students BCS anticipates enrolling with the new FRPM preferences.

We cannot reliably estimate how many students we will enroll with the proposed new preferences, but we expect the change to be statistically significant. Notice of the new preference is already being carried in the local newspapers. We also shall incorporate notice in our greatly expanded media and grassroots multilingual outreach efforts. We are putting boots on the ground in those neighborhoods where we believe the new preference will have the greatest meaning. We also are contacting organizations with ties to these neighborhoods to further disseminate the message. The mere fact of a preference should also help spur those otherwise discouraged by the lottery and waitlist to apply. We more fully describe our efforts to elicit a broader set of enrollment applications in our response to the May 21, 2021 Notice of Concern.





## Bullis Charter School Petition

### 3. Why we proposed a percentage for these new admission preferences.

The only prior unusual preference, for those from the former Bullis-Purissima attendance area, always had a specified attendance cap (ten percent in its final year) so placing a cap on this new preference is not out of the ordinary. It is also sensible since the goal is to approximate the percentage of FRPM-eligible students in the area encompassed by the Los Altos School District. The figure of ten percent is significantly higher than that of the District. It was chosen to give BCS quicker diversification and to be safely above the LASD figure.

(In this regard, we request the County's assistance in determining the actual percentage of in-District FRPM students. If BCS is to be compared to such a figure, it is necessary to know what it is. To date, the District has refused to provide any in-District figures for any of the demographic categories of students that we need to attract.)

We have included a FRPM preference for out-of-district students. That was always the intention. Our original submission and request to you was meant to convey the intent to give preference to FRPM students not the intended scope. We apologize for the lack of clarity.

### 4. Conducting a fair and transparent admission lottery.

With regard to the lottery, it is publicly noticed and always open to the public. Community members are usually in attendance. We note that one or members of the LASD board usually are present to observe as well. We advertise the number of Kindergarten classrooms that we intend to have in the coming year which sets the number of Kindergarten openings. Because current students legally have first priority for the coming year and our grades tend to be fully subscribed, we have very little idea how many openings we shall have in years after Kindergarten. We do encourage students to enroll in successive years but actual openings for any grade are usually in the low single digits.

With regard to the mechanics of the lottery, if a student chosen for a grade has a sibling then when we reach the grade in which the sibling is, that sibling will be included in the sibling lottery pool. An example: If family A has two children in grades K and 5, and the K child is chosen, when we reach the drawing for grade 5 the family's fifth grader will be in the sibling pool. BCS ensures that the lottery is fair and transparent by using a third-party vendor, SchoolMint -- an online registration, lottery, and enrollment system used by thousands of schools across the country.

I have also attached our Enrollment Action Plan, as required by the Notice sent on May 21, 2021. Please let me know if you have other questions or need additional information. We hope to continue working constructively with your office on these new admission preference changes, and on our overall efforts to improve our enrollment and outreach and serve all children and families in our community.

Sincerely,

Maureen Israel  
Superintendent



## Bullis Charter School Enrollment Action Plan

BCS welcomes all children and families. As educators, we know that diversity is one of our strengths, and that all students benefit from learning and growing with friends from different backgrounds. As families who speak dozens of different languages at home, we know the importance of connecting with a strong and supportive school community. These are the foundations of our Enrollment Action Plan, which will ensure that all students can access the BCS experience, and that our enrollment reflects the demographics of the community we serve.

Our Enrollment Action Plan builds on efforts of our Superintendent's Task Force, created in 2019 to improve outreach to underserved students and families, as well as our collaborations with the Santa Clara County Office of Education. The Enrollment Action Plan is designed to attract and welcome new students and families across our community, especially students of all racial and ethnic backgrounds, English Learners, students with disabilities, and students with socioeconomic disadvantages.

There are several key components to our plan, and we'll begin by highlighting some of the steps we've taken since your letter on May 21, 2021:

- Hiring outside professional experts with extensive experience in education and meeting the needs and interests of underserved families in the Bay Area and other communities. Hawk Circle Consulting -- an organization recommended by CCSA -- is developing a comprehensive approach to making Bullis Charter School more inclusive and diversifying our applicant pool and enrollment, including:
  - Coaching and professional development for superintendent, principals and other leaders on centering inclusion in their management and school leadership, including in new student and family recruitment,
  - Engaging multiple stakeholders in developing a long-term vision for BCS rooted in a Theory of Change focused on inclusion and excellent student achievement for all,
  - Creating a robust organizational understanding of Bullis' strengths, weaknesses, opportunities, and threats, specifically related to student diversity, and
  - Providing training for staff and others as needed to ensure BCS continues to support all students and families.
- Expanding our Bullis Summer Camp, a week-long day camp for incoming 2nd-6th graders from Los Altos and Mountain View, which is free for families eligible for the Free and Reduced Price Meal Program. This summer we added a second week of camp as part of our growing partnership with Christopher Elementary School in San Jose. During the week of camp at BCS, we included a kindergarten readiness program to help younger learners prepare for school. This built on our experience running the BCS Stretch to Kindergarten program, in partnership with the Family Engagement Institute at Foothill College. We will stay connected with our Summer Camp families and encourage them to share about their experience at the Bullis Summer Camp with their neighbors and friends.
- Updating our website and related materials to clearly indicate that no monetary donations are required or expected, and to consistently refer to BCS and our programs as "free" rather than "tuition free."





In addition, we have trained staff and volunteers (including those working with the Bullis Boosters Club and the BCS Foundation) on the requirements and prohibitions of the free schools guarantee, and ensured that they will not communicate or imply that donating or volunteering are required, nor have any impact on a student's initial or continued enrollment or participation. BBC volunteers were trained in May, and Foundation volunteers and staff were trained in September.

Those new steps build on other efforts we will continue to improve, including:

- Engaging multiple Community Outreach Coordinators -- working with our Director of Outreach and Communications -- to expand our contact list (preschools, churches, etc.), and communicate directly with those programs to help spread the word about BCS Open Enrollment with their families. In the last year, we have added over 40 additional programs and organizations to our contact list, and many of them will continue to share BCS enrollment information with their families. We are also engaging potential new families directly through social media and online parent chat rooms.

BCS will continue to welcome all families in the Los Altos School District area through advertising and direct mail, and will focus additional efforts in the San Antonio neighborhood, including apartment complexes, preschool programs, churches, temples, and other community centers, and high-visibility areas such as supermarkets, restaurants, and laundromats.

- Hosting new outreach events with preschools and child care programs in the San Antonio neighborhood to help more families with young children see BCS as a great choice, and to invite them to our Parent Information Nights where they'll connect with other families. We will begin our "Kickoff to Kindergarten" outreach with an event at BCS in October, followed by smaller events at preschools and other community programs in the neighborhood.
- Continuing to evaluate and improve our website, advertising, print materials, and social media platforms to demonstrate that BCS welcomes all students. Our images, messages and word choice will highlight the diversity of our community and show that we provide the full continuum of placements and services for students with special needs.
- Continuing to make our application process accessible, by providing a simple written application form (in English, Spanish and Mandarin) at BCS, at our Parent Information Nights and other locations throughout the community, and by hosting application assistance meetings (also in multiple languages) for underserved families.
- Recruiting current BCS families (and staff) as ambassadors, and supporting them with coaching and information resources. We will continue developing materials (in English, Spanish, and Mandarin) and training to help our Bear Guides (who welcome newly enrolled families) and other parent leaders connect with prospective families in many ways, including through:
  - Faith communities, childrens' sports, and community organizations,
  - Child care or preschool programs their children attended,
  - Neighborhood events, and
  - Social media and online parent groups.



Parent leaders play key roles in recruiting and retaining new families by sharing their own BCS experiences, responding to questions, and helping new families fully engage with our school community.

Through our materials and networks, our Enrollment Action Plan emphasizes a few fundamental ideas:

- BCS welcomes ALL families,
- BCS is an excellent public school, FREE and open to ALL students, without any required fees or contributions, and
- Our focus on individualized learning can make a big difference for YOUR child.

As we have discussed with County staff on numerous occasions, and noted in our letters on August 25, 2021, and September 15, 2021, another significant step would be revising our Admissions Policies and Procedures and adding two admission preferences for students who qualify for free and reduced price meals -- one for those students residing within the Los Altos School District, and the second for those students residing outside the Los Altos School District but within California. BCS wants to establish these preferences for up to 10% of our available open spaces by grade, which would be significantly more than the current percentage of socio-economically disadvantaged students in the student population of either BCS or the Los Altos School District.

These admission preference changes would improve chances for students who qualify for FRPM in our public random drawing, and would also help BCS encourage more underserved families to apply. While we cannot reliably estimate how many students we will enroll with these new preferences, we expect them -- and other proactive steps we've outlined in this Enrollment Action Plan -- to make a statistically significant change, beginning in 2022-23 and continuing to grow over time.

We hope to work with the County in an expeditious manner so that these new admission preference changes could take effect with our next Open Enrollment Period, beginning this fall. BCS would develop marketing and communications materials to highlight the changes to prospective families to ensure that the changes have the greatest possible impact.

### **Ongoing Evaluations**

BCS will continue to evaluate our Enrollment Action Plan in order to measure the progress we are making and adjust our strategies accordingly. We are already seeing progress in our current (2021-22) enrollment year:

- Over 40% of our new Kindergarten students are taking the initial English Language Proficiency Assessments for California (ELPAC)
- Students with identified disabilities are 7.2% of our current enrollment, compared to 6.7% last year
- Hispanic students are 4.1% of our current enrollment, compared to 3.3% last year

These initial numbers indicate that our efforts are making a difference, and we will continue to build on -- and evaluate -- that progress. While changes in enrollment are the final measure, we will also continue to track:

- The number of preschool, child care and other community programs that help share our enrollment information with underserved families



## BULLIS charter school

- The number of outreach events we host in the San Antonio neighborhood
- The number of new families who attend our outreach events and activities

We appreciate SCCOE's continued support for our efforts to maintain fair, open, equal, and non-discriminatory admissions at BCS, and we welcome additional suggestions as we implement and improve this Enrollment Action Plan.

## Bullis Charter School Petition

# EXHIBIT 11

## Bullis Charter School Petition

### Agenda Item Details

Meeting	Oct 06, 2021 - Regular Board Agenda (#2289)
Category	8. PUBLIC HEARING AND ACTION
Subject	A. Public Hearing and Approval of the Admission Preferences of the Bullis Charter School
Type	Action
Recommended Action	<p>Staff reviewed the request to modify the admission preferences utilizing the criteria set forth in Education Code Sections 47605. Staff believes the proposed change will increase opportunities for underrepresented students to enroll at BCS as compared to the current preferences.</p> <p>Accordingly, staff recommends the SCCBOE approve the proposed revisions to the admission preferences with the understanding that additional actions and efforts must continue as outlined in BCS's action plan to address the Notice to increase access to and diversity in enrollment and to better align BCS's demographics with LASD and adopt Resolution No. 2289-1 approving and memorializing the revisions to BCS's admission preferences.</p> <p>Staff further recommends that if the SCCBOE adopts Resolution No. 2289-1 revising BCS's admission preferences, BCS should post a copy on its website and include this information in its recruiting and advertising materials in order to ensure the revised admission preferences are clearly memorialized and publicly available.</p>
Goals	<p><a href="#">Santa Clara County Office of Education Goal #1</a></p> <p><a href="#">Santa Clara County Office of Education Goal #2</a></p>

#### **Background**

On September 15, 2021, the Charter Schools Office of the Santa Clara County Office of Education received from Bullis Charter School (BCS) a request to revise the preferences for admission into BCS. BCS is seeking approval to revise its admission preferences in order to increase access to and diversity in enrollment and to better align its student population with that of Los Altos School District (LASD). The Santa Clara County Board of Education (SCCBOE) originally approved the BCS charter on appeal from Los Altos School District (LASD) in 2003, to serve students in grades K-8. BCS has been renewed several times and its current term expires June 30, 2024, due to the two-year term extension granted by recently added Education Code Section 47607.4.

#### **Consideration for Board Decision**

California Education Code Section 47605(e)(2)(A) states that "A charter school shall admit all pupils who wish to attend the charter school" and provides for admission preferences to be permitted by the chartering authority on an individual charter school basis. Section 47605(e)(2)(B) sets forth requirements for any such admission preferences, and specifies, "Each type of preference shall be approved by the chartering authority at a public hearing."

BCS has specified that it is proposing the change to its admission preferences as part of an ongoing effort by SCCOE to work with BCS on increasing enrollment access and diversity at BCS, and specifically in response to the Notice in Accordance with Education Code Section 47607(e) and Notice of Concern sent to BCS on May 21, 2021 ("Notice"). The Notice described serious concerns about the lack of diversity at BCS, and specifically that students who are socioeconomically disadvantaged, who have disabilities, who are English learners, and who are Hispanic are underrepresented at BCS, and the need for BCS to establish and implement a corrective action plan to address these issues. SCCOE specifically recommended in the Notice that BCS consider adding to and revising its admission preferences as appropriate among its actions to remediate these concerns.

BCS proposes that its admission preferences be changed to the following (*the proposed new preferences are indicated in bold font*):

- Siblings of Bullis Charter School students who reside within the boundaries of the Los Altos School District.
- Children who qualify for free or reduced priced meals and reside within the boundaries of the Los Altos School District, limited to 10% of the total openings at each grade level.
- Children of BCS Staff members who reside within the boundaries of the Los Altos School District.
- Children who reside within the boundaries of the Los Altos School District.
- Siblings of Bullis Charter School students who reside outside the boundaries of the Los Altos School District but with California.
- Children of BCS staff members who reside outside the boundaries of the Los Altos School District but within California.
- Children who qualify for free or reduced priced meals who reside outside the boundaries of the Los Altos School District but within California.
- All other applicants who reside within California.

BCS is requesting approval of these modifications so they may take effect for the 2022-23 Open Enrollment period, which begins November 1, 2021.



## Bullis Charter School Petition

BCS's request to modify its admission preferences is attached to this item.

Recommended Action:

Staff reviewed the request to modify the admission preferences utilizing the criteria set forth in Education Code Sections 47605. Staff believes the proposed change will increase opportunities for underrepresented students to enroll at BCS as compared to the current preferences. Accordingly, staff recommends the SCCBOE approve the proposed revisions to the admission preferences with the understanding that additional actions and efforts must continue as outlined in BCS's action plan to address the Notice to increase access to and diversity in enrollment and to better align BCS's demographics with LASD and adopt Resolution No. 2289-1 approving and memorializing the revisions to BCS's admission preferences.

Staff further recommends that if the SCCBOE adopts Resolution No. 2289-1 revising BCS's admission preferences, BCS should post a copy on its website and include this information in its recruiting and advertising materials in order to ensure the revised admission preferences are clearly memorialized and publicly available.

The Charter School Department provides oversight and monitoring for 22 SCCBOE-authorized charter schools. Bullis Charter School was authorized in 2003 and currently serves approximately 1100 students.

[BCS Enrollment Action Plan 2021-22.pdf \(1,584 KB\)](#)

[LASD SCCoE Public Comment\\_06OCT21.pdf \(40 KB\)](#)

[BCS Admission Preference Letter to SCCOE 9.20.21.pdf \(947 KB\)](#)

[BCS Letter To Dr Dewan 9.15.21 - Preference Change.pdf \(1,307 KB\)](#)

[Staff Analysis BCS Changes to Admission Preferences Oct. 6, 2021.pdf \(209 KB\)](#)

[BCS Presentation to SCCBOE 10.6.21.pdf \(210 KB\)](#)

[100621 Resolution Approving Revisions to Bullis Admission Preferences.pdf \(158 KB\)](#)

## Motion & Voting

Staff reviewed the request to modify the admission preferences utilizing the criteria set forth in Education Code Sections 47605. Staff believes the proposed change will increase opportunities for underrepresented students to enroll at BCS as compared to the current preferences. Accordingly, staff recommends the SCCBOE approve the proposed revisions to the admission preferences with the understanding that additional actions and efforts must continue as outlined in BCS's action plan to address the Notice to increase access to and diversity in enrollment and to better align BCS's demographics with LASD and adopt Resolution No. 2289-1 approving and memorializing the revisions to BCS's admission preferences.

Staff further recommends that if the SCCBOE adopts Resolution No. 2289-1 revising BCS's admission preferences, BCS should post a copy on its website and include this information in its recruiting and advertising materials in order to ensure the revised admission preferences are clearly memorialized and publicly available.

Motion by Grace Mah, second by Joseph Di Salvo.

Final Resolution: Motion Carries

Yes: Claudia Rossi, Grace Mah, Joseph Di Salvo, Rosemary Kamei, Peter Ortiz, Victoria Chon, Tara Sreekrishnan

Committed to serving, inspiring and promoting student and public school success

Bullis Charter School Petition



**STAFF ANALYSIS  
BULLIS CHARTER SCHOOL  
REVISION TO ADMISSION PREFERENCES**

October 6, 2021

\* \* \* \* \*

The Santa Clara County Office of Education’s (SCCOE) Charter School Staff received a request submitted on September 15, 2021, by Bullis Charter School (BCS) to the Santa Clara County Board of Education (SCCBOE) to revise BCS’s admission preferences. Specifically, BCS is seeking to add an admission preference for 10% of the total openings at each grade level for students who qualify for free- and reduced-price meals and live within Los Altos School District (LASD), and a lower-ranked preference for students who qualify for free- or reduced-price meals and reside outside of LASD. The proposed changes to BCS’s admissions preferences are one part of a larger plan by BCS to increase the diversity of the student body, to better align the school’s demographics with those of the LASD, and to serve all pupils who wish to attend. Any new admission preferences would require approval of the SCCBOE after a public hearing.

**PROCEDURAL STATUS**

The SCCOE Charter Schools Department received a formal request on September 15, 2021, from BCS to revise its admission preferences.

The First Amended Memorandum of Understanding between BCS and SCCOE (“MOU”) specifies that BCS’s admission preferences may not be amended or deviated from without prior approval of a material revision by the SCCBOE. However, SCCOE is waiving this provision of the MOU because BCS has submitted the request to revise its admission preferences in response to the Notice and SCCOE’s specific requirement that BCS take prompt and effective action to implement changes to increase access to admission and diversity in BCS’s student population, effective with the 2022-23 open enrollment process. Moreover, SCCOE also recognizes the ongoing impacts of the COVID-19 pandemic and the need to meet the educational and health and safety needs of students, staffs, and the community during this unprecedented time, and their corresponding impacts on our collective resources and time. As has been specifically explained to BCS, this waiver of the MOU requirement that proposed changes to BCS’s approved admission preferences require approval of a material revision to its charter is based on the particular facts and circumstances at this time and is limited exclusively to a request from BCS to revise its preferences on this occasion in response to the Notice in Accordance with Education Code Section 47607(e) and Notice of Concern sent to BCS on May 21, 2021. This waiver does not serve as an ongoing waiver of this or any other provision of the MOU and is not a waiver of any breach or default concerning the same or any other provision of the MOU.

**BACKGROUND**

BCS was originally approved by SCCBOE on appeal from LASD in 2003, to serve students in grades K-8. BCS was renewed in 2007, 2011, and 2016; materially changed in 2007, 2008, and 2014; and its current term expires June

## Bullis Charter School Petition

*Bullis Charter School Technical Amendment*

30, 2024, due to the two-year term extension granted under by Education Code Section 47607.4, effective July 1, 2021.

On May 21, 2021, SCCOE sent BCS a Notice in Accordance with Education Code 47607(e) and Notice of Concern (“Notice”) regarding SCCOE’s serious concerns about the lack of diversity at BCS, and specifically that students who are socioeconomically disadvantaged, who have disabilities, who are English Learners, and who are Hispanic, are underrepresented at BCS, and the need for BCS to establish and implement a corrective action plan to address these issues. SCCOE specifically recommended in the Notice that BCS consider adding to and revising its admission preferences as appropriate as part of its plan to remediate these concerns. SCCOE requested that BCS submit its response to the Notice, including its corrective action plan, by the earlier of the date BCS submitted its renewal petition or six weeks prior to its 2022-23 open enrollment period.

On August 25, 2021, BCS contacted SCCOE about changing its admission preferences for implementation as part of BCS’s 2022-23 open enrollment period, which begins on November 1, 2021. On September 15, 2021, BCS formally submitted its request that the SCCBOE approve its proposed revisions to the school’s admission preferences in order to assist BCS in increasing access to and diversity in enrollment and to better align its student population with that of LASD. On September 20, 2021, BCS submitted its “Bullis Charter School Enrollment Action Plan” in response to the Notice, which includes the revised preferences as part of its plan to remediate the concerns documented in the Notice.

### **EDUCATION CODE REQUIREMENTS FOR CHARTER ADMISSION PREFERENCE REVIEW**

Education Code § 47605 (e)(2)(B) states:

If the number of pupils who wish to attend the charter school exceeds the charter 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 school district except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school’s teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all of the following:

- (i) Each type of preference shall be approved by the chartering authority at a public hearing.
- (ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.
- (iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.
- (iv) In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

### **REVIEW OF THE ADMISSION PREFERENCES**

Staff reviewed the proposed admission preferences using the *County Board’s Policy 0420.4 – Charter Schools* and California Education Code section 47605. The results of the staff review are presented below.

## Bullis Charter School Petition

*Bullis Charter School Technical Amendment*

The current BCS admission preferences are as follows:

1. Siblings of Bullis Charter School students who reside within the boundaries of the Los Altos School District.
2. Children of BCS Staff members who reside within the boundaries of the Los Altos School District.
3. Children who reside within the boundaries of the Los Altos School District.
4. Siblings of Bullis Charter School students who reside outside the boundaries of the Los Altos School District but with California.
5. Children of BCS staff members who reside outside the boundaries of the Los Altos School District but within California.
6. All other applicants who reside within California.

On September 15, 2021, BCS proposed to change its admission preferences by adding two preferences for students who qualify for free- and reduced-price meals, one for students residing within LASD boundaries and a second for students living outside LASD boundaries. The combined preferences were intended to be limited to 10% of the total openings at each grade level. In order to clarify and simply the preferences, on September 28, 2021, Bullis provided a slightly revised list of proposed preferences eliminating the 10% cap on the preference for students residing outside LASD:

1. Siblings of Bullis Charter School students who reside within the boundaries of the Los Altos School District.
2. **Children who qualify for free or reduced priced meals and reside within the boundaries of the Los Altos School District, limited to 10% of the total openings at each grade level.**
3. Children of BCS Staff members who reside within the boundaries of the Los Altos School District.
4. Children who reside within the boundaries of the Los Altos School District.
5. Siblings of Bullis Charter School students who reside outside the boundaries of the Los Altos School District but with California.
6. Children of BCS staff members who reside outside the boundaries of the Los Altos School District but within California.
7. **Children who qualify for free or reduced priced meals who reside outside the boundaries of the Los Altos School District but within California.**
8. All other applicants who reside within California.

The proposed preference for LASD residents who are socio-economically disadvantaged will be the second highest priority overall, coming behind the current preference for siblings of BCS students who reside within LASD, and ahead of the children of BCS staff who reside within LASD. The corresponding preference for students who reside outside of LASD will come behind the preferences for siblings and children of staff who reside outside of LASD.

The BCS charter specifies, and BCS has confirmed, that any student who qualifies for a preference but is not chosen in the drawing for that preference shall be included in the drawing for each subsequent preference for which the student qualifies. At the conclusion of the public random drawing, any student not granted admission due to lack of capacity shall be given the option to put their name on a wait list according to the student's draw in the lottery. This wait list will allow students the option of enrollment in the case of an opening during the current school. The wait list will not carry over to the following year.

While it is not possible for Charter Schools Department Staff to know definitively the impact the proposed changes to the preferences will have on the demographics at BCS in the short- and/or the long-term, the proposed preferences do reserve some seats and increase opportunities for socio-economically disadvantaged

## Bullis Charter School Petition

*Bullis Charter School Technical Amendment*

students to be admitted to BCS, as compared to the current admissions preferences. Staff believes that the proposed new admission preferences are a move in the right direction.

### **CONCLUSION**

Staff reviewed the admission preference request utilizing the criteria set forth in Education Code Sections 47605. Staff believes that the proposed changes will increase opportunities for underrepresented students to enroll at BCS as compared to the current preferences. Accordingly, staff recommends that the Board approve the proposed revisions to the admission preferences with the understanding that additional actions and efforts must continue as outlined in BCS's action plan to address the Notice to increase access to and diversity in enrollment and to better align BCS's demographics with LASD and adopt Resolution No. 2289-1 approving and memorializing the revisions to BCS's admission preferences.

Staff further recommends that if the SCCBOE adopts Resolution No. 2289-1 revising BCS's admission preferences, that BCS should post a copy on its website and include this information in its recruiting and advertising materials in order to ensure that the revised admission preferences are clearly memorialized and publicly available.

The Charter Schools Department provides oversight and monitoring for 22 SCCBOE-authorized charter schools. Bullis Charter School was authorized in 2003 and currently serves approximately 1100 students.

Bullis Charter School Petition

**RESOLUTION APPROVING REVISIONS TO THE ADMISSION PREFERENCES  
FOR BULLIS CHARTER SCHOOL**

**SANTA CLARA COUNTY BOARD OF EDUCATION  
RESOLUTION NO. 2289-1:**

RESOLVED by the Santa Clara County Board of Education, County of Santa Clara, State of California, that:

WHEREAS, pursuant to the requirements of Education Code Section 47605(e) Bullis Charter School presented a request to amend the school’s admission preferences to the Santa Clara County Office of Education (hereinafter “County Office of Education”) on September 15, 2021; and

WHEREAS, the Santa Clara County Board of Education (hereinafter “County Board of Education”) held a public hearing on this matter on October 6, 2021; and

WHEREAS, the County Board of Education reviewed Bullis Charter School’s request to revise its admissions preferences, taking into consideration the available information, including the statements made during the public hearing and the review by County Office of Education staff and the requirements of Education Code Section 47605(e).

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the County Board of Education finds the above listed recitals to be true and correct and incorporates them herein by this reference.

BE IT FURTHER RESOLVED AND ORDERED that the County Board of Education hereby approves Bullis Charter School’s revised admissions preferences, which preferences shall be implemented and complied with in full by Bullis Charter School commencing immediately for the enrollment process for the 2022-23 school year. Bullis Charter School’s admissions preferences are now in their entirety as follows:

1. Siblings of Bullis Charter School students who reside within the boundaries of the Los Altos School District.
2. Children who qualify for free or reduced priced meals and reside within the boundaries of the Los Altos School District, limited to 10% of the total openings at each grade level.
3. Children of BCS Staff members who reside within the boundaries of the Los Altos School District.
4. Children who reside within the boundaries of the Los Altos School District.
5. Siblings of Bullis Charter School students who reside outside the boundaries of the Los Altos School District but within California.
6. Children of BCS staff members who reside outside the boundaries of the Los Altos School District but within California.



## Bullis Charter School Petition

7. Children who qualify for free or reduced priced meals who reside outside the boundaries of the Los Altos School District but within California.
8. All other applicants who reside within California.

Passed and adopted by the Santa Clara County Board of Education at a meeting held on this 6 day of October 2021, by the following vote:

AYE:

NO:

ABSTENTION:

ABSENT:

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Claudia Rossi, President  
Santa Clara County Board of Education

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Mary Ann Dewan, Ph.D.  
County Superintendent of Schools  
Santa Clara County Office of Education

## Bullis Charter School Petition

# EXHIBIT 12

## Bullis Charter School Petition



Santa Clara County Office of Education

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

November 18, 2021

***SENT VIA EMAIL ([MISRAEL@BULLISCHARTERSCHOOL.COM](mailto:MISRAEL@BULLISCHARTERSCHOOL.COM))***

Bullis Charter School  
c/o Maureen Israel, Superintendent  
102 West Portola Ave.  
Los Altos, CA 94022

### **Re: Bullis Enrollment Action Plan**

Dear Members of the Board and Ms. Israel:

This correspondence is sent in response to Bullis Charter School's<sup>1</sup> Enrollment Action Plan ("EAP"), developed and submitted in response to the Notice in Accordance with Education Code Section 47607(e) and Notice of Concern ("Notice") issued to BCS on May 21, 2021. As BCS is aware, the Notice detailed the Santa Clara County Board of Education ("SCCBOE") and the Santa Clara County Office of Education's ("SCCOE") concerns that BCS is not serving all students who wish to attend. The Notice notified BCS of SCCBOE/SCCOE's expectation and requirement that BCS take all necessary and appropriate steps to remediate the concerns described in the Notice and that BCS provide and implement a corrective action plan in accordance with the requirements of Education Code Section 47607(e).

SCCOE has reviewed the EAP, in conjunction with BCS's related correspondences of August 25 and September 20, 2021. SCCOE greatly and sincerely appreciates BCS's statements of commitment to increasing enrollment access and equity and to continue working with SCCOE on the EAP, as well as the recent addition of admission preferences for students who qualify for free- or reduced-price meals pursuant to the federal standards.

It must be noted, however, the EAP as submitted does not meet SCCOE's expectations and requirements for remediating the issues identified in the Notice. An overarching concern with the EAP is the omission of any specific projected outcomes or metrics and measures of success. The concerns described in the Notice included detailed demographic information and professional statistical analysis. The EAP, on the other hand, does not

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<sup>1</sup> Bullis Charter School is governed by the Bullis-Purissima Elementary School, a nonprofit public benefit corporation. For purposes of convenience, in this correspondence, Bullis Charter School and the Bullis-Purissima Elementary School nonprofit corporation and its Board of Directors are referred to collectively and interchangeably as "Bullis Charter School" or "Bullis" or "BCS."

## Bullis Charter School Petition

### Bullis Enrollment Action Plan

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identify any anticipated results or measures BCS will use to determine whether the steps it is taking are effecting meaningful change. The EAP states BCS will “evaluate” its progress and “track” certain activities – the number of outreach events it hosts in the San Antonio neighborhood; the number of new families that attend outreach events; and the number of programs that share BCS enrollment information with underserved families. The EAP fails, however, to include projections or even specific desired outcomes or to define how BCS will “evaluate” its progress and whether it is successful, including whether statistically significant progress is being made. Furthermore, the import of “tracking” these particular events and practices is limited given the EAP neither sets forth any goals or commitments for these practices nor identifies how BCS will track the occurrence of these events or whether the events actually translate into additional applications, admissions, and enrollments from the target student groups.

SCCOE has also specifically asked BCS about its projections for the outcomes of its EAP, including, but not limited to, the new enrollment preferences. BCS has repeatedly responded that it is unable to provide such projections or reliable estimates, though it expects the new preferences to result in statistically significant change. SCCOE is concerned that the lack of specific projections, measures, and milestones indicates BCS’s plan is not adequately developed, fact-based, or concrete. While SCCOE understands projections are not exact and BCS cannot guarantee specific results, at the same time, it seems fundamental to a plan of this nature that the changes and actions will be based on projected outcomes and results, and that measures and milestones will be components of the plan.

At the October 6, 2021, SCCBOE meeting, Ms. Israel specified she agreed reaching metrics is important and stated she thinks the first step is getting the new preferences in place, which would help establish a baseline so BCS can understand the metric it needs to address. SCCOE disagrees that the new preferences establish the baseline. BCS has past and current demographic data – including but not limited to the demographic data and statistical analyses included in the Notice – which should both inform and be incorporated into the EAP as well as be used as the baseline and for developing metrics.

The EAP also does not include a plan to analyze critically what actions are and are not effective in reaching the goals of serving a more diverse student population. The EAP states, “BCS will continue to evaluate our Enrollment Action Plan in order to measure the progress we are making and adjust our strategies accordingly.” Again, however, it does not identify any methodology by which BCS will conduct such evaluations or “measure” its progress. The EAP also specifies BCS is “seeing progress” in its 2021-22 enrollment and cites an increased percentage of students with disabilities and students who are Hispanic in 2021-22 compared to 2020-21 as an indication that its “efforts are making a

(Continued on next page)

## Bullis Charter School Petition

### Bullis Enrollment Action Plan

#### Page 3

difference.” SCCOE does not believe the cited changes are necessarily evidence that BCS’s efforts have been effective. To determine what may or may not be working, SCCOE recommends BCS determine a means by which to assess whether these increases resulted from any particular action(s) or effort(s) employed by BCS.

The Notice specified:

BCS must determine how it will resolve the concerns, including the development, submission, and implementation of a corrective action plan, which should also include details and explanations of how the proposal(s) will cure the concern(s). Equity, inclusion, and diversity are complex issues, and determining the most effective means of resolving these concerns is complicated. As such, SCCOE expects that BCS will engage the services of a professional expert(s) to assist in the development of BCS’s corrective action plan, based on the specific facts and circumstances. As noted above, BCS has undertaken some efforts and measures to attempt to remediate these issues, and SCCOE has worked to provide suggestions and insights, but the services of experts on these complex questions is important to the likelihood of success.

The EAP states that BCS has engaged the services of Hawk Circle Consulting, which entity is developing a comprehensive approach to making Bullis Charter School more inclusive and diversifying our applicant pool and enrollment, including:

- o Coaching and professional development for superintendent, principals and other leaders on centering inclusion in their management and school leadership, including in new student and family recruitment,
- o Engaging multiple stakeholders in developing a long-term vision for BCS rooted in a Theory of Change focused on inclusion and excellent student achievement for all,
- o Creating a robust organizational understanding of Bullis' strengths, weaknesses, opportunities, and threats, specifically related to student diversity, and
- o Providing training for staff and others as needed to ensure BCS continues to support all students and families.

The EAP does not include any information about Hawk Circle Consulting or its experience or expertise in addressing the concerns facing BCS, and SCCOE was unable to locate any

(Continued on next page)

## Bullis Charter School Petition

### Bullis Enrollment Action Plan

#### Page 4

relevant information about Hawk Circle Consulting through internet searches. Nor does the EAP include any type of timeline for Hawk Circle Consulting to provide these services or any measures or milestones by which to assess the effectiveness of these services and their real-world impact on BCS's enrollment.

The EAP also does not indicate professional experts or consultants, including Hawk Circle Consulting, assisted BCS in developing its overall EAP to help ensure BCS's plan is founded on fact-based and successful practices to remediate the concerns. This is not to imply the proposed services from Hawk Circle Consulting will not be valuable, but, rather, to explain the information in the EAP about these services is too limited to constitute a corrective action plan or to establish the likelihood of its success. Moreover, SCCOE is concerned it does not appear BCS engaged the services of professional experts in *developing* its overall EAP.

SCCOE also expected BCS to include in its EAP specific strategies proactively to overcome any existing perceptions or misapprehensions about BCS not welcoming/serving all students with disabilities, providing the full continuum of placements and services, and/or requiring or expecting monetary donations. We recognize BCS has updated its materials to specify the school is "free" rather than "tuition free" and that it serves all students. However, as BCS is aware, there have been reports and anecdotal information indicating potential families believe a financial commitment or donation is required or that BCS does not serve all students with disabilities, or students who are socioeconomically disadvantaged or students with disabilities are not welcome at BCS. BCS has repeatedly assured SCCOE that this is not the case. However, it is important not only that BCS is free and open to all students and provides the full continuum of placements and services, but that current and prospective families are aware of those facts and that the culture of the school is welcoming to and supportive of all students and families. SCCOE believes it is necessary for BCS to consider what strategies might be appropriate to overcome these reported perceptions which are contrary to the law and BCS's stated practices. If BCS has considered these concerns and determined no such proactive measures are needed, BCS must provide an explanation of the basis for that determination.

For all these reasons, while the submitted EAP is a start and is appreciated, SCCOE does not find it to be appropriately detailed or measurable enough to constitute an adequate corrective action plan or a means of remediating the concerns expressed by SCCOE over time and specified in the Notice. Again, this is not to discourage BCS from implementing the components described in the EAP, but, rather, to explain the necessity of BCS going further in the development of a workable and measurable plan to address the concerns described in the Notice.

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## Bullis Charter School Petition

### Bullis Enrollment Action Plan

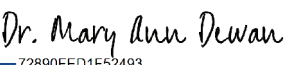
#### Page 5

As always, SCCOE's focus is on our shared expectations and priorities of ensuring fair and equal access to all schools for all students, without regard to any protected characteristics, which includes the need for BCS to make meaningful changes in access to and enrollment at BCS. As previously stated, SCCOE remains sincere and committed in its offer to provide assistance to BCS to create and implement an effective plan whereby BCS can increase its efforts and successes in enrolling a more diverse student population consistent with the letter and spirit of the law. However, BCS is responsible for critically analyzing the causes for the current disparity in enrollment and developing a thorough, practical, results-oriented plan, based on facts and best practices, and calculated to effect change. Such a plan must necessarily include projected impacts and outcomes as well as measures by which BCS will assess the plan's effectiveness and implement further changes if it does not experience the desired and necessary outcomes.

Therefore, a revised and updated EAP, taking account of the concerns, requirements, and expectations in the Notice and the information in this correspondence must be provided by no later than December 17, 2021.

Should you wish to discuss these issues further, please do not hesitate to contact Mefula Fairley, Director of Charter Schools.

Very truly yours,

DocuSigned by:  
  
72890FED1F52493...

Mary Ann Dewan, Ed.D.  
County Superintendent of Schools

cc: Mefula Fairley, Director, Charter Schools Department

## Bullis Charter School Petition

# EXHIBIT 13



December 17, 2021

**VIA EMAIL (MARYANN\_DEWAN@SCCOE.ORG)**

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools  
Santa Clara County Office of Education  
1290 Ridder Park Drive  
San Jose, CA 95131

Re: Response to Santa Clara County Office of Education's November 18, 2021 Letter

Dear Dr. Dewan:

Bullis Charter School ("BCS") hereby responds to the Santa Clara County Office of Education's ("SCCOE") November 18, 2021 letter ("November Letter") regarding BCS's Enrollment Action Plan ("EAP"). We appreciate your feedback on the EAP and your partnership in our efforts to bolster BCS's recruitment and enrollment of an even more diverse student population.

As you know, BCS admits all students who wish to attend in accordance with the law, our charter, and our mission to welcome all children and families. Diversity is one of our strengths. We disagree with the incorrect assumption there is a "current disparity" in enrollment. BCS is more racially and ethnically diverse than the Los Altos School District ("LASD"), and our recent efforts have already increased the enrollment of student groups that SCCOE highlighted as a concern in its May 21, 2021 letter to BCS ("May Letter"), such as students with disabilities and Hispanic or Latino students.

Our comprehensive EAP specifically addressed each of SCCOE's recommendations in the May Letter, so we are surprised by the "overarching concern" described in your November Letter regarding the omission of projected outcomes. In order to accurately evaluate the EAP, we need your help in obtaining LASD's actual, current in-district student data as we believe that LASD enrolls approximately 170 out-of-district students, which are then included in the data posted by CDE and likely amplify LASD's enrollment percentages of certain student groups. Despite our repeated written requests, LASD has not provided that information and we respectfully again seek SCCOE assistance in obtaining this information.

BCS is a school of choice offering enrollment opportunities to all interested families. BCS admits all students who wish to attend, subject to capacity constraints, in compliance with the law. Our capacity is constrained by the limited facilities that LASD allocates to BCS. BCS nonetheless continues to use a fair and transparent admissions process that has been approved by SCCOE's Board of Education ("SCCOE Board") at least seven times. The SCCOE Board recently approved BCS's new admission preferences and we are grateful for your support during that process. The Charter Schools Act requires enrollment at oversubscribed schools to be determined by a public random drawing. Specific percentages of racial or ethnic groups—quotas—are plainly prohibited by Article I, Section 31 of the California Constitution. Rather, the law requires BCS's charter to describe the means by which the school will achieve a student



balance reflective of the general population residing within the territorial jurisdiction (geographic boundaries) of LASD. BCS's charter meets this standard, and moreover, BCS is more racially and ethnically diverse than LASD. (While LASD's enrollment is not the statutory standard, we have been and are willing to set it as an aspirational one.)

### **BCS Enrolls a More Diverse Student Population Than LASD**

Based on published data from the 2020-21 school year that is publicly available on the California Department of Education's DataQuest website, BCS serves a larger percentage than, or at least an equivalent percentage to (i.e., within 0.2%), LASD in roughly two-thirds of the student groups referenced in Education Code section 47605(c)(5)(G)—seven of the eleven categories. Any claim that the remaining student groups - Hispanic or Latino, students with disabilities, English Learners, and students with socioeconomic disadvantages - are somehow "underrepresented" at BCS is grossly exaggerated because BCS serves a comparable percentage of the student groups as LASD schools. BCS largely resembles LASD schools, due in part to the fact that nearly a quarter of all K-8 public school students residing in LASD attend BCS. However, there are many students attending LASD schools who do not reside within LASD.

The November Letter states that the EAP lacks "specific projections, measures, and milestones" for the enrollment of racial, ethnic, and other student groups. As SCCOE is aware, charter schools are not and cannot be required to enroll specific percentages of particular student groups. BCS cannot "guarantee specific [enrollment] results" because BCS is a school of choice required to admit all students and uses a random public drawing to determine enrollment. Moreover, as SCCOE acknowledges in the November Letter, BCS cannot practically "guarantee specific [enrollment] results" because BCS is a school of choice required to admit all students and uses a random public drawing to determine enrollment.

While references are often made to the LASD data available through DataQuest, it is our understanding that LASD enrolls as many as 170 students from nearby districts (e.g., Mountain View Whisman School District and Palo Alto Unified School District) which have higher percentages of certain student groups referenced in the May Letter. Thus, the available State data potentially inflates LASD's enrollment percentages with out-of-district students. To date, LASD has not shared its actual in-district data. BCS cannot verify or respond to any claim of underrepresentation without accurate comparable data of students residing within the area served by the Los Altos School District. Nor can we achieve aspirational goals without the appropriate LASD in-district enrollment data. We respectfully reiterate our request to SCCOE to instruct LASD to provide BCS this data in order.

Nevertheless, this has not deterred us from working diligently and constructively with SCCOE to enhance our recruitment efforts to increase the diversity at BCS. But, BCS cannot fully verify or respond to any claim of underrepresentation without accurate comparable data of students residing within LASD.





### **The Robust EAP is a Long-Term Plan That Addresses SCCOE's Recommendations and Will Help Increase Student Diversity**

Building on the efforts of our Superintendent's Task Force that formed in 2019 to strengthen BCS's outreach to underserved communities, BCS carefully developed the EAP to help recruit and welcome new students and families from across our entire community, especially students of certain categorically favored racial and ethnic backgrounds, students with disabilities, Hispanic or Latino students, students with socioeconomic disadvantages, and English Learners. The EAP incorporates SCCOE's helpful guidance, including the recommendations from the May Letter and input received during meetings with county staff. In response, we have expanded the Bullis Summer Program (free to students with socioeconomic disadvantages); modified admissions preferences with SCCOE's support; and further evaluated, and improved, the BCS website, advertising, print materials, and social media to demonstrate that BCS welcomes all students (e.g., changing references from "tuition free" to "free"). We have provided additional training to staff, families, and volunteers who connect with prospective families to ensure BCS welcomes and supports all students and families; funded hiring of outside experts to assist with strategies to increase student applicant diversity; and expanded outreach to underserved communities.

These efforts are already working. As detailed in the EAP, BCS increased enrollment of students with disabilities by 7.5% (from 6.7% to 7.2%) and Hispanic or Latino students by 24% (from 3.3% to 4.1%) for the 2021-22 school year. Current BCS Hispanic or Latino enrollment is now at 4.4% as of the most recent census date—a 33% increase from 2020-21. This is higher than three of the ten LASD schools. Additionally, 40% of this year's kindergarten class took an English Language Proficiency Assessment in the fall of 2021. We, therefore, expect to see growth in our English Learner student population. Due both to our recently updated admission preference for students with socioeconomic disadvantages and to our extensive outreach, we expect to see increases in enrollment of students with socioeconomic disadvantages. We appreciated SCCOE's support which helped us develop this EAP and recruit new applicants to increase diversity this school year.

### **The EAP Cannot Legally or Practically Impose or Implement Student Enrollment Quotas**

As noted above, the November Letter states that the EAP lacks "specific projections, measures, and milestones" for the enrollment of racial, ethnic, and other student groups. This recommendation appears to suggest enrollment quotas that would subject BCS (and SCCOE) to significant legal risk, in violation of Article I, Section 31 of the California Constitution.<sup>1</sup>

To the extent that SCCOE believes specific enrollment projections are necessary to assess the EAP, the Charter Schools Act provides the relevant metric. The Charter Schools Act provides the relevant

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<sup>1</sup> This provision of the California Constitution was added by Proposition 209 (1996). California voters recently rejected Proposition 16 (2020), which would have repealed Proposition 209.





metric against which BCS should be measured, namely the general population residing within the territorial jurisdiction (geographic boundaries) of the Los Altos School District. BCS will evaluate the EAP aligned with this requirement to ensure that BCS continues to adequately describe such means, with the goal of increasing student diversity in the student groups highlighted by SCCOE. However, as we noted above, we need LASD's in-district student data in order to meaningfully assess the EAP and our success meeting our aspirations. Finally, we know that LASD's demographics vary from year to year, so creating stand-alone enrollment projections is not always practical.

We do want to share with you concerns that we have with the nature of the requests that the SCCOE has made of us. We know that you will be sensitive to these concerns. When we have discussed with the SCCOE and SCBOE Bullis' recent successes of increasing enrollment of students with disabilities and Hispanic or Latino students for the current school year, we were surprised by SCCOE's response questioning whether these successes can be attributed to BCS's ongoing efforts. If success or failure to meet the requested enrollment projections cannot be attributed to BCS's EAP or efforts, it appears arbitrary to include these projections within the EAP in the first place. Moreover, if BCS sets enrollment targets for certain student groups, this would appear to create an unlawful incentive to recruit student groups where BCS serves a lower percentage as compared to LASD (e.g., White, Hispanic or Latino students) to the detriment of other students and families who critics may deem are "overrepresented" (e.g., Asian, Filipino, Two or More Races). Impacting populations that have historically been the subject of discrimination (both by custom and in law) is inconsistent with our mission to welcome all children and families. We hope that you will work with us so that equal opportunity, which is legal and which we have faithfully provided all along, will not—due to unreasonable demands, however well-intentioned—turn into a process that has a discriminatory impact.

The EAP is a long-term, multi-year plan to achieve an even more diverse student population. SCCOE's request for enrollment projections must take into account the practical and legal limitations that preclude an immediate change in BCS's student demographics. First, while BCS recruits and welcomes all applicants, enrollment at the school is ultimately determined by public random drawing. Second, BCS's enrollment is capped by the limited facilities that are allocated by LASD. BCS maintains a long waitlist of interested students for all grade levels, and enrollment opportunities are for the most part limited to incoming kindergarteners. Our incoming kindergarten class is approximately 140 students, and our current enrollment is 1067 students. Well over half of our incoming students would need to be in a particular student group in order to make the sort of immediate change that SCCOE appears to request. Third, in order to help establish a baseline, BCS' legal counsel has engaged King Consulting to monitor the changing population of the geographical area served by LASD. King Consulting's services include providing comprehensive demographic analyses, enrollment projections, and resident projections to school districts and charter schools. Its clients include San Mateo Unified School District, Pleasanton Unified School District, and Napa Valley Unified School District. Its expertise and support analyzing enrollment and general population trends will help us fine-tune our recruitment efforts and EAP. Our EAP will help increase student diversity and help us maintain a student population reflective of the general population residing within LASD. An effective way SCCOE can help BCS increase student diversity





quickly would be to work with us and LASD to ensure that we have access to school facilities that are sufficient for us to increase BCS's *total* enrollment.

### **BCS Will Work with Experts to Consider Other Improvements to the EAP**

The November Letter raises other seemingly minor issues regarding the EAP that could have been addressed with a phone call or through an informal discussion or meeting. First, the November Letter suggests the EAP is deficient for not describing the background of experts hired to assist with the EAP's design and implementation. Our experts' qualifications were not originally requested, so we did not incorporate this information in the EAP. We are happy to provide that information here in response to your recent request. Hawk Circle Consulting, recommended by the California Charter Schools Association, is led by Jenna Stauffer, who has experience founding and leading a charter school in the Bay Area and providing consulting services on diversity, equity, and inclusion to nonprofit organizations. King Consulting, a comprehensive school planning firm, will provide technical data and analysis. Its qualifications are discussed above.

The November Letter also indicates SCCOE expected the EAP to include a plan and methodology to critically analyze what EAP strategies are effective. First, the EAP includes an Ongoing Evaluations section that describes how BCS intends to critically assess recruitment efforts. This includes reviewing the success of outreach activities like preschool, child care, and community programs and outreach events in the San Antonio neighborhood. In alignment with the Charter Schools Act, BCS will use the general population residing within LASD as the metric to assess the EAP's success and ensure the school continues to reflect the general population residing within the Los Altos School District. In addition, we need LASD's in-district data to help guide efforts to reach aspirational goals, as well.

Lastly, the November Letter suggests (inaccurately, we believe) that the EAP lacks specific strategies to proactively overcome any existing perceptions or misapprehensions about BCS not welcoming/serving all students with disabilities, providing the full continuum of placements and services, and/or requiring or expecting monetary donations. The EAP specifically describes our tailored efforts to counter these false assertions, including updating the school website and promotional materials, and bolstering our community outreach with professional development that is centered on inclusion. In response to LASD's false allegations about the diversity of our student population, we have worked diligently to counter their coordinated efforts to discredit our school, staff, and families. We appreciate SCCOE raising this issue because we could use your support in this regard.

At the SCCOE Board's October 6, 2021 meeting, LASD was inappropriately given more time than other speakers (ten minutes rather than two) despite there being no basis for it to have special standing to participate in the hearing. Suggestions that Bullis enrollment be limited run counter to the express language of state law. Moreover, BCS critics made false allegations about BCS's families and claims that BCS's enrollment practices are unlawful. We understand that the Board has no control over what speakers say, but these false assertions appeared to be accepted as fact by SCCOE staff and Board during this public meeting. They were not challenged, which has exacerbated the misperception problems about which you complain. The County has been direct in its criticism of Bullis, and that is appreciated



as it helps us be the best we can be. We believe that the County could also play a salutary role in noting when third party statements are patently false or call for actions that would be illegal under state law.

We appreciated this opportunity to respond to your November Letter. While we believe the EAP sufficiently addresses SCCOE's concerns described in the May Letter, we are considering potential revisions to the EAP. Again, however, we would appreciate your help in obtaining accurate LASD in-district student data.

Thank you again for your guidance and support on our efforts to strengthen student diversity and maintain fair, open, equal, and non-discriminatory admissions at BCS.

Sincerely,



Maureen Israel, Superintendent/Principal  
Bullis Charter School

Bullis Charter School Petition

**EXHIBIT 14**

## Bullis Charter School Petition



Santa Clara County Office of Education

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

March 2, 2022

*SENT VIA EMAIL ([MISRAEL@BULLISCHARTERSCHOOL.COM](mailto:MISRAEL@BULLISCHARTERSCHOOL.COM))*

Bullis Charter School  
Maureen Israel, Superintendent  
102 W. Portola Avenue  
Los Altos, CA 94022

**RE: Bullis Enrollment Action Plan**

Dear Members of the Board and Ms. Israel:

This correspondence is a follow up in the ongoing discussions between Bullis Charter School<sup>1</sup> and the Santa Clara County Office of Education (“SCCOE”) about the matters raised in the Notice in Accordance with Education Code Section 47607(e)<sup>2</sup> and Notice of Concern (“Notice”) issued to BCS on May 21, 2021, and the Enrollment Action Plan (“EAP”) BCS submitted in response thereto, as well as SCCOE’s November 18, 2021, correspondence and BCS’ December 17, 2021, correspondence on these issues.

SCCOE disagrees with BCS’s December 17<sup>th</sup> response to SCCOE’s ongoing concerns with the EAP. SCCOE will not repeat the entire contents of its November 18, 2021, correspondence, but reiterates the concerns as detailed in that letter. Again, the EAP as submitted does not meet SCCOE’s expectations and requirements for remediating the issues identified in the Notice. SCCOE continues to focus on what it trusts are our shared expectations and priorities of ensuring fair and equal access to all schools for all students, without regard to any protected characteristics. SCCOE is aware of and appreciates the changes BCS has made and its stated commitment to these shared goals. SCCOE believes, however, BCS needs to revise its EAP and corresponding practices in order best to address those priorities. SCCOE is concerned the EAP as currently formulated, and BCS’s interpretation of and response to the issues and need for changes that SCCOE noted, will not achieve the necessary and expected outcomes.

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<sup>1</sup> Bullis Charter School is governed by the Bullis-Purissima Elementary School, a nonprofit public benefit corporation. For purposes of convenience, in this correspondence, Bullis Charter School and the Bullis-Purissima Elementary School nonprofit corporation and its Board of Directors are referred to collectively and interchangeably as “Bullis Charter School” or “Bullis” or “BCS.”

<sup>2</sup> All further statutory references are to the Education Code.

## Bullis Charter School Petition



Santa Clara County Office of Education

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

### A. Open Enrollment and Public Random Drawing Outcomes

SCCOE is aware that BCS held its open enrollment period for the 2022-23 school year during the period of November 2, 2021, through February 11, 2022. On behalf of SCCOE, Charter Schools Department Director Mefula Fairley and Associate Director Michelle Johnson attended and observed the public random drawing for enrollment, held on February 19, 2022.

Now that BCS's 2022-23 open enrollment process is complete, SCCOE requires that BCS submit a complete update on and analysis of its results. Please provide a detailed demographic breakdown of the results of the public random drawing, including for the newly admitted students, for the total BCS anticipated enrollment for 2022-23, and for the anticipated enrollment by grade level for 2022-23. Please also provide comparison information to current and previous years as well as detailed information about the number of students who applied for admission using the newly approved preferences for students who qualify for free or reduced priced meals. Please distinguish between the separate preferences for students who reside within and outside of Los Altos School District's ("LASD") boundaries, and provide the data separately for the number of students who applied for admission using each preference and the number who were offered admission using that preference, versus placed on the waitlist.

Additionally, when BCS provided its demographic breakdown for 2021-22 based on its open enrollment and drawing process, it did not have definitive information because, prior to enrollment and completion of certain documentation and assessments, BCS was uncertain how many newly enrolled students might be in the English learner, socio-economically disadvantaged, and/or special education student groups. At this point in the school year, however, BCS should have that information available. Please provide that demographic breakdown, including by both the students newly admitted to BCS for 2021-22 and the total BCS enrollment, and include a comparison to BCS's demographics for 2020-21.

### B. TK Pilot Program

SCCOE understands BCS is contemplating a full-day TK pilot program to provide increased opportunities for socio-economically disadvantaged students. Please provide an update on the plan for that pilot program and its current status.

### C. BCS's December 17, 2021, Correspondence

#### 1. LASD In-District Demographics

## Bullis Charter School Petition



Santa Clara County Office of Education

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

BCS asserts the “relevant metric against which BCS should be measured [is] the general population residing within the territorial jurisdiction (geographical boundaries) of the Los Altos School District.” BCS states it needs LASD demographic information about the students who reside within LASD boundaries, because LASD enrollment of students from outside of its boundaries “potentially inflates LASD’s enrollment percentages with out-of-district students.”

As explained in the Notice, the Charter Schools Act of 1992 (Ed. Code 47600 *et seq.*, “CSA”) has always required every charter to include a description of the means by which the school will achieve a balance of racial and ethnic pupils reflective of the general population residing in the school district in which the charter school is located – in BCS’s case, this is LASD. That requirement has now been expanded also to require the means by which the charter school will achieve a balance of special education pupils and English learner pupils reflective of the population of the district in which it operates. (§ 47605(c)(5)(G).) As a result, the demographics of the LASD residents is a pertinent metric against which to measure BCS’s enrollment diversity and compliance with the law. As requested by BCS, SCCOE has asked LASD to provide the demographic breakdown for the students who reside within LASD’s boundaries.

Nevertheless, SCCOE does not agree that this is the only relevant metric in assessing the matters at issue. As an initial matter, SCCOE is concerned by the following statement from BCS’s December 17, 2021, correspondence: “Rather, the law requires BCS’s charter to describe the means by which the school will achieve a student balance reflective of the general population residing within the territorial jurisdiction (geographic boundaries) of LASD. BCS’s charter meets this standard and, moreover, BCS is more racially and ethnically diverse than LASD.” The implication of BCS’s statement is that it has complied fully with the legal standard simply by including a description of the proposed means of achieving the requisite racial and ethnic balance in its charter, irrespective of implementation of those means and/or achievement of the stated goal. If that is BCS’s position, it is one with which SCCOE disagrees. Naturally, if the plan described in the charter is not working and achieving the necessary results, the charter school is not excused from achieving those results simply because it has a plan written into its charter, even if that plan is not working or is not being implemented. Rather, as specified in the BCS charter, it is necessary on an ongoing basis for BCS to monitor the adequacy of its plan, efforts, and results and make adjustments as necessary in order to be able to pursue and achieve the plans and standards set forth in its charter.

Moreover, the CSA includes a variety of additional requirements and prohibitions mandating nondiscrimination and equity in access to and ongoing enrollment in charter schools, and this issue is not limited only to the charter’s inclusion of the description of



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Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

the means of achieving a balance reflective of the population residing within the pertinent school district set forth in Section 47605(c)(5)(G). As also specified in the Notice, “the CSA has been revised to include a finding that the charter school is demonstrably unlikely to successfully implement the program set forth in its charter because it is not serving all students who wish to attend as a separate cause for denying renewal of any charter school. That cause for denial is clearly and directly related to the concerns with access and diversity in BCS’s enrollment that BCS itself previously agreed to work with SCCOE to correct.” As such, SCCOE encourages BCS not to take too narrow or limited an approach in addressing the concerns set forth in the Notice and the November 18<sup>th</sup> correspondence.

### 2. Projections, Measures, and Milestones

For all of the reasons detailed in the November 18, 2021, correspondence, SCCOE is concerned with the lack of specific projections, measures, and milestones in BCS’s EAP. As stated in that letter, “While SCCOE understands projections are not exact and BCS cannot guarantee specific results, at the same time, it seems fundamental to a plan of this nature that the changes and actions will be based on projected outcomes and results, and that measures and milestones will be components of the plan.” There must also be a plan to analyze critically which of BCS’s actions and components of its EAP are and are not effective in reaching the goals of serving a more diverse student population and achieving the purposes of the EAP.

To be clear, contrary to BCS’s stated concerns, SCCOE is not in any way indicating or implying BCS should establish unlawful enrollment quotas or otherwise violate Article 1, Section 31 of the California Constitution, and nothing in SCCOE’s November 18<sup>th</sup> correspondence can reasonably be interpreted as having such a meaning. The EAP itself specifies it “is designed to attract and welcome new students and families across our community, especially students of all racial and ethnic backgrounds, English Learners, students with disabilities, and students with socioeconomic disadvantages.” The EAP’s purpose is to help achieve change.

Such a plan cannot be expected to be successful if it is either created or implemented in a vacuum. Nor can it be based on an assumption that it will simply have the intended results without any means of projecting the likely results, whether those projected results are consistent with the goals and purposes of the EAP, or critically analyzing and assessing whether the outcomes are consistent with projections and expectations or whether the EAP is actually working. Projections, measures, and milestones do not establish quotas, but rather, help guide the appropriate development, implementation, audit, and adjustment of the EAP to achieve its goals. Using these metrics for the important purposes of assessing the effectiveness of and improving the EAP does not violate the

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Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

law. BCS's apparent misunderstanding of and response to SCCOE's expectations and concerns themselves exacerbate the issue. They imply that BCS did not develop the EAP in reliance on data and evidence or by considering likely outcomes and projections and means of measuring the effectiveness of the EAP, which are all fundamental to a plan of this nature. These are also reasons SCCOE recommended BCS use the services of a professional(s) with experience and expertise in these areas in developing this plan, to help ensure the plan is based on evidence and experience of what has and likely will work. Again, having, implementing, measuring the effectiveness of, and adjusting as appropriate a plan to increase outreach, diversity, and inclusion is not equivalent to establishing unlawful enrollment quotas or denying or limiting access to enrollment for other pupils. Nor does increasing outreach efforts to underrepresented groups mean limiting opportunities for others, including student groups who "have historically been the subject of discrimination (both by custom and in law)."

BCS also misinterprets SCCOE's statements about the need for BCS to analyze critically the effects of the EAP and the SCCOE's concern that the enrollment changes BCS cited to are not necessarily evidence that BCS's efforts to date have been effective. BCS's December 17<sup>th</sup> letter states, "If success or failure to meet the requested enrollment projections cannot be attributed to BCS's EAP or efforts, it appears arbitrary to include these projections within the EAP in the first place." Of course, SCCOE did not say success or failure cannot be attributed to the EAP or BCS's efforts. Rather, SCCOE's point is that BCS cannot simply assume any and all changes in its enrollment are necessarily attributable to its "efforts" and/or the EAP, nor that each component of the EAP or step taken by BCS is having the hoped for or an equivalent impact. Instead, BCS must do the follow up work of assessing whether what it is doing is having positive effects and what components of the EAP may be less successful or even having no effect or a negative effect.

After acknowledging SCCOE's expectation that BCS critically analyze whether its strategies are effective, BCS's December 17<sup>th</sup> letter defends its plan, stating, "First, the EAP includes an Ongoing Evaluations section that describes how BCS intends to critically assess recruitment efforts. This includes reviewing the success of outreach activities like preschool, childcare, and community programs and outreach events in the San Antonio neighborhood." However, as SCCOE previously noted, the EAP does not identify any methodology by which BCS will conduct such evaluations or measure its progress, but, instead, seems simply to assume any changes in enrollment it has experienced are direct results of BCS's actions. The entire "Ongoing Evaluations" section of the EAP consists of a statement that "BCS will continue to evaluate our Enrollment Action Plan in order to measure the progress we are making and adjust our strategies accordingly," a statement

## Bullis Charter School Petition



Santa Clara County Office of Education

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

of reported “progress” in 2021-22 enrollment, and a commitment to “track” the following:

- The number of preschools, childcare and other community programs that help share our enrollment information with underserved families
- The number of outreach events we host in the San Antonio neighborhood
- The number of new families who attend our outreach events and activities

Again, tracking the number of events held or even the number of people who attend those events is not enough, alone, to constitute a critical analysis of the impact of those events or the rest of the EAP. The issue is not only if BCS has a specific number of preschool events but whether those events resulted in information actually being shared with underserved families and, then, if those families who attended those events actually applied for admission to BCS. The goal is not to hold preschool or community events, but to engage families with the result that they actually apply for admission. These essential components are missing from the “Ongoing Evaluations” section of the EAP.

Similarly, SCCOE does not agree BCS can assume the steps that it has taken are enough proactively to overcome any existing perceptions or misapprehensions about BCS not welcoming/serving all students with disabilities, providing the full continuum of placements and services, and/or requiring or expecting monetary donations. Again, BCS emphasizes it has updated its website (e.g., changing references from “free tuition” to “free”) and is bolstering its community outreach with professional development centered on inclusion. As with the other aspects of the EAP, SCCOE is asking BCS to actually determine appropriate and evidence-based means of assessing the effectiveness of its efforts to counter these concerns and take further steps if such steps are necessary. Again, BCS appears to be assuming the steps it has taken are adequate and effective, but it has identified no factual basis for that conclusion or any means of endeavoring to ascertain the accuracy of that assumption.

BCS’s December 17<sup>th</sup> correspondence indicates BCS will work with experts to consider other improvements to the EAP and is considering potential improvements to the EAP. SCCOE hopes the services being provided by the consultants will assist BCS in the development of revisions to make the EAP a more detailed, workable, and measurable plan for addressing the concerns set forth in the Notice. SCCOE would appreciate an update on any changes that BCS is contemplating or making to the EAP.

### D. Conclusion

## Bullis Charter School Petition



Santa Clara County Office of Education

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

In its December 17<sup>th</sup> correspondence, BCS also asserts its enrollment capacity and ability to address the concerns in the Notice are “constrained by the limited facilities LASD allocates to BCS” and indicates SCCOE could work with LASD and BCS relative to the allocation of LASD facilities to BCS. As BCS is aware, BCS’s entitlement to LASD facilities and how and what LASD allocates to BCS pursuant to “Proposition 39” (Section 47614 and its implementing regulations) is a legal process between BCS and LASD. SCCOE is not a party to that process and does not have authority over it.

For all of the reasons described in the November 18, 2021, correspondence and explained above, SCCOE continues to believe the EAP is not appropriately detailed or measurable enough to constitute an adequate corrective action plans or means of remediating the concerns specified in the Notice. As explained in the Notice, BCS’s success in remediating the issues raised therein and serving all students who wish to attend is an important consideration relative to BCS’s future operations and renewal. SCCOE encourages BCS to reconsider its position as expressed in its December correspondence and to revise the EAP in order to address these concerns and make the EAP as meaningful and effective as possible in advancing the interests of all students in ensuring the admissions process is fair, transparent, equal, and that no students are discouraged or inhibited from applying to and enrolling in BCS for any reason.

SCCOE looks forward to BCS’s provision of this information. If you have any questions, please do not hesitate to contact Mefula Fairley, Director, Charter Schools Department at [mfairley@sccoe.org](mailto:mfairley@sccoe.org) or (408) 453-3605.

Very truly yours,

A handwritten signature in cursive script that reads "Mary Ann Dewan".

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

cc: Mefula Fairley, Director, Charter Schools Department

## Bullis Charter School Petition

# EXHIBIT 15

## Bullis Charter School Petition



**BULLIS CHARTER SCHOOL**  
102 West Portola Avenue  
Los Altos, CA 94022  
Tel: 650.947.4100 Fax:  
650.947.4989  
[www.bullischarterschool.com](http://www.bullischarterschool.com)



March 31, 2022

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools  
Santa Clara County Office of Education  
1290 Ridder Park Drive  
San José, CA 95131-2304

Dear Dr. Dewan:

I am following up on your letter of March 2, 2022 to Bullis Charter School Superintendent Maureen Israel. I believe we better understand what you are requesting of Bullis and the concerns you detail. We are hard at work revising the Enrollment Action Plan ("EAP") in the manner you have requested.

I thought it would be helpful to summarize specifically the County requests so that we would have a very specific checklist to guide us. I list below what I drew from your letter. We would be most appreciative if you or your staff would review the list and let us know if we are missing, misunderstand, or mischaracterize anything.

### List of requested actions

1. Provide a detailed demographic breakdown of the results of the public random drawing:
  - a. For the newly admitted students,
  - b. For the total BCS anticipated enrollment for 2022-23, and
  - c. For the anticipated enrollment by grade level for 2022-23.
2. Compare said information to prior years.
3. Provide detailed information about the number of students who [completed registration packets] using the newly approved preferences for students who qualify for free or reduced priced meals.
4. Distinguish between the separate preferences for students who reside within and outside of Los Altos School District's ("LASD") boundaries.
5. Provide data separately for the number of students who [completed registration packets] for each preference and the number who were offered admission using that preference, versus placed on the wait list.
6. Provide the demographic breakdown for English learners, socio-economically disadvantaged students, and special education student groups,
  - a. For students newly admitted to BCS for 2021-22
  - b. For the total BCS enrollment
7. Compare to BCS's demographics for these categories (a&b) for 2020-21.
8. Provide an update on the full-day TK pilot program and its current status.



## Bullis Charter School Petition



**BULLIS CHARTER SCHOOL**  
102 West Portola Avenue  
Los Altos, CA 94022  
Tel: 650.947.4100 Fax:  
650.947.4989  
[www.bullischarterschool.com](http://www.bullischarterschool.com)



9. Project outcomes and results, including projections, measures, and milestones that will be components of the plan.
10. Provide a description of the means by which BCS will achieve a balance of racial, ethnic, special education and English learner pupils reflective of the general population residing in the school district in which the charter school is located – in BCS's case, this is LASD.
11. Define the plan to analyze critically which of BCS's actions and components of its EAP are and are not effective in reaching the goals of serving a more diverse student population and achieving the purposes of the EAP. Goal is to guide the development, implementation, audit, and adjustment of the EAP to achieve these goals.
12. Identify the methodology by which BCS will conduct such evaluations and measure progress. For example, did specific preschool events result in information being shared with underserved families and, if so, did those families who attended those events actually complete [enrollment] forms? Were they drawn in the lottery? Did they attend?
13. SCCOE has expressed concerns about perceptions regarding whether BCS is welcoming to students with disabilities: Determine appropriate and evidence-based means of assessing the effectiveness of BCS efforts to counter these concerns and take further steps if such steps are necessary.
14. Make the EAP more detailed, workable, and measurable in order to addressing the concerns set forth in the Notice.
15. Update SCCOE with respect to any changes that BCS is contemplating or making to the EAP.

\* \* \*

Please let us know if there are revisions to be made to the foregoing list. We appreciate your ongoing assistance and guidance as we work to respond to your requests and to address County Office of Education concerns.

Sincerely yours,

Ä("&#\$)Ä "Ä!"%%

Francis La Poll  
Board Chair  
Bullis Charter School

## Bullis Charter School Petition

# EXHIBIT 16

## Bullis Charter School Petition



Santa Clara County Office of Education

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

April 8, 2022

*SENT VIA EMAIL ([FRANCIS@LAPOLL.COM](mailto:FRANCIS@LAPOLL.COM))*

Francis La Poll, Board Chair  
Bullis Charter School  
102 W. Portola Avenue  
Los Altos, CA 94022

### **RE: Demographic Data and Enrollment Action Plan**

Dear Mr. La Poll:

The Santa Clara County Office of Education (“SCCOE”) appreciates your letter of March 31, 2022, confirming that Bullis Charter School (“BCS”) is working on revising its Enrollment Action Plan (“EAP”), consistent with SCCOE’s requests. We also welcome your effort to confirm your understanding of the information and the changes to the EAP that SCCOE requested, in order to ensure an accurate and efficient response.

While to a large extent your letter accurately captured SCCOE’s requests and concerns, there are a few points we believe it is helpful to clarify. For ease of reference, the following clarifying paragraphs include an italicized reference to the numbered paragraph(s) in your letter:

- (2) The comparison of the public random drawing results to prior years should include comparison to 2021-22.
- (3, 5, 12) The District has made multiple requests for data related to students who applied to attend BCS, but your letter in summarizing those requests has revised the reference from “applications” to “completed registration packets” and “enrollment forms.” SCCOE is not entirely clear what BCS means by these terms, though, of course, applications for admission are required to be minimal (as described in the MOU between BCS and SCCOE), may not include student records information, and precede enrollment at BCS. The SCCOE’s questions were intended to ask about applications for admission, by whatever terminology BCS uses for such applications. To the extent that applications for admission differ from completed “registration packets” and/or “enrollment forms,” and BCS believes that additional information related to persons who completed those documents is relevant to SCCOE’s understanding of BCS’ enrollment and demographics, please feel free also to include that information.

(Continued on next page)

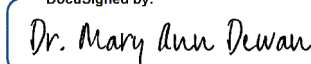
Bullis Charter School Petition  
Demographic Data and Enrollment Action Plan  
Page 2

- (6 & 7) Please also include this information and comparison broken down by grade level.
- (8) In providing the update on the full-day TK pilot program and its status, please ensure that the explanation describes how the program will work and how it is intended/expected to provide additional opportunities for socioeconomically disadvantaged students.
- (13) In addition to concerns about perceptions or misapprehensions regarding whether BCS is welcoming to students with disabilities, SCCOE also raised concerns about perceptions and/or misapprehensions that BCS does not serve all students with disabilities, that BCS does not offer the full continuum of placements and services, and/or that BCS requires or expects monetary donations from pupils/families. Therefore, the appropriate and evidence-based means of assessing the effectiveness of BCS' efforts to counter these concerns and take further steps as necessary should address each of these areas.

Again, thank you for taking the time to seek clarity on these issues in order that BCS' efforts may be as complete, informative, and productive as possible. SCCOE looks forward to BCS's provision of this information. SCCOE anticipates that BCS will be able to provide the enrollment and demographic data from its recent open enrollment public random drawing before its revised EAP, and would appreciate BCS providing that data on or before Monday, April 25, 2022.

If you have any additional questions, please do not hesitate to contact Charter Schools Department Director Fairley or me.

Very truly yours,

DocuSigned by:  
  
72890FED1F52493...  
Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

cc: Mefula Fairley, Director, Charter Schools Department

## Bullis Charter School Petition

# EXHIBIT 17



When the public lottery is completed, BCS informs the families of accepted applicants, and asks the families to either accept or decline a space as soon as possible, so that BCS can continue their enrollment process or offer the space to another family. However, completing the registration paperwork can take some time. In the initial lottery, we offered 190 spots for the 2022-23 school year, with the vast majority (136) of these spots being to incoming TK/K students. As new spots become available (when we learn of current families who may be leaving for the 2022-23 school year or offered families decline a spot) we continue to offer to those currently on the waitlist.

Because our enrollment process remains fluid prior to the start of the 2022-2023 school year, we will be able to provide complete demographic information after the start of the school year as we will know which students matriculate and have access to additional data collected. We believe it is essential to wait for that data, so that everyone can assess how our Enrollment Action Plan is working, and make fair comparisons with enrollment and demographic trends at LASD.

As requested, here is detailed demographic information for the 2021-22 school year.

Ethnicity	Total	Grade K	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8
Black/African Am	2	1	0	0	0	0	0	0	0	1
Asian	606	81	91	73	74	62	77	56	43	49
Filipino	13	1	1	4	2	2	1	1	0	1
Hispanic	47	7	3	7	2	11	8	1	5	3
Nat Hawn/Other Pac Islndr	2	0	0	0	0	1	1	0	0	0
White	209	27	17	15	25	25	29	33	15	20
Multiple	156	17	17	22	18	24	9	18	16	13
Missing	32	3	5	11	8	1	0	1	1	2
<b>Total</b>	<b>1067</b>	<b>137</b>	<b>134</b>	<b>132</b>	<b>132</b>	<b>126</b>	<b>125</b>	<b>110</b>	<b>82</b>	<b>89</b>

Race/Ethnicity Counts	Black/A	Asian	Filipino	Hispanic	Nat Hawn	White	Multiple	Missing	Total Students
# of Students	2	606	13	47	2	209	156	32	1067

ELAS Categories	EO	IFEP	EL	RFEP	TBD	Total Students
# of Students	588	266	61	152	0	1067
Percentage	55.1%	24.9%	5.7%	14.2%	0.0%	

Additional Data	SED	SPED	Total Students
# of Students	14	75	1067
Percentage	1.3%	7.0%	

Grade	English Only (EO)	Initial Fluent English Proficient (IFEP)	English Learner (EL)	Reclassified Fluent English Proficient (RFEP)	To Be Determined (TBD)	Total
KN	71	43	22	1	0	137
01	61	40	13	20	0	134
02	99	42	8	13	0	132
03	82	29	4	17	0	132
04	66	28	7	23	0	126
05	71	30	2	22	0	125
06	83	19	4	24	0	110
07	56	18	1	7	0	82
08	47	17	0	25	0	89
<b>Total</b>	<b>588</b>	<b>266</b>	<b>61</b>	<b>152</b>	<b>0</b>	<b>1067</b>

While we do not have complete enrollment data for 2022-23, there are three positive preliminary data points revealed during the enrollment process which suggest that the EAP is working, and that BCS is making progress toward our shared goals of providing fair and equal access to all students.

### 1. Kindergarten/TK enrollment

Most families stay at BCS once they've enrolled, so most of our Open Enrollment spaces each year are in Kindergarten and Transitional Kindergarten (TK). Enrollment in Kindergarten/TK are leading indicators for how our enrollment and demographics are changing. For example, a newly enrolled K/TK student may have siblings who will benefit from the sibling preference in coming years.





While the data for Kindergarten/TK enrollment is still preliminary (as a result of the lottery), we have made offers to 5 K/TK students who are eligible for Free and Reduced Price Meals (FRPM). This is in line with the demographics of LASD, which enrolled 14 Socioeconomically Disadvantaged (SED) students in Kindergarten in 2021-22, and 15 SED students in Kindergarten in 2020-21. (BCS enrolls approximately 24% of all public school students in the Los Altos School District area – in 2021-22, BCS enrollment = 1,067 and LASD enrollment = 3,347.)

Again, since most families stay at BCS once they've enrolled, we anticipate the number of FRPM-eligible students will continue to grow with each new Kindergarten class.

## 2. Families qualifying for Free and Reduced Price Meals (FRPM)

This was the first year that BCS offered a preference for families eligible for Free and Reduced Price Meals (FRPM). Here are preliminary totals for applicants who have identified themselves as being eligible for FRPM for all grades (including K/TK) as of May 2:

- In-district applicants eligible for FRPM - 12
- Out-of-district applicants eligible for FRPM - 31

All of the 12 in-district applicants eligible for FRPM have been offered enrollment for 2022-23, and we are optimistic they will all enroll this fall, which would nearly double the number of FRPM-eligible students that we serve. Though we have over 30 additional FRPM-eligible students on the waitlist, at this point BCS has not offered enrollment to **any** out-of-district applicants (FRPM-eligible or otherwise) due to the large number of in-district families interested in BCS and the 8% limit on out-of-district students imposed by our facilities agreement with LASD.

## 3. Results of expanded outreach efforts

Our expanded outreach in key neighborhoods is already helping us reach more FRPM-eligible families, including applicants who live outside the LASD area. We will continue to evaluate and expand these targeted outreach efforts, adding to recent improvements, including:

- Our contact list of preschool and child care programs, churches, temples, and other community organizations has doubled in the last two years, and now includes more than 80 programs in our community. BCS contacted each of these programs directly (by email or phone) in November and in January to highlight Open Enrollment and our Parent Information Nights and to offer flyers and resources they can share with families. With the pandemic and the rise in omicron during January (when a vast majority of our outreach happens), we were unable to host events at outside locations. We anticipate that being able to host events and visit locations in person for the 2023-24 enrollment year will allow us to track the number of individuals that we connect with during our outreach efforts.



- Our outreach staff distributed flyers on Saturdays in November, December and January outside Walmart, Kohl's, and other stores in the San Antonio Center. We distributed over 100 flyers to families at these locations.
- As in previous years, BCS staff and families posted flyers and yard signs at key locations in the San Antonio neighborhood, including in local public parks.
- Even with the restraints of COVID, hundreds of families participated in our Parent Information Nights:
  - On November 18 (an elementary school session), 28 attended in person, and 139 joined online;
  - On December 8 (a middle school session), 16 people attended in person, and 53 joined online;
  - On January 27 (an elementary school session) 180 joined online. There was no in-person option due to omicron.
  - On February 3, BCS parents hosted an "Ask Me Anything" webinar for potential new families, and 232 people joined online.

From what we have been able to track (if families left the same email address at an info night as they used when applying) at least 70% of the families who attended one of the Parent Information Nights completed an application through our Open Enrollment.

BCS will continue to analyze the effectiveness of the new FRPM preference and consider appropriate adjustments. A few examples are below:

- While the Enrollment Form already asks how a family heard about BCS, it limits families to selecting one option (e.g. Word of Mouth **or** flyer). We'd like to adjust this form to allow families to select multiple options (e.g. Word of Mouth **and** a flyer in the community). This can help us ascertain which methods of outreach are most effective.
- We would like to host or attend a minimum of 10 in-person outreach events – such as visiting local preschools or hosting a table at a community fair – which were canceled or reduced this year because of COVID-19 health considerations.
  - Tracking participation in these events (via email addresses or parent name) will allow us to see which families later submit an application for enrollment.
- In addition to our Parent Information Nights, we will host three on-campus visits, where potential new families can see our teachers and students in action.

As we've outlined, preliminary data show positive signs that our Enrollment Action Plan – including targeted outreach efforts in key neighborhoods and the new preference for FRPM-eligible families – is working. We will continue to update you when we have reliable data about enrollment for 2022-23, and we will continue asking LASD for better data about their out-of-district enrollment, so that we can all make fair and clear comparisons. We welcome any advice you may have to help us continue building on this progress.

## Bullis Charter School Petition

# EXHIBIT 18

## Bullis Charter School Petition

From: [Mefula Fairley](#)  
To: [Maureen Israel](#)  
Subject: Data Request  
Date: Wednesday, September 7, 2022 12:33:00 PM  
Attachments: [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

---

Hi Maureen,

I hope the new school year is going well. I am reaching out to request two sets of data:

1. Lottery Data

- a. For 2022-23, the total number of students offered admission vs. the total number offered admission and actually enrolled
- b. Total admitted/enrolled for 2022-23 by subgroup and grade level
- c. Comparison of subgroup data for students admitted/enrolled in 2022-23 to students admitted/enrolled in previous four years
- d. Total number of students offered admission using preference number two vs. the total number offered admission using preference number two and actually enrolled
- e. Subgroup data for student admitted/enrolled using preference number two
- f. Total number of students offered admission using preference number seven vs. the total number offered admission using preference number seven and actually enrolled
- g. Subgroup data for student admitted/enrolled using preference number seven

2. 2022-23 data file with fields for 1) enrollment or lottery date and 2) district resident/non-district resident

Please submit this data immediately following Census Day or by October 9, 2022, at the latest.

Thanks.

Mefula



**Mefula Fairley**  
Executive Director  
Charter Schools Department  
Santa Clara County Office of Education  
1290 Ridder Park Drive MC 234  
San Jose, CA 95131-2304  
(408) 453-3605  
[mfairley@sccoe.org](mailto:mfairley@sccoe.org)

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Pronouns: she/her/hers

## Bullis Charter School Petition

# EXHIBIT 19

## Bullis Charter School Petition

**Michelle Johnson**

**From:** Maureen Israel <misrael@bullischarterschool.com>  
**Sent:** Monday, October 10, 2022 4:00 PM  
**To:** Mefula Fairley  
**Subject:** Fwd: Data Request

Hi Mefula,

Thanks for your patience. I've been down two front office staff all year and Charles has been out on medical leave, so we've had limited hands able to pull data for you. I've included lottery data below and we're working on getting the entire 22-23 data file - we should have that by the end of week. I'm not exactly sure what subgroups you were looking for, so we've added EL here. Let me know if there is something else you are looking for with subgroups.

Best,  
 Maureen

- For 2022-23, the total number of students offered admission vs. the total number offered admission and actually enrolled as of 1st day of school: **307 offered | 159 enrolled**
- Total admitted/enrolled for 2022-23 by subgroup and grade level and comparison of subgroup data for students admitted/enrolled in 2022-23 to students admitted/enrolled in previous four years as of 1st day of school:

	2022-2023			2021-2022			2020-2021			2019-2020			2018-2019		
Grade	#	EL	FRL	#	EL	FRL	#	EL	FRL	#	EL	FRL	#	EL	FRL
<b>Totals</b>	<b>159</b>	<b>37</b>	<b>9</b>	<b>189</b>	<b>27</b>	<b>N/A</b>	<b>206</b>	<b>42</b>	<b>N/A</b>	<b>266</b>	<b>35</b>	<b>N/A</b>	<b>145</b>	<b>20</b>	<b>N/A</b>
%		23%	6%		13%			20%			13%			14%	
TK/K	110	32	5	106	24		115	27		119	23		89	17	
1	12	3	1	18	1		16	4		31	3		15	2	
2	6	0	0	16	0		22	5		19	2		5	0	
3	11	2	1	15	2		14	2		25	1		3	0	
4	3	0	0	11	0		13	1		31	3		3	0	
5	9	0	2	11	0		9	1		18	1		2	0	
6	0	0	0	0	0		7	0		18	2		11	1	
7	4	0	0	10	0		8	2		4	0		11	0	
8	4	0	0	2	0		2	0		1	0		6	0	

- Total number of students offered admission using preference number two vs. the total number offered admission using preference number two and actually enrolled as of 1st day of school:  
**12 offered | 9 enrolled | 1 on waiting list**
- Subgroup data for student admitted/enrolled using preference number two

Grade	# Enrolled	EL
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## Bullis Charter School Petition

<b>TOTALS</b>		<b>9</b>	<b>2</b>
TK/K		5	1
1		1	1
2		0	0
3		1	0
4		0	0
5		2	0
6	0 (1 waitlist)		0
7		0	0
8		0	0

- Total number of students offered admission using preference number seven vs. the total number offered admission using preference number seven and actually enrolled as of 1st day of school:

**Unable to enroll any students under preference seven due to limitations on out of district students in the facilities agreement with Los Altos. 30 out of district students are on the waitlist under preference seven as of the 1st day of school.**

- Subgroup data for student admitted/enrolled using preference number seven

**N/A**

----- Forwarded message -----

From: **Mefula Fairley** <[mfairley@sccoe.org](mailto:mfairley@sccoe.org)>

Date: Wed, Sep 7, 2022 at 12:33 PM

Subject: Data Request

To: Maureen Israel <[misrael@bullischarterschool.com](mailto:misrael@bullischarterschool.com)>

Hi Maureen,

I hope the new school year is going well. I am reaching out to request two sets of data:

1. Lottery Data

- For 2022-23, the total number of students offered admission vs. the total number offered admission and actually enrolled

- Total admitted/enrolled for 2022-23 by subgroup and grade level

## Bullis Charter School Petition

- a. Comparison of subgroup data for students admitted/enrolled in 2022-23 to students admitted/enrolled in previous four years
- b. Total number of students offered admission using preference number two vs. the total number offered admission using preference number two and actually enrolled
- c. Subgroup data for student admitted/enrolled using preference number two
- d. Total number of students offered admission using preference number seven vs. the total number offered admission using preference number seven and actually enrolled
- e. Subgroup data for student admitted/enrolled using preference number seven

2. 2022-23 data file with fields for 1) enrollment or lottery date and 2) district resident/non-district resident

Please submit this data immediately following Census Day or by October 9, 2022, at the latest.

Thanks.

Mefula



**Mefula Fairley**

Executive Director

Charter Schools Department

Santa Clara County Office of Education

1290 Ridder Park Drive MC 234

San Jose, CA 95131-2304

(408) 453-3605

[mfairley@sccoe.org](mailto:mfairley@sccoe.org)

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Bullis Charter School Petition



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## Bullis Charter School Petition

# EXHIBIT 20

## Bullis Charter School Petition

From: [Maureen Israel](#)  
To: [Mefula Fairley](#)  
Subject: Re: Data Request  
Date: Monday, October 17, 2022 3:22:55 PM  
Attachments: [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[2022-2023 BCS Data File NEW.xlsx](#)

---

Hi Mefula,

Thanks for the reminder of what that file looked like last year - attached the version from this year.

Some of this data is still being cleaned for the state's December deadline, so happy to send you a more complete/finalized version when we submit it then.

Best,  
Maureen

On Mon, Oct 17, 2022 at 9:46 AM Mefula Fairley <[mfairley@sccoe.org](mailto:mfairley@sccoe.org)> wrote:

Hi Maureen,

Thanks for sending this updated data. I was also expecting a student data file (similar to the attached) with 2022-23 data and including a field indicating in district/out of district residency. Can you get that to me today?

Mefula



### **Mefula Fairley**

Executive Director

Charter Schools Department

Santa Clara County Office of Education

1290 Ridder Park Drive MC 234

San Jose, CA 95131-2304

(408) 453-3605

[mfairley@sccoe.org](mailto:mfairley@sccoe.org)

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Pronouns: she/her/hers

## Bullis Charter School Petition

---

**From:** Maureen Israel <[misrael@bullischarterschool.com](mailto:misrael@bullischarterschool.com)>  
**Sent:** Friday, October 14, 2022 5:18 PM  
**To:** Mefula Fairley <[mfairley@sccoe.org](mailto:mfairley@sccoe.org)>  
**Subject:** Re: Data Request

Hi Mefula,

Here is the new student demographic data, in comparison to previous year new student demographic data. We have enrolled three out-of-district 8th graders this year; all other enrolled students are in district.

The enrollment date for all students in the attached file is the first day of school (8.16.22)

Have a great weekend,  
Maureen

On Mon, Oct 10, 2022 at 4:14 PM Mefula Fairley <[mfairley@sccoe.org](mailto:mfairley@sccoe.org)> wrote:

Hi Maureen,

Thanks for sending this data. Please provide race/ethnic subgroup data and SpEd if you have students entering with IEPs.



**Mefula Fairley**

Executive Director

Charter Schools Department

Santa Clara County Office of Education

1290 Ridder Park Drive MC 234

San Jose, CA 95131-2304

(408) 453-3605

[mfairley@sccoe.org](mailto:mfairley@sccoe.org)



## Bullis Charter School Petition

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Pronouns: she/her/hers

**From:** Maureen Israel <[misrael@bullischarterschool.com](mailto:misrael@bullischarterschool.com)>

**Sent:** Monday, October 10, 2022 4:00 PM

**To:** Mefula Fairley <[mfairley@sccoe.org](mailto:mfairley@sccoe.org)>

**Subject:** Fwd: Data Request

Hi Mefula,

Thanks for your patience. I've been down two front office staff all year and Charles has been out on medical leave, so we've had limited hands able to pull data for you. I've included lottery data below and we're working on getting the entire 22-23 data file - we should have that by the end of week. I'm not exactly sure what subgroups you were looking for, so we've added EL here. Let me know if there is something else you are looking for with subgroups.

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Maureen

- For 2022-23, the total number of students offered admission vs. the total number offered admission and actually enrolled as of 1st day of school: **307 offered | 159 enrolled**
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	2022-2023			2021-2022			2020-2021			2019-2020			2018-2019		
Grade	#	EL	FRL	#	EL	FRL	#	EL	FRL	#	EL	FRL	#	EL	FRL
Totals	159	37	9	189	27	N/A	206	42	N/A	266	35	N/A	145	20	N/A
%		23%	6%		13%			20%			13%			14%	

## Bullis Charter School Petition

TK/K	110	32	5	106	24		115	27		119	23		89	17	
1	12	3	1	18	1		16	4		31	3		15	2	
2	6	0	0	16	0		22	5		19	2		5	0	
3	11	2	1	15	2		14	2		25	1		3	0	
4	3	0	0	11	0		13	1		31	3		3	0	
5	9	0	2	11	0		9	1		18	1		2	0	
6	0	0	0	0	0		7	0		18	2		11	1	
7	4	0	0	10	0		8	2		4	0		11	0	
8	4	0	0	2	0		2	0		1	0		6	0	

- Total number of students offered admission using preference number two vs. the total number offered admission using preference number two and actually enrolled as of 1st day of school:

**12 offered | 9 enrolled | 1 on waiting list**

- Subgroup data for student admitted/enrolled using preference number two

Grade	# Enrolled	EL
<b>TOTALS</b>	<b>9</b>	<b>2</b>
TK/K	5	1
1	1	1
2	0	0
3	1	0
4	0	0
5	2	0
6	0 (1 waitlist)	0
7	0	0
8	0	0

- Total number of students offered admission using preference number seven vs. the total number offered admission using preference number seven and actually enrolled as of 1st day of school:

**Unable to enroll any students under preference seven due to limitations on out of district students in the facilities agreement with Los Altos. 30 out of district students are on the waitlist under preference seven as of the 1st day of school.**

- Subgroup data for student admitted/enrolled using preference number seven

## Bullis Charter School Petition

N/A

----- Forwarded message -----

From: **Mefula Fairley** <[mfairley@sccoe.org](mailto:mfairley@sccoe.org)>

Date: Wed, Sep 7, 2022 at 12:33 PM

Subject: Data Request

To: Maureen Israel <[misrael@bullischarterschool.com](mailto:misrael@bullischarterschool.com)>

Hi Maureen,

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### 1. Lottery Data

- a. For 2022-23, the total number of students offered admission vs. the total number offered admission and actually enrolled
  
- a. Total admitted/enrolled for 2022-23 by subgroup and grade level
  
- a. Comparison of subgroup data for students admitted/enrolled in 2022-23 to students admitted/enrolled in previous four years
- b. Total number of students offered admission using preference number two vs. the total number offered admission using preference number two and actually enrolled
- c. Subgroup data for student admitted/enrolled using preference number two
- d. Total number of students offered admission using preference number seven vs. the total number offered admission using preference number seven and actually enrolled
- e. Subgroup data for student admitted/enrolled using preference number seven

## Bullis Charter School Petition

2. 2022-23 data file with fields for 1) enrollment or lottery date and 2) district resident/non-district resident

Please submit this data immediately following Census Day or by October 9, 2022, at the latest.

Thanks.

Mefula



**Mefula Fairley**

Executive Director

Charter Schools Department

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[mfairley@sccoe.org](mailto:mfairley@sccoe.org)

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Bullis Charter School Petition

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## Bullis Charter School Petition

# EXHIBIT 21

# Bullis Charter School Update on Notice in Accordance with *Education* Code 47607(e) and Notice of Concern

November 16, 2022

Equity • Diversity • Inclusion • Partnership

# Overview

- Background
- Standard for Renewal
- Review of Data
- Key Takeaways



# Background

- Community tension and disputes
- SCCBOE concerns about lack of diversity
- February 2020 correspondence to Bullis
- July 2020 Charter Schools Act revisions
- May 2021 47607(e) Notice and Notice of Concern
- Two-year extension of charter term (term initially set to expire June 2022)
- Bullis Charter School Enrollment Action Plan implementation and results

# New Legal Basis for Denial

## Factors for Denial

- Facing substantial fiscal or governance difficulties
- Not Serving all pupils wishing to attend

## Procedural Prerequisites

- Plan for corrective action required
- Unsuccessful corrective action
- Violations too severe and pervasive to render viable

# Bullis' Admission Preferences

1. Siblings of Bullis students who reside within the boundaries of LASD
2. **Children who qualify for FRPM and reside within the boundaries of LASD, limited to 10% of total openings at each grade level**
3. Children of Bullis staff who reside within the boundaries of LASD
4. Children who reside within the boundaries of LASD
245. Siblings of Bullis students who reside outside the boundaries of LASD but within California
6. Children of Bullis staff who reside outside the boundaries of LASD but with in California
7. **Children who qualify for FRPM who reside outside the boundaries of LASD but within California**
8. All other applicants who reside within California

# Bullis' Enrollment Action Plan

- Expand Bullis summer camp
- Outreach to preschool North of El Camino Real
- Update website and social media
- Emphasize Bullis is a free charter school

# Lottery Results for 2022-23 Enrollment

## 2022-23 Admission by Subgroup and Grade Level

	2022-2023			2021-2022			2020-2021			2019-2020			2018-2019		
	#	EL	FRL	#	EL	FRL	#	EL	FRL	#	EL	FRL	#	EL	FRL
Totals	159	37	9	189	27	N/A	206	42	N/A	266	35	N/A	145	20	N/A
%		23%	6%		13%			20%			13%			14%	
TK/K	110	32	5	106	24		115	27		119	23		89	17	
1	12	3	1	18	1		16	4		31	3		15	2	
2	6	0	0	16	0		22	5		19	2		5	0	
3	11	2	1	15	2		14	2		25	1		3	0	
4	3	0	0	11	0		13	1		31	3		3	0	
5	9	0	2	11	0		9	1		18	1		2	0	
6	0	0	0	0	0		7	0		18	2		11	1	
7	4	0	0	10	0		8	2		4	0		11	0	
8	4	0	0	2	0		2	0		1	0		6	0	

## 2022-23 Admissions and Enrollment

- 900+ applications received
- 307 students offered a seat
- 159 students enrolled
- 12 students offered a seat under preference #2
  - 9 enrolled
  - 1 on waitlist
- 30 out-of-district students on waitlist under preference #7

# Change Over Time

Percentage Point Change in Student Demographics at Bullis Charter School and LASD

Subgroup	Bullis Charter		LASD	
	1 Year Change	5 Year Change	1 Year Change	5 Year Change
Hispanic/Latino	-0.7	0.1	-0.2	1.8
EL	0.1	-4.2	0.1	-2.8
SED	0.6	0.3	0.6	1.4
SWD	-1.0	0.3	-0.2	0.8

Note: 1-Year changes exclude inter-district transfers at both BCS and LASD.

Statistically Significant Increase

Statistically Significant Decrease



Comparison of Student Demographics in Bullis Charter School and Los Altos School District



- BCS has a significantly **lower** proportion of Hispanic/Latino students in 2022-23 than does LASD
- BCS has a significantly **lower** proportion of English Learners in 2022-23 than does LASD
- BCS has a significantly **lower** proportion of Socioeconomically Disadvantaged students in 2022-23 than does LASD.
- BCS has a significantly **lower** proportion of Students with Disabilities in 2022-23 than does LASD.

Comparison of Student Demographics in Bullis Charter School and Los Altos School District (Excluding Inter-District Transfers)



## Percentage Point Differences in Student Demographics Between Bullis Charter School and LASD

Subgroup	2021-22		2022-23	
	Kindergarten	First Grade	Kindergarten	First Grade
Hispanic/Latino	-3.8	-6.9	-5.7	-0.6
EL	-0.7	-10.0	7.6	-9.4
SED	-4.7	-6.6	-2.4	-3.8
SWD	-3.5	-1.4	-1.8	-4.1

Statistically Significantly Higher ( $p < 0.10$ )

Statistically Significantly Lower ( $p < 0.10$ )

## Percentage Point Differences in Student Demographics Between Bullis Charter School and LASD

Subgroup	2021-22		2022-23	
	Kindergarten	First Grade	Kindergarten	First Grade
Hispanic/Latino	-3.8	-7.0	-6.1	-0.4
EL	-1.3	-10.9	5.6	-9.4
SED	-4.8	-6.7	-2.6	-3.7
SWD	-3.5	-1.4	-1.7	-4.9

248

Note: Inter-district transfer students at both BCS and LASD are excluded.

- Statistically Significantly Higher ( $p < 0.10$ )
- Statistically Significantly Lower ( $p < 0.10$ )

## One Year Change in Student Demographics at Bullis Charter School and LASD

Subgroup	Bullis Charter		LASD	
	Kindergarten	First Grade	Kindergarten	First Grade
Hispanic/Latino	-3.3	5.0	-1.3	-1.3
EL	11.2	-2.4	2.9	-3.0
SED	4.5	-0.7	2.2	-3.6
SWD	2.4	-5.0	0.7	-2.3
Statistically Significantly Higher (p < 0.10)				
Statistically Significantly Lower (p < 0.10)				

# One Year Percentage Point Change in Student Demographics at Bullis Charter School and LASD

Subgroup	Bullis Charter		LASD	
	Kindergarten	First Grade	Kindergarten	First Grade
Hispanic/Latino	-2.8	4.8	-0.6	-1.9
EL	10.0	-1.9	3.0	-3.4
SED	4.7	-0.6	2.6	-3.6
SWD	2.4	-5.8	0.6	-2.2

Note: Inter-district transfer students at both BCS and LASD are excluded.

Statistically Significantly Higher (p < 0.10)

Statistically Significantly Lower (p < 0.10)



# Key Takeaways

## K-8 Data

- When compared to LASD, BCS continues to have lower proportions of students who are Hispanic/Latino, English learners, socioeconomically disadvantaged, and students with disabilities
- When excluding out-of-district students, the proportion of students with disabilities at Bullis is not statistically out of proportion with LASD
- Change will take time to impact other grade levels

## K-1 Data

- The small data set makes strong conclusions difficult to draw
- BCS' efforts appear to have made some impact at kindergarten
- Change will take time to impact other grade levels

## Bullis Charter School Petition

# EXHIBIT 22

STATISTICAL ANALYSES OF BCS AND LASD DEMOGRAPHICS

Key Takeaways

- As of the 2022-23 academic year, the proportions of Los Altos Elementary School District's student body that are Hispanic/Latino, English learners, socioeconomically disadvantaged, and with disabilities are significantly higher than those of BCS.
- From 2017-18 to 2022-23, BCS observed a significant decrease in the proportion of its student body that are English learners.
- From 2017-18 to 2022-23, no meaningful differences were observed in the proportion of BCS's student body that are Hispanic/Latino, socioeconomically disadvantaged or with disabilities.
- From 2017-18 to 2022-23, LASD observed a significant increase in the proportion of Hispanic/Latino students and socioeconomically disadvantaged students, and a significant decrease in the proportion of students who are English Learners.

Table 1. Comparison of Bullis Charter School (BCS) and Los Altos School District (LASD) Student Enrollment for Select Student Groups (2022/23)

Student Group	BCS	LASD	Z Score	p-value	Decision
Hispanic/Latino Students	4.3%	9.4%	-5.25	< 0.001	Significantly less
Students who are English Learners	5.9%	10.3%	-4.21	< 0.001	Significantly less
Students who are Socioeconomically Disadvantaged	1.9%	7.6%	-6.54	< 0.001	Significantly less
Students with Disabilities	7.2%	9.5%	-2.24	0.03	Significantly less
Total Enrollment (Count)	1,031	3,354	NA	NA	NA

Notes: Z-Score proportion difference tests are two-tailed with *a* prior alpha level set at 0.05.

- BCS has a significantly **lower** proportion of Hispanic/Latino students in 2022-23 than does LASD
- BCS has a significantly **lower** proportion of English Learners in 2022-23 than does LASD
- BCS has a significantly **lower** proportion of Socioeconomically Disadvantaged students in 2022-23 than does LASD.
- BCS has a significantly **lower** proportion of Students with Disabilities in 2022-23 than does LASD.

Table 2. Comparison of Bullis Charter School (BCS) and Los Altos School District (LASD) Student Enrollment for Select Student Groups EXCLUDING Out-of-District BCS Students (2022/23)

Student Group	BCS	LASD	Z Score	p-value	Decision
Hispanic/Latino Students	3.4%	9.4%	-5.91	< 0.001	Significantly less
Students who are English Learners	6.0%	10.6%	-4.26	< 0.001	Significantly less
Students who are Socioeconomically Disadvantaged	1.8%	7.8%	-6.55	< 0.001	Significantly less
Students with Disabilities	7.1%	9.1%	-1.86	0.06	Not significant
Total Enrollment (Count)	938	3,202	NA	NA	NA

Notes: Z-Score proportion difference tests are two-tailed with *a priori* alpha level set at 0.05.

- Excluding inter-district transfers:
  - BCS has a significantly **lower** proportion of Hispanic/Latino students in 2022-23 than does LASD
  - BCS has a significantly **lower** proportion of English Learners in 2022-23 than does LASD
  - BCS has a significantly **lower** proportion of Socioeconomically Disadvantaged students in 2022-23 than does LASD.
  - There is no statistically significant difference in the proportion of Students with Disabilities between BCS and LASD in 2022-23.

**Table 3. Comparison of Bullis Charter School (BCS) and Los Altos School District (LASD) Student Enrollment for Select Student Groups EXCLUDING LASD Interdistrict Transfers (2022-23)**

Student Group	BCS	LASD	Z Score	p-value	Decision
Hispanic/Latino Students	4.27%	9.37%	5.214	< 0.0001	Significantly less
Students who are English Learners	5.92%	10.62%	4.484	< 0.0001	Significantly less
Students who are Socioeconomically Disadvantaged	1.94%	7.78%	6.682	< 0.0001	Significantly less
Students with Disabilities	7.18%	9.09%	1.901	0.057	Not significant
<b>Total Enrollment (Count)</b>	<b>1031</b>	<b>3202</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>

**Notes:** Z-Score proportion difference tests are two-tailed with a *priori* alpha level set at 0.05.

- Excluding LASD students with interdistrict transfer agreements, the proportion of Hispanic/Latino students enrolled at LASD is significantly higher than the proportion enrolled at BCS in 2022-23.
- Excluding LASD students with interdistrict transfer agreements, the proportion of English learners enrolled at LASD is significantly higher than the proportion enrolled at BCS in 2022-23.
- Excluding LASD students with interdistrict transfer agreements, the proportion of socioeconomically disadvantaged students enrolled at LASD is significantly higher than the proportion enrolled at BCS in 2022-23.
- There is no significant difference between the proportion of students with disabilities enrolled at LASD and the proportion enrolled at BCS in 2022-23, excluding LASD students with interdistrict transfer agreements.

Table 4. Percent Change in Bullis Charter School Enrollment for Select Student Groups (2017/18 to 2022/23)

Student Group	2017/18 Percent	2022/23 Percent	Z Score	p-value	Decision
Hispanic/Latino Students	4.2%	4.3%	0.07	0.94	Not Significant
Students who are English Learners	10.1%	5.9%	-3.39	< 0.001	Significant Decrease
Students who are Socioeconomically Disadvantaged	1.6%	1.9%	0.56	0.58	Not Significant
Students with Disabilities	6.9%	7.2%	0.24	0.81	Not Significant
<b>Total Enrollment</b>	<b>879</b>	<b>1,031</b>			

**Notes:** Z-Score proportion difference tests are one-tailed with a *priori* alpha level set at 0.05.

- The share of English Learners at BCS has statistically significantly **decreased** since the 2017-18 school year.
- There are no statistically significant differences in the share of Hispanic/Latino students, socioeconomically disadvantaged students, or students with disabilities between the 2017-18 and the 2022-23 school years.



Table 5. Percent Change in Bullis Charter School Enrollment for Select Student Groups (2021/22 to 2022/23)

Student Group	2021/22 Percent	2022/23 Percent	Z Score	p-value	Decision
Hispanic/Latino Students	4.4%	4.3%	-0.15	0.88	Not Significant
Students who are English Learners	5.7%	5.9%	0.20	0.85	Not Significant
Students who are Socioeconomically Disadvantaged	1.3%	1.9%	1.14	0.26	Not Significant
Students with Disabilities	7.0%	7.2%	0.13	0.90	Not Significant
<b>Total Enrollment</b>	<b>1,067</b>	<b>1,031</b>			

Notes: Z-Score proportion difference tests are one-tailed with a *priori* alpha level set at 0.05.

- There are no significant differences in the share of Hispanic/Latino students, English Learners, socioeconomically disadvantaged students, or students with disabilities at BCS between the 2021-22 and 2022-23 school years.

Table 6. Percent Change in Bullis Charter School Enrollment for Select Student Groups (2021/22 to 2022/23) EXCLUDING Inter-District Transfer Students

Student Group	2021/22 Percent	2022/23 Percent	Z Score	p-value	Decision
Hispanic/Latino Students	4.1%	3.4%	-0.80	0.42	Not Significant
Students who are English Learners	5.9%	6.0%	0.10	0.92	Not Significant
Students who are Socioeconomically Disadvantaged	1.2%	1.8%	1.17	0.24	Not Significant
Students with Disabilities	8.2%	7.1%	-0.87	0.38	Not Significant
<b>Total Enrollment</b>	<b>1,005</b>	<b>938</b>			

Notes: Z-Score proportion difference tests are one-tailed with a *priori* alpha level set at 0.05.

- There are no significant differences in the share of Hispanic/Latino students, English Learners, socioeconomically disadvantaged students, or students with disabilities at BCS between the 2021-22 and 2022-23 school years when excluding inter-district transfers.

Table 7. Percent Change in LASD Enrollment for Select Student Groups (2017/18 to 2022/23)

Student Group	2017/18 Percent	2022/23 Percent	Z Score	p-value	Decision
Hispanic/Latino Students	7.6%	9.4%	2.82	0.01	Significant increase
Students who are English Learners	13.1%	10.3%	-3.84	< 0.001	Significant decrease
Students who are Socioeconomically Disadvantaged	6.2%	7.6%	2.38	0.02	Significant increase
Students with Disabilities	8.7%	9.5%	1.14	0.25	Not Significant
<b>Total Enrollment</b>	<b>4403</b>	<b>3354</b>			

Notes: Z-Score proportion difference tests are one-tailed with a *priori* alpha level set at 0.05.

- The share of Hispanic/Latino students at LASD has statistically significantly **increased** since the 2017-18 school year.
- The share of English Learners at LASD has statistically significantly **decreased** since the 2017-18 school year.
- The share of socioeconomically disadvantaged students at LASD has statistically significantly **increased** since the 2017-18 school year.
- There was no significant change in the share of Students with Disabilities at LASD since the 2017-18 school year.

Table 8. Percent Change in LASD Enrollment for Select Student Groups (2021/22 to 2022/23)

Student Group	2021/22 Percent	2022/23 Percent	Z Score	p-value	Decision
Hispanic/Latino Students	9.6%	9.4%	-0.29	0.77	Not Significant
Students who are English Learners	10.2%	10.3%	0.08	0.94	Not Significant
Students who are Socioeconomically Disadvantaged	7.0%	7.6%	0.87	0.39	Not Significant
Students with Disabilities	9.7%	9.5%	-0.32	0.75	Not Significant
<b>Total Enrollment</b>	<b>3347</b>	<b>3354</b>			

Notes: Z-Score proportion difference tests are one-tailed with a *priori* alpha level set at 0.05.

- There are no significant differences in the share of Hispanic/Latino students, English Learners, socioeconomically disadvantaged students, or students with disabilities at LASD between the 2021-22 and 2022-23 school years.

Table 9. Percent Change in LASD Enrollment for Select Student Groups (2021/22 to 2022/23) EXCLUDING Inter-District Transfers

Student Group	2021/22 Percent	2022/23 Percent	Z Score	p-value	Decision
Hispanic/Latino Students	9.4%	9.4%	-0.03	0.98	Not Significant
Students who are English Learners	10.6%	10.6%	-0.03	0.97	Not Significant
Students who are Socioeconomically Disadvantaged	7.2%	7.8%	0.86	0.39	Not Significant
Students with Disabilities	9.4%	9.1%	-0.38	0.70	Not Significant
<b>Total Enrollment</b>	<b>3347</b>	<b>3354</b>			

**Notes:** Z-Score proportion difference tests are one-tailed with a *priori* alpha level set at 0.05.

- There are no significant differences in the share of Hispanic/Latino students, English Learners, socioeconomically disadvantaged students, or students with disabilities at LASD between the 2021-22 and 2022-23 school years when excluding inter-district transfers.

# Bullis Charter School Petition

## EXHIBIT 4

### Bullis Responses to Reaffirmation and Accompanying Documents

# Bullis Charter School Petition

October 10, 2023

**Sent Via Email: mdewan@sccoe.org**

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools  
Santa Clara County Office of Education  
1290 Ridder Park Drive  
San Jose, CA 95131

**Re: Response to August 4, 2023 “Notice in Accordance with Education Code Section 47607(e) and Notice of Concern”**

Dear Superintendent Dewan:

I write on behalf of Bullis Charter School (“Bullis” or “BCS”) in response to the Santa Clara County Office of Education’s (“SCCOE”) August 4, 2023 letter. We remain steadfast in our commitment to student diversity (as BCS demonstrated through concrete actions and results) and working in partnership with SCCOE to address questions and concerns. At the same time, we must reiterate our fundamental disagreement with SCCOE’s central allegation. BCS, a high performing charter school, is not and cannot be anywhere remotely near the zone of possible non-renewal under Education Code Section 47607(e) simply because its student population does not precisely “mirror” that of the Los Altos School District (“LASD” or the “District”) as closely as some SCCOE representatives would like it to. We have extensively responded to and addressed this issue at-length in prior letters to SCCOE. Inexplicably, SCCOE did not respond to our detailed information and analysis and did not attach or even reference that correspondence in the August 4, 2023 letter. We have attached two important examples here for reference. (*See* Attachment 1A [October 11, 2019 letter] and Attachment 1B [May 5, 2021 letter].)

We begin by affirming that there is no requirement that a charter school “mirror” the demographics of the district where it is located. Rather, there is a requirement that charter petitioners, as part of the petition itself, provide a reasonably comprehensive description of “the means by which ... [they] will achieve a balance ... reflective of the **general population**” residing within a district—**not** the demographics of the district itself. BCS did just that. In any event, BCS more closely reflects LASD’s enrolled student population than nearly **all other charter schools authorized by SCCOE** with regard to their respective districts. In that regard, SCCOE appears to be treating BCS in an unfair, arbitrary manner. We hope this response puts an end to such treatment.

BCS' positions on the requirements here at issue should be non-controversial, because they appear to be reflected in SCCOE's own publicly-stated guidance. For example, on a frequently asked questions page, SCCOE posts, "Are charter schools required to have enrollment demographics that match those of the district in which they operate?" SCCOE then rejects that proposition and provides SCCOE's official statement about the meaning of the population balance language in Section 47605 at issue:

"[t]his is understood to be an outreach and recruitment plan to **encourage** applications for enrollment that is reflective of the general population within the district. Charters are charged with developing and implementing effective outreach and recruitment plans; however, **they are prohibited by law from implementing racial and ethnic, special education, or English learner enrollment practices, even with the purpose of achieving pupil balance reflective of the jurisdiction.**"

(<https://www.sccoe.org/supoffice/charter-schools-office/Pages/faq-2.aspx>.) (Emphasis added.) We agree. In response to another posited question, "[c]an charter schools be required to enroll students according to their demographic characteristics in order to achieve specific targets or equity with district averages?" SCCOE answers "**No**. Enrolling students based upon their race, ethnicity or other characteristics is illegal."

**I. The Premise of SCCOE's Ongoing Inquiries Regarding BCS Is Incorrect and Unlawful, and Disregards the Extraordinary Efforts BCS Has Taken**

**A. BCS' Efforts to Recruit a Diverse Student Population Have Been Effective**

BCS is the most diverse public school operating within the District by multiple measures: BCS serves the fewest white students of any District school and the most students of color. On a subgroup-by-subgroup basis, BCS is well within the ranges of subgroup representation for District schools. For example, on a percentage basis using 2022-23 school year data, BCS enrolled more African American students than Springer and Gardner, more American Indian/Alaska Native than Springer, Oak Avenue, Loyola, Blach, and Gardner, more Filipino students than all but one District school, the same Hispanic enrollment as Springer, more English learners ("EL") than Blach and Oak Avenue, and the same enrollment of disabled students ("SWD") as Oak Avenue. Accounting for all students on the continuum of EL status from initial EL designation through Reclassified Fluent English Proficient ("RFEP") status,<sup>1</sup> BCS is on par

<sup>1</sup> All students identified as EL are required to receive English Language Development ("ELD") instruction sufficient for them to make annual progress towards fluency in English, which culminates with the RFEP designation. An RFEP student always remains an RFEP student; RFEP students are subject to monitoring to ensure that their English fluency persists, and so that they may receive further ELD support to the extent needed. Thus, RFEP students are part of the EL education continuum.



with the District (19.7% and 20.8%, respectively); BCS’ RFEP rate, which is 3% higher than the District, is a testament to BCS’ support for and success with EL students. BCS also serves more Asian-American students than any District elementary school. We are proud of the diversity represented within that subgroup, whose members reflect the diversity of the largest continent on our planet, which includes students of Chinese, Japanese, Korean, Vietnamese, Thai, Cambodian, Filipino, Malaysian, Indian, and Pakistani origin.

BCS actively invites and encourages students of all races, ethnicities, and backgrounds to apply and enroll in BCS, and has engaged in targeted efforts to recruit a diverse student body as SCCOE is aware, including by hiring an employee dedicated exclusively to recruiting and diversity initiatives. BCS has engaged in targeted outreach programs and Spanish-language materials to encourage Hispanic and EL students to apply. BCS has also established relationships with preschools serving diverse populations to create a pipeline to kindergarten, including socioeconomically disadvantaged students (“SED”) and students with disabilities (“SWD”). These efforts are described in further detail herein.

The facts and data reflect that BCS has taken extensive steps, to the extent allowable by law, to recruit and enroll a diverse student population. We celebrate that as of the last lottery cycle, as a consequence of BCS’ admission preference for SED students, i.e., students qualifying for free and reduced-price meals (“FRM”), BCS offered admission to each and every in-district FRM-qualifying student who applied. **Between the 2022-23 and 2023-24 school years alone, BCS has seen a 95% increase in the percentage of its student population classified as FRM/SED, which now stands at 38 students.** BCS is also proud of significant growth in its EL enrollment and enrollment of students with disabilities between the 2022-23 and 2023-24 school years:

**Table 1 - BCS Subgroup Enrollment Growth 2022-23 to 2023-24**

	<b>BCS 2022-23</b>	<b>BCS 2023-24</b>	<b>% Growth</b>
<b>SED</b>	1.9%	3.7%	95%
<b>SWD</b>	6.9%	7.79%	13%
<b>EL</b>	6.1%	8.96%	47%

As of this current school year, BCS now has a higher socioeconomically disadvantaged student population than District schools Blach, Loyola, and Oak Avenue did last year, a higher count of students with disabilities than Egan and Oak Avenue did last year, and a higher count of EL students than Egan, Gardner, Blach, Loyola, and Oak Avenue did last year.

# Bullis Charter School Petition

## B. Detailed Comparison of BCS and LASD Student Data By School

For all data presented, we broke out the LASD data across the District's nine school sites, as listed in DataQuest.<sup>2</sup> The tables below display the school-level data percentages and include the rank of BCS among the 10 total schools included in the analysis.<sup>3</sup> For ethnicity ranks, BCS students are within the range of LASD schools in all categories except for Asian students (where BCS has the highest proportion) and White students (where BCS has the lowest proportion).

**Table 2 -Student Race/Ethnicity Percentage by School, 2022-23**

School	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
Almond Elementary	0.8%	0.3%	34.3%	0.6%	15.9%	0.3%	29.7%	13.9%	4.2%
Ardis G. Egan Junior High	0.6%	0.2%	36.6%	0.8%	13.3%	0.2%	36.4%	10.1%	1.8%
Covington Elementary	1.4%	0.2%	49.0%	0.5%	5.7%	0.7%	29.0%	11.6%	2.0%
Gardner Bullis Elementary	0.0%	0.0%	28.2%	0.0%	4.6%	0.0%	51.4%	13.9%	1.9%
Georgina P. Blach Junior High	0.2%	0.0%	40.9%	0.5%	6.7%	0.2%	38.2%	12.0%	1.2%
Loyola Elementary	0.6%	0.0%	36.8%	0.3%	5.1%	0.0%	38.3%	17.4%	1.5%
Oak Avenue Elementary	0.6%	0.0%	44.6%	1.5%	5.4%	0.3%	32.8%	12.0%	2.7%
Santa Rita Elementary	0.3%	0.3%	30.1%	1.0%	20.5%	0.8%	34.3%	9.4%	3.4%
Springer Elementary	0.0%	0.0%	37.3%	0.6%	4.2%	0.3%	41.5%	15.5%	0.6%
<b>Bullis Charter</b>	<b>0.1%</b>	<b>0.1%</b>	<b>59.0%</b>	<b>1.2%</b>	<b>4.2%</b>	<b>0.2%</b>	<b>18.1%</b>	<b>14.5%</b>	<b>2.6%</b>
<b>BCS Rank</b>	<b>8/10</b>	<b>5/10</b>	<b>1/10</b>	<b>2/10</b>	<b>T9/10</b>	<b>T6/10</b>	<b>10/10</b>	<b>3/10</b>	<b>4/10</b>

## C. BCS is Being Unfairly Singled Out Amongst SCCOE-Authorized Schools; the Implicit Demands on BCS to Reduce Asian-American Enrollment is Unlawful

Under these circumstances, any contention that BCS is in violation of SCCOE's requirement that BCS achieve a particular enrollment target is inextricably a claim that BCS serves **too many** students belonging to a subgroup deemed by SCCOE to be overrepresented, and that BCS must take steps to effectively **reduce** that particular student population. (August 4

<sup>2</sup> SCCOE did not provide any of its underlying data with its August 4, 2023 letter. Only after our request did SCCOE provide that data, but not until October 3.

<sup>3</sup> (Rank 1 being the highest level of the metric, Rank 10 being the lowest; T preceding a rank indicates a tied rank).

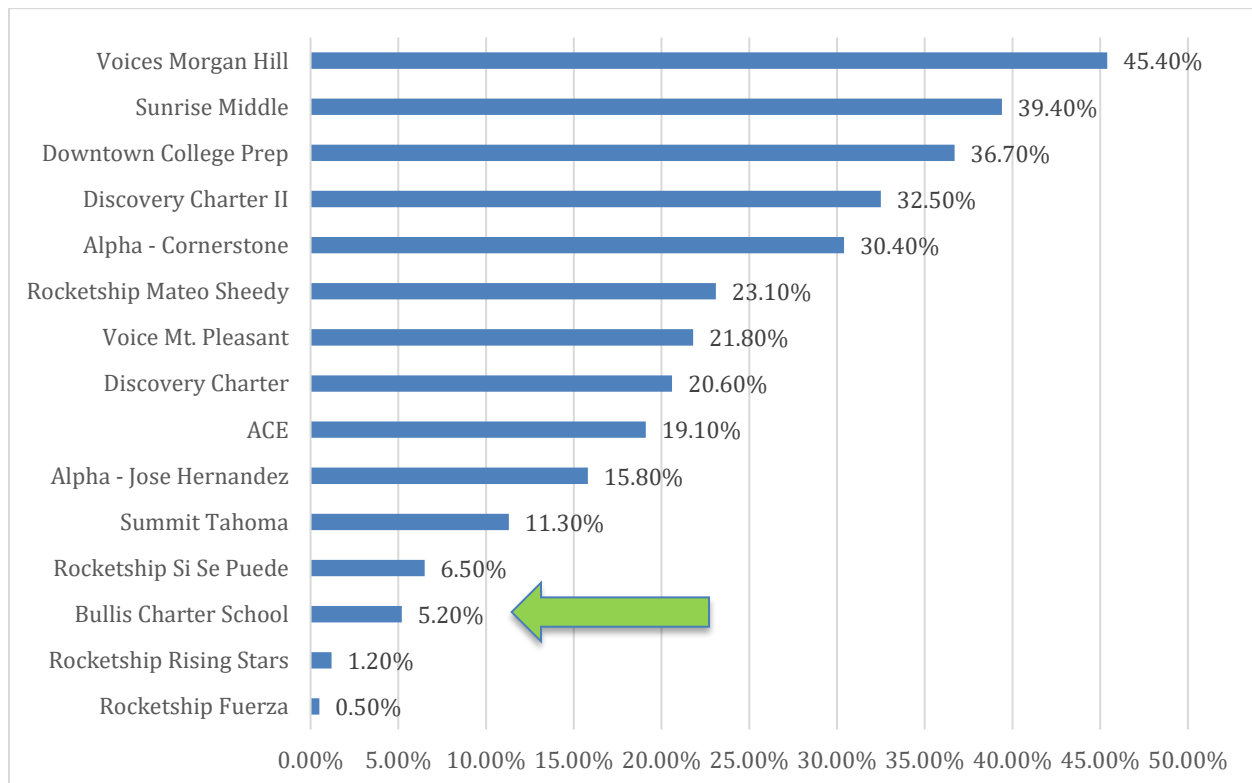
letter, p. 9 [“BCS must address this concern, including making and implementing the updates to its corrective action plan necessary **to result in** increasing the proportions of the BCS student body who are members of each of these student groups.”]) By definition, an enrollment **increase** in one subgroup means **decrease** in others. This is especially problematic in light of the fact that the District caps our enrollment with our Facilities Use Agreement. BCS cannot take part in, directly or indirectly, discriminating against or violating the civil rights of any group of students on the basis of race, as SCCOE appears to subtly suggest we do—that is unlawful. We cannot ignore that reporting last year highlighted that Asian-Americans, in particular, experienced a 339% increase in hate crimes, (<https://www.nbcnews.com/news/asian-america/anti-asian-hate-crimes-increased-339-percent-nationwide-last-year-repo-rcna14282>), and face discrimination in education. (See, e.g., <https://theconversation.com/discrimination-took-a-heavy-toll-on-asian-american-students-during-the-pandemic-210030>.) We implore SCCOE to do all in its power to end the community divisiveness that false narratives about BCS have caused and will continue to cause; the unfounded and dangerous rhetoric or implications about BCS excluding or preferring students on the basis of race must stop.

That BCS is being singled out unfairly and for inappropriate reasons is readily apparent by the fact that **no other charter school under SCCOE’s jurisdiction “mirrors” the population of the district where they are located.** Yet SCCOE has targeted BCS with “concern” and “cure” letters and threats of non-renewal on the basis of not enrolling enough of certain subgroups, and by extension, too many of certain other student subgroups. But facts are stubborn things. As the 2022-23 school year data published by CDE indisputably demonstrates, **BCS is among the closest** to reflecting a student population balance of the district where it is located in the entire county, as compared with the other charter schools authorized by SCCOE:

[INTENTIONALLY BLANK]

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**Table 3 - Percentage Difference Between Charter School Hispanic Populations and District Hispanic Populations**



Rank <sup>4</sup>	Charter School	District	% Hispanic (Charter)	% Hispanic (District)	Difference <sup>5</sup>
1	Voices Morgan Hill	Morgan Hill Unified	97.900%	52.500%	45.400%
2	Sunrise Middle	San Jose Unified	94.200%	54.800%	39.400%
3	Downtown College Prep	East Side Union	89.400%	52.700%	36.700%
4	Discovery Charter II	San Jose Unified	22.300%	54.800%	32.500%
5	Alpha - Cornerstone	Franklin-McKinley	31.300%	61.700%	30.400%
6	Rocketship Mateo Sheedy	San Jose Unified	77.900%	54.800%	23.100%
7	Voice Mt. Pleasant	Mount Pleasant	98.600%	76.800%	21.800%
8	Discovery Charter	Moreland	12.300%	32.900%	20.600%
9	ACE	Alum Rock	98.400%	79.300%	19.100%

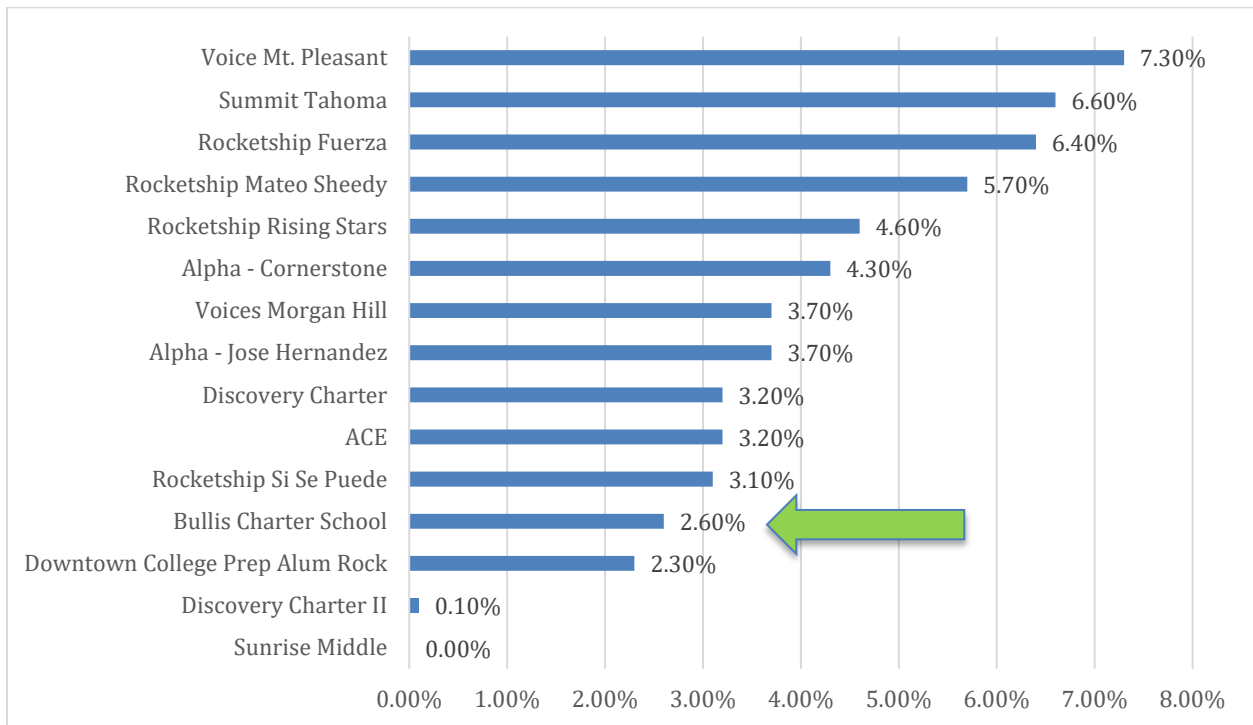
<sup>4</sup> “Rank” reflects, in order of highest to lowest, the charter schools with the highest spread between the charter school’s population percentage and the school district’s population percentage for a given student subgroup.

<sup>5</sup> To be clear, the “difference” column identifies the percentage point difference between the given population at each charter school and the respective school district where it operates. For example, with respect to Hispanic enrollment, there is a 5.2% spread between the percentage of students at BCS who identify as Hispanic and the percentage of students enrolled at District schools that identify as Hispanic.

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10	Alpha - Jose Hernandez	Alum Rock	95.100%	79.300%	15.800%
11	Summit Tahoma	East Side Union	41.400%	52.700%	11.300%
12	Rocketship Si Se Puede	Alum Rock	85.800%	79.300%	6.500%
13	Bullis Charter School	Los Altos	4.200%	9.400%	5.200%
14	Rocketship Rising Stars	Franklin-McKinley	62.900%	61.700%	1.200%
15	Rocketship Fuerza	Alum Rock	78.800%	79.300%	0.500%

**Table 4 - Percentage Difference Between Charter School SWD Populations and District SWD Populations**

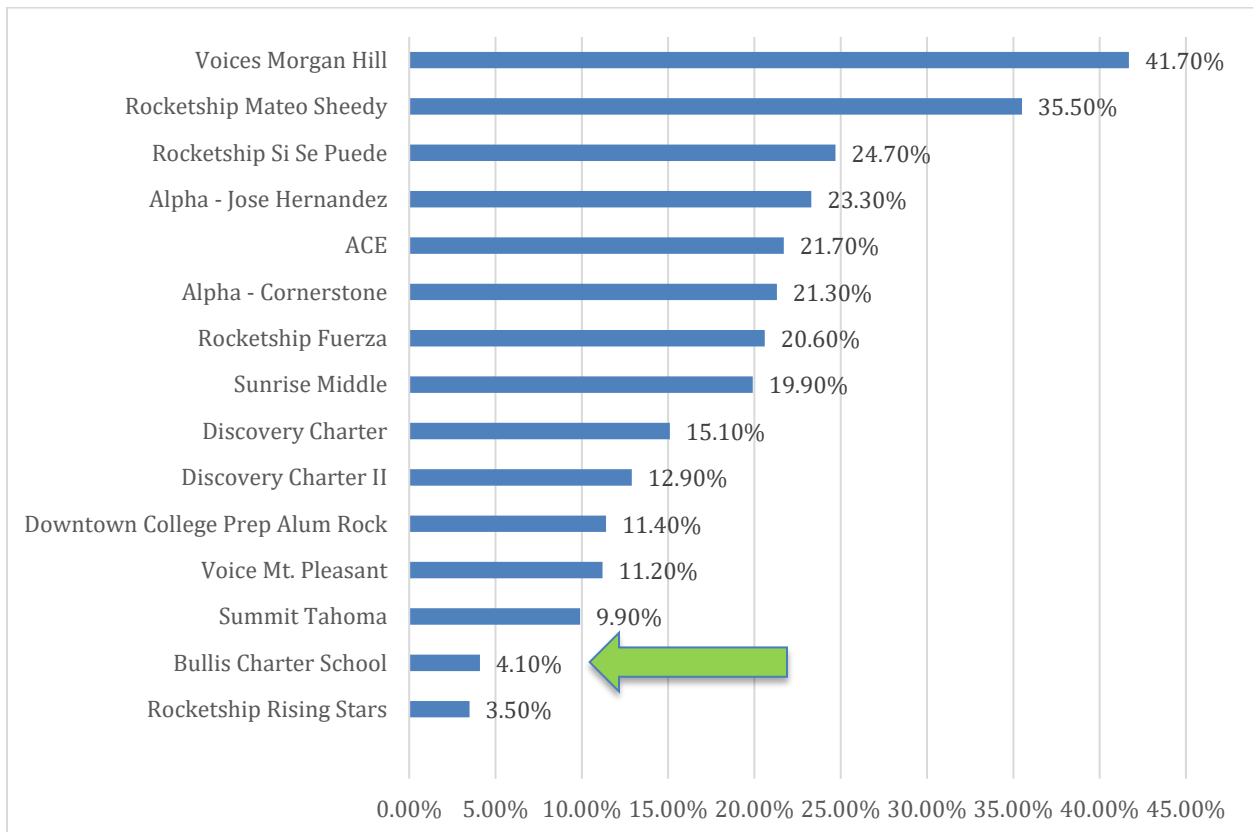


Rank	Charter School	District	% SWD (Charter)	% SWD (District)	Difference
1	Voice Mt. Pleasant	Mount Pleasant ESD	8.70%	16.00%	7.300%
2	Summit Tahoma	East Side Union	41.40%	52.70%	11.300%
3	Rocketship Fuerza	Alum Rock	78.80%	79.30%	0.500%
4	Rocketship Mateo Sheedy	San Jose Unified	7.30%	13.00%	5.700%
5	Rocketship Rising Stars	Franklin-McKinley	62.90%	61.70%	1.200%
6	Alpha - Cornerstone	Franklin-McKinley	8.10%	12.4%	4.300%
7	Alpha - Jose Hernandez	Alum Rock	95.10%	79.30%	15.800%
8	Voices Morgan Hill	Morgan Hill Unified	9.00%	12.70%	3.700%
9	ACE	Alum Rock	16.20%	13.00%	3.200%
10	Discovery Charter	Moreland	9.50%	12.70%	3.200%

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11	Rocketship Si Se Puede	Alum Rock	9.90%	13.00%	3.100%
12	Bullis Charter School	Los Altos	6.90%	9.50%	2.600%
13	Downtown College Prep Alum Rock	East Side Union	14.20%	11.90%	2.300%
14	Discovery Charter II	San Jose Unified	13.10%	13.00%	0.100%
15	Sunrise Middle	San Jose Unified	13.00%	13.00%	0.000%

**Table 5 - Percentage Difference Between Charter School EL Populations and District EL Populations**



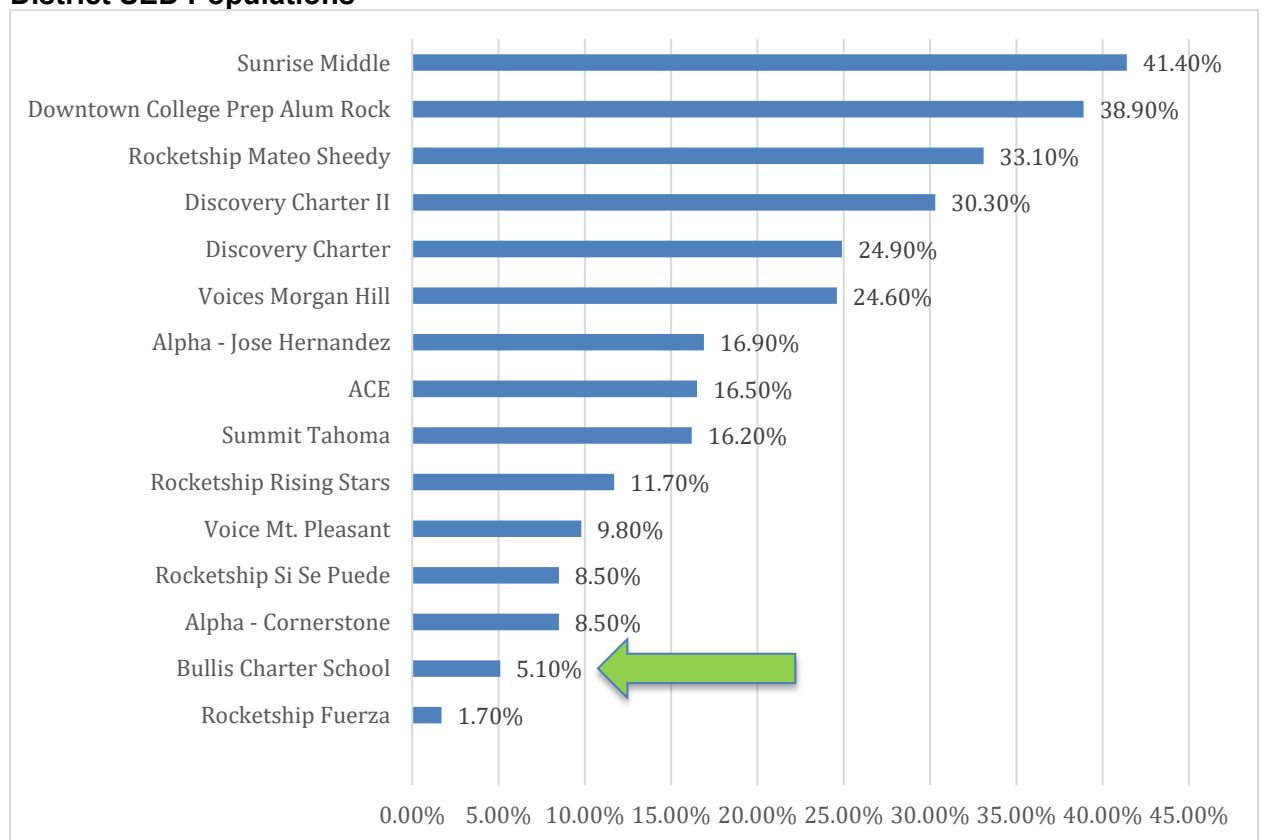
Rank	Charter School	District	% EL (Charter)	% EL (District)	Difference
1	Voices Morgan Hill	Morgan Hill Unified	59.90%	18.20%	41.70%
2	Rocketship Mateo Sheedy	San Jose Unified	57.80%	22.30%	35.50%
3	Rocketship Si Se Puede	Alum Rock	67.90%	43.20%	24.70%
4	Alpha - Jose Hernandez	Alum Rock	66.50%	43.20%	23.30%
5	ACE	Alum Rock	64.90%	43.20%	21.70%
6	Alpha - Cornerstone	Franklin-McKinley	27.50%	48.80%	21.30%
7	Rocketship Fuerza	Alum Rock	63.80%	43.20%	20.60%



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8	Sunrise Middle	San Jose Unified	42.20%	22.30%	19.90%
9	Discovery Charter	Moreland	13.30%	28.40%	15.10%
10	Discovery Charter II	San Jose Unified	9.40%	22.30%	12.90%
11	Downtown College Prep Alum Rock	East Side Union	31.20%	19.80%	11.40%
12	Voice Mt. Pleasant	Mount Pleasant	54.50%	43.30%	11.20%
13	Summit Tahoma	East Side Union	9.90%	19.80%	9.90%
14	Bullis Charter School	Los Altos	6.10%	10.20%	4.10%
11	Rocketship Rising Stars	Franklin-McKinley	52.30%	48.80%	3.50%

**Table 6 - Percentage Difference Between Charter School SED Populations and District SED Populations**



Rank	Charter School	District	% SED (Charter)	% SED (District)	Difference
1	Sunrise Middle	San Jose Unified	85.40%	44.00%	41.40%
2	Downtown College Prep Alum Rock	East Side Union	80.30%	41.10%	38.90%
3	Rocketship Mateo Sheedy	San Jose Unified	77.10%	44.00%	33.10%
4	Discovery Charter II	San Jose Unified	13.70%	44.00%	30.30%
5	Discovery Charter	Moreland	10.30%	35.20%	24.90%

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6	Voices Morgan Hill	Morgan Hill Unified	64.70%	40.10%	24.60%
7	Alpha - Jose Hernandez	Alum Rock	93.60%	76.70%	16.90%
8	ACE	Alum Rock	93.20%	76.70%	16.50%
9	Summit Tahoma	East Side Union	25.20%	41.10%	16.20%
10	Rocketship Rising Stars	Franklin-McKinley	73.70%	62.00%	11.70%
11	Voice Mt. Pleasant	Mount Pleasant	64.00%	73.80%	9.80%
12	Alpha - Cornerstone	Franklin-McKinley	53.50%	62.00%	8.50%
13	Rocketship Si Se Puede	Alum Rock	85.20%	76.70%	8.50%
14	Bullis Charter School	Los Altos	1.90%	7.00%	5.10%
15	Rocketship Fuerza	Alum Rock	78.40%	76.70%	1.70%

(See Attachment 2 to this letter, which includes each of the Dataquest reports from which the above tables and graphs were prepared.)

### D. SCCOE Presents No Evidence That BCS is Not Serving “All Students Who Wish to Attend”

It is important for SCCOE to understand that potential nonrenewal under Section 47607(e) applies only to circumstances where actual evidence demonstrates that a charter school “is not serving all pupils **who wish to attend**” because **enrolled** students **have left or been disenrolled for discriminatory reasons**, based on evidence provided by the California Department of Education—which here has not been provided or even suggested. (See Section 47607(d).) SCCOE’s allegation that “statistics establish ongoing underrepresentation of traditionally underserved student groups at BCS, evidencing that BCS continues not to serve all students who wish to attend BCS” (August 4 letter at p. 9) is false, conclusory without any supporting factual evidence, and entirely unsubstantiated. Enrollment statistics here do not and cannot “establish” “evidence” that BCS does not “serve all students who wish to attend BCS.”

SCCOE has presented no evidence that BCS has engaged in any practices that violate the letter or spirit of Section 47607(d)-(e). Putting aside the actual limited scope of Section 47607(d)-(e), there is no evidence that BCS “is not serving all pupils who wish to attend.” SCCOE has not cited a case of even one student who “wishes to attend,” and has been unlawfully denied enrollment at BCS, e.g., on the basis of race or protected status. The fact that BCS’ population does not precisely “mirror” the District does not mean that BCS “is not serving all pupils who wish to attend.”

As required by law, and subject to BCS’ admission preferences that prefer socioeconomically disadvantaged students, all applicants have the same chance of admission pursuant to the random public drawing that BCS is statutorily required to conduct under Section 47605(e)(2)(B) and does so consistent with constitutional principles that wholly prohibit consideration of race in admission. Nothing in the Education Code requires BCS’ student population to exactly match or even closely match the population of the school district in which

it is located on the basis of race or other protected classes. SCCOE has not cited a law that requires this, because none exists. Nothing in the Education Code authorizes a chartering authority to penalize a charter school when its population does not mirror the population of the school district to the subjective satisfaction of the chartering authority. And certainly SCCOE cannot apply such a standard to BCS when nearly all the other charters it authorizes are far more divergent from district demographics.

Indeed, no typical school district with a diverse population has each of its neighborhood schools mirror the population balance of the district as a whole. LASD exemplifies this truth by operating multiple schools that are significantly whiter and more affluent than other schools within the District, and by maintaining those disparities within its school attendance boundaries. The District could eliminate those disparities within by randomly assigning students to schools without regard to zip code and address (which create wealth-based disparities). Unlike BCS, which is open to all students within the District equally, the District chooses to maintain imbalanced schools where affluent students attend some schools (Oak Avenue, 2.2% SED) and less-affluent students attend other schools (Santa Rita, 18.8%); the same imbalance within the District exists on racial lines as well, e.g., with a Hispanic population of 20.5% at Santa Rita and 4.2% at Springer. There is no school in the District that reflects the District's overall population, and so, it is troubling that BCS faces penalty and concern from SCCOE for doing that which the District itself does not do. BCS' presence in the District actually serves to **eliminate** access disparities within the District, while the District maintains school populations that would likely be labeled segregated under SCCOE's approach.

All that BCS can legally do is that which is reasonable and feasible to attempt to attract students from diverse backgrounds to apply to BCS. Any measures beyond general recruitment efforts to ensure a student population balance based upon race would violate the state and federal constitutions. And of course, BCS cannot force any student to apply to BCS, and BCS cannot use any method other than a random lottery to determine enrollment. Recruitment effort is all that the Charter Schools Act and BCS' charter petition command and expect of BCS.

E. BCS Satisfied its Obligation Under the Law to Articulate a Plan to Achieve a Student Population Balance, and Has Implemented That Plan

Under BCS' charter, Education Code Section 47605(c)(5)(G) required BCS to provide a "reasonably comprehensive **description**" of "[t]he means by which the school will achieve" a student population balance that "is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted." BCS provided such a reasonably comprehensive description to the satisfaction of the SCCOE Board. BCS has implemented those plans. The Education Code does not allow for BCS to be non-renewed on the basis that BCS has not "achieved" a population balance that exactly matches the District at large.

BCS has been pleased to implement a plan designed to recruit and encourage students from diverse subgroups to apply for enrollment at BCS. BCS is pleased to continue to modify its plan over time to increase its effectiveness, which it has done at the request of and coordination with SCCOE. BCS has also periodically reviewed the effectiveness of its recruitment strategies, and has made adjustments as appropriate; for example, adding a full-time staff member (the Director of Community Engagement and Outreach) to focus BCS' recruitment efforts. BCS is pleased to update SCCOE on those efforts and on BCS' data relative to those efforts. (*See pp. 15-18.*) But BCS does not accept the false charge that BCS is failing to enroll all students who "wish to attend" on the basis of race, disability, or English learner status, or otherwise. Insofar as the only evidence SCCOE relies on is the fact that too few of such students are actually enrolled, and BCS faces non-renewal as a consequence, this inextricably and unlawfully penalizes BCS on the basis of the race and other demographic characteristics of students who actually have enrolled at BCS.

SCCOE must keep in mind that there is a limited public school population residing within the District, and students' only local public education options are enrollment in District schools or BCS. The only way that BCS can increase its enrollment of the subgroups identified by SCCOE is if those students apply to BCS, gain admission through the lottery, and choose to attend BCS instead of a District school. BCS welcomes and encourages that enrollment. Naturally, however, families predominantly send their children to their assigned neighborhood school; indeed, by default, compulsory education laws compel students to attend their local District school, and BCS lacks the same compulsory pipeline as the District. That compulsory pipeline matters, as indicated by District school populations that reflect the demographic stratification within the District, e.g., Santa Rita has by far the highest proportion of Hispanic, EL, and SED students.

Moreover, as we have addressed in the past, the District has intentionally and systematically undermined BCS efforts to actually serve all students who might wish to attend by weaponizing the Proposition 39 process to deprive BCS students and potential BCS students (including students of color, SED, and SWD) of sufficient facilities, and restricting BCS' ability to enroll out-of-district students. BCS stands ready to work with the District to encourage students to enroll in BCS, overcome the inertia that favors enrollment in District schools, and to address BCS' facilities needs.

## **II. SCCOE's Conclusions are Not Supported by the Data it Presents**

Not only is the underlying premise of the allegations against BCS unfounded, the data analysis relied upon by SCCOE in making those allegations is flawed. Specifically, SCCOE's data analysis does not account for the actual reasons that SED, EL, and families of SWD may enroll, in greater numbers, at District schools. Many families may be content attending their

neighborhood school, and do not “wish to attend” BCS for reasons having nothing to do with BCS per se, but instead, reasons having to do with location, convenience, or active messaging by the District to families **discouraging** attendance at BCS. For example, SCCOE’s data analysis does not account for the fact that parents, by default, enroll their children in their neighborhood schools to which they are automatically assigned by the District (<https://www.losaltos.k12.ca.us/District/Portal/Registration>), and that the decision to enroll in a neighborhood school does not mean that they “wish to attend” BCS or have been denied access to BCS for discriminatory reasons.

With respect to District messaging, the District has for many years actively discouraged families from enrolling at BCS through a defamatory public campaign that has **falsely** accused BCS of “engag[ing] in systematic discrimination throughout its fifteen plus years of existence” (See Attachment 3 [September 10, 2019 letter from LASD, cc-ing State officials such as the Governor, Attorney General, and California Superintendent of Schools as part of a publicity stunt.]) Those defamatory letters continue to be posted on LASD’s website under the “community” tab, which has a prominent link for “Bullis Charter School Related Topics.” (See, e.g., <https://www.lasdschools.org/District/10842-BCS-s-Los-Altos-Hills-Geographic-Lottery-Preference.html>.)

The data presented by SCCOE cannot fairly be read to mean that BCS is engaging in any practice to undermine diversity, or that BCS’ efforts are inadequate. The data does not at all explain or address the factors that motivate students to apply to BCS or not.

Unfortunately, the comparisons SCCOE selects paint an inaccurate or incomplete picture. With respect to students with disabilities in particular, SCCOE’s analysis does not account for the fact that students are sometimes overclassified as disabled (especially students of color and English learners), when other interventions can be sufficient to overcome issues presented. For example, the most recent data available in Dataquest indicates that Hispanic students comprise nearly 12% of the District’s population of students with disabilities, yet in that same academic year, Hispanic students accounted for only 7.8% of students. Notably, the CDE has identified the District on its list of “2022 significantly disproportionate LEAs,” i.e., LEAs that have disproportionately identified students belonging to particular races/ethnicities as disabled for three consecutive years. (<https://www.cde.ca.gov/sp/se/qa/sigdisplea2022.asp>.) **The CDE explicitly identified LASD** as “significantly disproportionate for the 2022-23 school year” for its practice of over-classifying Hispanic students as having specific learning disabilities. BCS should not be asked to mirror the District’s SWD population where the CDE explicitly found that LASD over-classified Hispanic students as disabled.

SCCOE missed the fact that BCS enrolled its highest ever proportion of students with disabilities in the 2022-23 school year, indicating that BCS’ efforts to recruit and enroll students with disabilities is having a measurable impact. That said, current data does not accurately

demonstrate the full impact of BCS' efforts to recruit and enroll more students with disabilities. Because BCS' entry point to its program is transitional kindergarten/kindergarten, and students are rarely classified as disabled prior to or even during kindergarten, BCS' overall growth in enrolling disabled students will take time to assess. The current classes of incoming students will need to progress to grade levels in which disabilities are typically identified, e.g., fourth/fifth grade, to accurately measure BCS recruitment initiatives.

SCCOE also relies on data analysis that skews District growth and obscures growth at BCS. Specifically, SCCOE's data comparisons between BCS and the District use arbitrary sets of years to make comparisons over time and draw conclusions that vary dramatically depending on which prior years are selected as the baseline. For example, SCCOE relies on data that compared Hispanic student population between the school years 2017-18 and 2022-23. The selection of those two years is entirely arbitrary. Comparing 2021-22 with 2022-23, on the other hand, demonstrates that BCS experienced similar growth as the District. Similarly, measuring EL populations without including RFEPs fails to account for BCS' success in serving the EL population through reclassification – a primary goal of ELD education. (See pp. 2-3 and FN 1, above.) SCCOE's allegation that there has been a meaningful decrease in the EL population at BCS misconstrues the data. When one accounts for **all** students that participated in the EL learning cycle through reclassification, BCS saw an **increase** in this population from 2017-18 to 2022-23, while in comparison the District saw a **decrease**. The 2017-18 EL metric in particular is also a red herring; the State changed the classification guide for EL students such that **all** public schools throughout the state saw decline. In light of that change, criticisms of BCS based on that academic year in particular are unfounded and unreasonable.

Likewise, SCCOE's contention that there was no significant change in the SED population at BCS while there was an increase in that population at LASD again reflects arbitrary, misleading date ranges. Using 2016-17 or 2018-19 as a comparison indicates significant increases at BCS. Comparing 2022-23 through 2023-24 also demonstrates a significant increase, again; BCS saw a **95% increase** in the percentage of BCS' SED/FRM population in one year alone.

### III. Response to SCCOE's Specific Inquiries

In response to SCCOE's specific inquiries, BCS responds as follows:

- 1. A comprehensive, point-by-point analysis of the provisions in Element G of the BCS Charter and BCS's current corrective action plan/Enrollment Action Plan. This should include each specific provision/item, a description of if and how BCS has implemented each item, an analysis of how effective each item has been, and any revisions BCS has made or is making to each item.*



## Bullis Charter School Petition

BCS provides the following update of its efforts to implement its plan in Element G of its charter and the Corrective Action Plan:

- The 2023-24 enrollment process commenced in September 2022. The first step was to organize the calendar and set up priorities and timing. BCS determined for this campaign to be directed particularly to communities in Los Altos and Mountain View emphasizing Hispanic families. BCS specifically conducted in-person outreach in East Palo Alto, Palo Alto, and Sunnyvale. As a result of that effort, BCS gained 13 new Hispanic students.
- BCS created an outreach plan, printed colorful fliers (approximately 300, in English and Spanish), and personally distributed promotional materials to prospective families to promote enrollment in BCS, including tote bags, water bottles, and pencils with BCS' logo.
- BCS informed parents of the enrollment process through social networks, such as Facebook, Instagram, and Next Door. BCS posted information to social media accounts at least twice per week since the enrollment process started and through February 2023.
- BCS staff visited daycares (more than 25), nonprofit organizations such as Head Start, supermarkets (more than 5), laundromats (5), buildings where low-income families reside and gas stations (4), and personally handed out fliers and promotional materials. Those interactions allowed BCS staff to have meaningful conversations with parents and introduce them to BCS' mission, vision, values, and goals.
- BCS formed a dedicated team of volunteers to support recruitment efforts, including myself as superintendent, principals, teachers, parents, and community leaders. Together, staff outlined a multifaceted outreach strategy. BCS held informative meetings in our North and South Campus that included distributing informative pamphlets, organizing community meetings, and using social media to spread information about the benefits of our educational programs for all learners. This effort was instrumental in dispelling misconceptions and showcasing the strengths of our school.
- BCS held three information sessions at our two campuses where we were able to address parents' questions and concerns.
- BCS conducted eight school tours principally led by students from different grade levels and supported by principals and teachers. Current parents volunteered in these activities and answered prospective families' questions. BCS also held three school tours using Zoom for those parents who were not able to attend an in-person tour.
- BCS remained in touch with families who enrolled in the Bullis Boosters Club nonprofit summer camp, informing them about BCS' enrollment process. We made sure that any families who may have had challenges with the enrollment links or forms were personally supported and were able to access support resources on campus. BCS Summer camp has been a longstanding tradition that invites FRM

- students from our community to attend a free-of-charge five-day summer camp that provides them with the opportunity to experience BCS' programs.
- The public lottery process took place transparently and was available for families to observe remotely on Zoom. Thereafter, BCS communicated with all families whose lottery numbers were called, offered them a spot, and explained next steps to complete enrollment.
  - The enrollment process ended the last week of February 2023. Current parents presented an online "AMA" (Ask Me Anything) session for parents who decided to enroll their students in our school. This session was offered online to maximize accessibility.
  - As a result of this big community effort, 190 new students enrolled in the 2023-24 school year and more than 1000 students on our waitlist. Of that new enrollment, approximately 10% are classified as SED/FRM.
2. ***Please include a clear explanation of how BCS has assessed and measured the effectiveness of the plan components and determined which were successful and which may need to be modified or replaced.***

Please see Attachment 4, providing a comprehensive analysis and review of BCS' Enrollment Action Plan and process. As addressed in this letter, BCS' actions under its Enrollment Action Plan appear to be effective and have resulted in increased enrollment of targeted student groups. However, BCS anticipates that it will take multiple enrollment cycles for the full impact to be realized. As BCS plans for the 2023-24 recruitment and enrollment cycle, it engages in internal data reviews and conversations with stakeholders to adjust recruitment activities as appropriate.

3. ***The Charter specifies that BCS's recruitment strategy includes "[a]n enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based recruiting and enrollment process." Please specifically include an analysis of whether and how BCS's recruitment and open enrollment schedule – which appears to be earlier than that of most schools – comports with this provision of the Charter, and whether and how BCS has considered if modifying its recruitment and open enrollment schedule might increase its effectiveness.***

BCS' open enrollment schedule spans a period of more than three months that begins in the fall and concludes in the winter. Before and during the entire period, BCS engages in active recruitment efforts to encourage families to apply and provides them with information on how to apply and applicable deadlines. Because BCS receives significantly more applications than it has capacity to enroll, BCS believes it is important that parents know, heading into the Spring, whether they have secured a spot at BCS or not. The timeline ensures that if a family has not secured a spot, that they have ample time to research and plan for alternative educational options for their child for the coming school year.

4. *Within the first month of school, a detailed demographic breakdown for 2023- 24, including a breakdown of the results of the public random drawing for admission for 2023-24 for newly admitted students, total BCS enrollment, and enrollment by grade level. Please provide any pertinent updates to this information no later than Census Day for 2023-24. The breakdown should include all the following:*

- a. A comparison to prior years' enrollment*
- b. Information about how many students applied for admission using the preferences for students who qualify for free or reduced-price meals (distinguishing between the preferences for students who do and who do not reside within LASD), and including for those students:*
  - i. how many were offered admission;*
  - ii. how many were placed on the waiting list;*
  - iii. how many have enrolled; and*
  - iv. how many are attending BCS.*

**Table 7.1 – Comparison of 2022-23 and 2023-24 Enrollment Data**

Grade Level	Lottery Seats		Offered		Newly Enrolled		Total Enrollment	
Year	2022-23	2023-24	2022-23	2023-24	2022-23	2023-24	2022-23	2023-24
TK	N/A	44	N/A	68	N/A	40	N/A	40
K	122	65	185	108	110	61	126	87
1	15	29	30	40	13	21	128	111
2	2	3	26	38	8	16	129	134
3	8	0	24	37	11	16	134	137
4	1	0	32	32	5	9	130	129
5	6	0	19	23	10	9	130	126
6	0	0	7	33	0	12	109	117
7	1	15	13	22	3	6	82	72
8	7	4	9	5	3	1	82	73
Totals	162	160	345	338	163	151	1050	1026

Table 7.2 –2023-24 FRM Enrollment Data

Grade	ALL FRL Applicants	IN DISTRICT				OUT OF DISTRICT			
		Applied	Offered	Enrolled	Waitlisted	Applied	Offered	Enrolled	Waitlisted
TK	10	4	4	3	0	6	0	0	6
K	28	5	5	3	0	23	0	0	23
1	18	4	4	4	0	14	0	0	14
2	15	2	2	1	0	13	0	0	13
3	13	5	5	3	0	8	0	0	8
4	7	3	3	1	0	4	0	0	4
5	9	2	2	2	0	7	0	0	7
6	14	1	1	1	0	13	0	0	13
7	13	1	1	0	0	12	0	0	12
8	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>127</b>	<b>27</b>	<b>27</b>	<b>18</b>	<b>0</b>	<b>100</b>	<b>0</b>	<b>0</b>	<b>100</b>

**5. A detailed assessment of the effectiveness of the TK pilot program in increasing diversity in enrollment.**

The effectiveness of BCS' recruitment efforts targeted at pre-kindergarten students (inclusive of transitional kindergarten-eligible students) is indicated, among other data, by the increase in FRM/SED enrollment at BCS. As the tables above indicate, as of the 2023-24 school year, FRM/SED students comprise 10% of all TK enrollment at BCS, which is 3% higher than the District's FRM/SED population (districtwide) on a percentage basis as of the 2022-23 school year. The effectiveness of these efforts is also indicated by BCS' lower English-only population in transitional kindergarten (44%) compared to students in 5th grade (58%).

**IV. Corrective Action Plan Updates**

BCS has gone above and beyond to implement the terms of its charter, the Charter Schools Act, and the Corrective Action Plan. BCS' measures to date are effective within the constraints that BCS cannot compel students to apply and attend BCS, and BCS cannot admit students through any mechanism but a random public drawing. The current measures should be maintained, and it will take time for the full impact to be realized; SCCOE needs to have realistic and reasonable expectations in that regard.

## Bullis Charter School Petition

In terms of concrete steps, we ask that SCCOE call on the District to work with BCS to accommodate more students with respect to facilities, and to help BCS welcome District families and encourage their enrollment at BCS. For years, the District has spread a false narrative to its families that BCS discriminates and is bad for the community, which may have untold consequences on families' decision to not seek to enroll in BCS – particularly working families with limited English proficiency, and limited time to independently investigate the District's irresponsible and harmful claims. We ask that SCCOE call on the District to work with BCS in partnership to promote BCS as an option for District families. If the District believes there are District students who “wish to attend” BCS but cannot, the District should refer them to BCS and work with BCS to expand BCS' capacity to serve them.

The number of Hispanic students living in Los Altos attending public schools is known, and the vast majority attend District schools near to where they live. BCS would be pleased to work with the District on a campaign to reach and encourage these students to apply to and enroll at BCS. If the District will not help its students enroll in BCS, it has no grounds to complain that too few of its students are doing so. Indeed, the only way BCS can meaningfully increase its, e.g., Hispanic enrollment, is if such students disenroll from or decline to attend District schools and attend BCS instead.

Specifically, BCS proposes the following actions for SCCOE, which can be included in the Corrective Action Plan:

1. SCCOE should direct the District to allow BCS to post Spanish-language advertisements inviting parents to apply to BCS at District schools.
2. SCCOE should direct the District to provide BCS with directory information for its students so that BCS may communicate with them and invite them to apply to BCS.
3. SCCOE should direct the District to include a link on its website in Spanish inviting students to apply to BCS.
4. SCCOE should direct the District to include information about enrollment in BCS in communications to parents about enrolling in school.

In response to SCCOE's requests for specific ongoing commitments from BCS, BCS can provide SCCOE an annual written report of its evaluation process related to its recruitment efforts and enrollment, including to address any changes BCS makes to its process. BCS also agrees to promptly provide SCCOE the results of its open enrollment process following the completion of each public random drawing for admission, and updated reports after Census Day each year for the remainder of BCS' charter term.

In closing, again, BCS remains committed to diversity through concrete action, as it has demonstrated, and will continue to work diligently towards that end and to foster a school

## Bullis Charter School Petition

community that welcomes and supports students of all backgrounds and abilities. BCS remains committed to working with SCCOE and the Board of Education in partnership to serve students.

Sincerely,



Maureen Israel  
Superintendent/Principal

Cc: Members of the Santa Clara County Board of Education:

President Victoria Chon

Vice President Tara Sreekrishnan

Maimona Afzal Berta

Joseph Di Salvo

Raeena Lari

Grace H. Mah

Don Rocha



# **Attachment 1A**



October 11, 2019

Santa Clara County Board of Education  
In care of: Mary Ann Dewan, Ph.D., County Superintendent of Schools  
Santa Clara County Office of Education  
1290 Ridder Park Drive  
San Jose, CA 95131  
**SENT VIA EMAIL ([MaryAnn\\_Dewan@sccoe.org](mailto:MaryAnn_Dewan@sccoe.org)) AND REGULAR MAIL**

**Re: BCS Response to Santa Clara County Office of Education October 2, 2019 Letter and Los Altos School District September 10, 2019 Letter**

Dear Dr. Dewan and Members of the Santa Clara County Board of Education:

This responds to Superintendent Dewan's October 2, 2019 letter and the Los Altos School District's ("LASD" or the "District") September 10, 2019 letter addressed to the Santa Clara County Board of Education ("SCCBOE"). LASD makes misleading claims concerning Bullis Charter School's ("BCS") student demographics and expresses "concern" that we might re-introduce a geographic enrollment preference for kindergarten previously approved several times by the Santa Clara County Board of Education ("SCCBOE"). LASD also makes baseless, incendiary claims of "discrimination" and "segregation", yet fails to identify any actual discrimination or segregation at BCS.

As explained in detail below, LASD's allegations are demonstrably false and misleading. We would rather, however, focus our resources on educating students rather than arguing with LASD; healing rather than dividing. We are therefore accepting option one offered in your October 2nd letter. We shall continue the suspension of the geographic preference formerly applied to students seeking to enroll in kindergarten at BCS from the former Bullis-Purissima attendance area. LASD's divisive tactics must stop.

LASD falsely alleges that BCS discriminates against socioeconomically disadvantaged students, students with disabilities, and English Language Learners (collectively the "LASD-Selected Subgroup Students"). BCS and most LASD schools serve similar percentages of these LASD-Selected Subgroup Students. Yet LASD, which has complete control over its own attendance boundaries, operates with wider-ranging percentages of LASD-Selected Subgroup Students among its own schools than with BCS. The verifiable facts published by the state completely refute LASD's allegations by demonstrating that:

- BCS serves a *higher* percentage of English Language Learners than more than half of all LASD-operated schools;
- The percentage of students at BCS identified as socioeconomically disadvantaged is within one-percent of four other LASD schools; and
- BCS serves a *higher* percentage of students with disabilities than two LASD schools, and is within one-percent of four other LASD schools.

## Bullis Charter School Petition

Notably, none of the subgroups decried by LASD are racial or ethnic designations. In fact, BCS is more racially and ethnically diverse than LASD, and draws from all corners of the District. These verifiable facts make LASD's demand for a "desegregation plan" ridiculous.

As you know, BCS is a school of choice and is legally required to admit all students, subject to capacity. Because we have more applicants than available seats, we use a fair, public and random drawing (known as a "lottery") to determine enrollment. BCS does not ask for or have any information about a student's disability, socioeconomic, or English Language Learner status before the lottery or admitting a student. Thus, BCS never has in the past, does not currently, and cannot discriminate against applicants on these or any other grounds. BCS's only enrollment constraint is imposed by none other than LASD itself, by its consistent refusal to allocate adequate facilities and the classroom space that our in-district students are entitled to. This is particularly troubling in light of the fact that one-in-five public school students residing within the District are enrolled with BCS.

Both the Santa Clara County Office of Education ("SCCOE") staff and the SCCBOE have previously considered—and refuted—LASD's discrimination allegations in the context of serving students with disabilities:

*"It is unlikely that equivalent percentages of special needs students will exist in a small school each year compared to a larger school district. Furthermore, percentages can vary dramatically from year to year with the inclusion or withdrawal of one student...That being said, there exists no law that requires all schools to have equivalent percentages of special needs students [or other High-needs Students]. So long as BCS is offering equal enrollment opportunities to all students – regardless of whether they have special needs – it is meeting its obligation."*<sup>1</sup>

BCS has met and is meeting its obligation by offering and encouraging all students the opportunity to apply for enrollment. BCS even conducts extra outreach with regard to special education students at LASD's insistence. Regardless, BCS and LASD have similar student demographics, which should be expected considering nearly 95 percent of BCS students are LASD residents. As exclaimed by LASD in its letter, 20% of all public school students residing within the district choose to attend BCS, making it by far the largest of any school within the district. And many more students are on the waiting list. This means that nearly one-in-four public school children in grades K-8 who reside within LASD either attend BCS or are on the waitlist to attend. Choice is a powerful and meaningful thing.

If LASD was truly concerned about "discriminatory impacts", LASD would change its attendance boundaries to address its own enrollment disparities. BCS is more diverse than the average LASD school and serves a greater percentage of LASD-Selected Subgroup Students than many LASD schools. In fact, LASD's Almond and Santa Rita schools enroll a disproportionately *higher* percentage of certain LASD-Selected Subgroup Students as compared to the other District schools. The SCCOE should find it disconcerting that LASD not only tolerates but encourages such disparity in one quarter of its elementary schools. LASD has the power to take action to address what it describes as discrimination at its own schools, but has done nothing.

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<sup>1</sup> See <https://www.sccoe.org/supoffice/charter-schools-office/Documents/SCBOE%20Response%20to%20close%20BCS.pdf>.

## Bullis Charter School Petition

LASD's letter is particularly offensive because it accuses BCS of "systematic discrimination" and "segregation" knowing the data and law demonstrate otherwise. LASD repeatedly and wrongfully accuses BCS of discrimination hoping that if the district repeats the false contention enough, people will believe it's true. But it's not true. For years LASD has blurted out similar unsupported accusations, yet more and more LASD families continue to enroll their children at BCS with demographics consistent with what we see district-wide. LASD's efforts to spread misinformation do not sway families away from BCS; it only serves to ignite tensions with the community.

If there is any party responsible for "systematic discrimination" in this community, it is LASD. LASD has systematically discriminated against BCS children by failing to provide adequate facilities under Proposition 39. LASD resident families who choose BCS are plainly discriminated against by LASD in that regard. LASD admits that one in five students who reside within the district attends BCS. And yet, LASD has never provided BCS children with equivalent school facilities they are entitled to under the law. Instead, LASD forced BCS into temporary "bungalow" type classrooms on split campuses. BCS is the only school within LASD that is forced to conduct operations on two separate sites. BCS has also needed to seek judicial relief on multiple occasions to prevent LASD from hindering or outright denying BCS's access to even those substandard facilities.

LASD's discrimination against BCS families is exacerbated by the District's failure thus far to use proceeds from the 2014 Measure N bonds to support BCS facilities. Measure N authorized LASD to issue up to \$150 million in bonds to acquire, improve and construct school facilities within the district. LASD's resolution requesting an election for Measure N explicitly provided for facilities to support the charter school. Voters supported Measure N with the understanding that students who attend BCS would be benefited by facilities provided or supported by the bond funds. Instead, LASD has committed to purchase a property at the edge of the District, sandwiched within a shopping center, that is much too small to ever serve BCS.

LASD claims that BCS is divisive, but the September 10 letter to the SCCBOE—with a number of state officials copied—is the latest chapter in the long story of the District's divisive tactics seeking out any opportunity to attack BCS's reputation and harm the families who have enrolled their children at BCS. Despite these attempts to undermine BCS, we are one of the highest performing schools in the region. BCS has received numerous awards, including being recognized as a California Gold Ribbon School and National Blue Ribbon School.

It is fortunate that students in our community have great public education options with both BCS and LASD schools. However, LASD makes clear it does not believe parents should have a charter school choice within the district. LASD residents have thought differently for almost twenty years. Each year, BCS receives substantially more student enrollment applications than it has seats available. Our hope is LASD will stop these counterproductive attacks that pit one neighbor against another, and instead focus on working with us on a long-term resolution on school facilities for the benefit of our entire community.

**A. BCS Uses a Transparent and Equitable Admissions Process to Admit Students**

BCS is a school of choice offering enrollment opportunities to all interested families. BCS is required to and does admit all pupils who wish to attend, subject to capacity. (Ed. Code, § 47605(d)(2)(A).) BCS encourages all interested students to apply, especially students with special needs. We have many more applicants than seats available, and therefore use a public random drawing to admit students pursuant to our approved charter petition. This is a typical admissions process for charter schools across the state. SCCBOE has approved this admissions process seven times through charter and material revision approvals.

BCS's use of a random drawing is not discriminatory against any student group—that is the entire purpose of a public random lottery. The application to participate in the drawing only asks for basic information and does not ask for any information about a student's race, ethnicity, disability status, income level, or English Language Learner status. A computer-generated drawing is conducted in public in a fair and transparent manner to determine enrollment. There is simply no evidence of "segregation" or "discrimination" in the admissions process.

**B. BCS Efforts to Achieve Racial and Ethnic Balance Reflective of LASD's Student Population**

LASD claims BCS is required to "ensure" it maintains a "racial and ethnic balance reflective of [LASD]" and repeatedly demands that BCS be brought into "compliance" with this standard. But LASD utterly fails to explain or provide any evidence of a "racial or ethnic balance" concern. Instead it focuses on LASD-Selected Subgroups which are not racial or ethnic designations at all. And in any event, they've got the wrong standard, and have missed the point. The Charter Schools Act requires BCS to describe the school's efforts to achieve a racial and ethnic balance reflective of the population residing within the local school district in its charter petition. (Ed. Code, § 47605(b)(5)(G).) Charter schools cannot guarantee a reflective balance will occur because they are schools of choice required to admit all pupils.

BCS's description of the BCS Outreach Recruitment Plan in its charter petition does much more than merely comply with the Charter Schools Act—it goes above and beyond. This plan features a variety of outreach strategies specifically tailored for underserved communities, including, but not limited to providing applications, school tours, website information, and other enrollment materials in multiple languages (e.g., Spanish, Mandarin) and interpreters for Parent Information Nights. We also expend significant resources for outreach activities in North of El Camino ("NEC") neighborhoods which feature a higher percentage of English Language Learners and socioeconomically disadvantaged pupils compared to other neighborhoods in LASD. This includes direct mail postcards targeting NEC neighborhoods, advertisements in the local Spanish newspaper, and extensive flyering in NEC neighborhoods (e.g., laundromats, apartment buildings, parks, gas stations, grocery stores, Mountain View Community Center, etc.) LASD has also actively obstructed BCS's efforts to conduct outreach to these communities by rejecting BCS's requests to participate in LASD's kindergarten open-house enrollment events.

## Bullis Charter School Petition

LASD does not and cannot identify a single instance of segregation or discrimination at BCS, because discrimination is not occurring at BCS. In fact, BCS's successful implementation of the Outreach Recruitment Plan has resulted in a more racially diverse student population than LASD:

Percent of Total Student Population		
	LASD	BCS
African-American	0.5%	1.1%
American Indian	0.2%	0%
Asian	33.6%	47.3%
Filipino	0.6%	0.9%
Hispanic	7.6%	4.2%
Two or More Races	11.7%	18.5%
Pacific Islander	0.2%	0.3%
White	45.4%	25.8%

Source: California School Dashboard (2018)

BCS has a slightly higher percentage of students in five of the seven minority student groups detailed in the California School Dashboard. This data demonstrates that LASD claims of "segregation" and demand for a "desegregation plan" are unfounded.

**C. At the Individual School Level, BCS and LASD's Average Student Population Feature Similar, Comparable Percentage of Students with Disabilities, English Language Learners, and Socioeconomically Disadvantaged Students**

As SCCOE/SCCBOE correctly noted previously, BCS is not required to serve "equivalent percentages" of LASD-Selected Student Subgroups, and it is unreasonable to expect this result.<sup>2</sup> Nevertheless, BCS and LASD serve a similar percentage of LASD-Selected Subgroup Students in large part due to BCS's outreach efforts and the strong community demand for BCS.

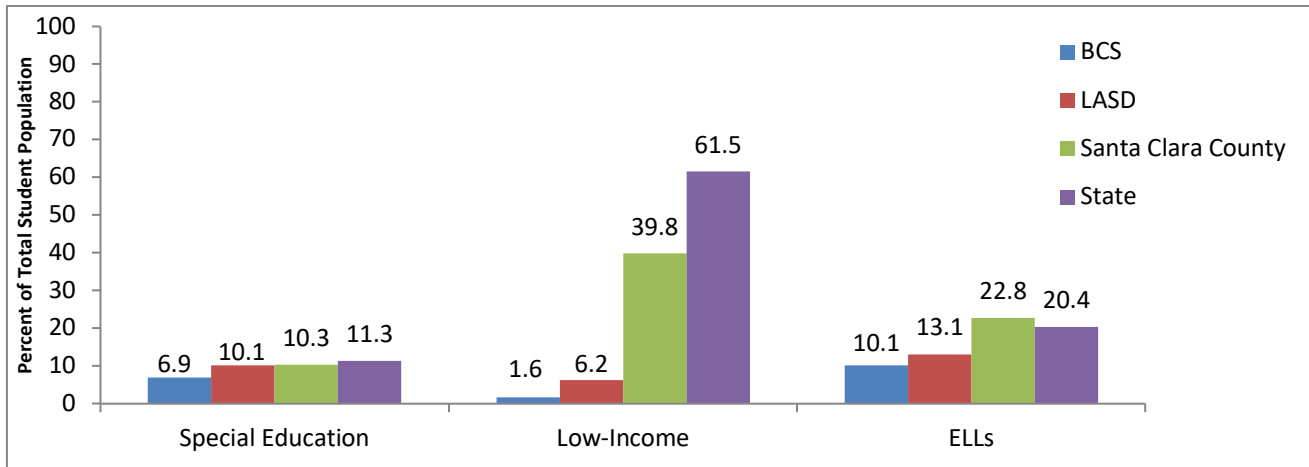
LASD has devised misleading graphs and manipulated statistics in order to support an incorrect conclusion that BCS has "discriminatory impacts." For example, LASD used an artificially-shortened Y-Axis in an attempt to deceptively exaggerate the marginal differences between BCS and LASD in enrollment percentages of LASD-Selected Subgroup Students. In other words, LASD attempted to mislead the SCCBOE. Here is a corrected bar graph with an appropriate Y-Axis range (0-100) for a comparison of percentages:

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<sup>2</sup> See <https://www.sccoe.org/supoffice/charter-schools-office/Documents/SCBOE%20Response%20to%20close%20BCS.pdf>.



### 2018 Students in LASD-Selected Subgroup Classifications (Corrected)



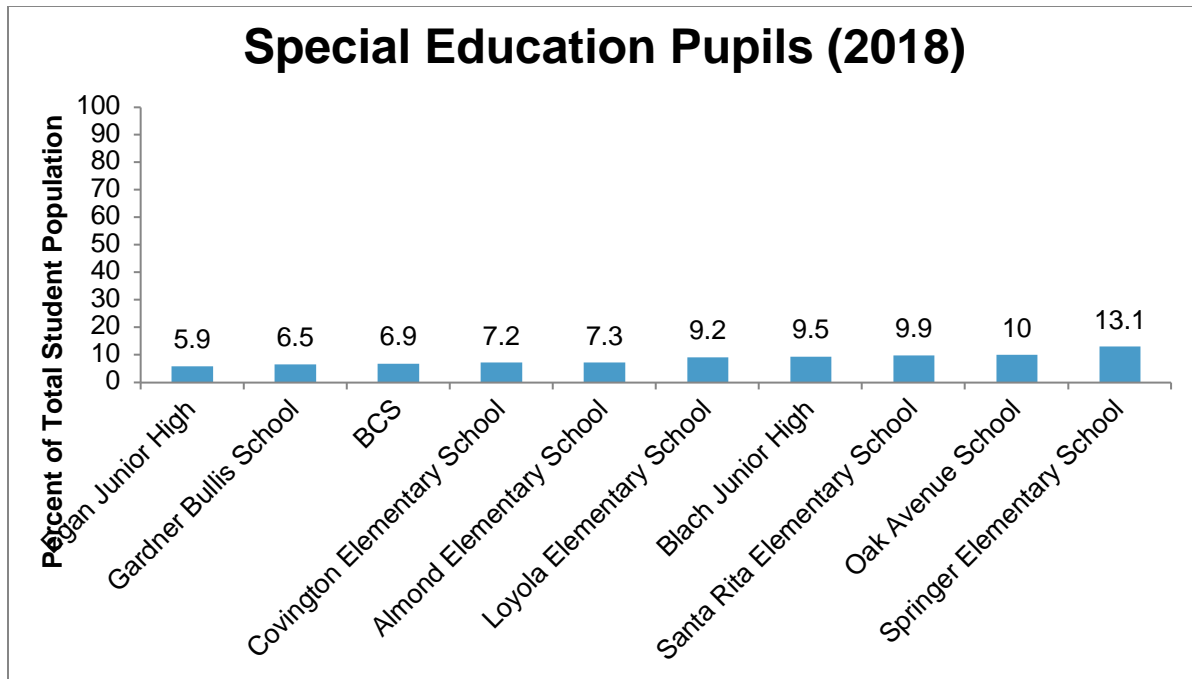
Source: California School Dashboard (BCS and LASD); DataQuest (County and State)

The differences between LASD district-wide average and BCS are relatively minimal, particularly when compared with Santa Clara County and State averages. But comparing BCS to individual LASD schools reveals the both BCS and the majority of LASD schools enroll essentially the same percentage of LASD-Selected Subgroup Students. See graphs below.

#### BCS's Growth in Enrollment of Students with Disabilities

LASD uses misleading statistics to suggest BCS is underserving students with disabilities. First, LASD claims 6.8% of BCS students are students with disabilities, when the actual statistic is 6.9% in 2018 according to the California School Dashboard. LASD then compares a seven-year average of how many students with disabilities BCS and LASD served (BCS's enrollment has more than doubled in that period) to support its demand for a "desegregation plan".

Our special education program, provided in collaboration with and staffed by the SCCOE, is an attractive component of our program. Between the 2014-15 and 2018-19 school years, BCS grew by over 200 students and the percentage of students with disabilities increased by 1.75%. Recent data indicates 6.9% of BCS students are students with disabilities, whereas the district-wide average is 10.1%. But the graph below demonstrates that BCS is within one-percent of four LASD schools and serves a higher percentage of students with disabilities than two LASD schools:

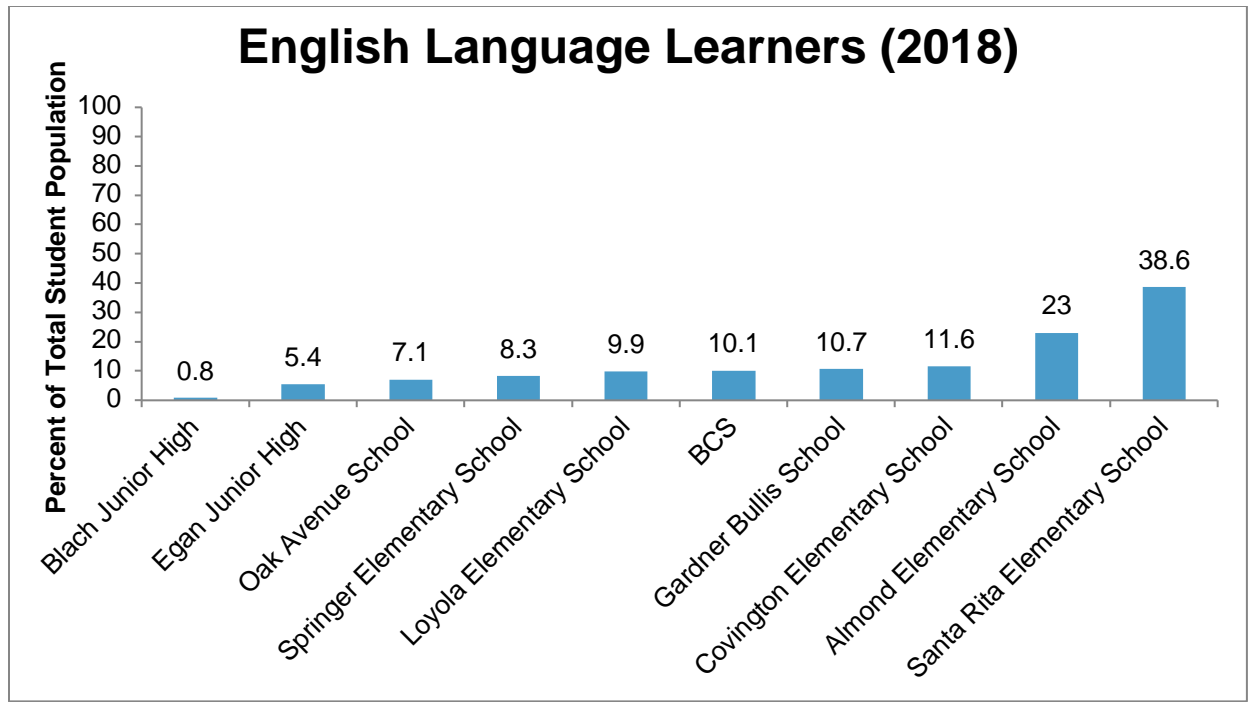


Source: California School Dashboard

LASD also claims BCS is somehow responsible for serving fewer “high cost” students with disabilities. BCS cannot control the severity of an admitted student’s disability or the costs associated with serving the student. Unlike LASD, BCS does not view any of its enrolled students through a lens of cost; if a special needs pupil is enrolled at BCS, school teachers and administrators work diligently with SCCOE staff to ensure the student receives a fair and appropriate public education.

#### BCS and Majority of LASD Schools Enroll Similar Percentage of English Language Learners

The graph below demonstrates BCS and the majority of LASD schools serve a similar percentage of English Language Learners, with the exception of two LASD schools—Almond and Santa Rita—that appear to over-index with ELL students compared to every other school in the District.

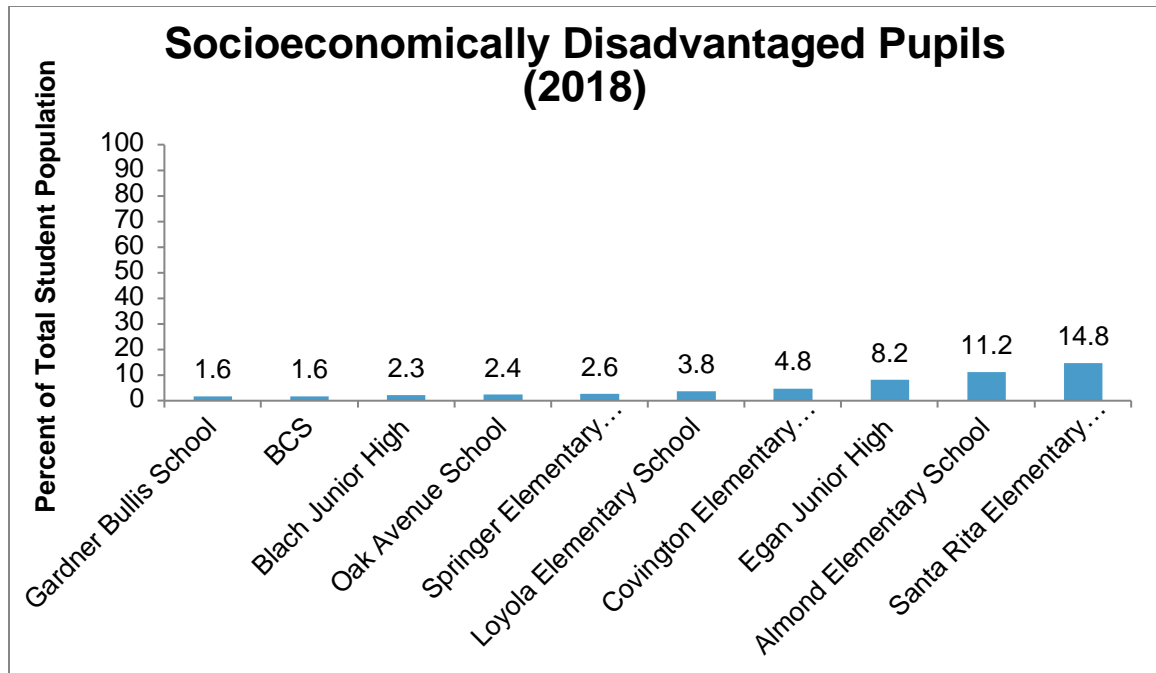


Source: California School Dashboard

BCS is essentially the median school within the district. BCS is within a few percent of the majority of LASD schools and serves a higher percentage of English Language Learners than more than half of all LASD-operated schools.

*BCS and Majority of LASD Schools Serve Similar Percentage of Socioeconomically Disadvantaged Pupils*

There are a relatively small percentage of families who are socioeconomically disadvantaged living within LASD, and this is reflected in both BCS and LASD student populations. Reviewing the data on a school-by-school basis demonstrates that the percentage of students at BCS identified as socioeconomically disadvantaged is within one-percent of four other LASD schools:



Source: California School Dashboard

BCS will continue its diligent efforts to recruit socioeconomically disadvantaged pupils by implementing strategies in the Outreach Recruitment Plan including, but not limited, to multilingual advertisements and extensive flyering in the NEC neighborhoods.

LASD claims requests for donations demonstrate that BCS is somehow failing to serve socioeconomically disadvantaged pupils, but LASD follows and benefits from the same practice. The district's Los Altos Educational Foundation, a nonprofit organization dedicated to supporting LASD, asks for \$1,200 in donations from each LASD family. The Foundation supporting BCS asks for voluntary donations to make up for the large funding gap between BCS and other LASD schools. No BCS family is required to donate any amount as a condition of enrollment. Seeking voluntary donations is a common practice throughout elementary schools in California, not evidence of discrimination by either party.

#### **D. LASD's Failure to Address Discrimination Concerns at LASD Schools**

LASD criticizes BCS's "low" enrollment of LASD-Selected Subgroup Students, but LASD schools serve a percentage range of these same student groups (some higher than BCS, some much lower), yet LASD has done nothing to equalize its own percentages. For example, Almond and Santa Rita Elementary Schools have much larger percentages of socioeconomically disadvantaged pupils and English Language Learners compared to the other LASD schools. By LASD's own standards, the district should be outraged and seek to immediately "desegregate" those schools and "integrate" those LASD-Selected Subgroup Students into its schools with fewer representative students than Almond and Santa Rita.

If LASD was sincere about its "discriminatory impact" concerns, one would expect the District to take action for its own schools. For example, LASD could change the attendance boundaries of its district schools so there is a greater balance of LASD-Selected Subgroup Students among LASD schools. LASD could also seek to modify school district boundaries to server a greater number of LASD-Selected Subgroup Students. Instead, LASD chooses to focus its ire solely on BCS even though BCS has comparable student demographics as LASD schools.

**E. LASD's Failure to Comply with Proposition 39 Obligations Systematically Discriminates Against Children Who Choose to Attend BCS**

LASD has repeatedly accused BCS of discriminatory practices for years. But in fact, LASD has systematically discriminated against BCS's LASD-resident students by failing to meet its legal duty to provide equivalent facilities for those residents.

Under Proposition 39, LASD is required to make available facilities sufficient for BCS to accommodate all students who reside within LASD boundaries in conditions reasonably equivalent to those in which those students would be accommodated if they were attending other LASD schools. (Ed. Code, § 47614(b).) The Courts of Appeal have consistently held charter school students are entitled to receive a proportionate fair share of public resources, including access to reasonably equivalent school facilities. (See *Bullis Charter School v. Los Altos School District* (2011) 200 Cal.App.4th 1022, 1063; see also *Ridgecrest Charter School v. Sierra Sands Unified School Dist.* (2005) 130 Cal.App.4th 986, 999.)

LASD has abused its control of local public school facilities to discriminate against BCS students by forcing those students into cramped, unequal conditions in temporary modular buildings as compared to those facilities they would enjoy if they attended a LASD school. LASD's repeated unlawful conduct has forced us to seek relief from the courts to protect children's right to access public school facilities within the district.

For example, BCS challenged LASD's offer of facilities for the 2009-10 school year because LASD used a distorted methodology with the intention of minimizing its offer of facilities. The Court of Appeal found LASD had violated the law in numerous ways with respect to its obligations under Proposition 39 and criticized LASD's methodology that resulted in a deficient offer of facilities. We hoped LASD would follow the Court of Appeal's direction and remedy its facilities offers. Unfortunately, LASD continues its failure to offer equivalent facilities and instead seeks out opportunities to obstruct BCS.

In 2013, LASD even sought to acquire property far outside of LASD's boundaries (two school districts away in the City of Sunnyvale) in an attempt to forcibly relocate LASD-resident BCS students. LASD tried to use Proposition 39 – the law intended to provide BCS students living within LASD access to facilities *within* LASD – to move BCS far away with the hopes of shuttering the school altogether. They failed. The Court held LASD could not acquire the Sunnyvale site nor could it force BCS to relocate without BCS's consent.

Considering that BCS is the largest school in LASD by far, and approximately 95% of BCS students live within LASD, it is unconscionable LASD has spent the better part of twenty years withholding access to public school facilities these children are entitled to under the law. Even with LASD's persistent attacks, BCS continues to succeed thanks to the strength of its education program and incredible community support.

**F. The Geographic Preference Reflects the Former Attendance Boundaries of a Closed LASD School**

BCS provided families in Los Altos and Los Altos Hills with an enrollment preference for all grade levels to ensure they had access to a nearby school and the K-8 BCS experience after LASD closed their neighborhood school ("Preference"). The boundaries of the Preference are the former boundaries of the district school LASD closed.

## Bullis Charter School Petition

As part of BCS's short-term facilities resolution with LASD in 2014, BCS agreed to seek SCCBOE's approval to progressively reduce the Preference for only the kindergarten grade level. That change in enrollment preference required SCCBOE's approval at a public hearing. (Ed. Code, § 47605(d)(2)(B)(ii).) At a public board meeting in September 2014, SCCBOE approved a material revision to BCS's charter petition that allowed the modified Preference.

The current SCCBOE-approved charter requires that the Preference will once again apply to kindergarten applicants after the 2019-20 school year. As stated above, BCS accepts option one offered in your October 2, 2019 letter, and shall continue the suspension of the geographic preference formerly applied to students seeking to enroll in kindergarten at BCS from the former Bullis-Purissima attendance area.

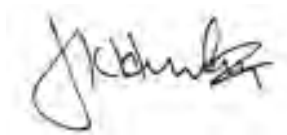
In any event, the Preference is lawful and has never resulted in "discriminatory impacts". As demonstrated above, BCS is more racially and ethnically diverse than LASD and serves a similar percentage of LASD-Selected Subgroup Students.

### **G. Conclusion**

We appreciate this opportunity to address LASD's erroneous claims about our enrollment practices and school. BCS has never had a history of discrimination. BCS uses a public random drawing to decide enrollment and remains committed to recruit students of all backgrounds through the Outreach Recruitment Plan.

LASD claims SCCBOE needs to take action to conduct appropriate oversight, but the requested "desegregation plan" is nonsensical considering BCS has a more diverse student population than LASD. While we vehemently disagree with LASD's accusations, we remain committed to working in good faith with LASD to reach a long-term resolution concerning facilities.

Sincerely,



**Joe Hurd**  
Chair and President,  
BCS Board of Directors



# **Attachment 1B**

Bullis Charter School Petition



May 5, 2021

**VIA EMAIL:**

Superintendent:

MaryAnn\_Dewan@sccoe.org

Board Members:

crossi@sccoe.org

kking@sccoe.org

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Santa Clara County Board of Education

Mary Ann Dewan, Ph.D., County Superintendent of Schools

Santa Clara County Office of Education

1290 Ridder Park Drive

San Jose, CA 95131

Re: BCS Response to Santa Clara County Board of Education's May 5, 2021 Agenda Item 7A

Dear Dr. Dewan and Members of the Santa Clara County Board of Education:

On behalf of Bullis Charter School ("BCS"), I request that the Santa Clara County Board of Education ("County Board") deny or decline to take action as set forth in Agenda Item 7A, which incorrectly concludes without specific facts or evidence that BCS is not serving all pupils who wish to attend the school, and suggests that BCS must "cure" that fictitious "alleged violation." Nothing could be further from the truth. In fact, BCS admits all students who wish to attend, subject only to capacity constraints, and uses a fair and transparent admission process that the County Board has approved at least seven times. Making matters especially troubling here, the Santa Clara County Office of Education ("SCCOE") has couched this item in terms of a justification for potential nonrenewal of the charter.

The obvious obstacle to BCS not serving all pupils who wish to attend is our lack of access to school facilities, which has been a constant struggle for BCS. The SCCOE staff have incorrectly and improperly conflated a "notice of violation" provision under new Education Code section 47607(e)—

## Bullis Charter School Petition

which by its own terms cannot be issued until **after** the conclusion of this school year—with a charter element description concerning pupil balance required for our not-yet-submitted renewal petition.

The agenda item came as a complete surprise to us, especially in light of the collaboration we have been experiencing with the SCCOE staff over the past several months. We request that County Board refrain from authorizing or delegating any authority for a notice of violation unless and until the SCCOE staff present substantial, specific, factual evidence that BCS is not complying with the law or has unlawfully excluded any person or group from admission to the school that would warrant such a notice. Otherwise, the County Board is tainting what should be a fair renewal process, in violation of BCS' right to due process.

### **Background**

For more than a year, BCS has been working collaboratively and constructively with the SCCOE Staff to develop and strengthen a plan to educate and serve all students in our community. We appreciate the insights and advice that SCCOE staff have provided, and we have made several adaptations to our Outreach Plan—and expect to continue making adaptations going forward—based on their input.

BCS is required to and does admit all pupils who wish to attend, subject to capacity. (Ed. Code § 47605(e)(2)(A).) BCS is a school of choice offering enrollment opportunities to all interested families. BCS continues to implement an equitable and transparent admissions process that the County Board has approved at least seven times through charter and material revision approvals.

Because we receive many more applications than seats available, we use a public random drawing process to admit students set forth in our approved charter. The use of a random drawing is not discriminatory against any student group.

It is significant that BCS is the largest school within the Los Altos School District ("LASD"), enrolling more than a quarter of all public-school students grades K-8 residing within LASD. LASD operated schools have seen their enrollment drop from 2018-19 to 2020-21 by 668 students, while BCS increased enrollment by 177 students during the same period. And notably, BCS enrolled just under **one-third** of all Kindergarteners residing within LASD in 2020-21.

In addition to taking all students either on completion of enrollment forms or, when oversubscribed, through the use of a fair-and-transparent random lottery, BCS is committed to enrolling a more diverse student population, consistent with the letter and spirit of the Charter Schools Act. We value guidance from SCCOE Staff, but there are several assertions about our current enrollment that need to be corrected:

## Bullis Charter School Petition

1. The Action Item oddly asserts that “BCS is not serving all pupils who wish to attend.” While BCS encourages and welcomes all pupils to enroll, as the Trustees know, BCS **cannot** serve all students and families who wish to attend because we have many more applications than we have available spots in our classrooms. Each year, enrollment is determined by a public random drawing (“the lottery”) that is held following our Open Enrollment period, using common enrollment preferences authorized by you, the County Board.
2. The Action Item incorrectly asserts without evidence that “the percentage of BCS’s enrollment of some pupil groups has actually decreased.” That is true only for the white student group. In fact, enrollment of almost all subgroups of students at BCS have remained steady in recent years, with statistically small increases or decreases. The only student group at BCS with a statistically significant decrease in enrollment is white students:
  - 2017 - 27.6%
  - 2018 - 25.8%
  - 2019 - 25.5%
  - 2020 - 22.5%
3. The Action Item incorrectly asserts without evidence that “Pupil groups that are underrepresented at BCS include:
  - o English learners
  - o Hispanic
  - o Socioeconomically disadvantaged
  - o Students with disabilities”

In fact, based on data from the California School Dashboard:

- o English Learner enrollment percentage at BCS has been steadily increasing: 4.5% in 2019, 5.7% in 2020, and 6.7% in 2021, and the English Learner/Reclassified Fluent English Proficient enrollment percentage at BCS is on par with the district.
- o Hispanic student enrollment is steady: 4.2% in 2018, 3.8% in 2019, 3.9% in 2020, and 3.3% in 2021
- o SED student enrollment is steady: 1.6% in 2018, 1.2% in 2019, 1.4% in 2020, and 1.7% in 2021.
- o Enrollment of students with disabilities is steady: 6.9% in 2018, 7.0% in 2019, 6.7% in 2020, 6.7% in 2021.

These percentages are similar to several LASD schools, and close to the averages for the district as a whole.

BCS appreciates diversity. We respect all students and families, and we appreciate the support of County Staff as we continue developing, improving, and implementing our Outreach Plan that will help BCS enroll an even more diverse student population.

**A Notice of Concern under Section 47607(e) is Statutorily Premature**

Under Education Code § 47607(e)—the new code section that Action Item 7A explicitly purports to rely upon—the County Board may only submit a notice to a charter school for allegedly failing to serve all pupils who wish to attend based on data provided only “at the conclusion of the year immediately preceding the final year of the charter school’s term.” (See Ed. Code § 47607(d)-(e).) Furthermore, that notice must be based upon documentation provided by CDE at the end of that school year. (Id.) BCS’s final year of its charter term is FY 2021-22, and thus the County Board and SCCOE are prohibited from submitting a notice under Education Code § 47607(e) before the end of this school year. Thus, Agenda Item 7A is premature and should be denied.

Because SCCOE staff cannot under any circumstance—for good reason or not—form a basis to issue a notice under Education Code § 47607(e) until the end of the school year, the County Board cannot, or at least should not, delegate authority to SCCOE to issue such a significant notice as a predicate to a non-renewal recommendation. Otherwise, the County Board is tainting what should be a fair renewal process, in violation of BCS’ right to due process. And again, the Agenda Item here utterly fails to meet the County Board’s burden—it fails to make any specific allegations let alone offer any reviewable, never mind substantial, evidence that BCS is not serving all pupils who wish to attend.

BCS is required to and does admit all students subject to capacity and, as stated in the current charter, the school describes the means by which the school will achieve a pupil balance reflective of the general population within the boundaries of LASD. The County Board and SCCOE staff have previously acknowledged BCS is not required to serve the exact percentage of a particular student group as LASD, but instead must “[offer] equal enrollment opportunities to all students” to meet its legal obligations.<sup>1</sup>

**SCCOE Staff Conflates the Obligation to Admit All Students With the Description of the Means To Achieve Pupil Balance**

The Charter Schools Act does not (and cannot) require BCS to enroll specific percentages of particular student subgroups. Instead, BCS is required to describe the school’s means to achieve pupil balance reflective of the population residing within the local school district (LASD) in the charter petition. Charter schools cannot guarantee a reflective balance will occur because they are schools of choice required to admit all pupils. BCS’s charter petition exceeds the statutory requirements by describing BCS’s Outreach Recruitment Plan.

The Agenda Item 7A irresponsibly alleges without evidence that BCS is not serving sufficient percentages of certain student groups, yet the County Board and SCCOE staff previously considered and refuted similar claims from LASD. SCCOE issued a letter in response to a claim that BCS failed to

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<sup>1</sup> See <https://www.sccoe.org/supoffice/charter-schools-office/Documents/SCBOE%20Response%20to%20close%20BCS.pdf>.



## Bullis Charter School Petition

enroll the same percentage of special education pupils as LASD stating: “So long as BCS is offering equal enrollment opportunities to all students ... it is meeting its obligation.”<sup>2</sup> Thus, it is inappropriate for the County Board to now authorize SCCOE staff to issue a notice here. And as demonstrated by facts, BCS has increased percentages among most pupil subgroups, except for the white student group.

BCS’s Student Population Reflects General Population Residing within LASD, Is Growing More and More Diverse, and Our Outreach Recruitment Plan Increases Student Diversity

The Agenda Item claims BCS has “underrepresented” certain student groups, yet BCS reflects the geographic pupil balance of LASD (to the extent it can even be known—LASD has repeatedly refused to released data for in-District students, combining it with demographic data for out-of-District students it accepts for financial and other reasons). In fact, BCS is more racially and ethnically diverse than LASD in serving non-white student groups according to the latest California Dashboard data. Your Agenda Item claims four student groups are underrepresented and references that BCS’s enrollment of certain groups has decreased. Yet, BCS’s enrollment of three of the four listed student groups increased or remained steady as a percentage of total student population. Moreover, BCS serves a comparable percentage of these referenced student groups as many LASD schools.

BCS uses a public random drawing for enrollment and remains committed to recruit students of all backgrounds through the Outreach Recruitment Plan. Our extensive efforts have successfully increased diversity for student groups and we have discussed additional strategies with SCCOE staff. This includes the hiring of a staff member dedicated to increasing outreach and consequent diversity, and we are committed to continued deep engagement with the County Board and SCCOE staff on these important issues. However, instead of supporting BCS, this Agenda Item seeks to undermine BCS by creating a superficial notice outside of the parameters of the statutory renewal process.

We appreciate this opportunity to address the Agenda Item’s erroneous claims regarding BCS’s enrollment practices and the law. There is no “violation” evidenced; and no “cure” proposed. We request that the County Board deny or take no action on Agenda Item 7. The County Board should not delegate broad authority to SCCOE staff to issue a notice that is premature under Education § 47607(e) and wholly lacking in evidentiary support. To the extent SCCOE staff has questions or suggestions regarding BCS’s enrollment practices and outreach efforts, we are more than happy to work with them.

Sincerely,  
  
Maureen Israel  
Superintendent  
Bullis Charter School

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<sup>2</sup> See <https://www.sccoe.org/supoffice/charter-schools-office/Documents/SCBOE%20Response%20to%20close%20BCS.pdf>.



# **Attachment 2**

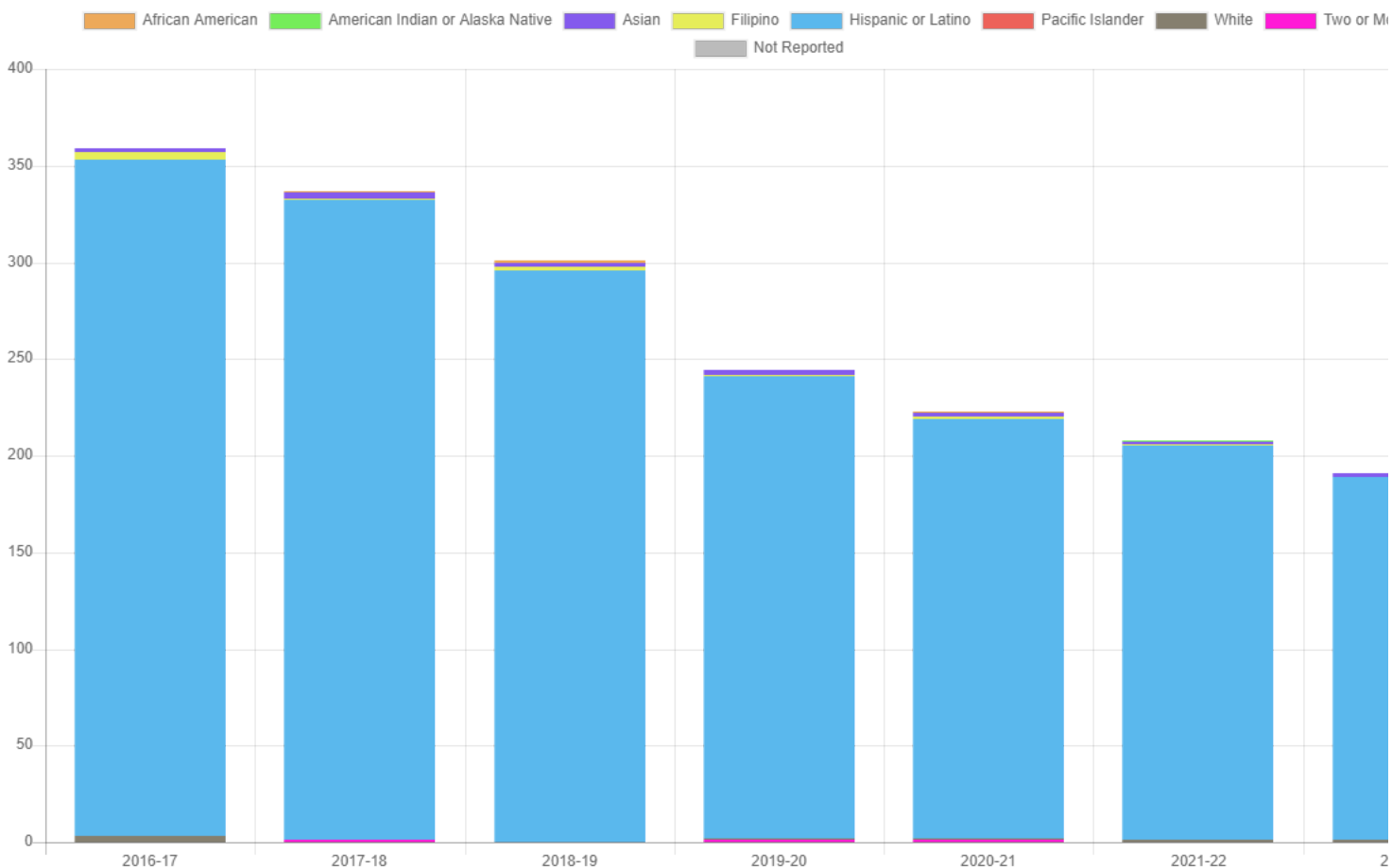
## Enrollment Multi-Year Summary by Ethnicity

## ACE Charter Report (43-10439-0116814)

[+ Report Description](#)
[+ Report Options and Filters](#)

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	191	0.0%	0.0%	1.0%	0.0%	98.4%	0.0%	0.5%	0.0%	0.0%
2021-22	208	0.0%	0.5%	0.5%	0.5%	98.1%	0.0%	0.5%	0.0%	0.0%
2020-21	223	0.4%	0.0%	0.9%	0.4%	97.3%	0.0%	0.4%	0.4%	0.0%
2019-20	244	0.0%	0.0%	0.8%	0.4%	98.0%	0.0%	0.4%	0.4%	0.0%
2018-19	301	0.3%	0.0%	0.7%	0.7%	98.3%	0.0%	0.0%	0.0%	0.0%
2017-18	337	0.3%	0.0%	0.9%	0.3%	98.2%	0.0%	0.0%	0.3%	0.0%
2016-17	359	0.0%	0.0%	0.6%	1.1%	97.5%	0.0%	0.8%	0.0%	0.0%

## Enrollment by Ethnicity





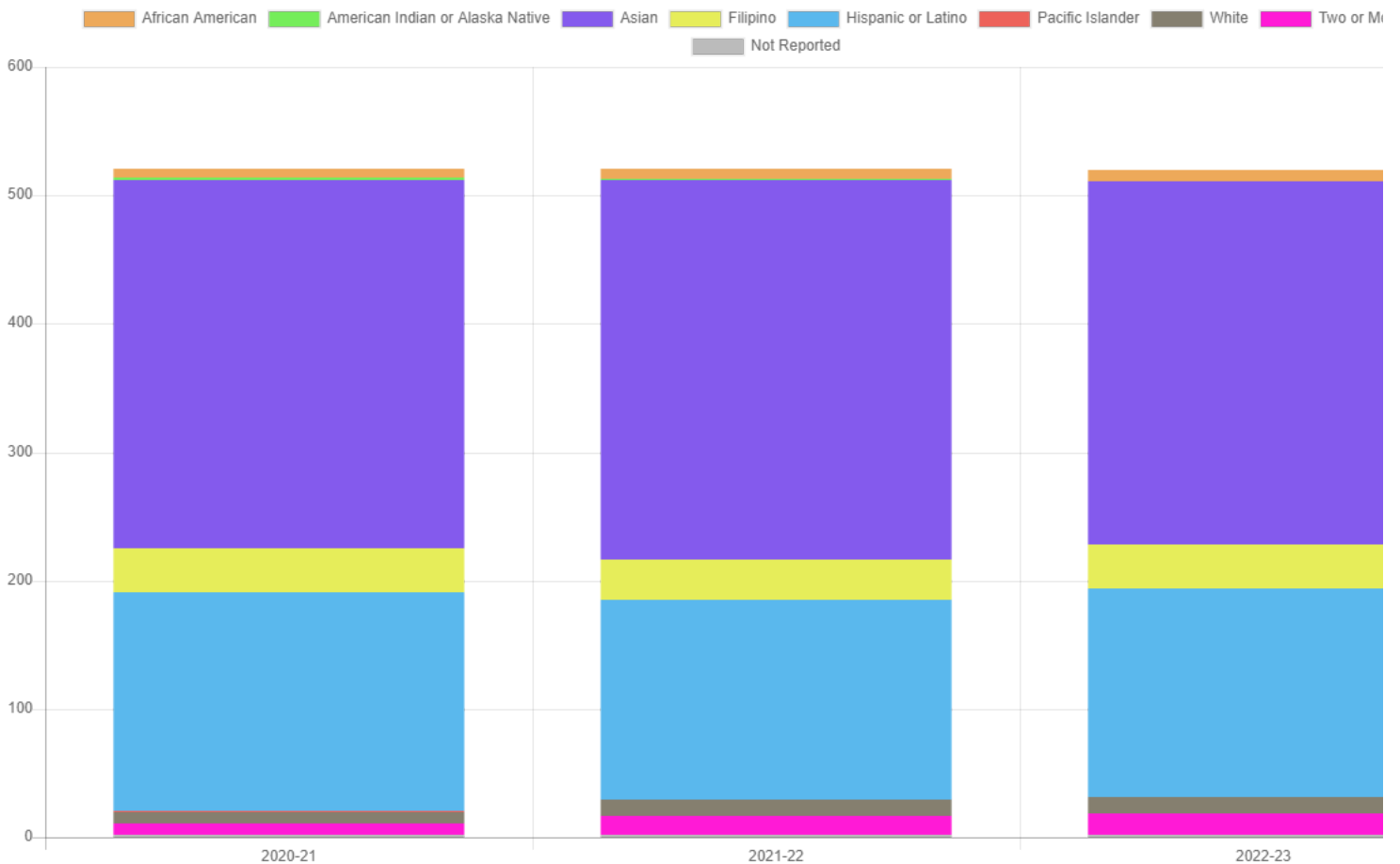
## Enrollment Multi-Year Summary by Ethnicity

Alpha: Cornerstone Academy Preparatory Report (43-10439-0121483)

[+ Report Description](#)[+ Report Options and Filters](#)

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	520	1.7%	0.0%	54.4%	6.5%	31.3%	0.0%	2.3%	3.3%	0.4%
2021-22	521	1.5%	0.2%	56.8%	6.0%	29.9%	0.0%	2.3%	2.9%	0.4%
2020-21	521	1.3%	0.4%	55.1%	6.5%	32.6%	0.2%	1.7%	1.7%	0.4%

## Enrollment by Ethnicity



**Bullis Charter School Petition**

California Department of Education

DataQuest Home / Enrollment Report

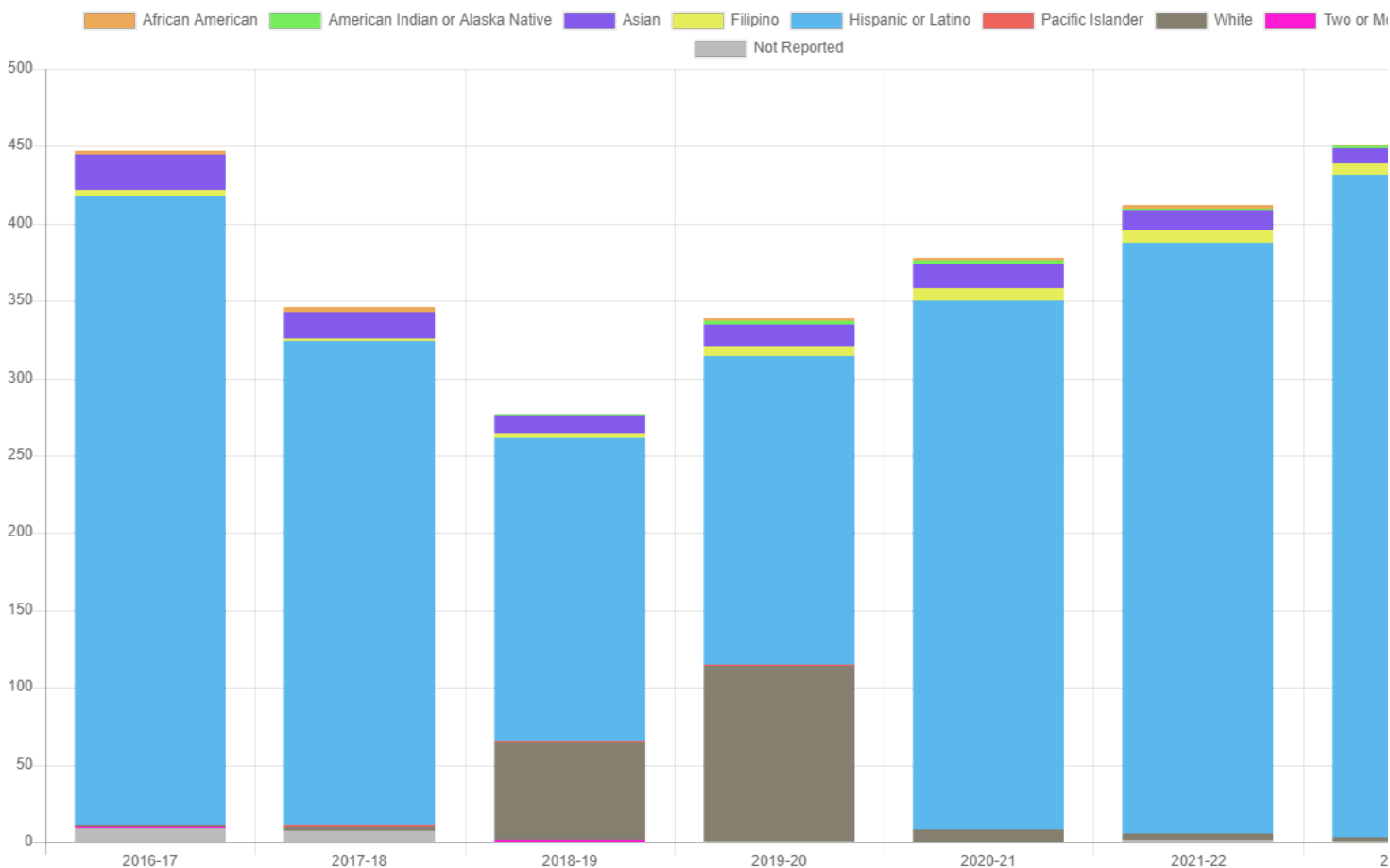
## Enrollment Multi-Year Summary by Ethnicity

Alpha: Jose Hernandez Middle Report (43-10439-0129213)

**+ Report Description****+ Report Options and Filters**

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	<b>451</b>	0.2%	0.2%	2.2%	1.6%	95.1%	0.0%	0.4%	0.0%	0.2%
2021-22	<b>412</b>	0.5%	0.2%	3.2%	1.9%	92.7%	0.0%	1.0%	0.0%	0.5%
2020-21	<b>378</b>	0.5%	0.5%	4.2%	2.1%	90.5%	0.0%	2.1%	0.0%	0.0%
2019-20	<b>339</b>	0.6%	0.6%	4.1%	2.1%	58.7%	0.3%	33.3%	0.0%	0.3%
2018-19	<b>277</b>	0.0%	0.4%	4.0%	1.4%	70.8%	0.4%	22.4%	0.7%	0.0%
2017-18	<b>346</b>	0.9%	0.0%	4.9%	0.6%	90.5%	0.3%	0.9%	0.0%	2.0%
2016-17	<b>447</b>	0.4%	0.0%	5.1%	0.9%	91.1%	0.0%	0.2%	0.2%	2.0%

### Enrollment by Ethnicity







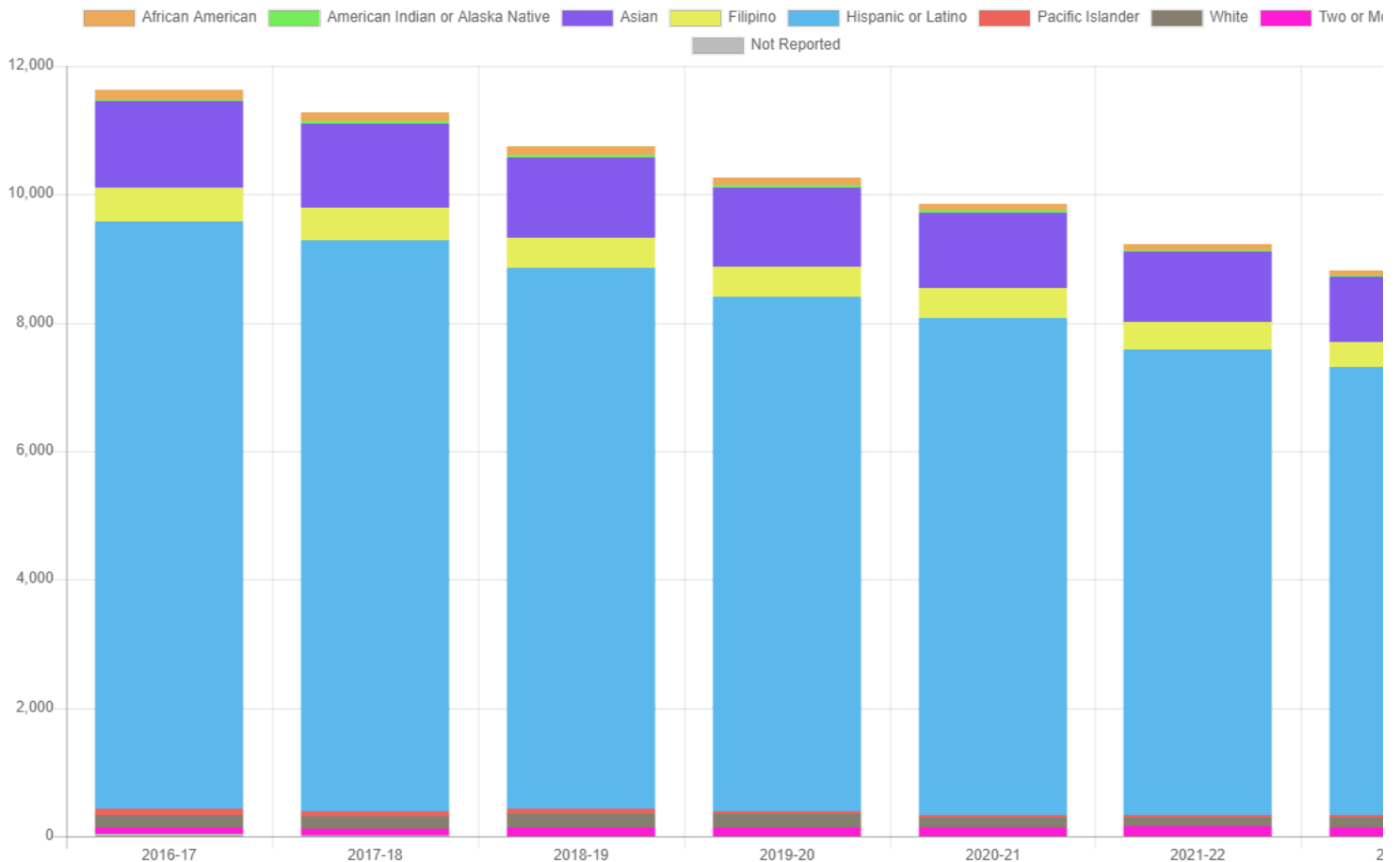
## Enrollment Multi-Year Summary by Ethnicity

## Alum Rock Union Elementary Report (43-69369)

+ [Report Description](#)+ [Report Options and Filters](#)

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	8,807	0.9%	0.2%	11.5%	4.5%	79.3%	0.4%	1.7%	1.6%	0.0%
2021-22	9,226	1.1%	0.2%	11.9%	4.6%	78.6%	0.3%	1.5%	1.6%	0.1%
2020-21	9,850	1.0%	0.3%	12.1%	4.7%	78.5%	0.4%	1.6%	1.4%	0.0%
2019-20	10,264	1.2%	0.3%	12.1%	4.5%	78.0%	0.4%	2.1%	1.3%	0.0%
2018-19	10,744	1.2%	0.3%	11.8%	4.3%	78.4%	0.7%	2.1%	1.2%	0.0%
2017-18	11,270	1.2%	0.2%	11.7%	4.5%	78.9%	0.7%	1.7%	0.9%	0.1%
2016-17	11,624	1.3%	0.2%	11.5%	4.6%	78.8%	0.8%	1.7%	0.9%	0.3%

## Enrollment by Ethnicity





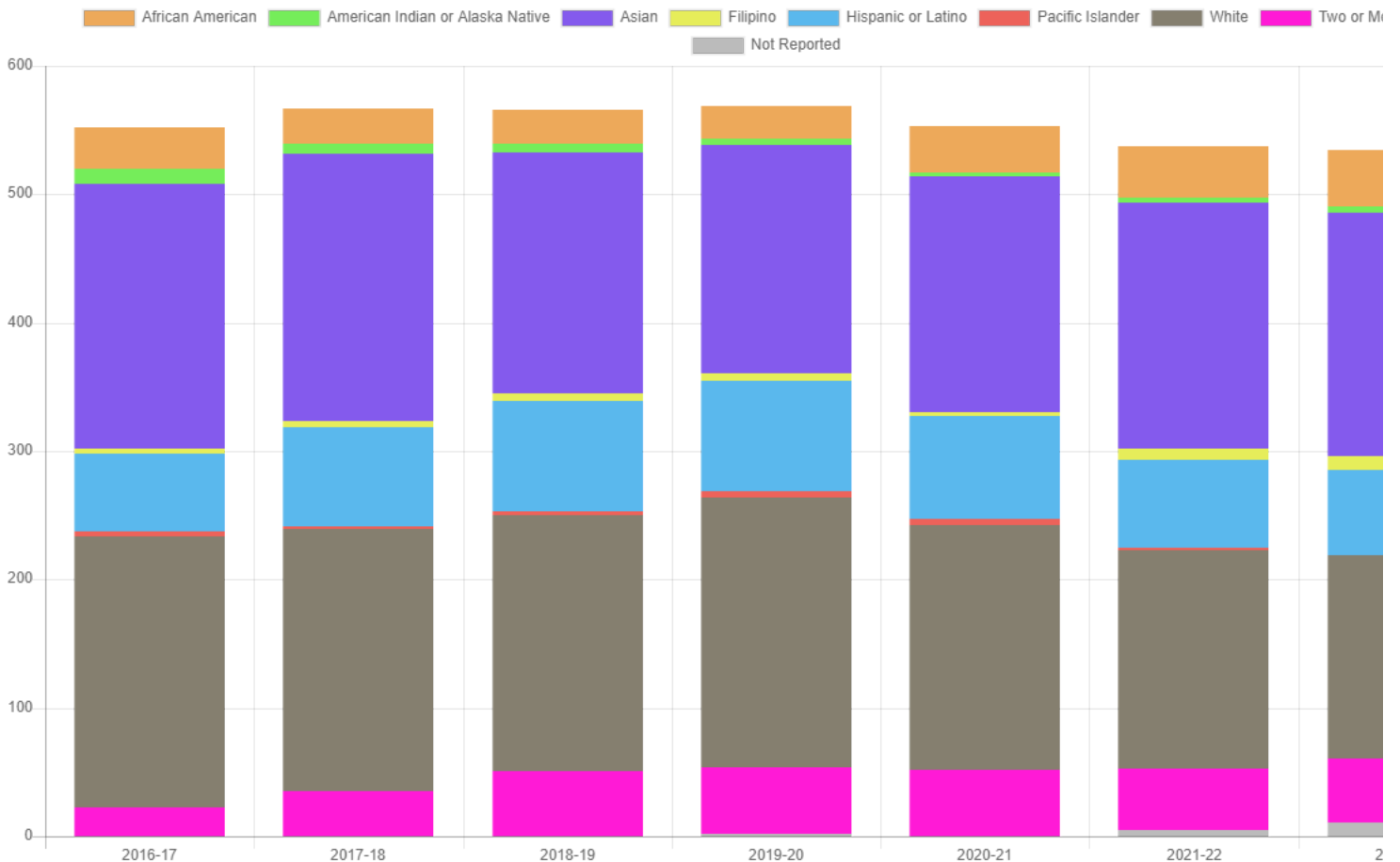
## Enrollment Multi-Year Summary by Ethnicity

Discovery Charter Report (43-10439-0111880)

+ [Report Description](#)+ [Report Options and Filters](#)

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	535	8.2%	0.9%	35.5%	2.1%	12.3%	0.0%	29.5%	9.3%	2.1%
2021-22	537	7.4%	0.7%	35.6%	1.7%	12.7%	0.4%	31.7%	8.9%	0.9%
2020-21	553	6.5%	0.5%	33.3%	0.5%	14.5%	0.9%	34.4%	9.4%	0.0%
2019-20	569	4.6%	0.9%	31.1%	1.1%	15.1%	0.9%	36.9%	9.1%	0.4%
2018-19	566	4.8%	1.1%	33.2%	1.1%	15.2%	0.5%	35.2%	9.0%	0.0%
2017-18	567	4.9%	1.2%	36.9%	0.7%	13.8%	0.4%	36.0%	6.2%	0.0%
2016-17	552	5.8%	2.2%	37.3%	0.7%	11.1%	0.5%	38.4%	4.0%	0.0%

## Enrollment by Ethnicity





**Bullis Charter School Petition**

California Department of Education

DataQuest Home / Enrollment Report

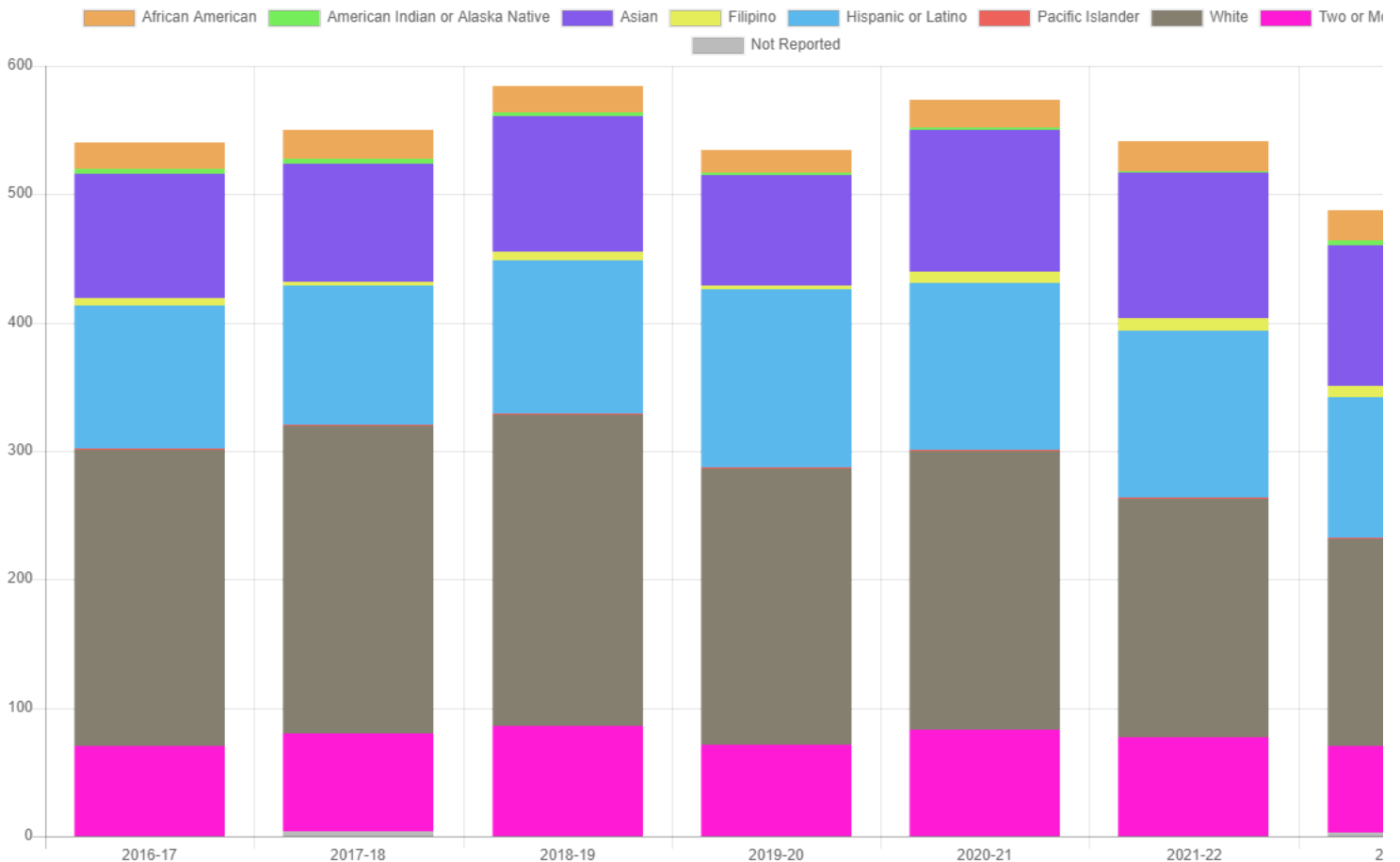
## Enrollment Multi-Year Summary by Ethnicity

Discovery Charter II Report (43-10439-0127969)

**+ Report Description****+ Report Options and Filters**

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	<b>488</b>	4.9%	0.8%	22.3%	1.8%	22.3%	0.2%	33.2%	13.7%	0.6%
2021-22	<b>541</b>	4.3%	0.2%	20.9%	1.8%	24.0%	0.2%	34.4%	14.2%	0.0%
2020-21	<b>574</b>	3.8%	0.3%	19.2%	1.6%	22.6%	0.2%	37.8%	14.5%	0.0%
2019-20	<b>535</b>	3.4%	0.4%	16.1%	0.6%	26.0%	0.2%	40.2%	13.3%	0.0%
2018-19	<b>584</b>	3.4%	0.5%	18.2%	1.0%	20.5%	0.2%	41.4%	14.7%	0.0%
2017-18	<b>550</b>	4.0%	0.7%	16.7%	0.5%	19.6%	0.2%	43.6%	13.8%	0.7%
2016-17	<b>540</b>	3.7%	0.7%	18.0%	1.1%	20.6%	0.2%	42.8%	13.0%	0.0%

## Enrollment by Ethnicity







**Bullis Charter School Petition**

California Department of Education

DataQuest Home / Enrollment Report

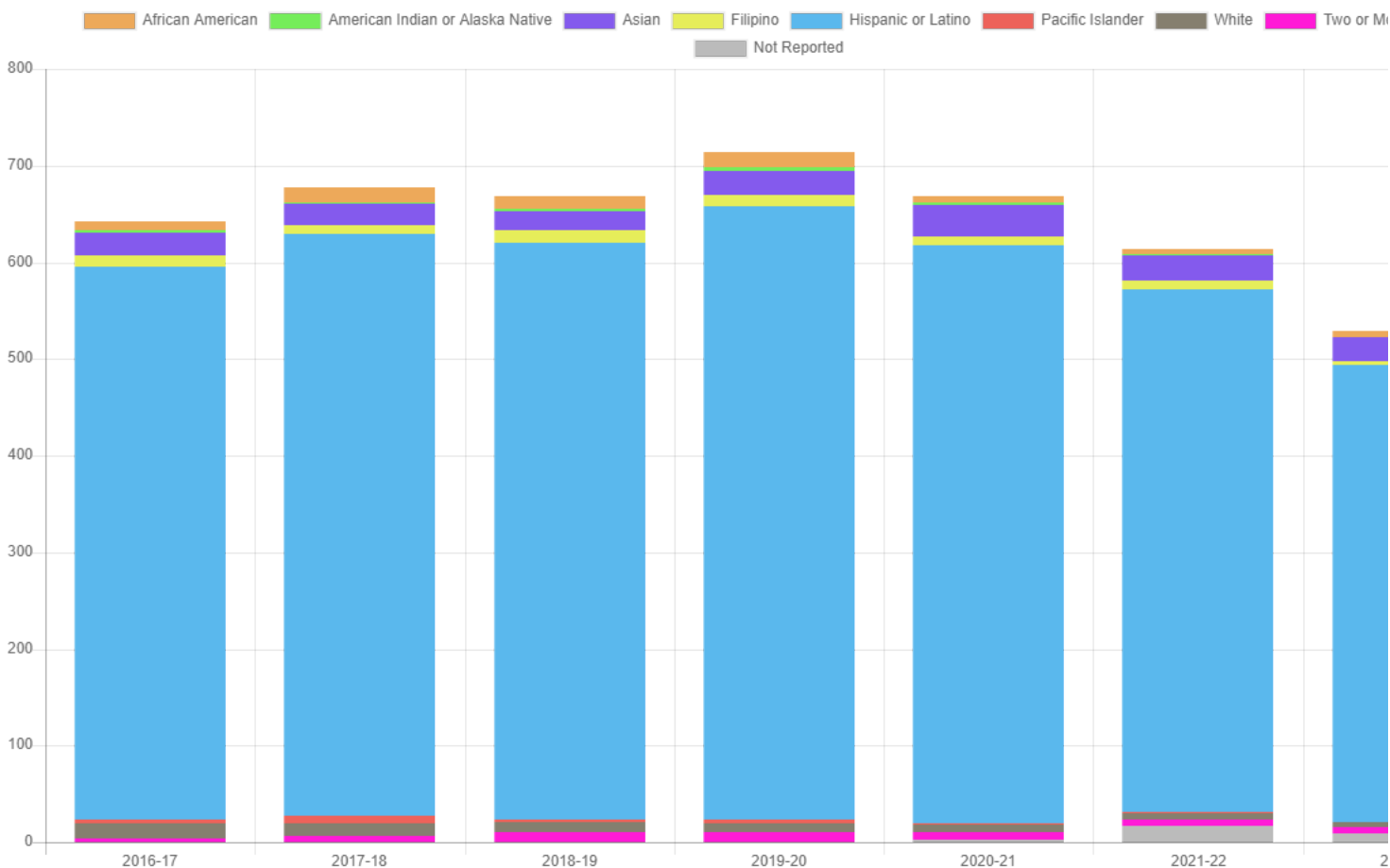
## Enrollment Multi-Year Summary by Ethnicity

### Downtown College Prep - Alum Rock Report (43-10439-0123257)

**+ Report Description****+ Report Options and Filters**

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	<b>529</b>	1.3%	0.0%	4.5%	0.8%	89.4%	0.0%	0.9%	1.3%	1.7%
2021-22	<b>614</b>	1.0%	0.2%	4.2%	1.5%	88.1%	0.2%	1.1%	1.0%	2.8%
2020-21	<b>669</b>	1.0%	0.4%	4.8%	1.5%	89.2%	0.3%	1.0%	1.2%	0.4%
2019-20	<b>714</b>	2.2%	0.6%	3.4%	1.7%	88.9%	0.4%	1.3%	1.5%	0.0%
2018-19	<b>668</b>	1.9%	0.3%	3.0%	1.9%	89.4%	0.3%	1.6%	1.5%	0.0%
2017-18	<b>677</b>	2.2%	0.3%	3.1%	1.5%	88.9%	1.0%	1.9%	1.0%	0.0%
2016-17	<b>642</b>	1.4%	0.3%	3.7%	1.7%	89.1%	0.6%	2.5%	0.6%	0.0%

### Enrollment by Ethnicity





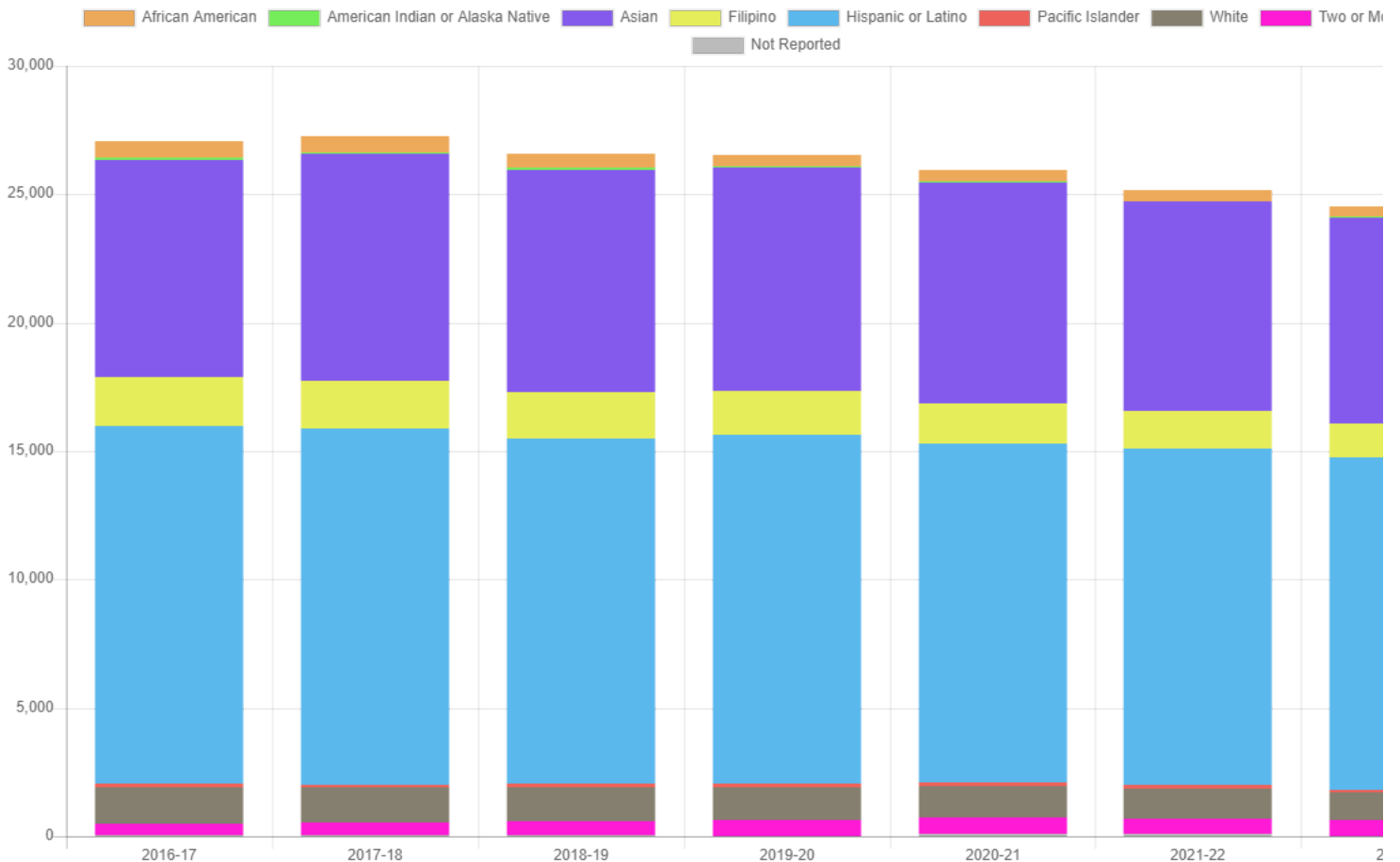
## Enrollment Multi-Year Summary by Ethnicity

## East Side Union High Report (43-69427)

[+ Report Description](#)
[+ Report Options and Filters](#)

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	24,514	1.6%	0.2%	32.5%	5.5%	52.7%	0.5%	4.4%	2.5%	0.1%
2021-22	25,174	1.7%	0.2%	32.3%	5.7%	52.1%	0.6%	4.6%	2.4%	0.3%
2020-21	25,946	1.8%	0.2%	33.0%	6.1%	50.9%	0.6%	4.7%	2.4%	0.3%
2019-20	26,537	1.8%	0.2%	32.7%	6.5%	51.2%	0.6%	4.8%	2.3%	0.1%
2018-19	26,568	2.1%	0.2%	32.7%	6.8%	50.5%	0.5%	4.9%	2.1%	0.2%
2017-18	27,263	2.3%	0.3%	32.4%	6.9%	50.8%	0.5%	4.9%	1.9%	0.1%
2016-17	27,049	2.4%	0.3%	31.2%	7.0%	51.6%	0.5%	5.3%	1.7%	0.2%

## Enrollment by Ethnicity





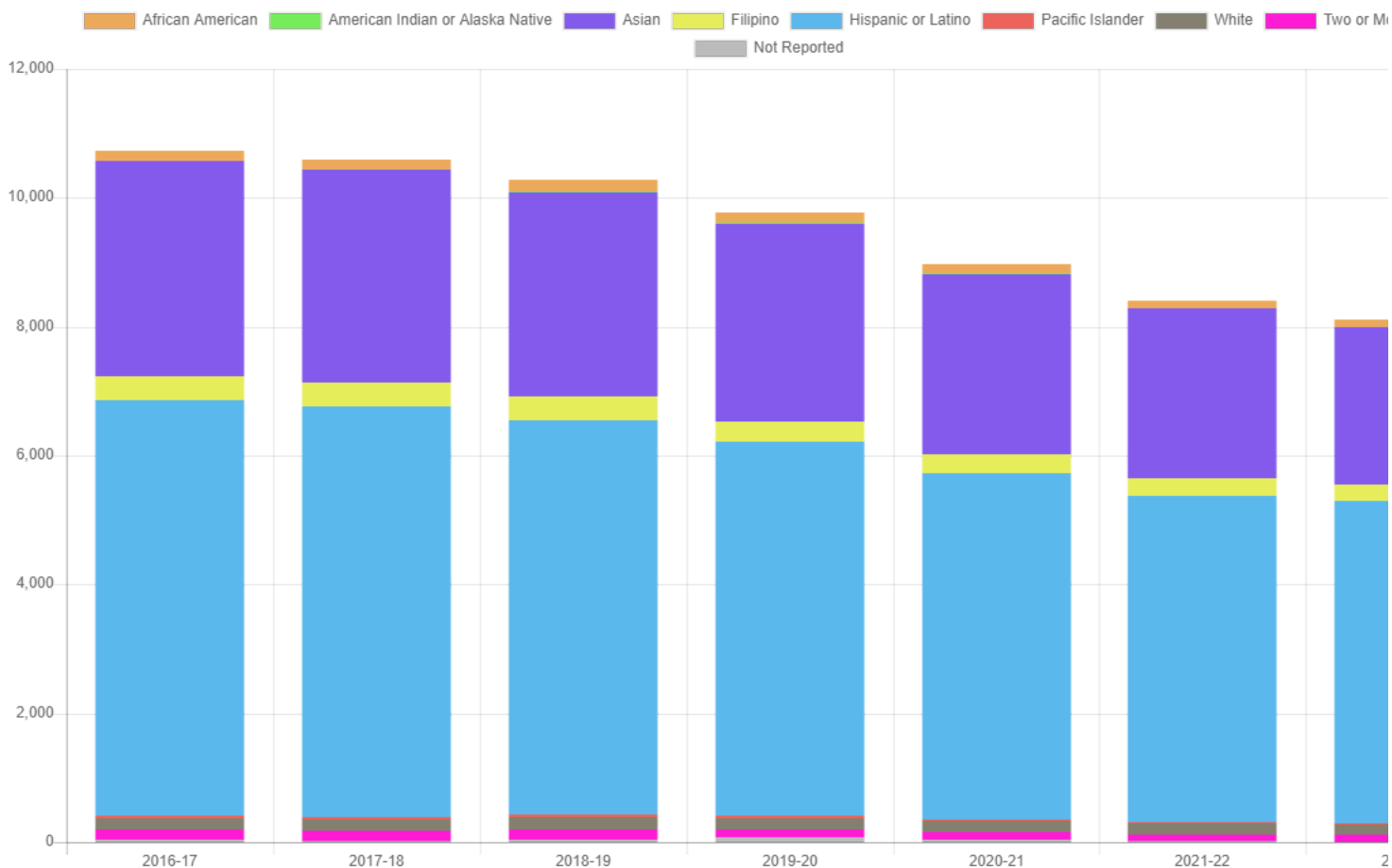
## Enrollment Multi-Year Summary by Ethnicity

## Franklin-McKinley Elementary Report (43-69450)

+ [Report Description](#)+ [Report Options and Filters](#)

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	8,107	1.4%	0.1%	30.1%	3.0%	61.7%	0.3%	1.9%	1.4%	0.1%
2021-22	8,402	1.4%	0.1%	31.3%	3.2%	60.2%	0.3%	2.0%	1.4%	0.1%
2020-21	8,980	1.7%	0.1%	31.2%	3.3%	59.8%	0.3%	2.0%	1.2%	0.4%
2019-20	9,775	1.7%	0.1%	31.3%	3.3%	59.4%	0.3%	1.8%	1.3%	0.7%
2018-19	10,275	1.7%	0.1%	30.9%	3.6%	59.5%	0.4%	1.9%	1.5%	0.4%
2017-18	10,596	1.5%	0.1%	31.1%	3.5%	60.2%	0.3%	1.6%	1.5%	0.2%
2016-17	10,735	1.5%	0.1%	31.0%	3.4%	60.2%	0.3%	1.7%	1.4%	0.3%

## Enrollment by Ethnicity





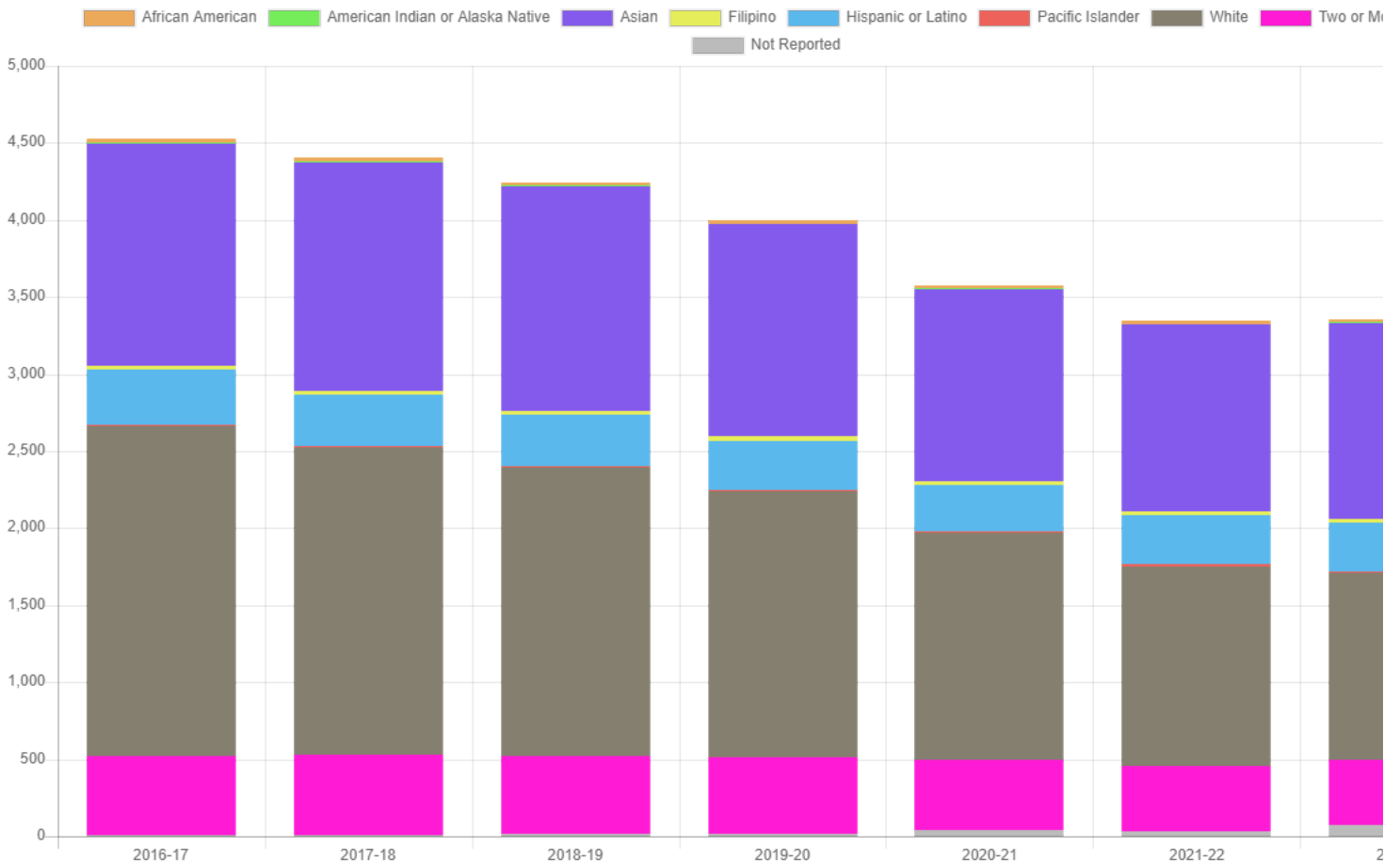
## Enrollment Multi-Year Summary by Ethnicity

## Los Altos Elementary Report (43-69518)

[+ Report Description](#)
[+ Report Options and Filters](#)

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	3,355	0.5%	0.1%	38.0%	0.7%	9.4%	0.3%	36.2%	12.6%	2.1%
2021-22	3,347	0.6%	0.1%	36.3%	0.7%	9.6%	0.3%	38.8%	12.8%	0.9%
2020-21	3,576	0.6%	0.1%	34.8%	0.7%	8.4%	0.3%	41.1%	12.7%	1.2%
2019-20	3,999	0.6%	0.2%	34.4%	0.6%	8.0%	0.2%	43.2%	12.4%	0.4%
2018-19	4,246	0.5%	0.2%	34.2%	0.6%	7.9%	0.2%	44.0%	12.0%	0.3%
2017-18	4,403	0.5%	0.2%	33.6%	0.6%	7.6%	0.2%	45.4%	11.7%	0.2%
2016-17	4,527	0.5%	0.2%	31.9%	0.6%	8.0%	0.1%	47.3%	11.4%	0.1%

## Enrollment by Ethnicity







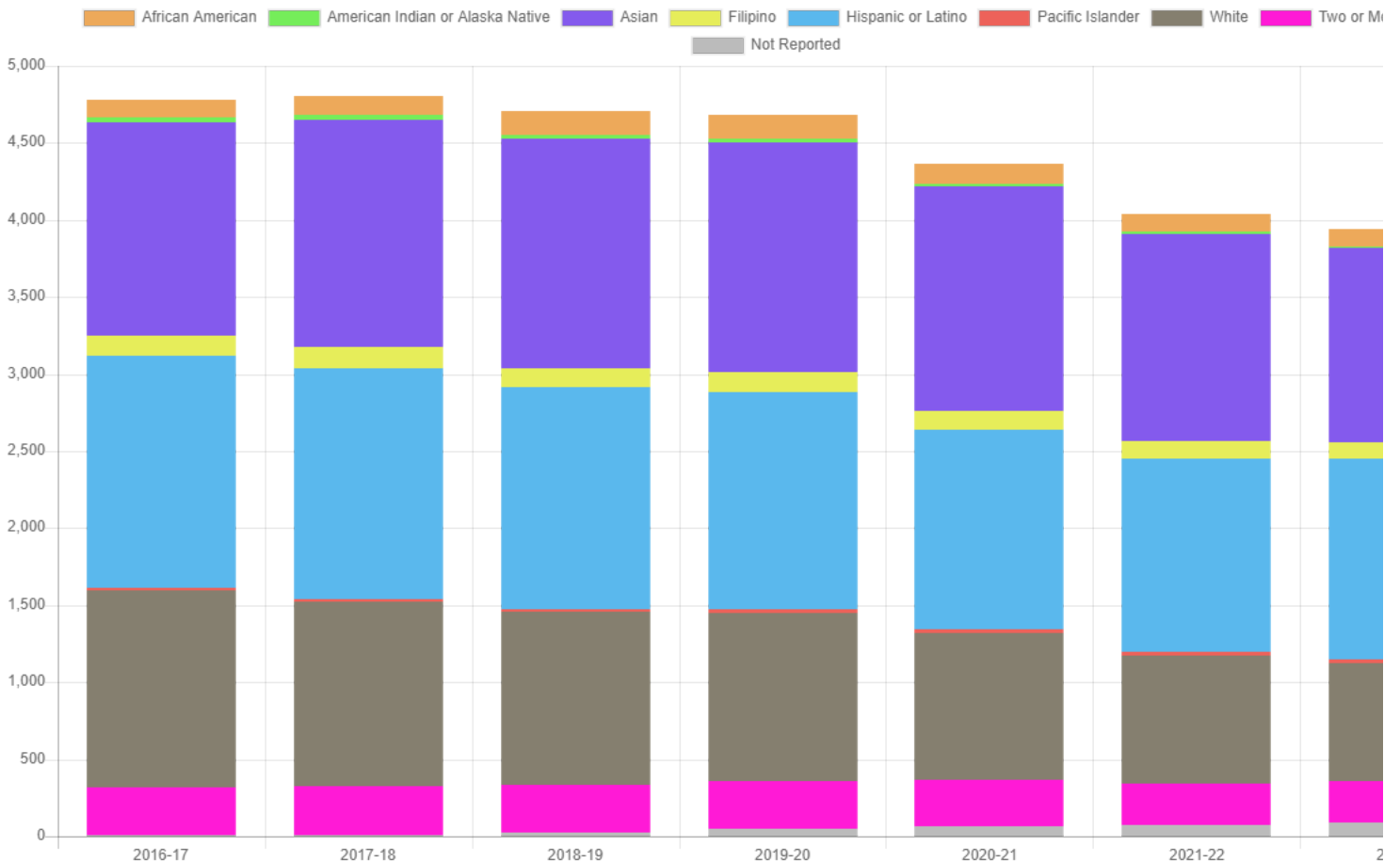
## Enrollment Multi-Year Summary by Ethnicity

## Moreland Report (43-69575)

+ [Report Description](#)+ [Report Options and Filters](#)

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	3,940	2.8%	0.3%	32.0%	2.8%	32.9%	0.7%	19.3%	6.8%	2.3%
2021-22	4,043	2.9%	0.4%	33.3%	2.9%	30.9%	0.7%	20.5%	6.5%	1.9%
2020-21	4,364	3.0%	0.4%	33.3%	2.7%	29.8%	0.5%	21.9%	6.9%	1.5%
2019-20	4,683	3.3%	0.4%	31.9%	2.8%	30.1%	0.4%	23.3%	6.7%	1.0%
2018-19	4,703	3.1%	0.6%	31.7%	2.7%	30.6%	0.4%	23.8%	6.6%	0.6%
2017-18	4,805	2.6%	0.7%	30.7%	2.7%	31.2%	0.3%	25.0%	6.6%	0.2%
2016-17	4,780	2.4%	0.7%	28.9%	2.9%	31.4%	0.3%	26.8%	6.5%	0.1%

## Enrollment by Ethnicity



Enrollment Multi-Year Summary by Ethnicity - Moreland (CA Dept of Education)  
Bullis Charter School Petition

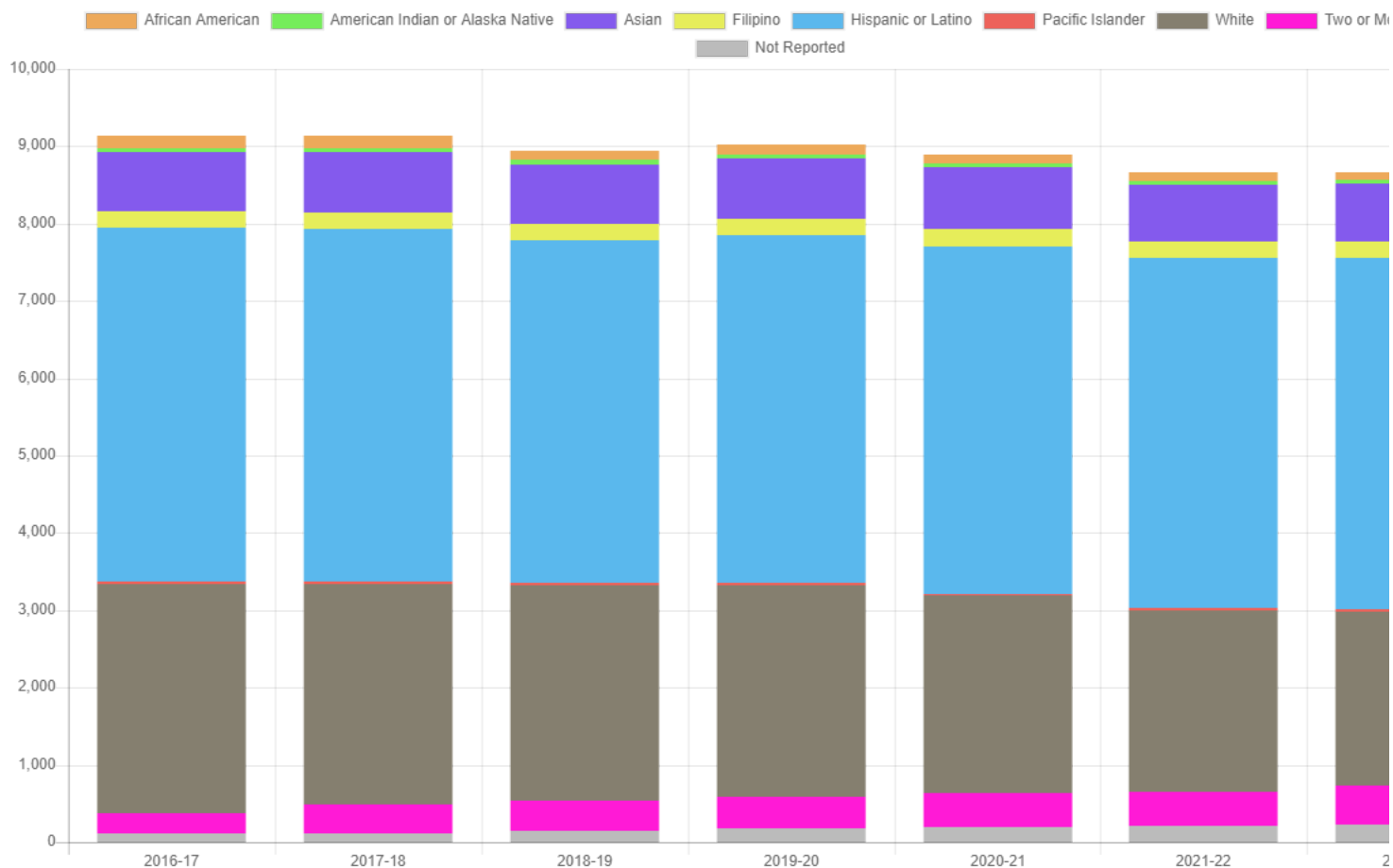
## Enrollment Multi-Year Summary by Ethnicity

## Morgan Hill Unified Report (43-69583)

[+ Report Description](#)
[+ Report Options and Filters](#)

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	8,667	1.2%	0.4%	8.7%	2.4%	52.5%	0.4%	26.0%	5.7%	2.7%
2021-22	8,664	1.4%	0.5%	8.5%	2.5%	52.1%	0.4%	27.0%	5.1%	2.5%
2020-21	8,894	1.4%	0.5%	8.9%	2.6%	50.5%	0.3%	28.6%	4.9%	2.2%
2019-20	9,022	1.4%	0.5%	8.7%	2.3%	49.8%	0.4%	30.2%	4.5%	2.0%
2018-19	8,945	1.4%	0.6%	8.6%	2.3%	49.6%	0.4%	31.2%	4.3%	1.7%
2017-18	9,133	1.7%	0.6%	8.5%	2.3%	50.0%	0.4%	31.3%	4.0%	1.3%
2016-17	9,137	1.8%	0.5%	8.4%	2.3%	50.0%	0.4%	32.5%	2.8%	1.2%

## Enrollment by Ethnicity





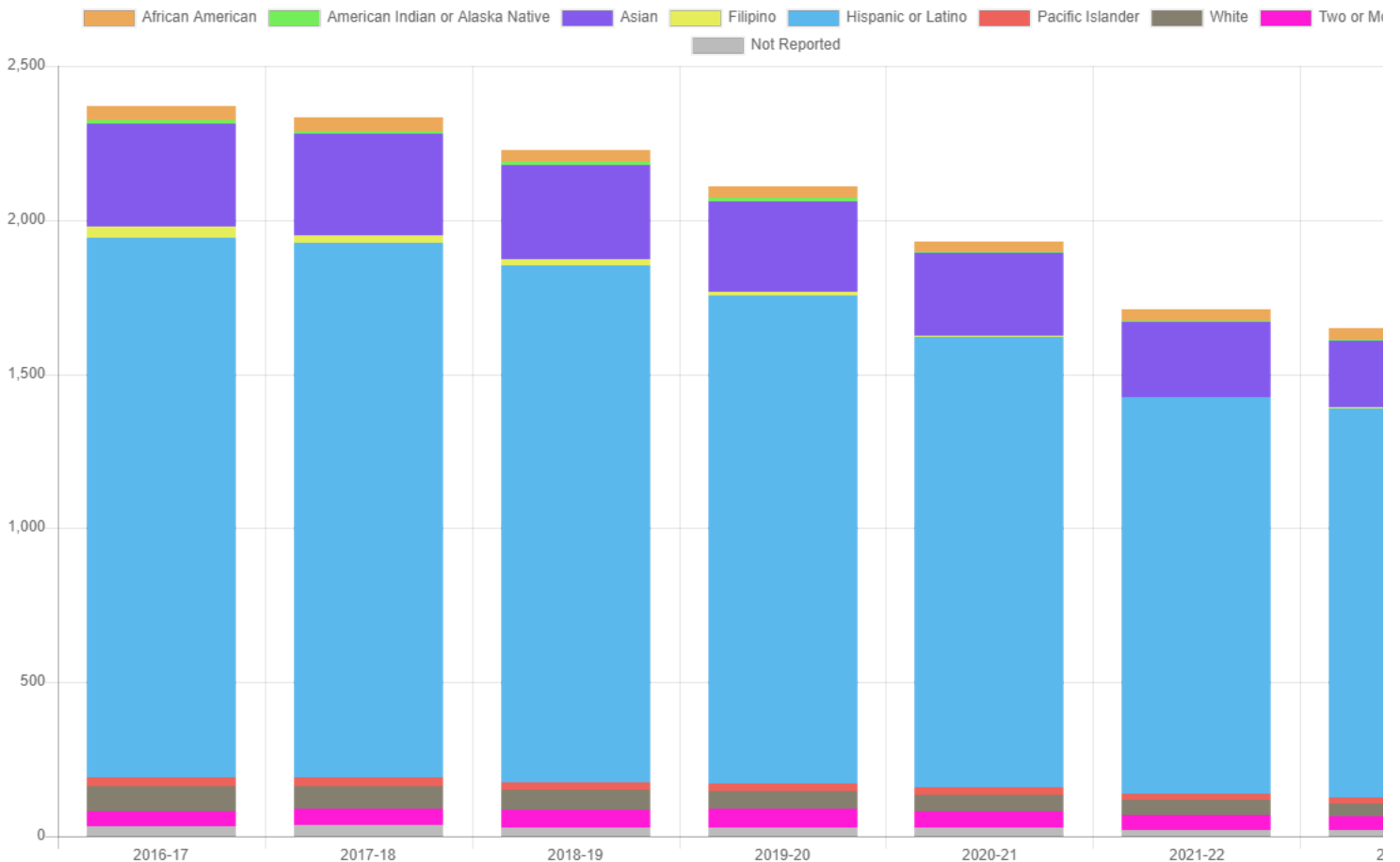
## Enrollment Multi-Year Summary by Ethnicity

## Mount Pleasant Elementary Report (43-69617)

[+ Report Description](#)
[+ Report Options and Filters](#)

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	1,648	2.1%	0.2%	13.3%	0.1%	76.8%	1.2%	2.4%	2.7%	1.3%
2021-22	1,710	2.0%	0.2%	14.3%	0.1%	75.2%	1.2%	2.8%	2.9%	1.2%
2020-21	1,929	1.7%	0.2%	13.9%	0.3%	75.7%	1.3%	2.6%	2.7%	1.6%
2019-20	2,110	1.8%	0.4%	14.0%	0.6%	75.0%	1.2%	2.7%	2.8%	1.4%
2018-19	2,229	1.8%	0.4%	13.7%	0.9%	75.2%	1.1%	3.0%	2.5%	1.3%
2017-18	2,333	1.9%	0.3%	14.2%	1.1%	74.2%	1.3%	3.2%	2.2%	1.6%
2016-17	2,371	2.0%	0.5%	14.2%	1.5%	73.8%	1.3%	3.3%	2.2%	1.3%

## Enrollment by Ethnicity







**Bullis Charter School Petition**

California Department of Education

DataQuest Home / Enrollment Report

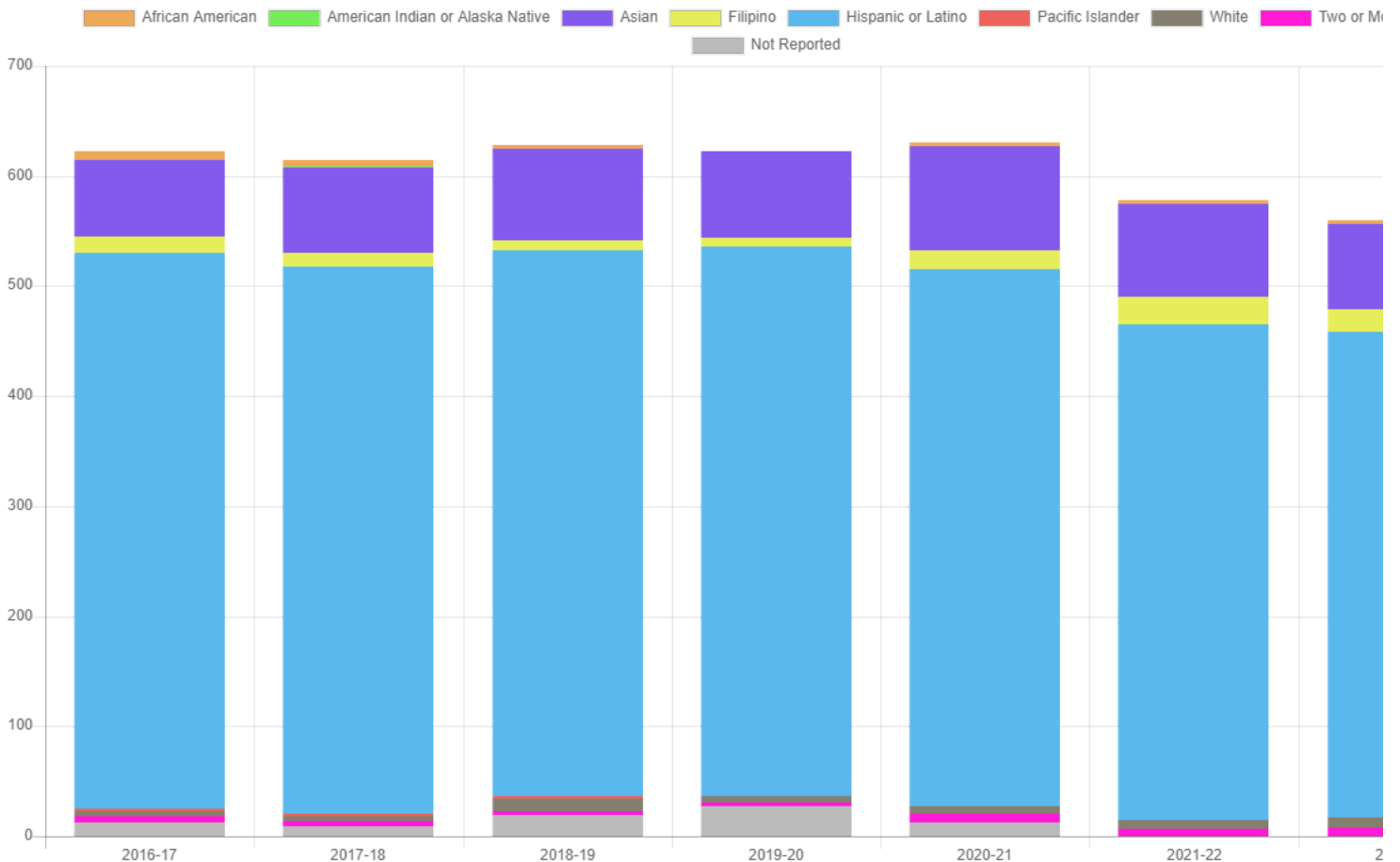
## Enrollment Multi-Year Summary by Ethnicity

## Rocketship Fuerza Community Prep Report (43-10439-0131110)

**+ Report Description****+ Report Options and Filters**

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	<b>560</b>	0.7%	0.0%	13.8%	3.8%	78.8%	0.0%	1.6%	1.4%	0.0%
2021-22	<b>578</b>	0.5%	0.0%	14.7%	4.3%	77.9%	0.0%	1.4%	1.2%	0.0%
2020-21	<b>631</b>	0.6%	0.0%	15.1%	2.7%	77.3%	0.0%	1.1%	1.1%	2.1%
2019-20	<b>623</b>	0.2%	0.0%	12.5%	1.3%	80.1%	0.0%	1.0%	0.6%	4.3%
2018-19	<b>628</b>	0.5%	0.0%	13.2%	1.6%	79.0%	0.3%	1.8%	0.6%	3.0%
2017-18	<b>614</b>	0.8%	0.2%	12.7%	2.0%	81.1%	0.3%	0.7%	0.8%	1.5%
2016-17	<b>622</b>	1.1%	0.0%	11.3%	2.4%	81.2%	0.3%	0.8%	0.8%	2.1%

## Enrollment by Ethnicity





**Bullis Charter School Petition**

California Department of Education

DataQuest Home / Enrollment Report

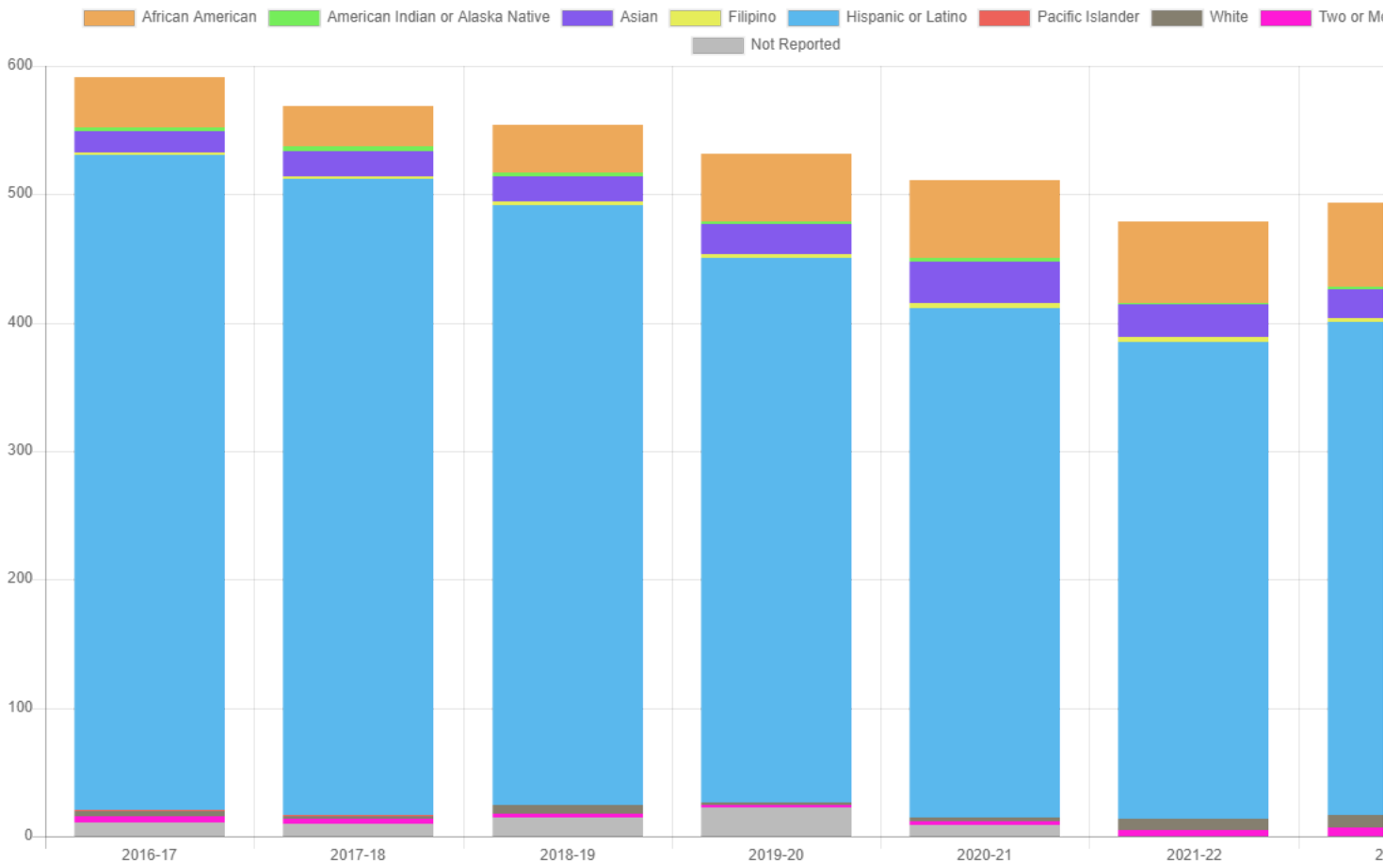
## Enrollment Multi-Year Summary by Ethnicity

## Rocketship Mateo Sheedy Elementary Report (43-10439-0113704)

**+ Report Description****+ Report Options and Filters**

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	493	13.2%	0.4%	4.5%	0.6%	77.9%	0.0%	2.0%	1.4%	0.0%
2021-22	479	13.4%	0.2%	5.2%	0.8%	77.5%	0.0%	1.9%	1.0%	0.0%
2020-21	511	11.9%	0.4%	6.5%	0.8%	77.5%	0.0%	0.6%	0.6%	1.8%
2019-20	532	10.0%	0.4%	4.5%	0.6%	79.7%	0.0%	0.4%	0.4%	4.1%
2018-19	554	6.7%	0.5%	3.6%	0.4%	84.5%	0.0%	1.1%	0.5%	2.7%
2017-18	569	5.6%	0.5%	3.5%	0.4%	87.0%	0.2%	0.4%	0.7%	1.8%
2016-17	591	6.6%	0.5%	2.7%	0.3%	86.3%	0.2%	0.7%	0.8%	1.9%

## Enrollment by Ethnicity





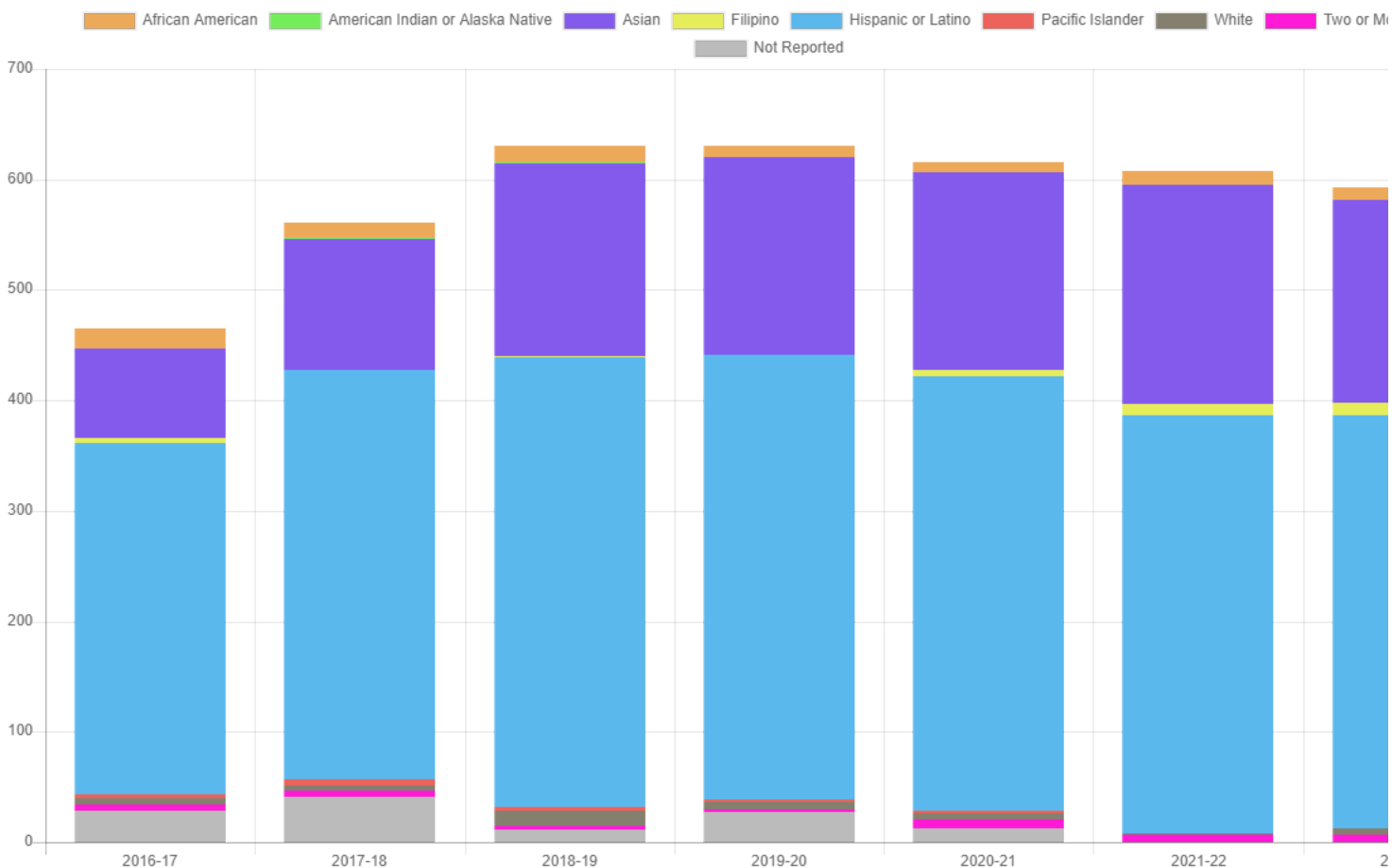
## Enrollment Multi-Year Summary by Ethnicity

## Rocketship Rising Stars Report (43-10439-0133496)

[+ Report Description](#)
[+ Report Options and Filters](#)

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	593	1.9%	0.0%	31.0%	2.0%	62.9%	0.2%	0.8%	1.2%	0.0%
2021-22	608	2.1%	0.0%	32.6%	1.6%	62.3%	0.0%	0.2%	1.2%	0.0%
2020-21	616	1.5%	0.0%	29.2%	0.8%	64.0%	0.3%	0.8%	1.3%	2.1%
2019-20	630	1.6%	0.0%	28.4%	0.0%	63.8%	0.5%	1.0%	0.5%	4.3%
2018-19	631	2.4%	0.2%	27.7%	0.2%	64.5%	0.6%	2.1%	0.6%	1.7%
2017-18	561	2.5%	0.2%	21.0%	0.0%	66.1%	1.1%	0.7%	1.1%	7.3%
2016-17	465	3.9%	0.0%	17.4%	1.1%	68.4%	0.6%	1.3%	1.3%	6.0%

## Enrollment by Ethnicity





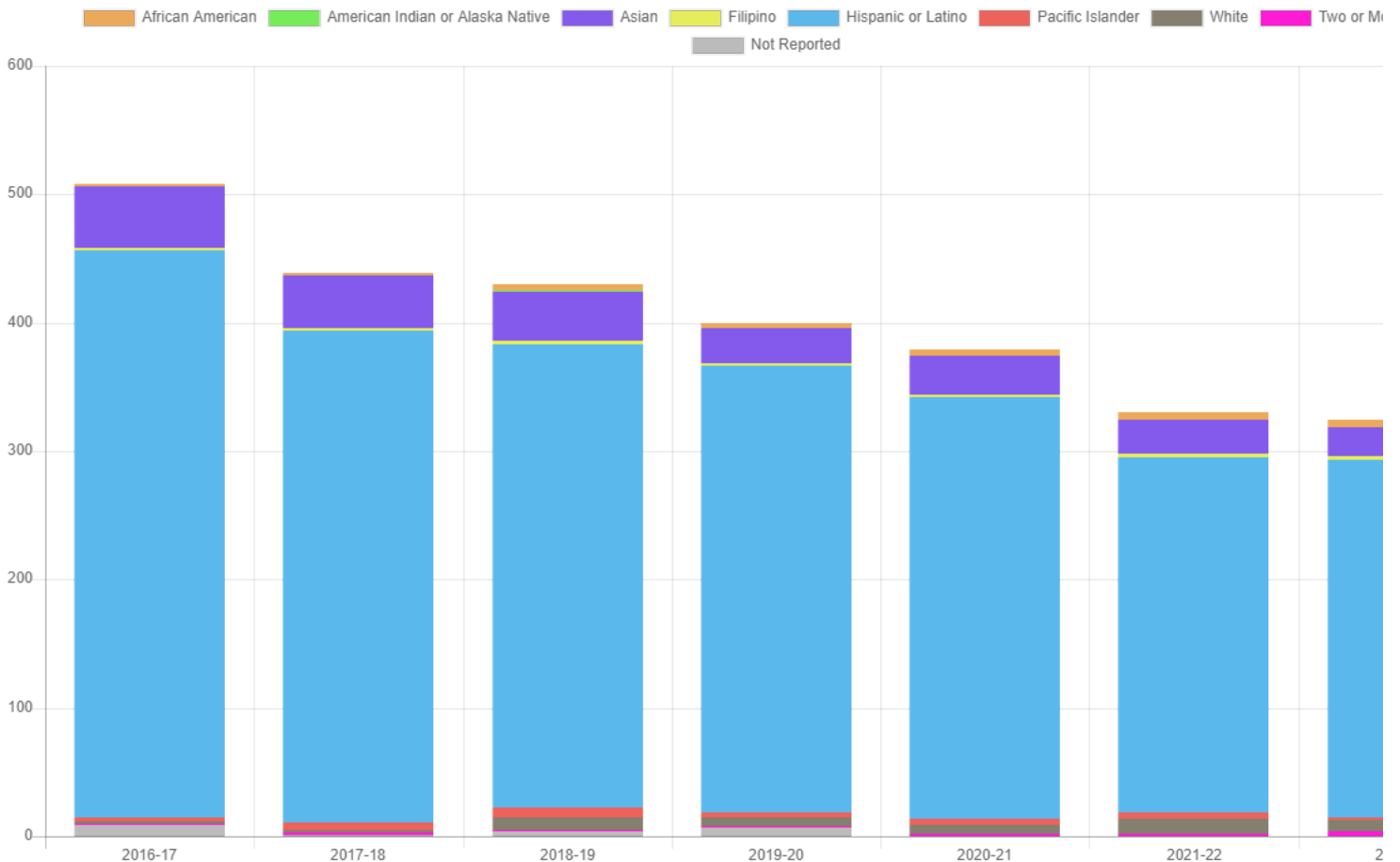
## Enrollment Multi-Year Summary by Ethnicity

### Rocketship Si Se Puede Academy Report (43-10439-0119024)

[+ Report Description](#)
[+ Report Options and Filters](#)

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	324	1.5%	0.0%	7.1%	0.9%	85.8%	0.6%	2.8%	1.2%	0.0%
2021-22	330	1.8%	0.0%	7.9%	0.9%	83.6%	1.5%	3.6%	0.6%	0.0%
2020-21	379	1.3%	0.0%	7.9%	0.5%	86.5%	1.3%	1.8%	0.5%	0.0%
2019-20	400	1.0%	0.0%	7.0%	0.5%	86.8%	1.0%	1.8%	0.3%	1.8%
2018-19	430	1.2%	0.2%	8.8%	0.7%	84.0%	1.6%	2.3%	0.2%	0.9%
2017-18	439	0.5%	0.0%	9.3%	0.5%	87.2%	1.4%	0.5%	0.5%	0.2%
2016-17	508	0.4%	0.0%	9.4%	0.4%	86.8%	0.6%	0.4%	0.2%	1.8%

### Enrollment by Ethnicity







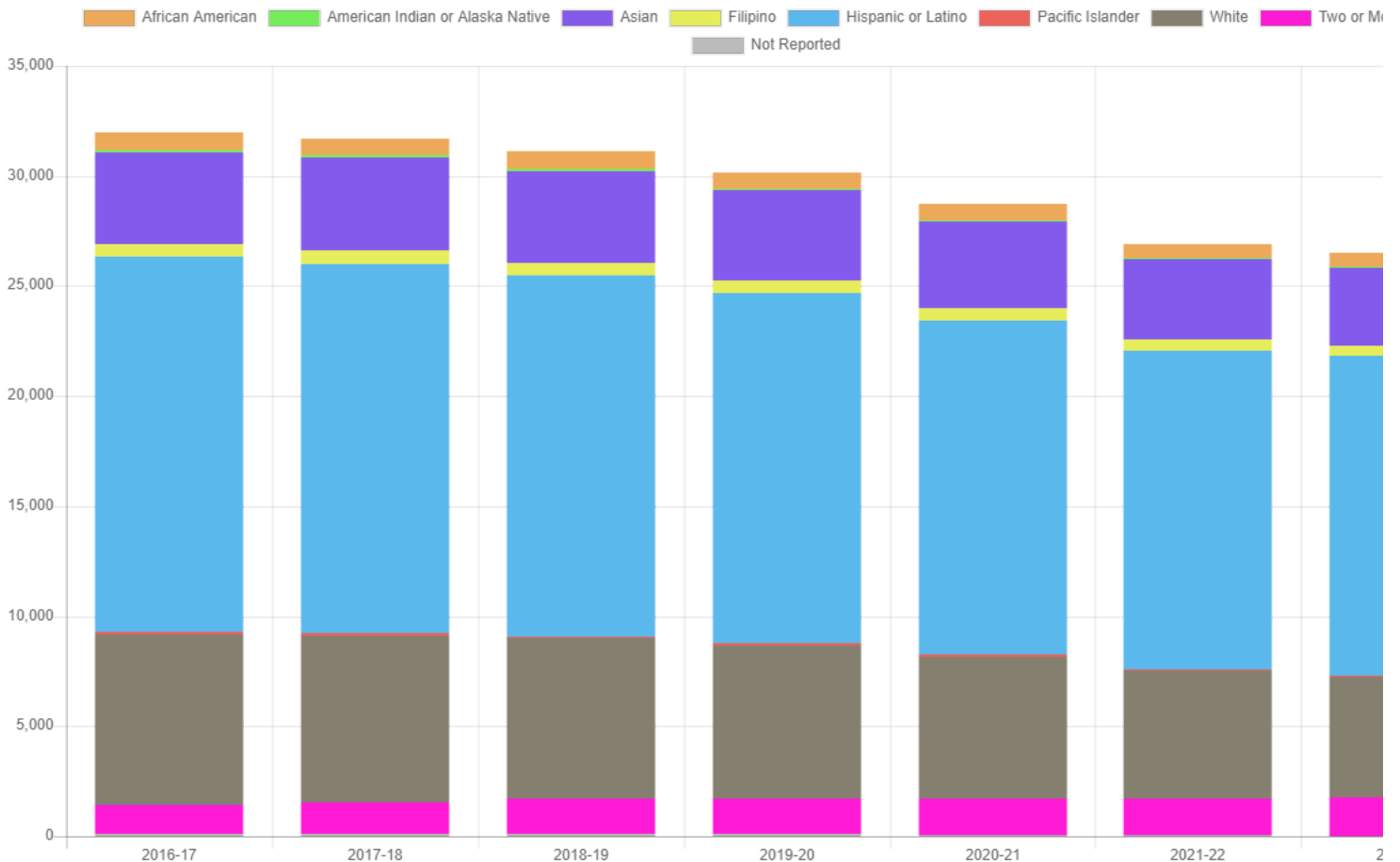
## Enrollment Multi-Year Summary by Ethnicity

## San Jose Unified Report (43-69666)

+ [Report Description](#)+ [Report Options and Filters](#)

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	<b>26,479</b>	2.3%	0.1%	13.3%	1.9%	54.8%	0.2%	20.7%	6.6%	0.0%
2021-22	<b>26,901</b>	2.4%	0.2%	13.5%	1.9%	53.8%	0.2%	21.7%	6.2%	0.2%
2020-21	<b>28,710</b>	2.5%	0.2%	13.7%	1.9%	52.9%	0.3%	22.4%	5.8%	0.3%
2019-20	<b>30,172</b>	2.5%	0.2%	13.6%	1.8%	52.8%	0.3%	23.0%	5.5%	0.3%
2018-19	<b>31,114</b>	2.5%	0.3%	13.5%	1.8%	52.7%	0.3%	23.4%	5.2%	0.3%
2017-18	<b>31,713</b>	2.5%	0.3%	13.3%	1.9%	52.8%	0.4%	24.0%	4.5%	0.3%
2016-17	<b>32,004</b>	2.5%	0.3%	13.1%	1.9%	53.3%	0.4%	24.1%	4.1%	0.4%

## Enrollment by Ethnicity





**Bullis Charter School Petition**

California Department of Education

DataQuest Home / Enrollment Report

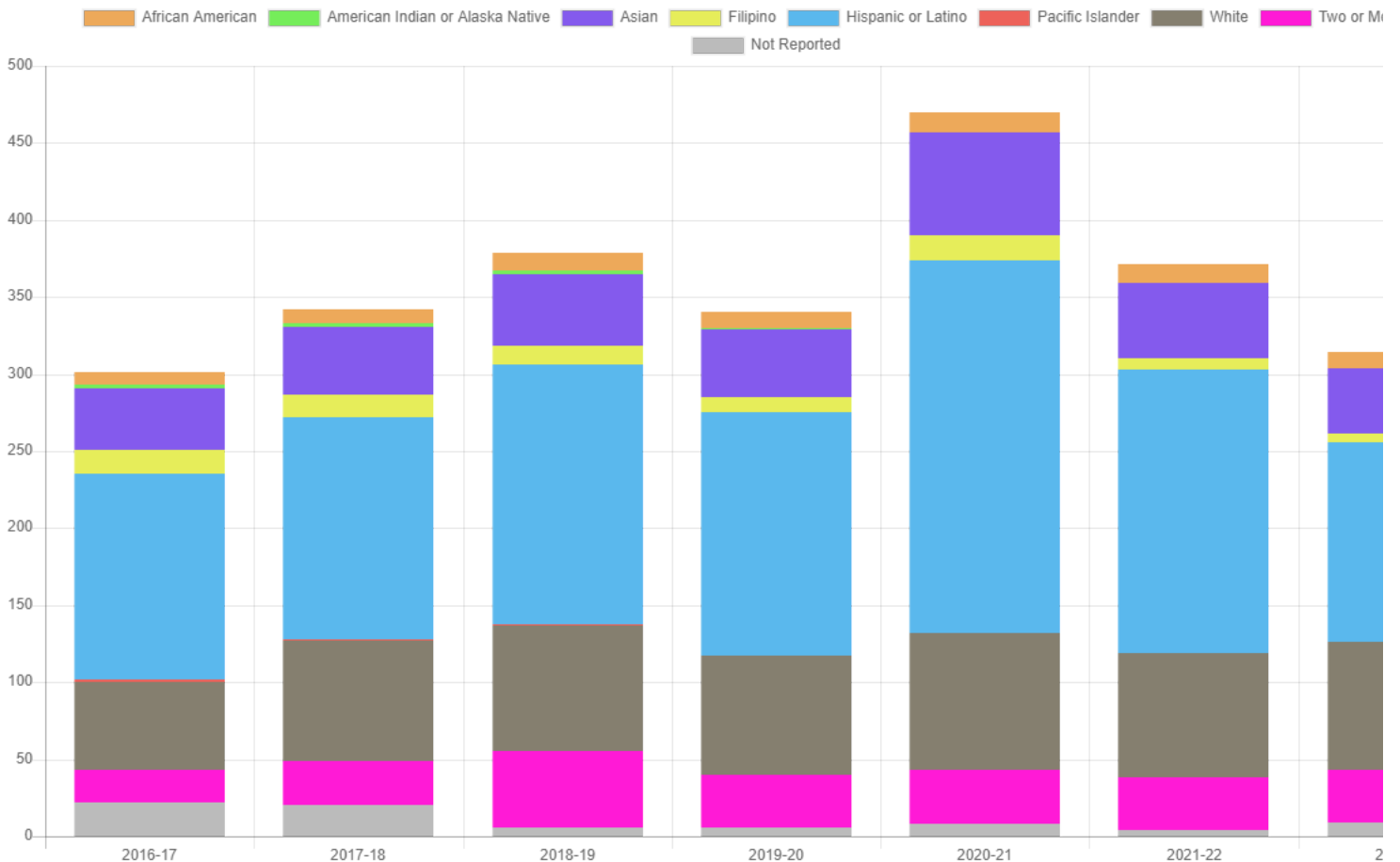
## Enrollment Multi-Year Summary by Ethnicity

Summit Public School: Tahoma Report (43-10439-0123794)

**+ Report Description****+ Report Options and Filters**

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	314	3.2%	0.0%	13.7%	1.6%	41.4%	0.0%	26.4%	10.8%	2.9%
2021-22	371	3.2%	0.0%	13.2%	1.9%	49.6%	0.0%	21.8%	9.2%	1.1%
2020-21	470	2.8%	0.0%	14.3%	3.4%	51.5%	0.0%	18.9%	7.4%	1.7%
2019-20	340	2.9%	0.3%	12.9%	2.9%	46.5%	0.0%	22.6%	10.0%	1.8%
2018-19	379	3.2%	0.5%	12.4%	3.2%	44.3%	0.3%	21.6%	12.9%	1.6%
2017-18	342	2.6%	0.6%	12.9%	4.4%	42.1%	0.3%	22.8%	8.5%	5.8%
2016-17	301	2.7%	0.7%	13.3%	5.3%	44.2%	0.7%	18.9%	7.0%	7.3%

### Enrollment by Ethnicity





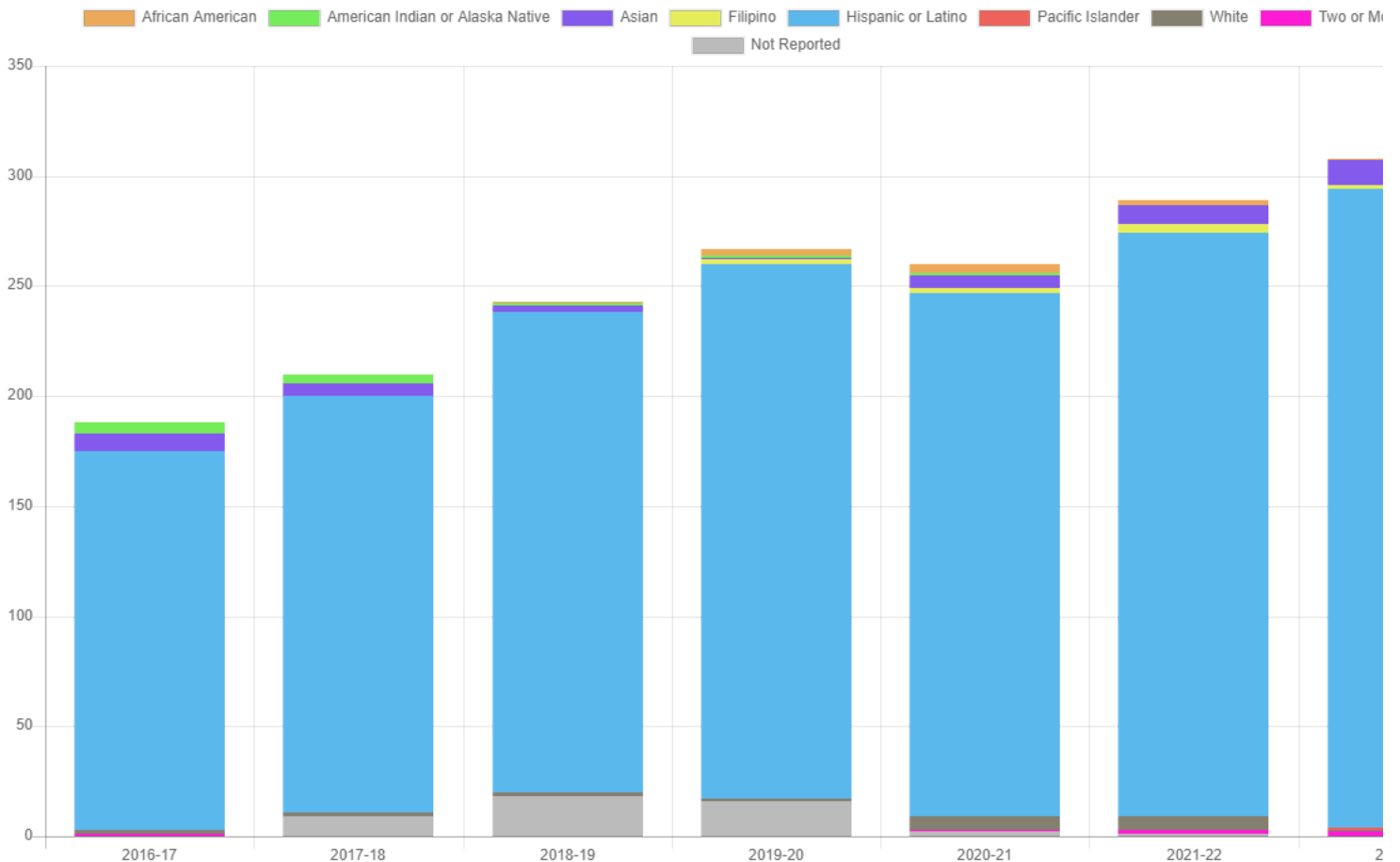
## Enrollment Multi-Year Summary by Ethnicity

Sunrise Middle Report (43-10439-0124065)

+ [Report Description](#)+ [Report Options and Filters](#)

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	308	0.3%	0.0%	3.6%	0.6%	94.2%	0.3%	0.3%	0.6%	0.0%
2021-22	289	0.7%	0.0%	3.1%	1.4%	91.7%	0.0%	2.1%	0.7%	0.3%
2020-21	260	1.5%	0.4%	2.3%	0.8%	91.5%	0.0%	2.3%	0.4%	0.8%
2019-20	267	1.1%	0.4%	0.4%	0.7%	91.0%	0.0%	0.4%	0.0%	6.0%
2018-19	243	0.4%	0.4%	1.2%	0.0%	89.7%	0.0%	0.8%	0.0%	7.4%
2017-18	210	0.0%	1.9%	2.9%	0.0%	90.0%	0.0%	1.0%	0.0%	4.3%
2016-17	188	0.0%	2.7%	4.3%	0.0%	91.5%	0.0%	1.1%	0.5%	0.0%

## Enrollment by Ethnicity







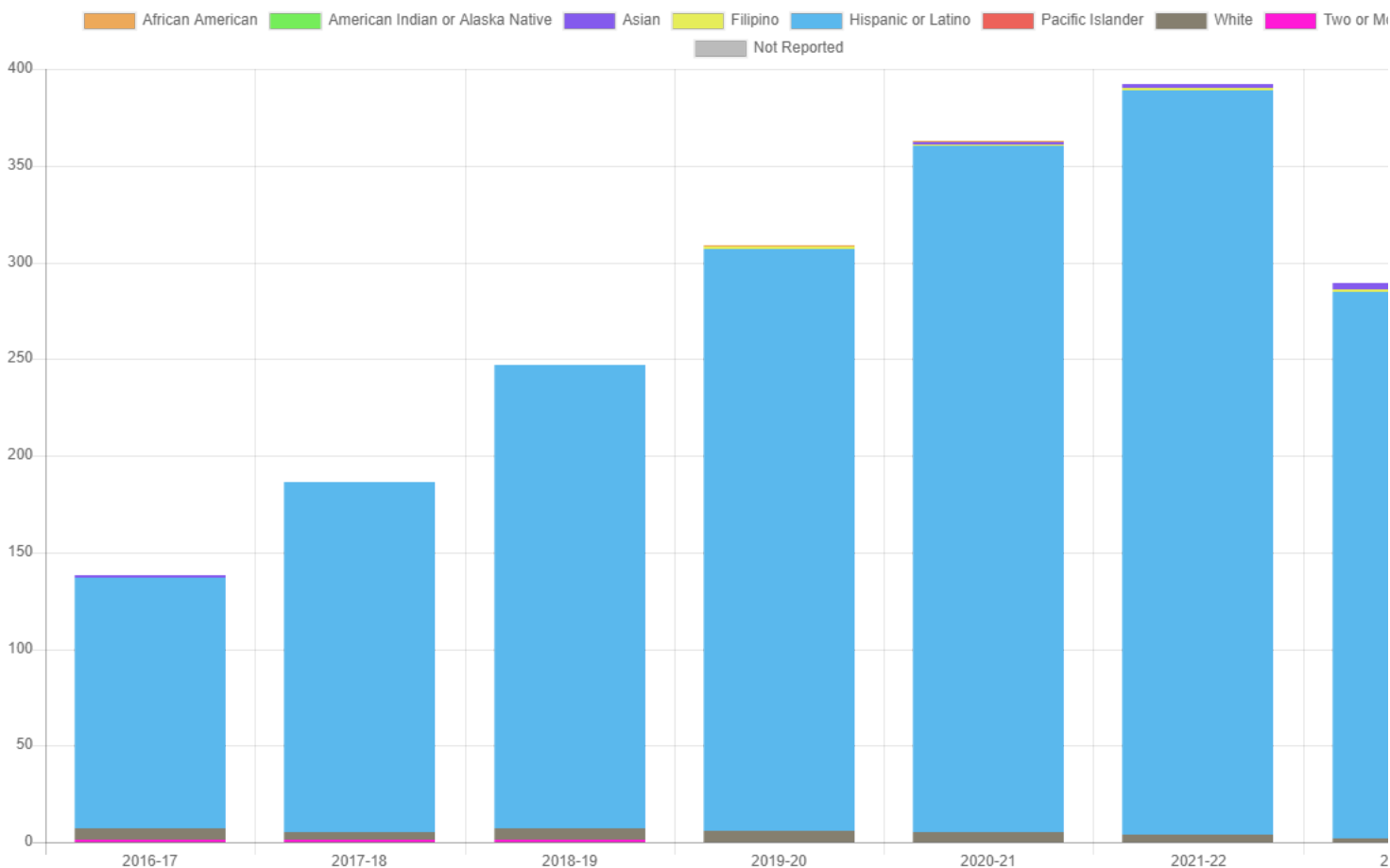
## Enrollment Multi-Year Summary by Ethnicity

### Voices College-Bound Language Academy at Morgan Hill Report (43-10439-0131748)

[+ Report Description](#)
[+ Report Options and Filters](#)

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	289	0.0%	0.0%	1.0%	0.3%	97.9%	0.0%	0.7%	0.0%	0.0%
2021-22	392	0.0%	0.0%	0.5%	0.3%	98.2%	0.0%	1.0%	0.0%	0.0%
2020-21	363	0.3%	0.0%	0.3%	0.3%	97.8%	0.0%	1.4%	0.0%	0.0%
2019-20	309	0.3%	0.0%	0.0%	0.3%	97.4%	0.0%	1.9%	0.0%	0.0%
2018-19	247	0.0%	0.0%	0.0%	0.0%	97.2%	0.0%	2.4%	0.4%	0.0%
2017-18	186	0.0%	0.0%	0.0%	0.0%	97.3%	0.0%	2.2%	0.5%	0.0%
2016-17	138	0.0%	0.0%	0.7%	0.0%	94.2%	0.0%	4.3%	0.7%	0.0%

### Enrollment by Ethnicity





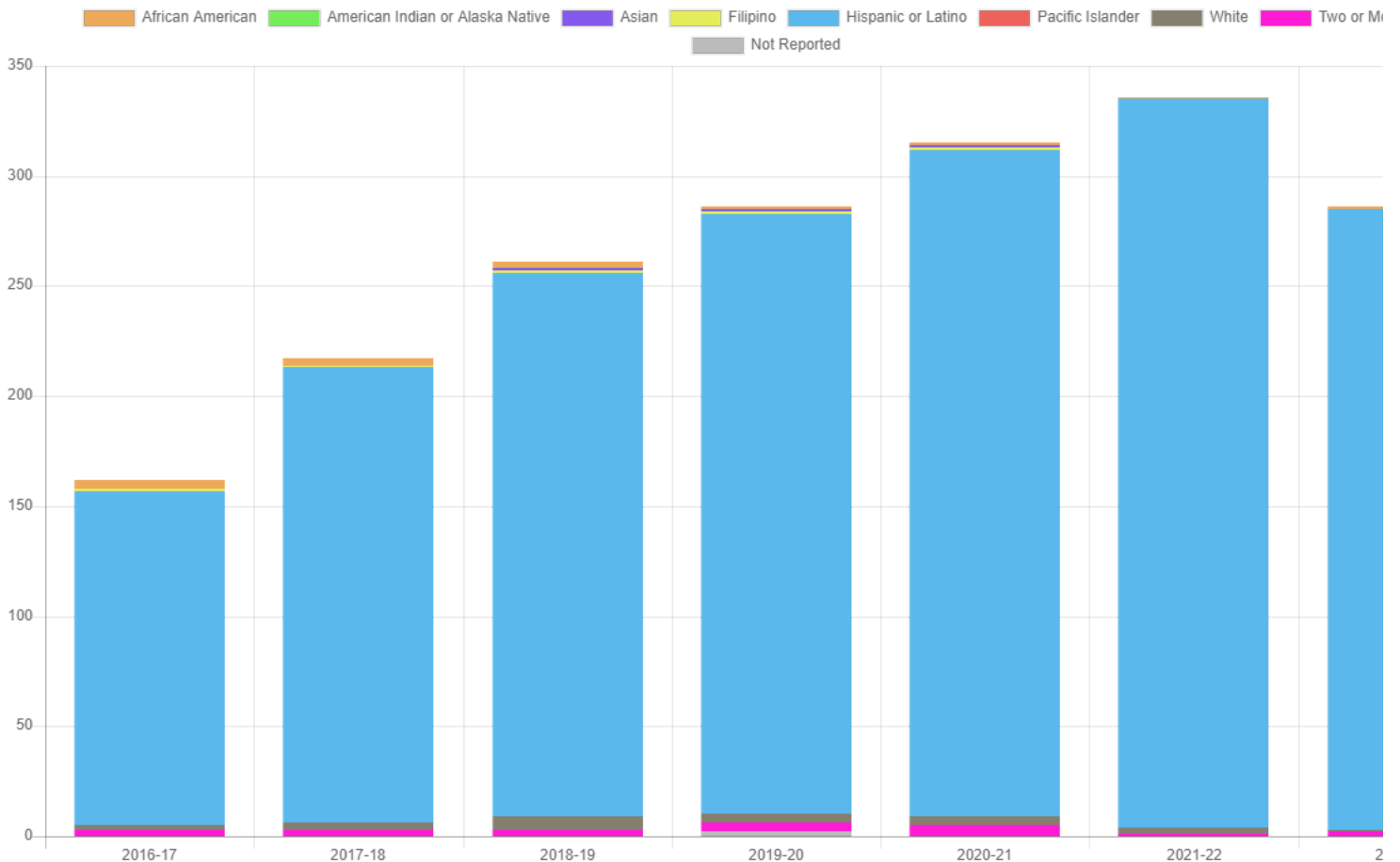
## Enrollment Multi-Year Summary by Ethnicity

## Voices College-Bound Language Academy at Mt. Pleasant Report (43-10439-0132530)

[+ Report Description](#)[+ Report Options and Filters](#)

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2022-23	286	0.3%	0.0%	0.0%	0.0%	98.6%	0.0%	0.3%	0.7%	0.0%
2021-22	336	0.3%	0.0%	0.0%	0.0%	98.5%	0.0%	0.9%	0.3%	0.0%
2020-21	315	0.3%	0.0%	0.3%	0.3%	96.2%	0.0%	1.3%	1.6%	0.0%
2019-20	286	0.3%	0.0%	0.3%	0.3%	95.5%	0.0%	1.4%	1.4%	0.7%
2018-19	261	1.1%	0.0%	0.4%	0.4%	94.6%	0.0%	2.3%	1.1%	0.0%
2017-18	217	1.4%	0.0%	0.0%	0.5%	95.4%	0.0%	1.4%	1.4%	0.0%
2016-17	162	2.5%	0.0%	0.0%	0.6%	93.8%	0.0%	1.2%	1.9%	0.0%

## Enrollment by Ethnicity





## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup

## ACE Charter Report (43-10439-0116814)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup ▼

**County:**

43 - Santa Clara ▼

**District:**

4310439 - Santa Clara County Office of Education ▼

**School:**

43104390116814 - ACE Empower Academy ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**☐ Numbers ☐ Row Percents ☒ Column Percents

Subgroup	Enrollment
English Learners	64.9%
Foster Youth	0.0%
Homeless Youth	0.0%

**Bullis Charter School Petition**

Migrant Education	0.0%
Students with Disabilities	16.2%
Socioeconomically Disadvantaged	93.2%
<b>All Students</b>	<b>191</b>

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## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup

## Alpha: Cornerstone Academy Preparatory Report (43-10439-0121483)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup ▼

**County:**

43 - Santa Clara ▼

**District:**

4310439 - Santa Clara County Office of Education ▼

**School:**

43104390121483 - Alpha: Cornerstone Academy Preparatory ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Enrollment
English Learners	27.5%
Foster Youth	0.0%
Homeless Youth	0.0%



**Bullis Charter School Petition**

Migrant Education	0.0%
Students with Disabilities	8.1%
Socioeconomically Disadvantaged	53.5%
<b>All Students</b>	<b>520</b>

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## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup

Alpha: Jose Hernandez Middle Report (43-10439-0129213)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup ▼

**County:**

43 - Santa Clara ▼

**District:**

4310439 - Santa Clara County Office of Education ▼

**School:**

43104390129213 - Alpha: Jose Hernandez ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Enrollment
English Learners	66.5%
Foster Youth	0.0%
Homeless Youth	0.2%

**Bullis Charter School Petition**

Migrant Education	0.0%
Students with Disabilities	9.3%
Socioeconomically Disadvantaged	93.6%
<b>All Students</b>	<b>451</b>

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## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup for Charter and Non-Charter Schools

## Alum Rock Union Elementary Report (43-69369)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup for Charter and Non-Charter Schools ▼

**County:**

43 - Santa Clara ▼

**District:**

4369369 - Alum Rock Union Elementary ▼

**School:**

- Select a School ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Charter School Enrollment	Non-Charter School Enrollment	Total Enrollment
English Learners	49.4%	43.2%	44.4%

~~Bullis Charter School Petition~~

Foster Youth	0.2%	0.2%	0.2%
Homeless Youth	0.8%	1.1%	1.0%
Migrant Education	0.2%	0.2%	0.2%
Students with Disabilities	10.0%	13.0%	12.4%
Socioeconomically Disadvantaged	80.6%	76.7%	77.5%
<b>All Students</b>	<b>1,700</b>	<b>7,107</b>	<b>8,807</b>

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## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup

## Bullis Charter Report (43-10439-0106534)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup ▼

**County:**

43 - Santa Clara ▼

**District:**

4310439 - Santa Clara County Office of Education ▼

**School:**

43104390106534 - Bullis Charter ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Enrollment
English Learners	6.1%
Foster Youth	0.0%
Homeless Youth	0.0%

**Bullis Charter School Petition**

Migrant Education	0.0%
Students with Disabilities	6.9%
Socioeconomically Disadvantaged	1.9%
<b>All Students</b>	<b>1,058</b>

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## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup

## Discovery Charter Report (43-10439-0111880)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup ▼

**County:**

43 - Santa Clara ▼

**District:**

4310439 - Santa Clara County Office of Education ▼

**School:**

43104390111880 - Discovery Charter ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**☐ Numbers ☐ Row Percents ☒ Column Percents

Subgroup	Enrollment
English Learners	13.3%
Foster Youth	0.2%
Homeless Youth	0.0%

**Bullis Charter School Petition**

Migrant Education	0.0%
Students with Disabilities	9.5%
Socioeconomically Disadvantaged	10.3%
<b>All Students</b>	<b>535</b>

---

## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup

## Discovery Charter II Report (43-10439-0127969)

**+ Report Description****— Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup ▼

**County:**

43 - Santa Clara ▼

**District:**

4310439 - Santa Clara County Office of Education ▼

**School:**

43104390127969 - Discovery Charter II ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**☐ Numbers ☐ Row Percents ☒ Column Percents

Subgroup	Enrollment
English Learners	9.4%
Foster Youth	0.0%
Homeless Youth	0.0%

**Bullis Charter School Petition**

Migrant Education	0.0%
Students with Disabilities	13.1%
Socioeconomically Disadvantaged	13.7%
<b>All Students</b>	<b>488</b>

---

## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup

## Downtown College Prep - Alum Rock Report (43-10439-0123257)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup ▼

**County:**

43 - Santa Clara ▼

**District:**

4310439 - Santa Clara County Office of Education ▼

**School:**

43104390123257 - Downtown College Prep - Alum Rock ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Enrollment
English Learners	31.2%
Foster Youth	0.2%
Homeless Youth	1.1%

**Bullis Charter School Petition**

Migrant Education	0.0%
Students with Disabilities	14.2%
Socioeconomically Disadvantaged	80.3%
<b>All Students</b>	<b>529</b>

---

## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup for Charter and Non-Charter Schools

## East Side Union High Report (43-69427)

+ Report Description- Report Options and Filters

## Report Selection

## Report:

Enrollment by Subgroup for Charter and Non-Charter Schools ▼

## County:

43 - Santa Clara ▼

## District:

4369427 - East Side Union High ▼

## School:

- Select a School ▼

## Year:

2022-23 ▼

## Display Options

## View Data As:

☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Charter School Enrollment	Non-Charter School Enrollment	Total Enrollment
English Learners	39.8%	19.8%	22.5%



**Bullis Charter School Petition**

Foster Youth	0.0%	0.2%	0.2%
Homeless Youth	15.4%	3.7%	5.3%
Migrant Education	0.0%	0.5%	0.4%
Students with Disabilities	11.1%	11.9%	11.8%
Socioeconomically Disadvantaged	84.5%	41.1%	47.1%
<b>All Students</b>	<b>3,366</b>	<b>21,148</b>	<b>24,514</b>

---

## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup for Charter and Non-Charter Schools

## Franklin-McKinley Elementary Report (43-69450)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup for Charter and Non-Charter Schools ▼

**County:**

43 - Santa Clara ▼

**District:**

4369450 - Franklin-McKinley Elementary ▼

**School:**

- Select a School ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Charter School Enrollment	Non-Charter School Enrollment	Total Enrollment
English Learners	47.3%	48.8%	48.4%

**Bullis Charter School Petition**

Foster Youth	0.0%	0.2%	0.2%
Homeless Youth	2.9%	2.3%	2.4%
Migrant Education	0.0%	0.1%	0.1%
Students with Disabilities	10.1%	12.4%	11.8%
Socioeconomically Disadvantaged	65.8%	62.0%	63.0%
<b>All Students</b>	<b>2,155</b>	<b>5,952</b>	<b>8,107</b>

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## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup for Charter and Non-Charter Schools

## Los Altos Elementary Report (43-69518)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup for Charter and Non-Charter Schools ▼

**County:**

43 - Santa Clara ▼

**District:**

4369518 - Los Altos Elementary ▼

**School:**

- Select a School ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Charter School Enrollment	Non-Charter School Enrollment	Total Enrollment
English Learners	0.0%	10.2%	10.2%

**Bullis Charter School Petition**

Foster Youth	0.0%	0.0%	0.0%
Homeless Youth	0.0%	0.0%	0.0%
Migrant Education	0.0%	0.0%	0.0%
Students with Disabilities	0.0%	9.5%	9.5%
Socioeconomically Disadvantaged	0.0%	7.0%	7.0%
<b>All Students</b>	<b>0</b>	<b>3,355</b>	<b>3,355</b>

---

## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup for Charter and Non-Charter Schools

## Moreland Report (43-69575)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup for Charter and Non-Charter Schools ▼

**County:**

43 - Santa Clara ▼

**District:**

4369575 - Moreland ▼

**School:**

- Select a School ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Charter School Enrollment	Non-Charter School Enrollment	Total Enrollment
English Learners	0.0%	28.4%	28.4%

**Bullis Charter School Petition**

Foster Youth	0.0%	0.1%	0.1%
Homeless Youth	0.0%	0.4%	0.4%
Migrant Education	0.0%	0.0%	0.0%
Students with Disabilities	0.0%	12.7%	12.7%
Socioeconomically Disadvantaged	0.0%	35.2%	35.2%
<b>All Students</b>	<b>0</b>	<b>3,940</b>	<b>3,940</b>

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## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup for Charter and Non-Charter Schools

## Morgan Hill Unified Report (43-69583)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup for Charter and Non-Charter Schools ▼

**County:**

43 - Santa Clara ▼

**District:**

4369583 - Morgan Hill Unified ▼

**School:**

- Select a School ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Charter School Enrollment	Non-Charter School Enrollment	Total Enrollment
English Learners	1.5%	18.2%	16.9%

**Bullis Charter School Petition**

Foster Youth	0.0%	0.2%	0.1%
Homeless Youth	0.2%	8.4%	7.8%
Migrant Education	0.2%	2.1%	1.9%
Students with Disabilities	7.8%	12.7%	12.3%
Socioeconomically Disadvantaged	8.1%	40.1%	37.7%
<b>All Students</b>	<b>654</b>	<b>8,013</b>	<b>8,667</b>

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## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup for Charter and Non-Charter Schools

## Mount Pleasant Elementary Report (43-69617)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup for Charter and Non-Charter Schools ▼

**County:**

43 - Santa Clara ▼

**District:**

4369617 - Mount Pleasant Elementary ▼

**School:**

- Select a School ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Charter School Enrollment	Non-Charter School Enrollment	Total Enrollment
English Learners	41.9%	43.3%	43.0%

**Bullis Charter School Petition**

Foster Youth	0.0%	0.4%	0.3%
Homeless Youth	6.3%	6.6%	6.6%
Migrant Education	2.1%	1.0%	1.3%
Students with Disabilities	9.6%	16.0%	14.3%
Socioeconomically Disadvantaged	57.1%	73.8%	69.5%
<b>All Students</b>	<b>427</b>	<b>1,221</b>	<b>1,648</b>

---

## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup

## Rocketship Fuerza Community Prep Report (43-10439-0131110)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup ▼

**County:**

43 - Santa Clara ▼

**District:**

4310439 - Santa Clara County Office of Education ▼

**School:**

43104390131110 - Rocketship Fuerza Community Prep ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Enrollment
English Learners	63.8%
Foster Youth	0.2%
Homeless Youth	3.4%

**Bullis Charter School Petition**

Migrant Education	0.0%
Students with Disabilities	6.6%
Socioeconomically Disadvantaged	78.4%
<b>All Students</b>	<b>560</b>

---

## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup

## Rocketship Mateo Sheedy Elementary Report (43-10439-0113704)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup ▼

**County:**

43 - Santa Clara ▼

**District:**

4310439 - Santa Clara County Office of Education ▼

**School:**

43104390113704 - Rocketship Mateo Sheedy Elementary ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Enrollment
English Learners	57.8%
Foster Youth	0.0%
Homeless Youth	7.7%



**Bullis Charter School Petition**

Migrant Education	0.0%
Students with Disabilities	7.3%
Socioeconomically Disadvantaged	77.1%
<b>All Students</b>	<b>493</b>

---

## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup

## Rocketship Rising Stars Report (43-10439-0133496)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup ▼

**County:**

43 - Santa Clara ▼

**District:**

4310439 - Santa Clara County Office of Education ▼

**School:**

43104390133496 - Rocketship Rising Stars ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Enrollment
English Learners	52.3%
Foster Youth	0.0%
Homeless Youth	3.7%

**Bullis Charter School Petition**

Migrant Education	0.0%
Students with Disabilities	7.8%
Socioeconomically Disadvantaged	73.7%
<b>All Students</b>	<b>593</b>

---

## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup

## Rocketship Si Se Puede Academy Report (43-10439-0119024)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup ▼

**County:**

43 - Santa Clara ▼

**District:**

4310439 - Santa Clara County Office of Education ▼

**School:**

43104390119024 - Rocketship Si Se Puede Academy ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Enrollment
English Learners	67.9%
Foster Youth	0.0%
Homeless Youth	9.9%

**Bullis Charter School Petition**

Migrant Education	0.0%
Students with Disabilities	9.6%
Socioeconomically Disadvantaged	85.2%
<b>All Students</b>	<b>324</b>

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## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup for Charter and Non-Charter Schools

## San Jose Unified Report (43-69666)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup for Charter and Non-Charter Schools ▼

**County:**

43 - Santa Clara ▼

**District:**

4369666 - San Jose Unified ▼

**School:**

- Select a School ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Charter School Enrollment	Non-Charter School Enrollment	Total Enrollment
English Learners	46.4%	22.3%	23.3%

**Bullis Charter School Petition**

Foster Youth	0.0%	0.2%	0.2%
Homeless Youth	0.0%	1.1%	1.0%
Migrant Education	0.0%	0.0%	0.0%
Students with Disabilities	17.4%	13.0%	13.2%
Socioeconomically Disadvantaged	85.4%	44.0%	45.6%
<b>All Students</b>	<b>1,028</b>	<b>25,451</b>	<b>26,479</b>

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## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup

## Summit Public School: Tahoma Report (43-10439-0123794)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup ▼

**County:**

43 - Santa Clara ▼

**District:**

4310439 - Santa Clara County Office of Education ▼

**School:**

43104390123794 - Summit Public School: Tahoma ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Enrollment
English Learners	9.9%
Foster Youth	0.3%
Homeless Youth	0.0%



**Bullis Charter School Petition**

Migrant Education	0.6%
Students with Disabilities	18.5%
Socioeconomically Disadvantaged	25.2%
<b>All Students</b>	<b>314</b>

---

## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup

## Sunrise Middle Report (43-10439-0124065)

**+ Report Description****— Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup ▼

**County:**

43 - Santa Clara ▼

**District:**

4310439 - Santa Clara County Office of Education ▼

**School:**

43104390124065 - Sunrise Middle ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**☐ Numbers ☐ Row Percents ☒ Column Percents

Subgroup	Enrollment
English Learners	42.2%
Foster Youth	0.0%
Homeless Youth	13.3%

**Bullis Charter School Petition**

Migrant Education	0.0%
Students with Disabilities	13.0%
Socioeconomically Disadvantaged	85.4%
<b>All Students</b>	<b>308</b>

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## California Department of Education

[DataQuest Home](#) / [Enrollment Report](#)

## 2022-23 Enrollment by Subgroup

## Voices College-Bound Language Academy at Morgan Hill Report (43-10439-0131748)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup ▼

**County:**

43 - Santa Clara ▼

**District:**

4310439 - Santa Clara County Office of Education ▼

**School:**

43104390131748 - Voices College-Bound Language Academy at Morgan Hill ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**☐ Numbers ☐ Row Percents ☒ Column Percents

Subgroup	Enrollment
English Learners	59.9%
Foster Youth	0.0%

**Bullis Charter School Petition**

Homeless Youth	0.0%
Migrant Education	0.0%
Students with Disabilities	9.0%
Socioeconomically Disadvantaged	64.7%
<b>All Students</b>	<b>289</b>

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## California Department of Education

DataQuest Home / Enrollment Report

## 2022-23 Enrollment by Subgroup

## Voices College-Bound Language Academy at Mt. Pleasant Report (43-10439-0132530)

**+ Report Description****- Report Options and Filters****Report Selection****Report:**

Enrollment by Subgroup ▼

**County:**

43 - Santa Clara ▼

**District:**

4310439 - Santa Clara County Office of Education ▼

**School:**

43104390132530 - Voices College-Bound Language Academy at Mt. Pleasant ▼

**Year:**

2022-23 ▼

**Display Options****View Data As:**
☐ Numbers
 ☐ Row Percents
 ☒ Column Percents

Subgroup	Enrollment
English Learners	54.5%
Foster Youth	0.3%

**Bullis Charter School Petition**

Homeless Youth	0.0%
Migrant Education	0.0%
Students with Disabilities	8.7%
Socioeconomically Disadvantaged	64.0%
<b>All Students</b>	<b>286</b>

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# **Attachment 3**





September 10, 2019

Santa Clara County Board of Education  
Mary Ann Dewan, Ph.D., County Superintendent of Schools  
1290 Ridder Park Drive  
San Jose, CA 95131

Re: Los Altos School District  
Bullis Charter School

Dear Dr. Dewan and Santa Clara County Board of Education:

The Los Altos School District Board ("LASD" or "Board") sends this correspondence seeking significant steps to end the longstanding discrimination at Bullis Charter School ("BCS") and ensure equitable access to *all* students. Not only has BCS fostered discriminatory impacts since it initiated its program nearly 15 years ago, it now intends to give enrollment priority to students who reside in the wealthiest and least socioeconomically diverse area within LASD (the "Exclusionary Los Altos Hills Preference"). Based upon the information presented below it is long past time for you, as the BCS authorizer, to act. Both the Santa Clara County Board of Education ("SCCBOE") and the County Superintendent must take the requisite steps to protect our public education system. To meet these obligations, the Board asks that you, among other things, take the following actions:

- Reject the Exclusionary Los Altos Hills Preference;
- Develop a comprehensive desegregation plan designed to ensure a student population that mirrors the demographics within the LASD boundaries;
- Ensure that the desegregation plan include: transparent lottery conducted by the Santa Clara County Office of Education ("SCCOE") staff, priority preference for free and reduced lunch students, English Language Learners ("ELL"), special needs students and other underrepresented students, and restricted growth until such time as the discrimination is corrected;
- Hold BCS accountable to the requirements of a school operating in the public school system.

*Board of Trustees*

**Vladimir Ivanovic**

**Bryan Johnson**

**Vaishali Sirkay**

**Jessica Speiser**

**Steve Taglio**



650 947-1150

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201 Covington Road  
Los Altos, CA 94024

@lasdk8

lasdschools.org

As you know, BCS's failure to serve a student population that reflects the demographics within the LASD boundaries has long been a concern for LASD, its parents, and the community at large – a concern that has been voiced for many years including at the SCCBOE meetings. In fact, the SCCBOE recognized BCS's continuing failure to meet this statutory requirement (Ed. Code, § 47605(b)(5)(G)) when it considered the most recent renewal of its charter for another term.

When BCS sought the approval of the LASD to operate a charter school in the district, LASD rejected the application, believing that a charter school would do little more than divide an educational community that was serving well *all* public school students in the District. The SCCBOE nonetheless approved the charter and SCCBOE and its Office of Education thus assumed the responsibility to ensure BCS would deliver educational services in alignment with current educational expectations and at the same time would not implement policies that discriminate against students, or effectuate policies that create a discriminatory disparate impact against vulnerable students.

LASD's worst fears have been realized. BCS has engaged in systematic discrimination throughout its fifteen plus years of existence, and SCCBOE/SCCOE has throughout done little to fulfill its mandatory duty to restrain the long running discrimination at BCS. The combination of BCS's discrimination and SCCBOE/SCCOE's neglect has not only harmed students but produced ever increasing adverse financial impacts on LASD, and is tearing apart a community that has an exceptional commitment to the highest quality public education yet whose laudable aspirations are stymied by an unregulated, divisive and discriminatory charter school.

The straw that threatens to break the camel's back, and that prompts this letter, is BCS's recently announced proposal to *reinstate* a discriminatory admissions preference that gives priority to students who reside in the wealthiest and least socioeconomically diverse area within LASD (the "Exclusionary Los Altos Hills Preference"). This discrimination coupled with unregulated charter school student enrollment growth results in a negative fiscal impact to the district, threatens to force cuts to district staffing, educational programs and class sizes, and erodes opportunities for students in our traditional neighborhood public schools. This "two-tier" educational system is a disservice to taxpayers who fund our schools and an injustice to the students in our neighborhoods.

Six years ago, LASD brought a court action to seek a judicial declaration regarding the illegality of BCS's discriminatory practices. At this time, several SCCBOE trustees expressed concern about BCS's practices and whether they should preclude renewal of BCS's charter. Trustee Anna Song noted in a formal communication to the BCS Board, "BCS has performed abysmally in serving socioeconomically disadvantaged students." Joe DiSalvo, another SCCBOE trustee, stated at an April 3, 2013 board meeting, "I don't want to be too melodramatic here but I'm thinking there's an emerging board majority that

would not renew what you have." (See <https://www.sccoe.org/countyboard/Pages/2012-13.aspx>). He added, "I feel like my vote furthered a divide in an exceptional community in California, the United States and the world." (*Id.*) Michael Chang, another trustee, stated at the April 3, 2013 meeting, "we would like to see more ethnic and income diversity in your student population and that we made the point that we were looking for outcomes not your outreach efforts ..." (*Id.*)

As the concerns over discriminatory policies and practices mounted, BCS avoided further scrutiny by entering a settlement of LASD's action in which BCS pledged to be more inclusionary. Yet, over the six years that has followed that settlement, BCS has become even *more* discriminatory in the population it has enrolled. BCS now seeks to literally turn back the clock to reinstate a discriminatory preference for families that reside in an area that is among the wealthiest 0.0001% of the entire state of California. SCCBOE/SCCOE must act to not only reject that proposal but to take further action that brings BCS into compliance with law.

**A. The Law Prohibits Policies/Systems That Produce Discriminatory Impacts**

Access to public education is a fundamental right afforded the highest levels of protection under California law. (*Serrano v. Priest* (1971) 5 Cal.3d 584 ("*Serrano I*") ["the distinctive and priceless function of education in our society warrants, indeed compels, our treating it as a 'fundamental interest.'"]; *Serrano v. Priest* (1976) 18 Cal.3d 728, 766 [affirming *Serrano I* and applying strict scrutiny to examining discriminatory school financing system].)

Accordingly, California law forbids any charter school provisions, practices, rules or other systems that result in a disproportionate impact on a protected group. (*Serrano I*, 5 Cal.3d at p. 589 [striking down the state's school funding system as unconstitutional due to its disparate impact upon socioeconomically disadvantaged students]; *Crawford v. Board of Education* (1976) 17 Cal.3d 280, 296 [schools are "not constitutionally free to adopt any facially neutral policy it chooses, oblivious to such policy's actual differential impact on the minority children in its schools"]; *Griggs v. Duke Power Company* (1971) 401 U.S. 424 [an admissions scheme that is on its face arguably neutral is discriminatory if it has a disparate impact on a protected group].)

Despite this controlling law, County Superintendent Dr. Mary Ann Dewan recently responded to concerns raised by Eric Shiu, an LASD parent, by stating:

*Bullis is required to conduct any admissions lottery in accordance with the preferences as set forth in its charter and cannot deviate from those approved preferences, including by adding additional preferences, without processing a request for a material revision to its charter. Neither the community nor SCCBOE can unilaterally impose additional preference requirements in the middle of Bullis' charter term. If you would like to*

*recommend that Bullis change or add to its admission preferences, those suggestions should be recommended to Bullis, and the charter school could seek such changes if it chooses.*

The response reflects an alarming misunderstanding of the SCCBOE's/SCCOE's role in charter school oversight. The statement that "Bullis is required to conduct any admissions lottery in accordance with the preferences set forth in its charter and cannot deviate from the approved preferences" serves to reinforce discrimination, rather than seek to correct it. This stated policy, together with approval of the admissions provisions and the failure to take any corrective action, makes the SCCOE and SCCBOE complicit in the discrimination.

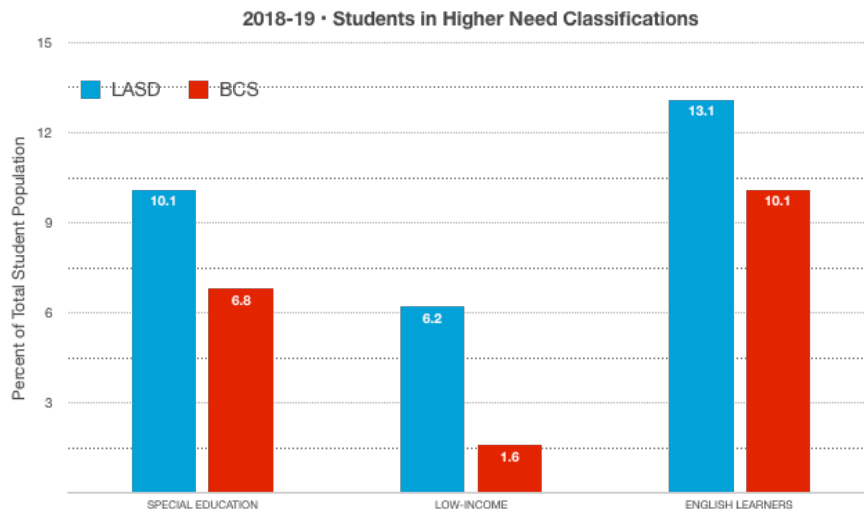
Contrary to Dr. Dewan's statement, BCS and the SCCOE/SCCBOE must ensure that BCS: (1) complies with its duty to ensure that the racial and ethnic balance of its pupils is reflective of the general population residing within LASD boundaries (Ed. Code, § 47605(b)(5)(G); Charter, p. 23); and (2) does not take any action that adversely affects protected groups of students (Cal. Const. art. I § 7; Ed. Code, § 200 et seq.)

**B. Bullis Continues To Underserve Marginalized Pupils**

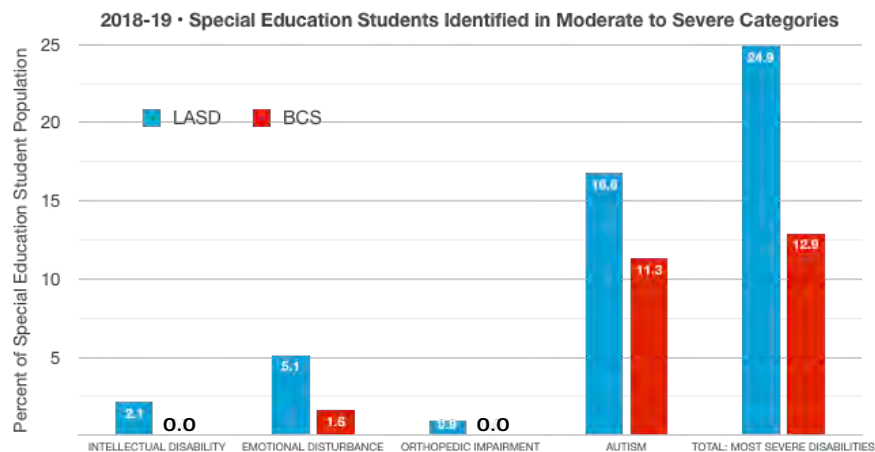
It is the requirement and the responsibility of public schools in the State of California to serve all students.

Publicly-available data from the California Department of Education shows the discriminatory/disparate impact on protected classes of students through BCS's practices. In 2018, 6.2% of LASD's students were identified as socioeconomically disadvantaged, whereas only 1.6% of BCS's pupil population was identified as the same. Similarly, in 2018, the District's English learner population was 13.1%, whereas BCS lagged again at 10.1%. BCS's stated intention to invoke a preference for students residing within the Los Altos Hills – a zip code recognized as one of the wealthiest in the country – will only serve to exacerbate the now longstanding discriminatory impact upon these protected classes of students.

BCS's underservice of students with disabilities – particularly those whose disabilities tend to require more resources to serve – is notably stark. During the seven (7) years from 2012-13 through 2018-19, LASD's enrollment of special education pupils has averaged 9.5% of its pupils, whereas BCS averaged only 5.6% of its students.



Equally troubling, BCS’s underservice of students with disabilities is compounded by the types of pupils it serves. Some disabilities require more educational resources than others – for example, Speech Language Impairment (“SLI”) and Specific Learning Disability (“SLD”) typically require less resources than Intellectual Disabilities, Emotional Disturbance, or Orthopedic Impairment. While LASD’s ratio of SLI/SLD students (i.e., lower cost special education students) has fallen significantly, BCS continues to maintain a high ratio of such students. BCS consistently enrolls a *far* lower ratio of high cost special education students than LASD:



The data reflects that not only has BCS underserved students with disabilities when compared to LASD, but it has evaded its obligation to serve the full spectrum of disabilities and abrogated its responsibility to educate those pupils who need the most intensive care. The data as well as the information from parents who have had their special needs students turned away from BCS confirm that discrimination is occurring. What has developed is a charter school, ostensibly required to be part of the public school system, serving a narrow student population and failing to serve all pupils in the community – this is not what the law intended. (*Wilson v. State Bd. of Educ.* (1999) 75

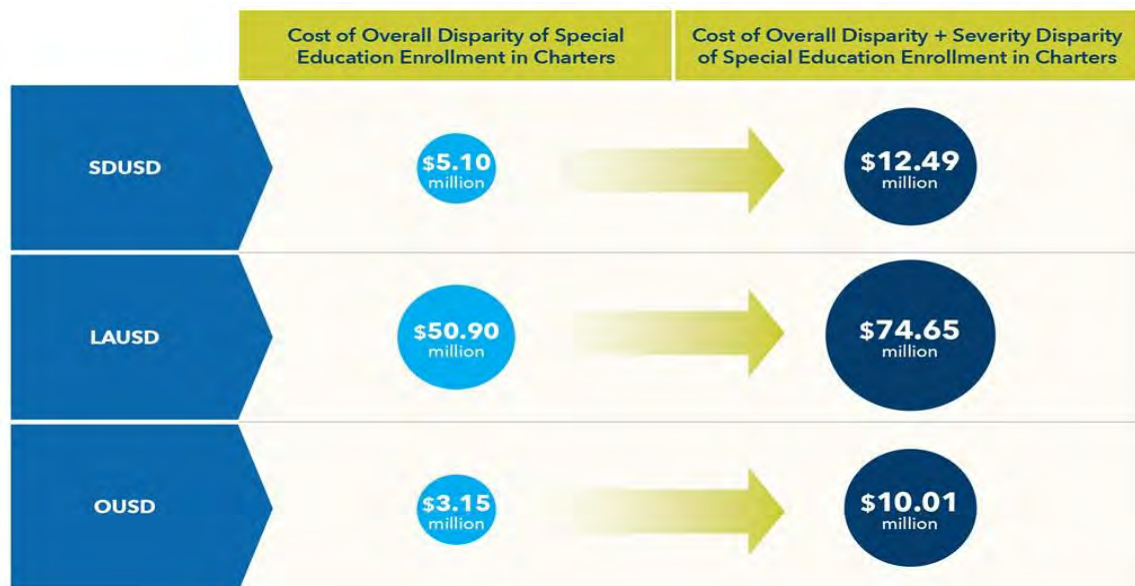
Cal.App.4th 1125, 1137 [“the establishment of charter schools does not create a dual system of public schools”].)

**C. BCS’s Discrimination and Resulting Segregation Mirrors a Disturbing Statewide Trend Among California’s Charter Schools.**

As a recent study documented and summarized:

“It’s clear, **there is a high cost to California school districts as a result of how unequally charter schools enroll both special education students in general and students with hardest-to-serve disabilities in particular.** This cost is borne by districts as a result of California’s formula for funding special education, which distributes funding roughly on a total per pupil basis, with no accounting for whether or not a student has a disability, or the severity of their disability.” See <https://www.cta.org/stateofdenial>. (Highlight in original.)

The report also summarized the fiscal impact of this charter school discrimination on three public school districts – San Diego Unified School District, Los Angeles Unified School District, and Oakland Unified School District – as follows:



**D. The SCCBOE/SCCOE Has The Legal Obligation To Exercise Oversight To Address BCS’s Discriminatory Conduct and Impacts**

SCCOE and its Board may not continue to turn a blind eye to the BCS practices that have resulted in disproportionate impact on these protected groups of students. Aside from your responsibilities to *all* students within the county, an authorizer who knows, or has reason to know, of a charter school’s noncompliance in meeting the requirements to

serve a comparable student population or to otherwise engage in discrimination/discriminatory practices, can be held liable for the injury caused by the charter school's actions. (Ed. Code, § 47604(c).) In fact, failure to take action in the face of acknowledged discrimination creates an independent liability for the authorizer for its own failure to act.

We note that the County Superintendent's statement to Mr. Shiu takes a very narrow view of oversight and the role of the authorizer. However, oversight not only includes the tasks identified in Education Code section 47604.32, it also includes the obligation to take action where there is a: (1) violation of the charter; (2) a violation of law; (3) a failure to meet pupil (academic) outcomes; and/or (4) fiscal mismanagement. (Ed. Code, § 47607(c).) In fact, any protection from liability under Education Code section 47604(c) is dependent upon the authorizer's compliance "with all oversight responsibilities required by law *including, but not limited to*, those required by Section 47604.32 and subdivision (m) of Section 47605." As such, there is far more to meeting the obligations of an authorizer including, as stated above, taking action under Education Code section 47607(c) in the face of violations.

While authorizers have broad discretion, they must hold charters accountable. The court has expressly acknowledged "[l]ocal school districts and county boards of education, as well as parents and teachers, have a right to expect that charter schools will hew not just to the law, but to their charters ..." The court held that these groups may file suit against an authorizer to require it to take action to hold the charter to account for violations. (*California School Boards Association v. State Board of Education* (2010) 186 Cal.App.4th 1298, 1326.)

We understand that Dr. Dewan is operating under the understanding that because BCS was authorized on appeal to the County rather than as a countywide benefit charter school, SCCBOE's/SCCOE's oversight role is "limited." Such an assertion is baseless and contrary to law. The Charter Schools Act makes no distinction in an authorizer's oversight duties dependent upon how it received a charter petition. (Ed. Code, § 47604(c) ["An authority that grants a charter to a charter school" must comply with oversight duties].) The agency that authorizes a charter school is then fully responsible for overseeing it in compliance with law – any other interpretation would be considered unconstitutional. (*California School Bds. Assn., supra*, 186 Cal.App.4th at 1326 ["It is, thus, the very control and oversight by public officials that legitimize charter schools. If monitoring and enforcement are, in reality, either lax or nonexistent, then the entire statutory scheme governing charter schools is called into question."]; *Wilson v. State Bd. of Educ.* (1999) 75 Cal.App.4th 1125, 1139 ["the very destiny of charter schools lies solely in the hands of public agencies and offices, from the local to the state level: school districts, county boards of education, the Superintendent and the Board."].)

**E. BCS's Continuing Discrimination Arises From The Fact That The School Was Formed For A Discriminatory Purpose**

The need for SCCBOE/SCCOE to act is even more apparent when one considers that BCS was founded to create an exclusionary school, a purpose that is antithetical to the public school system. From BCS's inception, its exclusionary purpose has injected division and discrimination into an otherwise exceptional public school system and the discrimination has grown over time and has reached a breaking point. An overview of BCS's history illustrates the adverse impact that BCS's formation has had on the LASD public school community.

**1. The Bullis Charter School Forms For Reasons That Bear Little Relation To The *Raison D'Etre* For Charter Schools: Expanding Opportunities For Those That The Public School System Is Underserving**

The Charter Schools Act declares charter schools to be “part of the public school system” and places “special emphasis on expanding learning opportunities for pupils who are identified as academically low achieving.” (Ed. Code, § 47601(b).) To that end, the charter school laws require charter schools to admit pupils on an equal opportunity basis, prohibit the charging of tuition, and require the chartering authority to “consider increases in public academic achievement for *all groups* of pupils served by the charter school as the most important factor in determining whether to grant charter renewal.” (Ed. Code, § 47605(a)(3)(A) [emph. added].) Thus, the idea is to provide parents and pupils in poorly performing public schools with expanded educational choices that advance improvement, particularly in groups underserved by the existing public school system.

LASD has long produced among the highest achieving public schools in California, and a community dedicated to producing quality education for every public school pupil—in every demographic category. The residents vote to tax themselves to fund the public schools and parents volunteer countless time to help the schools.

In 2003, the LASD closure of Bullis-Purissima Elementary School in Los Altos Hills, prompted a small group of parents to form BCS, seeking to establish a charter school that this small group, rather than elected public officials, would control. The founders soon raised over \$5 million in private funds and demanded that the District handover the closed school site to BCS. BCS also granted an admissions preference for residents of the former Bullis-Purissima elementary school—the Exclusionary Los Altos Hills Preference.

Thus, from the start, BCS's purpose was not to expand learning opportunities for an underserved group, but was instead to create a school where the District's wealthiest residents could combine private donations with public funds to establish a “semi-private school.” (See “Taypayers Get Billed for Kids of Millionaires at Charter School,” *Bloomberg* (Nov. 2011), [<https://www.bloomberg.com/news/articles/2011-11->



15/taxpayers-billed-for-millionaires-kids-at-charter-school].) To that end, BCS established an expectation that each pupil's family will donate more than \$5,000 per year in private funds, established an Exclusionary Los Altos Hills Preference to favor the wealthiest portion of LASD, and has engaged in a wide variety of other outreach, fundraising practices or messaging that has consistently *for 15 plus years* resulted in BCS under-enrolling low income, ELL and special needs students when compared to the enrollment of pupils in those same categories in LASD-run schools.

(See <https://www.bcsfoundation.com/two-students>; see also <https://www.bcsfoundation.com/annual-campaign>.)

In 2008, the District reopened the Gardner Bullis Elementary School in Los Altos Hills on the former Bullis-Purissima site, thereby eliminating the only ostensible ground BCS has ever given for its Exclusionary Los Altos Hills Preference. Nonetheless, BCS refused to drop the preference. LASD brought a petition for writ of mandate in court to attempt to challenge the preference, but the court ruled that LASD lacked standing to sue because SCCBOE had the authority and discretion to decide whether to allow the Preference. LASD now turns to SCCBOE to ensure that BCS does not bring this discriminatory preference back.

**2. After SCCBOE Urges BCS To Improve Its Under-Enrollment Of Certain Students, And After Litigation Concerning BCS's Discriminatory Practices, BCS Enters A Settlement Agreement In Which It Suggests It Will Phase Out The Exclusionary Los Altos Hills Preference**

After SCCBOE approved the Exclusionary Los Altos Hills Preference, notwithstanding the expressed concerns of SCCOE staff that the preference was discriminatory, members of LASD's public came forward with evidence of other discriminatory BCS practices. Among other things, this evidence showed that between 2003 and 2012, BCS illegally requested confidential health information and educational records from applicants before conducting its admissions lottery. This improperly suggested to potential applicants that factors such as a child's disability or prior academic performance could bear on whether BCS would admit the child, and that BCS could manipulate the information in its possession to discriminate in its admissions. In a May 30, 2012 letter, the County's Superintendent of Schools, Dr. Charles Weis, advised BCS that its application process "infringed on the rights of children and parents under state and federal laws protecting the privacy of confidential health information and the privacy of educational records."

Also in 2012, a number of LASD parents filed statements with this Board or declarations under penalty of perjury in court, attesting to BCS conduct hostile to special needs students during the admission process and afterwards. LASD filed a cross-complaint with the court, seeking a determination whether BCS was discriminating unlawfully in its practices and what remedies should follow for such discrimination. BCS tried repeatedly in the trial and appellate court to block the courts from addressing those

questions on their merits. But both the trial court and appellate court made rulings that made clear that BCS could not duck the discrimination allegations but would have to address those allegations on their merits. After suffering those rulings, in 2014, BCS entered a settlement agreement with LASD in which BCS agreed to limit its growth to around 900 pupils for five years, through the end of the 2018-19 school year and agreed to be more inclusive and less discriminatory in its admissions practices. During the course of the five-year agreement, as noted, several SCCBOE trustees took note of BCS's continued discrimination, demanded change, and questioned whether SCCBOE should renew its charter.

The settlement included a provision limiting the Exclusionary Los Altos Hills Preference. At the time, LASD understood this provision would effectuate a permanent phase out of the Hills Preference—BCS was agreeing to eliminate the Exclusionary Los Altos Hills preference over time, but was keeping a limited version of it in place for the benefit of Los Altos Hills families who already had enrolled a child at BCS and would like a sibling to attend the same school.

LASD and BCS further pledged to work together during the five-year agreement to procure funding for a 10th school site to house BCS. Community volunteers from LASD and BCS then worked together to convince LASD voters to agree to tax themselves via a \$150 million bond measure. After the LASD voters approved that bond measure, LASD after an exhaustive search located a remarkable opportunity to acquire land on terms highly advantageous to the LASD taxpayers in the North of El Camino ("NEC") area in Mountain View within LASD's boundaries. This site (the "10<sup>th</sup> Site") represented the best opportunity throughout the five-year agreement for a potential facilities option for BCS, and it met the promise both LASD and BCS had made to the community that a 10<sup>th</sup> Site would be located and developed. Furthermore it represented a wonderful opportunity for BCS—LASD would spend more than \$100 million to provide BCS brand new, exclusive use facilities on its own site.

**3. BCS Rejects A Preference For The Most Socioeconomically Diverse Area Of The District, But Then Seeks To Restore An Admissions Preference For The Wealthiest And Least Diverse Area Within The District**

Because the City of Mountain View is partnering with LASD to effectuate the purchase of the 10<sup>th</sup> Site, the Mountain View City Council made clear that its approval of certain funding that would be part of the 10<sup>th</sup> Site acquisition was conditioned on LASD placing a school on the site that would grant an enrollment preference to residents of the NEC neighborhood. BCS's board president promptly declared that if BCS were placed on this site, BCS would NOT grant a preference for residents of the NEC neighborhood: "Bullis Charter School board president Joe Hurd told the Voice that the board has expressed zero interest in adding a neighborhood preference, and has sought an even-handed approach to serving students throughout the Los Altos School District." (<https://mv->

[voice.com/news/2018/12/13/council-agrees-on-new-san-antonio-school](http://voice.com/news/2018/12/13/council-agrees-on-new-san-antonio-school); see also, [http://mountainview.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=3105](http://mountainview.granicus.com/MediaPlayer.php?view_id=2&clip_id=3105).)

Yet, BCS more recently has advised LASD that BCS intends to restore the Exclusionary Los Altos Hills Preference. (A copy of the recent correspondence between LASD and BCS regarding the Los Altos Hills Preference is enclosed.) In other words, BCS's stated "even-handed approach to serving students throughout the Los Altos School District" consists of *rejecting* an admissions preference for the most socioeconomically diverse area in LASD—the NEC neighborhood—while *granting* a preference to the least diverse area—Los Altos Hills.

On June 19, 2018, BCS Board members Joe Hurd and Ann Waterman Roy gave public comment before the Mountain View City Council, appearing in their "individual capacities, not representing the [BCS] Board." Hurd and Waterman Roy proposed to open a new and separate charter school at the 10th Site with a preference for NEC students and LASD as the chartering authority. When Councilmember John McCallister asked if BCS would provide the same preference for NEC students if BCS "in its current form" were to be located at the 10th Site, the two BCS Board members demurred. (See [http://mountainview.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=3105](http://mountainview.granicus.com/MediaPlayer.php?view_id=2&clip_id=3105).)

While BCS has flaunted its obligation as a public school to further education equity within LASD, BCS recently gave lip service to such goals when BCS sought approval to establish another charter school in the Mountain View Whisman School District ("MVWSD") stating that BCS wished to serve underprivileged students residing within the MVWSD. MVWSD demanded more than just lip service and instead required that BCS's proposed MVWSD charter school align its admission preferences to its stated goals to serve socio-economically disadvantaged and/or English language learners. In response, BCS refused to do so. MVWSD also required a charter board made up of MVWSD residents and reflective of the students BCS purportedly wished to serve: underprivileged students residing within MVWSD boundaries. Again, BCS refused. As a result, MVWSD exercised its obligations as a charter authorizer and revoked the BCS charter. This is a good example of the kind of oversight SCCBOE can and should exercise if BCS refuses to meet its obligation as a public school to serve all pupil communities.

As things now stand in LASD, BCS has grown to a population of over 1,100 pupils—more than 20 percent of the entire LASD public school pupil population. But as shown by its consistent under-enrollment of low income, ELL and special needs students, BCS has grown to more than 20 percent of LASD by "skimming" from only particular groups, while shunning others. This is intolerable, antithetical to public education and must be corrected.

**F. This Board Must Not Allow BCS To Restore The Exclusionary Los Altos Hills Preference And Take Further Action To Correct BCS Discrimination**

BCS's tone deaf plan to restore the Exclusionary Los Altos Hills Preference mandates swift and clear action from this Board that makes clear that the Preference cannot be restored. Indeed, even without that Preference, to paraphrase Ms. Song's comment from 2012, BCS continues to "perform[] abysmally in serving socioeconomically disadvantaged students." For it to restore the Preference despite that abysmal track record is to add insult to injury and amounts to sticking a finger in the eye of the principle of equality in educational opportunity.

One of the core policies of the charter school laws is to allow innovators to take the basic per-pupil state allocation of funds and "do more with less"—i.e. use those same dollars to obtain improved academic performance from those who pose the greater educational challenges. Thus, when measuring charter schools, it should be a key goal that the accolades go to charter schools who educate the most effectively and raise scores among populations that historically have been more difficult or costly to educate.

By contrast, a charter school that "skims" the most affluent and educated families in a district and avoids those with greater challenges, then fundraises from its "skimmed" families, may yield a school with high test scores and academic achievement, may yield enthusiasm and satisfaction from the parents whose children attend the affluent "public" charter school, and may yield demand and a waiting list from others who want to enroll their kids in the affluent charter school. But none of those results, founded on discriminatory policies and practices, are the goals of public charter school law. And certainly, none can justify the discriminatory results -evidenced by the data - which such skimming generates.

Because the charter school laws aim to spur charter schools that will take on more difficult academic challenges, five key ways which a charter school's performance may be measured against the reason for allowing a charter school in the first instance are (a) is the charter school targeting a community in need?; (b) is it targeting the students who need the most help?; (c) how do its demographics compare to that of the district in which it sits?; (d) how much is it spending per pupil in combined public and private funding in comparison to the district in which it sits; and, (e) how much is the school improving academic performance among the groups that historically have posed greater educational challenges in the district in which it sits? (See, e.g., [https://www.publiccharters.org/sites/default/files/migrated/wp-content/uploads/2014/01/NAPCS\\_AchvmntStdY\\_D8.pdf\\_20110330T165151.pdf](https://www.publiccharters.org/sites/default/files/migrated/wp-content/uploads/2014/01/NAPCS_AchvmntStdY_D8.pdf_20110330T165151.pdf).)

Since BCS does not measure up against *any* of these factors, it is difficult to rationalize the existence of a charter school in Los Altos at all. But even assuming one can rationalize a "public" charter school that does *nothing* to expand educational opportunity for the groups that pose greater educational challenges, one cannot rationalize granting

an *admissions preference* to the area within LASD that will further skew already skewed demographics.

The reasons BCS gave in its letter that announced its planned restoration of the Exclusionary Los Altos Hills Preference do not withstand scrutiny. Although it touts its “hard fought” “victory” in persuading a judge to not enjoin the Exclusionary Los Altos Hills Preference in response to LASD’s 2008 lawsuit, it ignores that the judge (a) ruled that the decision whether to allow or disallow the preference rested in the first instance with BCS’s approving and oversight entity—this Board; and (b) the 2008 lawsuit did not examine the discriminatory results that have followed in the decade since that lawsuit was decided. SCCBOE/SCCOE should not be lulled into the belief that the court has approved the preference or the discriminatory impacts.

The question of whether this Board should allow the Exclusionary Los Altos Hills Preference is now before this Board in the first instance, and the Board must examine the Preference against the long history of BCS discrimination. Again, nothing in the 2008 court ruling justifies allowing the Preference to be reinstated in 2019.

Similarly, BCS’s reference to the history that led to adoption of the Preference over a decade ago only underscores how ridiculous that rationale is today. LASD now has a public school in Los Altos Hills, and BCS has grown into an 1,100 plus pupil school which represents over 20 percent of the entire District population. At that size, it is more critical than ever that BCS be held to its (selectively-invoked) objective of an “even-handed approach to serving students throughout the Los Altos School District.”

There is simply no place in the *public* school system for this exclusionary preference at a charter school that has spent 15 plus years skimming to admit a skewed population. BCS’s skewed demographic population warrants substantial remedial action. Instead, it proposes the entirely *unrepentant* act of reinstating the Exclusionary Preference.

We note that the California Attorney General recently brought an action against the Sausalito Marin City School District (“SMCSD”) based on allegations that a charter school in SMCSD had created segregation within that District. After settling the Attorney General’s action, SMCSD issued a press release that commendably stated: “The foundational edict and responsibility that we hold as a public school system is to provide an excellent education in a desegregated school. . . . We invite all of our community to stand courageously and make an enduring commitment to put an end to inequitable education, to embrace our differences, to work systematically toward change, and to adopt a plan toward desegregation.”

LASD stands committed to the same goal, but unfortunately, it must turn to this chartering authority to obtain the action necessary to end the 15 plus years of ever-increasing segregation of the public schools within LASD that BCS has caused and

Santa Clara County Board of Education

Mary Ann Dewan, Ph.D., County Superintendent of Schools

September 10, 2019

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continues to cause. It should not take a lawsuit by the Attorney General—or anyone else—to produce compliance with the foundational edict and responsibility to ensure equality that we hold as in the public school system.

**G. Conclusion**

In light of the systemic discrimination fostered over the last 15 years, significant steps are required to bring BCS into compliance and to ensure access. It is imperative that the Exclusionary Los Altos Hills Preference be rejected. This action must be part of a comprehensive desegregation plan designed to ensure a student population that reflects the demographics within the LASD boundaries. Careful review of BCS culture and practices will be necessary to address this segregation. Because BCS's discriminatory practices are wide ranging, the plan should include, among other things, a transparent lottery conducted by the SCCOE staff, priority preference for students in higher need classifications (including those identified in the charts on page 5 of this letter), and restricted growth until such time as the discrimination is corrected. SCCBOE must act with intention to require a meaningful desegregation plan within six months and work diligently to end this discrimination.

We look forward to receiving your response.


Respectfully,



Jessica Spenser  
President, Board of Trustees  
Los Altos School District



Bryan Johnson  
Vice President, Board of Trustees  
Los Altos School District



Vaishali Sirkay  
Clerk, Board of Trustees  
Los Altos School District



Vladimir Ivanović  
Member, Board of Trustees  
Los Altos School District



Steve Taglio  
Member, Board of Trustees  
Los Altos School District

cc: Gavin Newsom, California Governor  
Xavier Becerra, California Attorney General  
Tony Thurmond, California Superintendent of Schools  
Linda Darling-Hammond, President of California State Board of Education  
Jerry Hill, California State Senator, 13<sup>th</sup> District  
Marc Berman, California State Assembly, 24<sup>th</sup> District  
Connie Leyva, Chair of California State Senate Education Committee  
Patrick O'Donnell, Chair of California State Assembly Education Committee

# **Attachment 4**





When the public lottery is completed, BCS informs the families of accepted applicants, and asks the families to either accept or decline a space as soon as possible, so that BCS can continue their enrollment process or offer the space to another family. However, completing the registration paperwork can take some time. In the initial lottery, we offered 190 spots for the 2022-23 school year, with the vast majority (136) of these spots being to incoming TK/K students. As new spots become available (when we learn of current families who may be leaving for the 2022-23 school year or offered families decline a spot) we continue to offer to those currently on the waitlist.

Because our enrollment process remains fluid prior to the start of the 2022-2023 school year, we will be able to provide complete demographic information after the start of the school year as we will know which students matriculate and have access to additional data collected. We believe it is essential to wait for that data, so that everyone can assess how our Enrollment Action Plan is working, and make fair comparisons with enrollment and demographic trends at LASD.

As requested, here is detailed demographic information for the 2021-22 school year.

Ethnicity	Total	Grade K	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8
Black/African Am	2	1	0	0	0	0	0	0	0	1
Asian	606	81	91	73	74	62	77	56	43	49
Filipino	13	1	1	4	2	2	1	1	0	1
Hispanic	47	7	3	7	2	11	8	1	5	3
Nat Hwlin/Other Pac Islndr	2	0	0	0	0	1	1	0	0	0
White	209	27	17	15	28	25	29	33	15	20
Multiple	156	17	17	22	18	24	9	18	18	13
Missing	32	3	5	11	8	1	0	1	1	2
Total	1067	137	134	132	132	126	125	110	82	89

Grade	English Only (EO)	Initial Fluent English Proficient (IFEP)	English Learner (EL)	Reclassified Fluent English Proficient (RFEP)	To Be Determined (TBD)	Total
KN	71	43	22	1	0	137
01	61	40	13	20	0	134
02	69	42	8	13	0	132
03	82	29	4	17	0	132
04	66	26	7	23	0	126
05	71	30	2	22	0	125
06	63	19	4	24	0	110
07	56	18	1	7	0	82
08	47	17	0	25	0	89
Total	588	266	61	152	0	1067

Race/Ethnicity Counts	Black/A Asian	Filipino	Hispanic	Nat Hwlin	White	Multiple	Missing	Total Students	
# of Students	2	606	13	47	2	209	156	32	1067

ELAS Categories	EO	IFEP	EL	RFEP	TBD	Total Students
# of Students	588	266	61	152	0	1067
Percentage	55.1%	24.9%	5.7%	14.2%	0.0%	

Additional Data	SED	SPED	Total Students
# of Students	14	75	1067
Percentage	1.3%	7.0%	

While we do not have complete enrollment data for 2022-23, there are three positive preliminary data points revealed during the enrollment process which suggest that the EAP is working, and that BCS is making progress toward our shared goals of providing fair and equal access to all students.

### 1. Kindergarten/TK enrollment

Most families stay at BCS once they've enrolled, so most of our Open Enrollment spaces each year are in Kindergarten and Transitional Kindergarten (TK). Enrollment in Kindergarten/TK are leading indicators for how our enrollment and demographics are changing. For example, a newly enrolled K/TK student may have siblings who will benefit from the sibling preference in coming years.



While the data for Kindergarten/TK enrollment is still preliminary (as a result of the lottery), we have made offers to 5 K/TK students who are eligible for Free and Reduced Price Meals (FRPM). This is in line with the demographics of LASD, which enrolled 14 Socioeconomically Disadvantaged (SED) students in Kindergarten in 2021-22, and 15 SED students in Kindergarten in 2020-21. (BCS enrolls approximately 24% of all public school students in the Los Altos School District area – in 2021-22, BCS enrollment = 1,067 and LASD enrollment = 3,347.)

Again, since most families stay at BCS once they've enrolled, we anticipate the number of FRPM-eligible students will continue to grow with each new Kindergarten class.

## 2. Families qualifying for Free and Reduced Price Meals (FRPM)

This was the first year that BCS offered a preference for families eligible for Free and Reduced Price Meals (FRPM). Here are preliminary totals for applicants who have identified themselves as being eligible for FRPM for all grades (including K/TK) as of May 2:

- In-district applicants eligible for FRPM - 12
- Out-of-district applicants eligible for FRPM - 31

All of the 12 in-district applicants eligible for FRPM have been offered enrollment for 2022-23, and we are optimistic they will all enroll this fall, which would nearly double the number of FRPM-eligible students that we serve. Though we have over 30 additional FRPM-eligible students on the waitlist, at this point BCS has not offered enrollment to **any** out-of-district applicants (FRPM-eligible or otherwise) due to the large number of in-district families interested in BCS and the 8% limit on out-of-district students imposed by our facilities agreement with LASD.

## 3. Results of expanded outreach efforts

Our expanded outreach in key neighborhoods is already helping us reach more FRPM-eligible families, including applicants who live outside the LASD area. We will continue to evaluate and expand these targeted outreach efforts, adding to recent improvements, including:

- Our contact list of preschool and child care programs, churches, temples, and other community organizations has doubled in the last two years, and now includes more than 80 programs in our community. BCS contacted each of these programs directly (by email or phone) in November and in January to highlight Open Enrollment and our Parent Information Nights and to offer flyers and resources they can share with families. With the pandemic and the rise in omicron during January (when a vast majority of our outreach happens), we were unable to host events at outside locations. We anticipate that being able to host events and visit locations in person for the 2023-24 enrollment year will allow us to track the number of individuals that we connect with during our outreach efforts.



- Our outreach staff distributed flyers on Saturdays in November, December and January outside Walmart, Kohl's, and other stores in the San Antonio Center. We distributed over 100 flyers to families at these locations.
- As in previous years, BCS staff and families posted flyers and yard signs at key locations in the San Antonio neighborhood, including in local public parks.
- Even with the restraints of COVID, hundreds of families participated in our Parent Information Nights:
  - On November 18 (an elementary school session), 28 attended in person, and 139 joined online;
  - On December 8 (a middle school session), 16 people attended in person, and 53 joined online;
  - On January 27 (an elementary school session) 180 joined online. There was no in-person option due to omicron.
  - On February 3, BCS parents hosted an "Ask Me Anything" webinar for potential new families, and 232 people joined online.

From what we have been able to track (if families left the same email address at an info night as they used when applying) at least 70% of the families who attended one of the Parent Information Nights completed an application through our Open Enrollment.

BCS will continue to analyze the effectiveness of the new FRPM preference and consider appropriate adjustments. A few examples are below:

- While the Enrollment Form already asks how a family heard about BCS, it limits families to selecting one option (e.g. Word of Mouth **or** flyer). We'd like to adjust this form to allow families to select multiple options (e.g. Word of Mouth **and** a flyer in the community). This can help us ascertain which methods of outreach are most effective.
- We would like to host or attend a minimum of 10 in-person outreach events – such as visiting local preschools or hosting a table at a community fair – which were canceled or reduced this year because of COVID-19 health considerations.
  - Tracking participation in these events (via email addresses or parent name) will allow us to see which families later submit an application for enrollment.
- In addition to our Parent Information Nights, we will host three on-campus visits, where potential new families can see our teachers and students in action.

As we've outlined, preliminary data show positive signs that our Enrollment Action Plan – including targeted outreach efforts in key neighborhoods and the new preference for FRPM-eligible families – is working. We will continue to update you when we have reliable data about enrollment for 2022-23, and we will continue asking LASD for better data about their out-of-district enrollment, so that we can all make fair and clear comparisons. We welcome any advice you may have to help us continue building on this progress.

## Bullis Charter School Petition



Santa Clara County Office of Education

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

December 20, 2023

***SENT VIA EMAIL ([MISRAEL@BULLISCHARTERSCHOOL.COM](mailto:MISRAEL@BULLISCHARTERSCHOOL.COM))***

Maureen Israel, Superintendent/Principal  
Bullis Charter School  
102 W. Portola Ave.  
Los Altos, CA 94022

RE: Reaffirmation Notice and Bullis Admissions Practices

Dear Ms. Israel,

The Santa Clara County Office of Education ("SCCOE") is in receipt of the correspondence you submitted on behalf of Bullis Charter School ("Bullis") on October 10, 2023, in response to the Reaffirmation Notice authorized by the Santa Clara County Board of Education ("SCCBOE") and issued by SCCOE on August 4, 2023, as well as the most recent demographic data provided by Bullis.

As an initial matter, SCCOE is pleased Bullis is reporting the work it has done in response to the initial Education Code Section 47607(e) Notice ("47607(e) Notice") and the Reaffirmation Notice issued by SCCBOE/SCCOE, to help make change and improvement in the areas addressed in those Notices, is having positive results and Bullis's student population more closely reflects that of the Los Altos Unified School District ("LASD"). This work includes, but is not limited to, Bullis adopting and implementing the preferences for students who qualify for free- and reduced-price meals in direct response to the 47607(e) Notice.

Notwithstanding the changes implemented to date, there remains work to be done to fully address the concerns. To that end, SCCOE encourages Bullis to not only continue with the measures and steps identified in your correspondence, but also to consider and implement other measures that can bring about the results expected by the SBCBOE prior to the time the Bullis Charter is considered for renewal.

SCCOE will not attempt to debate or respond to every statement in your October correspondence and reiterates the purpose of the 47607(e) Notice and the Reaffirmation Notice is to ensure that Bullis is aware of and given the opportunity to develop and implement a corrective action plan to address the issues detailed in those Notices. SCCOE again encourages Bullis to continue its efforts at inclusivity in access and enrollment and seeking to serve students who are underrepresented in its population.

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## Bullis Charter School Petition



Santa Clara County Office of Education

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Several statements in your correspondence are incorrect and raise concerns, and SCCOE does want to correct Bullis' misapprehensions and the record on a few important points.

- A. SCCOE absolutely has not suggested that Bullis "directly or indirectly[] discriminat[e] against or violat[e] the civil rights of any group of students on the basis of race . . . ." Rather, Bullis must increase and/or change its efforts to recruit and encourage applications and enrollment by students from historically underserved student groups, particularly those underrepresented at Bullis. Encouraging broader-based recruitment, application, and enrollment is not discriminatory. Simply stated, in no way has SCCOE indicated Bullis can or should make any enrollment decisions based on race and agrees this would violate the law and such conduct would not be tolerated by SCCBOE/SCCOE.
- B. BCS seems to assert that the only pertinent legal requirement is that Bullis include in its Charter a reasonably comprehensive description of the "means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils . . . that is reflective of the general population residing within the territorial jurisdiction of the [Los Altos] school district," and that Bullis is in full compliance with the applicable legal requirements simply because its Charter includes such a description. Bullis' implication that simply writing a description, even a comprehensive one, in the Charter is adequate is incorrect. That is not true for any element of an approved charter – the charter school must comply with its charter, not just write something and forget about it. Moreover, in this particular case, the law specifies it is a description of how the charter school will "achieve" this balance, not just set forth a plan.

Further, as Bullis is aware, a charter may be revoked for committing "a material violation of any of the conditions, standards, or procedures set forth in the charter," which includes the pupil balance element. As SCCOE and Bullis have previously discussed, the Charter Schools Act has been revised over time to further bolster the mandates of inclusivity and equity in enrollment at charter schools. Moreover, Bullis' assertions that nonrenewal pursuant to 47607(e) for failing to serve all pupils who wish to attend applies only to situations in which particular enrolled students have left or been disenrolled for discriminatory reasons and/or a chartering authority would have to produce a particular, individual student(s) who "wishes to attend" in order to non-renew on this basis is also misplaced. There simply is no such restriction or requirement in the law.

- C. Bullis' response misinterprets SCCOE's FAQ in an unavailing effort to support its position that the school is only required to include a reasonably comprehensive

(Continued on next page)



## Bullis Charter School Petition



Santa Clara County Office of Education

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- description of its plan to achieve the requisite pupil balance in its Charter and is not actually required to pursue or achieve that balance. The quoted information from SCCOE's website explains that the law prohibits a charter school from making enrollment decisions on the basis of race or ethnicity, but it also correctly points out that charter schools "are charged with developing and implementing effective outreach and recruitment plans ...." The concerns set forth in the 47607(e) notice and reiterated in the Reaffirmation Notice are that Bullis has not effectively implemented the necessary outreach and recruitment plans to achieve the balance provided for in the Charter Schools Act and Bullis' Charter and to serve all students who wish to attend.
- D. Bullis' response repeatedly uses the term "mirror" in quotation marks, implying that the SCCOE's Reaffirmation Notice demanded that Bullis' "mirror" Los Altos USD's demographics. However, the term "mirror" was not used anywhere in the Reaffirmation Notice, which, instead, cited to and was based in the statutory requirements and language of the Charter Schools Act.
- E. Bullis mistakenly asserts that the period of time for which SCCOE conducted its statistical analysis of Bullis and LASD enrollment is arbitrary and, instead, SCCOE should have looked at only the last year (2021-22 to 2022-23). SCCOE used 2017-18 through 2022-23 because that is the current term of the Bullis Charter, which is not remotely arbitrary, but, instead, is directly pertinent to consideration of Bullis' compliance with its Charter and any renewal request.

We also noted that your correspondence devoted considerable time attributing fault to LASD for Bullis's inability to enroll a more diverse student population and you requested SCCOE intervene and "direct" LASD to, among other things, allow Bullis to post Spanish-language advertisements, to include a link on LASD's website inviting students to apply to Bullis, and to include information about Bullis in LASD's enrollment communications to parents. As you are aware, while SCCOE is a partner to both LASD and Bullis in their respective efforts to best serve students, SCCOE does not have authority to compel LASD to do any of these things requested by Bullis. Nevertheless, SCCOE has shared your correspondence with LASD and will continue to encourage both entities to work collaboratively moving forward so both educational entities work in the best interests of all students and enroll all students who wish to attend.

Additionally, information you provided in response to SCCOE's request for clarification of some of the data reported in your correspondence, raised an additional concern with Bullis' compliance with the legal requirements for open enrollment. Specifically, you wrote in an email to me:

(Continued on next page)

## Bullis Charter School Petition



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Not being able to fill empty seats with out of district students i[s] related to our facilities agreement with LASD. The facilities agreement prohibits us from enrolling more than 8% of students who live out of district. I have not been able to enroll any out of district students - including staff students - for the past two years. As you can imagine, when students are with a school from TK-8, families move and adjust where they live and we've seen this happen significantly since the pandemic. If we exceed this 8%, LASD has the ability to revoke our facilities. It would be great if there was some grandfather clause that after students were with us for X number of years they didn't count towards this 8% or even if staff children did not count towards this 8%, but unfortunately LASD has not been willing to adjust on these. For this reason, we cannot bring in any out of district students.

SCCOE is deeply concerned that Bullis has been excluding students from enrollment because they reside outside of LASD boundaries. As Bullis should be aware, the Charter Schools Act specifies in pertinent part:

. . . admission to a charter school shall not be determined according to the place of residence of the pupil, or of that pupil's parent or legal guardian, within this state. . . .

(Ed. Code § 47605(e)(1).) While Bullis is to grant preference in admission to LASD residents, it cannot lawfully exclude out-of-LASD residents from admission to open seats. SCCOE is aware that Bullis and LASD have had contentious facilities negotiations. Those facilities arrangements, including compliance with the requirements of Education Code Section 47614 and its implementing regulations ("Prop. 39") are separate and apart from Bullis' open admissions and enrollment obligations. The fact that enrolling students from outside of LASD might impact Bullis' entitlement to LASD facilities pursuant to its negotiated facilities agreement and/or require Bullis and LASD to go through the Prop. 39 process does not excuse Bullis from admitting all students who reside within California up to Bullis' capacity. It is not that SCCOE is unsympathetic to Bullis' facilities concerns, but those facilities issues do not trump Bullis' obligation to comply with the open enrollment requirements applicable to all charter schools.

Please provide confirmation by no later than Monday, January 22, 2024, that Bullis understands and will comply with its obligations to enroll students, including students from outside of LASD's boundaries, up to its capacity starting with the open enrollment period for the 2024-25 school year and ongoing thereafter. Moreover, in order to ensure compliance with this requirement, it will be necessary for Bullis to announce publicly – and specifically notify SCCOE – how many openings it has at each grade level prior to commencing the open enrollment process in future years. Because Bullis has already

(Continued on next page)

## Bullis Charter School Petition



Santa Clara County Office of Education

Mary Ann Dewan, Ph.D.  
County Superintendent of Schools

Notice and Admissions Practices

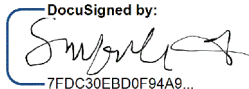
December 20, 2023

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commenced the open enrollment process for 2024-25, with your confirmation of your commitment to comply with this legal requirement, please also specify how many openings Bullis has at each grade level for 2024-25. After announcing the number of openings, Bullis cannot decrease the number of available spaces for the year but can choose to increase the number of openings should additional seats become available.

In conclusion, SCCOE recognizes the efforts and results Bullis has reported, and SCCOE staff will continue to monitor and review Bullis' efforts and the corresponding impact on enrolling a diverse population during the remainder of the Charter term. SCCOE looks forward to receipt of confirmation that Bullis will correct its out-of-LASD admissions practices to comport with the requirements of the Charter Schools Act, along with the information about Bullis' enrollment capacity for 2024-25. Please do not hesitate to contact me if you would like to discuss these matters further.

Very truly yours,

DocuSigned by:  
  
7FDC30EBD0F94A9...

Mefula Fairley  
Executive Director, Charter Schools Department

cc: Mary Ann Dewan, Ph.D.  
Santa Clara County Superintendent of Schools





**Sent Via Email: [mdewan@sccoe.org](mailto:mdewan@sccoe.org)**

Mary Ann Dewan, Ph.D.

County Superintendent of Schools

Santa Clara County Office of Education

1290 Ridder Park Drive

San Jose, CA 95131

**Re: Response to December 20, 2023 “Reaffirmation Notice and Bullis Admission Practices”**

Dear Superintendent Dewan:

This is BCS’ response to your December 20, 2023 letter which you describe in the subject line as “Reaffirmation Notice and Bullis Admissions Practices”. BCS wishes to clarify several material misstatements made in your letter.

First and foremost, BCS does not, has not excluded out-of-district pupils—ever. My statement about the out-of-district limitation imposed by LASD was to highlight for you the District’s impropriety, not to suggest that we would exclude anyone—we do not. Further, there is no mandated enrollment “capacity” for charter schools. Conversely, charter schools have no obligation to enroll any particular number of students at all. BCS is no different. The total enrollment desired by a charter school is at its governing board’s discretion, based upon a variety of factors, including financial ones.

BCS enrolls all eligible students who wish to attend the school and are selected in the random lottery. BCS has historically, every year, publicly announced at each lottery the number of spaces available for each grade level. BCS then fills those spaces. To the extent you suggest otherwise, you are simply incorrect. Although we disagree with your newly-stated, but incorrect contention that there is a legal requirement that BCS enroll a particular total number of students (you called it a “capacity”) each year, we intend to continue our practice of publicly announcing before each year’s lottery the number of spaces the board deems to be available for each grade level.

SCCOE’s statements about what it calls the “pupil balance element” and “revocation” are so far removed from the demonstrable facts, no further discussion is warranted. Our recent correspondence on that point was thorough and rooted in the publicly-available records posted by the California Department of Education.

Sincerely,

Maureen Israel

Superintendent/Principal

# Bullis Charter School Petition

## EXHIBIT 5

### SCCOE Statistical Analysis

1. BCS DataQuest Data
2. BCS v. LASD Including Interdistrict Transfer Students
3. BCS v. LASD Excluding Interdistrict Transfer Students
4. BCS v. LASD Including Interdistrict Transfer Students - TK/K
5. BCS v. LASD Excluding Interdistrict Transfer Students - TK/K
6. BCS v. LASD Including Interdistrict Transfer Students - Grade 1
7. BCS v. LASD Excluding Interdistrict Transfer Students - Grade 1

## Bullis Charter School Petition

	BCS - ALL Students							
Student Group	2016-17		2021-22		2022-23		2023-24	
Total Enrollment	825		1067		1058		1025	
Hispanic	36	4.36%	47	4.40%	44	4.16%	46	4.49%
English Learners	90	10.91%	61	5.72%	65	6.14%	92	8.98%
Socio-Economically Disadvantaged	7	0.85%	14	1.31%	20	1.89%	38	3.71%
Students with Disabilities	46	5.58%	75	7.03%	73	6.90%	75	7.32%

Source: CDE DataQuest, Annual Enrollment Data Reports

Table 1. Comparison of Bullis Charter School (BCS) Total Student Enrollment in 2022-23 and 2023-24 for Select Student Groups

Student Group	2022-23		2023-24		Difference	Z-Score	p-value	Result
	Count	%	Count	%				
Hispanic	44	4.16%	46	4.49%	0.33%	0.3692	0.712	No significant difference
English Learners	65	6.14%	92	8.98%	2.83%	2.4477	0.014	Significant difference
Socio-Economically Disadvantaged	20	1.89%	38	3.71%	1.82%	2.5198	0.012	Significant difference
Students with Disabilities	73	6.90%	75	7.32%	0.42%	0.3706	0.711	No significant difference
Total Enrollment	1058		1025					

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

Table 2. Comparison of Bullis Charter School (BCS) Total Student Enrollment in 2021-22 and 2023-24 for Select Student Groups

Student Group	2021-22		2023-24		Difference	Z-Score	p-value	Result
	Count	%	Count	%				
Hispanic	47	4.40%	46	4.49%	0.08%	0.0920	0.927	No significant difference
English Learners	61	5.72%	92	8.98%	3.26%	2.8617	0.004	Significant difference
Socio-Economically Disadvantaged	14	1.31%	38	3.71%	2.40%	3.5177	< 0.001	Significant difference
Students with Disabilities	75	7.03%	75	7.32%	0.29%	0.2553	0.799	No significant difference
Total Enrollment	1067		1025					

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

Table 3. Comparison of Bullis Charter School (BCS) Total Student Enrollment in 2016-17 and 2023-24 for Select Student Groups

Student Group	2016-17		2023-24		Difference	Z-Score	p-value	Result
	Count	%	Count	%				
Hispanic	36	4.36%	46	4.49%	0.12%	0.1290	0.897	No significant difference
English Learners	90	10.91%	92	8.98%	-1.93%	-1.3880	0.165	No significant difference
Socio-Economically Disadvantaged	7	0.85%	38	3.71%	2.86%	3.9675	< 0.001	Significant difference
Students with Disabilities	46	5.58%	75	7.32%	1.74%	1.5058	0.132	No significant difference
Total Enrollment	825		1025					

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

There is no significant difference between the proportion of Hispanic students enrolled at Bullis Charter School in 2022-23 and in 2023-24.

The proportion of English Learners enrolled at Bullis Charter School in 2023-24 is significantly higher than the proportion enrolled at Bullis Charter School in 2022-23.

The proportion of socio-economically disadvantaged students enrolled at Bullis Charter School in 2023-24 is significantly higher than the proportion enrolled at Bullis Charter School in 2022-23.

There is no significant difference between the proportion of students with disabilities enrolled at Bullis Charter School in 2022-23 and in 2023-24.

There is no significant difference between the proportion of Hispanic students enrolled at Bullis Charter School in 2021-22 and in 2023-24.

The proportion of English Learners enrolled at Bullis Charter School in 2023-24 is significantly higher than the proportion enrolled at Bullis Charter School in 2021-22.

The proportion of socio-economically disadvantaged students enrolled at Bullis Charter School in 2023-24 is significantly higher than the proportion enrolled at Bullis Charter School in 2021-22.

There is no significant difference between the proportion of students with disabilities enrolled at Bullis Charter School in 2021-22 and in 2023-24.

There is no significant difference between the proportion of Hispanic students enrolled at Bullis Charter School in 2016-17 and in 2023-24.

There is no significant difference between the proportion of English Learners enrolled at Bullis Charter School in 2016-17 and in 2023-24.

The proportion of socio-economically disadvantaged students enrolled at Bullis Charter School in 2023-24 is significantly higher than the proportion enrolled at Bullis Charter School in 2016-17.

There is no significant difference between the proportion of students with disabilities enrolled at Bullis Charter School in 2016-17 and in 2023-24.

## Bullis Charter School Petition

	BCS - All Students Enrolled in Grade 1								LASD - All Students Enrolled in Grade 1							
Student Group	2016-17		2021-22		2022-23		2023-24		2016-17	2023-24		2022-23	2023-24			
Grade 1 Enrollment	105		134		128		111		414	295		307		284		
Hispanic	0	0.00%	3	2.24%	9	7.03%	4	3.60%	36	8.70%	27	9.15%	24	7.82%	24	8.45%
English Learners	26	24.76%	13	9.70%	9	7.03%	12	10.81%	95	22.95%	58	19.66%	51	16.61%	53	18.66%
Socio-Economically Disadvantaged*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	29	7.00%	24	8.14%	13	4.23%	18	6.34%
Students with Disabilities*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	29	7.00%	26	8.81%	20	6.51%	24	8.45%

Source: CDE DataQuest, Annual Enrollment Data Reports

\* Grade level subgroup comparison for socioeconomically disadvantaged and students with disabilities unavailable due to small sample size at BCS.

Table 1. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) Grade 1 Enrollment in 2016-17 for Select Student Groups

Student Group	BCS		LASD		Difference	Z-Score	p-value	Result
	Count	%	Count	%				
Hispanic	0	0.00%	36	8.70%	8.70%	3.1322	0.002	Significant difference
English Learners	26	24.76%	95	22.95%	-1.82%	-0.3929	0.694	No significant difference
Socio-Economically Disadvantaged*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Students with Disabilities*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Grade 1 Enrollment	105		414					

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

Table 2. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) Grade 1 Enrollment in 2021-22 for Select Student Groups

Student Group	BCS		LASD		Difference	Z-Score	p-value	Result
	Count	%	Count	%				
Hispanic	3	2.24%	27	9.15%	6.91%	2.6023	0.009	Significant difference
English Learners	13	9.70%	58	19.66%	9.96%	2.5725	0.010	Significant difference
Socio-Economically Disadvantaged*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Students with Disabilities*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Grade 1 Enrollment	134		295					

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

Table 3. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) Grade 1 Enrollment in 2022-23 for Select Student Groups

Student Group	BCS		LASD		Difference	Z-Score	p-value	Result
	Count	%	Count	%				
Hispanic	9	7.03%	24	7.82%	0.79%	0.2823	0.778	No significant difference
English Learners	9	7.03%	51	16.61%	9.58%	2.6409	0.008	Significant difference
Socio-Economically Disadvantaged*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Students with Disabilities*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Grade 1 Enrollment	128		307					

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

Table 4. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) Grade 1 Enrollment in 2023-24 for Select Student Groups

Student Group	BCS		LASD		Difference	Z-Score	p-value	Result
	Count	%	Count	%				
Hispanic	4	3.60%	24	8.45%	4.85%	1.6873	0.092	No significant difference
English Learners	12	10.81%	53	18.66%	7.85%	1.8916	0.059	No significant difference
Socio-Economically Disadvantaged*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Students with Disabilities*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Grade 1 Enrollment	111		284					

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

The proportion of Grade 1 Hispanic students enrolled at Los Altos Elementary School District in 2016-17 is significantly higher than the proportion enrolled at Bullis Charter School in 2016-17.

There is no significant difference between the proportion of Grade 1 English Learners enrolled at Los Altos Elementary School District and at Bullis Charter School in 2016-17.

The proportion of Grade 1 Hispanic students enrolled at Los Altos Elementary School District in 2021-22 is significantly higher than the proportion enrolled at Bullis Charter School in 2021-22.

The proportion of Grade 1 English Learners enrolled at Los Altos Elementary School District in 2021-22 is significantly higher than the proportion enrolled at Bullis Charter School in 2021-22.

There is no significant difference between the proportion of Grade 1 Hispanic students enrolled at Los Altos Elementary School District and at Bullis Charter School in 2022-23.

The proportion of Grade 1 English Learners enrolled at Los Altos Elementary School District in 2021-22 is significantly higher than the proportion enrolled at Bullis Charter School in 2021-22.

There is no significant difference between the proportion of Grade 1 Hispanic students enrolled at Los Altos Elementary School District and at Bullis Charter School in 2023-24.

There is no significant difference between the proportion of Grade 1 English Learners enrolled at Los Altos Elementary School District and at Bullis Charter School in 2023-24.

## Bullis Charter School Petition

	BCS - All Students			LASD- All Students Excluding Interdistrict Transfers								
	2021-22	2022-23	2023-24	2021-22	2022-23	2023-24						
<b>Total Enrollment</b>	<b>1071</b>	<b>1081</b>	<b>1025</b>	<b>3185</b>	<b>3202</b>	<b>3214</b>						
<b>Hispanic</b>	47	4.39%	44	4.27%	299	9.39%	305	9.49%				
<b>English learners</b>	61	5.70%	61	5.92%	92	8.98%	339	10.64%	340	10.62%	343	10.67%
<b>Socio-Economically Disadvantaged</b>	13	1.21%	20	1.94%	33	3.22%	230	7.22%	249	7.78%	245	7.62%
<b>Students with Disabilities</b>	85	7.94%	74	7.18%	74	7.22%	298	9.36%	291	9.09%	325	10.11%

BCS Notes: Socio-economically disadvantaged was calculated from meeting any of the following criteria:

2021-22: Title I Part C, Homeless, Socioeconomically, Fill

2022-23: Title I Part C, Homeless, Socioeconomically, Parent High School Graduate

2023-24: Title I Part C, Homeless, Socioeconomically, Fill

2016-17 data was pulled from DataQuest only.

LASD Notes: Socio-economically disadvantaged was calculated from meeting any of the following criteria:

2021-22, 2022-23, 2023-24: Title I Part C, Homeless, Socioeconomically, Parent High School Graduate

2016-17 data was pulled from DataQuest only.

Table 2. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) Total Student Enrollment in 2021-22 for Select Student Groups, Excluding Interdistrict Transfers

	BCS		LASD		Difference		Variance		Z		
	Count	%	Count	%	Difference	Numerator = Difference in Proportions	Pooled Proportion	Denominator	Z-Score	p-value	Result
Hispanic	47	4.39%	399	9.39%	5.00%	0.0500	0.081296992	0.009653308	5.1789	<0.0001	Significant difference
English Learners	61	5.70%	339	10.64%	4.95%	0.0495	0.093984962	0.010307379	4.8005	<0.0001	Significant difference
Socio-Economically Disadvantaged	13	1.21%	230	7.22%	6.01%	0.0601	0.057095865	0.008195726	7.3301	<0.0001	Significant difference
Students with Disabilities	85	7.94%	298	9.36%	1.42%	0.0142	0.089990602	0.010108178	1.4047	0.160	No significant difference
Total Enrollment	1071		3185	100.00%							

Notes: Z Score proportion difference tests are two-tailed with a *p*-value alpha level set at 0.05.

Table 3. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) Total Student Enrollment in 2022-23 for Select Student Groups, Excluding Interdistrict Transfers

	BCS		LASD		Difference		Variance		Z		
	Count	%	Count	%	Difference	Numerator : Difference in Proportions	Pooled Proportion	Denominator	Z-Score	p-value	Result
Hispanic	44	4.27%	300	9.37%	5.10%	0.0510	0.081266241	0.009784397	5.2139	<0.0001	Significant difference
English Learners	61	5.92%	340	10.62%	4.70%	0.0470	0.094731869	0.010486264	4.4837	<0.0001	Significant difference
Socio-Economically Disadvantaged	20	1.94%	249	7.78%	5.84%	0.0584	0.063548311	0.00873532	6.6815	<0.0001	Significant difference
Students with Disabilities	74	7.18%	291	9.09%	1.91%	0.0191	0.086227262	0.010051376	1.9008	0.057	No significant difference
Total Enrollment	1031		3202								

Notes: Z Score proportion difference tests are two-tailed with a *p*-value alpha level set at 0.05.

Table 4. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) Total Student Enrollment in 2023-24 for Select Student Groups, Excluding Interdistrict Transfers

	BCS		2023-24		Difference		Variance		Z		
	Count	%	Count	%	Difference	Numerator = Difference in Proportions	Pooled Proportion	Denominator	Z-Score	p-value	Result
Hispanic	42	4.10%	305	9.49%	5.39%	0.0539	0.081858929	0.009834099	5.4831	<0.0001	Significant difference
English Learners	92	8.98%	343	10.67%	1.70%	0.0170	0.102618542	0.010885498	1.5584	0.119	No significant difference
Socio-Economically Disadvantaged	33	3.22%	245	7.62%	4.40%	0.0440	0.065581505	0.008879903	4.9588	<0.0001	Significant difference
Students with Disabilities	74	7.22%	325	10.11%	2.89%	0.0289	0.094125973	0.010474553	2.7615	0.006	Significant difference
Total Enrollment	1025	100.00%	3214	100.00%							

Notes: Z Score proportion difference tests are two-tailed with a *p*-value alpha level set at 0.05.

The proportion of Hispanic students enrolled at Los Altos Elementary School District in 2021-22 is significantly higher than the proportion enrolled at Bullis Charter School in 2021-22.

The proportion of English Learners enrolled at Los Altos Elementary School District in 2021-22 is significantly higher than the proportion enrolled at Bullis Charter School in 2021-22.

The proportion of socio-economically disadvantaged students enrolled at Los Altos Elementary School District in 2021-22 is significantly higher than the proportion enrolled at Bullis Charter School in 2021-22.

There is no significant difference between the proportion of students with disabilities enrolled at Los Altos Elementary School District and the proportion enrolled at Bullis Charter School in 2021-22.

The proportion of Hispanic students enrolled at Los Altos Elementary School District in 2022-23 is significantly higher than the proportion enrolled at Bullis Charter School in 2022-23.

The proportion of English Learners enrolled at Los Altos Elementary School District in 2022-23 is significantly higher than the proportion enrolled at Bullis Charter School in 2022-23.

The proportion of socio-economically disadvantaged students enrolled at Los Altos Elementary School District in 2022-23 is significantly higher than the proportion enrolled at Bullis Charter School in 2022-23.

There is no significant difference between the proportion of students with disabilities enrolled at Los Altos Elementary School District and the proportion enrolled at Bullis Charter School in 2022-23.

The proportion of Hispanic students enrolled at Los Altos Elementary School District in 2023-24 is significantly higher than the proportion enrolled at Los Altos Elementary School District in 2023-24.

There is no significant difference between the proportion of English Learners enrolled at Los Altos Elementary School District and the proportion enrolled at Bullis Charter School in 2023-24.

The proportion of socio-economically disadvantaged students enrolled at Los Altos Elementary School District in 2023-24 is significantly higher than the proportion enrolled at Los Altos Elementary School District in 2023-24.

The proportion of students with disabilities enrolled at Los Altos Elementary School District in 2023-24 is significantly higher than the proportion enrolled at Los Altos Elementary School District in 2023-24.

## Bullis Charter School Petition

	BCS - All Students Enrolled in TK/K								LASD - All Students Enrolled in TK/K							
Student Group	2016-17		2021-22		2022-23		2023-24		2016-17	2023-24		2022-23		2023-24		
TK/K Enrollment	105		137		126		126		451	316		345		406		
Hispanic	5	4.76%	7	5.11%	2	1.59%	4	3.17%	47	10.42%	28	8.86%	25	7.25%	41	10.10%
English Learners	28	26.67%	22	16.06%	34	26.98%	54	42.86%	111	24.61%	53	16.77%	68	19.71%	82	20.20%
Socio-Economically Disadvantaged*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	31	6.87%	14	4.43%	25	7.25%	36	8.87%
Students with Disabilities*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	18	3.99%	18	5.70%	21	6.09%	36	8.87%

Source: CDE DataQuest, Annual Enrollment Data Reports

Notes: Counts for 2016-17, 2021-22, and 2022-23 are from Grade K enrollment.

\* Grade level subgroup comparison for socioeconomically disadvantaged and students with disabilities unavailable due to small sample size at BCS.

Table 1. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) Total Student Enrollment in 2016-17 for Select Student Groups

Student Group	BCS		LASD		Difference	Z-Score	p-value	Result
	Count	%	Count	%				
Hispanic	5	4.76%	47	10.42%	5.66%	1.7938	0.073	No significant difference
English Learners	28	26.67%	111	24.61%	-2.05%	-0.4379	0.661	No significant difference
Socio-Economically Disadvantaged*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Students with Disabilities*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
TK/K Enrollment	105		451					

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

There is no significant difference between the proportion of TK/K Hispanic students enrolled at Los Altos Elementary School District and at Bullis Charter School in 2016-17.

There is no significant difference between the proportion of TK/K English Learners enrolled at Los Altos Elementary School District and at Bullis Charter School in 2016-17.

Table 2. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) TK - K Enrollment in 2021-22 for Select Student Groups

Student Group	BCS		LASD		Difference	Z-Score	p-value	Result
	Count	%	Count	%				
Hispanic	7	5.11%	28	8.86%	3.75%	1.3734	0.170	No significant difference
English Learners	22	16.06%	53	16.77%	0.71%	0.1877	0.851	No significant difference
Socio-Economically Disadvantaged*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Students with Disabilities*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
TK/K Enrollment	137		316					

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

There is no significant difference between the proportion of TK/K Hispanic students enrolled at Los Altos Elementary School District and at Bullis Charter School in 2021-22.

There is no significant difference between the proportion of TK/K English Learners enrolled at Los Altos Elementary School District and at Bullis Charter School in 2021-22.

Table 3. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) TK - K Enrollment in 2022-23 for Select Student Groups

Student Group	BCS		LASD		Difference	Z-Score	p-value	Result
	Count	%	Count	%				
Hispanic	2	1.59%	25	7.25%	5.66%	2.3387	0.019	Significant difference
English Learners	34	26.98%	68	19.71%	-7.27%	-1.6965	0.090	No significant difference
Socio-Economically Disadvantaged*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Students with Disabilities*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
TK/K Enrollment	126		345					

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

The proportion of TK/K Hispanic students enrolled at Los Altos Elementary School District in 2022-23 is significantly higher than the proportion enrolled at Bullis Charter School in 2022-23.

There is no significant difference between the proportion of TK/K English Learners enrolled at Los Altos Elementary School District and at Bullis Charter School in 2022-23.

Table 4. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) TK - K Enrollment in 2023-24 for Select Student Groups

Student Group	BCS		LASD		Difference	Z-Score	p-value	Result
	Count	%	Count	%				
Hispanic	4	3.17%	41	10.10%	6.92%	2.4400	0.015	Significant difference
English Learners	54	42.86%	82	20.20%	-22.66%	-5.0939	< 0.001	Significant difference
Socio-Economically Disadvantaged*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Students with Disabilities*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
TK/K Enrollment	126		406					

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

The proportion of TK/K Hispanic students enrolled at Los Altos Elementary School District in 2023-24 is significantly higher than the proportion enrolled at Bullis Charter School in 2023-24.

The proportion of TK/K English Learners enrolled at Bullis Charter School in 2023-24 is significantly higher than the proportion enrolled at Los Altos Elementary School District in 2023-24.

## Bullis Charter School Petition

	BCS - ALL Students Enrolled in TK/K					LASD- ALL Students in TK/K Excluding Interdistrict Transfers				
	2021-22	2022-23*	2023-24			2021-22	2022-23*	2023-24		
<b>Total Enrollment</b>	<b>137</b>	<b>110</b>	<b>126</b>			<b>293</b>	<b>327</b>	<b>382</b>		
<b>Hispanic</b>	7	5.11%	21	1.83%	21	25	8.53%	26	7.95%	37
<b>English Learners</b>	22	16.06%	30	27.27%	54	52	17.75%	68	20.80%	82
<b>Socio-Economically Disadvantaged</b>	0	0.00%	5	4.55%	4	14	4.78%	24	7.34%	35
<b>Students with Disabilities</b>	3	2.19%	5	4.55%	6	17	5.80%	21	6.42%	36

BCS Notes: Socio-economically disadvantaged was calculated from meeting any of the following

criteria:

2021-22: Title I Part C, Homeless, Socioeconomically, FRL

2023-23: Title I Part C, Homeless, Socioeconomically, Parent High School Graduate

2023-24: Title I Part C, Homeless, Socioeconomically, FRL

2016-17 data was pulled from DataQuest only.

\* Enrollment counts determined from 'KN' enrollment.

LASD Notes: Socio-economically disadvantaged was calculated from meeting any of the

following criteria:

2021-22, 2022-23, 2023-24: Title I Part C, Homeless, Socioeconomically, Parent High School

Graduate

2016-17 data was pulled from DataQuest only.

\* Enrollment counts determined from 'KN' enrollment.

Table 1. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) TK/K Student Enrollment in 2021-22 for Select Student Groups, Excluding Interdistrict Transfers

	BCS		LASD			Difference	Variance		Z		
	Count	%	Count	%	Difference	Numerator : Difference in Proportions	Pooled Proportion	Denominator	Z-Score	p-value	Result
Hispanic	7	5.11%	25	8.53%	3.42%	0.0342	0.074418605	0.027153655	1.2601	0.208	No significant difference
English Learners	22	16.06%	52	17.75%	1.69%	0.0169	0.172093023	0.039067223	0.4323	0.665	No significant difference
Socio-Economically Disadvantaged	0	0.00%	14	4.78%	4.78%	0.0478	0.03255814	0.018368867	2.6012	0.009	Significant difference
Students with Disabilities	3	2.19%	17	5.80%	3.61%	0.0361	0.046511628	0.021796091	1.6573	0.097	No significant difference
Total Enrollment	137	100.00%	293								

Notes: Z-Score proportion difference tests are two-tailed with prior alpha level set at 0.05. Enrollment counts determined from 'KN' enrollment.

Table 2. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) TK/K Student Enrollment in 2022-23 for Select Student Groups, Excluding Interdistrict Transfers

	BCS*		LASD*		Difference	Variance		Z			
	Count	%	Count	%		Numerator : Difference in Proportions	Pooled Proportion	Denominator	Z-Score	p-value	Result
Hispanic	2	1.82%	26	7.95%	6.13%	0.0613	0.064073227	0.026991669	2.2721	0.023	Significant difference
English Learners	30	27.27%	68	20.80%	-6.48%	-0.0648	0.224256293	0.045972905	-1.4090	0.159	No significant difference
Socio-Economically Disadvantaged	5	4.55%	24	7.34%	2.79%	0.0279	0.066361556	0.027435833	1.0184	0.309	No significant difference
Students with Disabilities	5	4.55%	21	6.42%	1.88%	0.0188	0.059496568	0.026073339	0.7197	0.472	No significant difference
Total Enrollment	110	100.00%	327								

Notes: Z-Score proportion difference tests are two-tailed with prior alpha level set at 0.05. Enrollment counts determined from 'KN' enrollment.

Table 3. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) TK/K Student Enrollment in 2023-24 for Select Student Groups, Excluding Interdistrict Transfers

	BCS		LASD			Difference	Variance		Z		
	Count	%	Count	%	Difference	Numerator : Difference in Proportions	Pooled Proportion	Denominator	Z-Score	p-value	Result
Hispanic	2	1.59%	37	9.69%	8.10%	0.0810	0.076771654	0.027350793	2.9610	0.003	Significant difference
English Learners	54	42.86%	82	21.47%	-21.39%	-0.2139	0.267716535	0.045487505	-4.7026	<0.0001	Significant difference
Socio-Economically Disadvantaged	4	3.17%	35	9.16%	5.99%	0.0599	0.076771654	0.027350793	2.1892	0.029	Significant difference
Students with Disabilities	6	4.76%	36	9.42%	4.66%	0.0466	0.082677165	0.028292335	1.6479	0.099	No significant difference
Total Enrollment	126	100.00%	382								

Notes: Z-Score proportion difference tests are two-tailed with prior alpha level set at 0.05.

There is no significant difference between the proportion of TK/K Hispanic students enrolled at Los Altos Elementary School District and at Bullis Charter School in 2021-22.

There is no significant difference between the proportion of TK/K English Learners enrolled at Los Altos Elementary School District and at Bullis Charter School in 2021-22.

The proportion of TK/K socio-economically disadvantaged students enrolled at Los Altos Elementary School District in 2021-22 is significantly higher than the proportion enrolled at Bullis Charter School in 2021-22.

There is no significant difference between the proportion of TK/K students with disabilities enrolled at Los Altos Elementary School District and at Bullis Charter School in 2021-22.

The proportion of TK/K Hispanic students enrolled at Los Altos Elementary School District in 2022-23 is significantly higher than the proportion enrolled at Bullis Charter School in 2022-23.

There is no significant difference between the proportion of TK/K English learners enrolled at Los Altos Elementary School District and at Bullis Charter School in 2022-23.

There is no significant difference between the proportion of TK/K socio-economically disadvantaged students enrolled at Los Altos Elementary School District and at Bullis Charter School in 2022-23.

There is no significant difference between the proportion of TK/K students with disabilities enrolled at Los Altos Elementary School District and at Bullis Charter School in 2022-23.

The proportion of TK/K Hispanic students enrolled at Los Altos Elementary School District in 2023-24 is significantly higher than the proportion enrolled at Bullis Charter School in 2023-24.

The proportion of TK/K English Learners enrolled at Los Altos Elementary School District in 2023-24 is significantly higher than the proportion enrolled at Bullis Charter School in 2023-24.

The proportion of TK/K socio-economically disadvantaged students enrolled at Los Altos Elementary School District in 2023-24 is significantly higher than the proportion enrolled at Bullis Charter School in 2023-24.

There is no significant difference between the proportion of TK/K students with disabilities enrolled at Los Altos Elementary School District and at Bullis Charter School in 2023-24.

## Bullis Charter School Petition

	BCS - All Students Enrolled in Grade 1								LASD - All Students Enrolled in Grade 1							
Student Group	2016-17		2021-22		2022-23		2023-24		2016-17	2023-24	2022-23	2023-24				
Grade 1 Enrollment	105		134		128		111		414	295	307	284				
Hispanic	0	0.00%	3	2.24%	9	7.03%	4	3.60%	36	8.70%	27	9.15%	24	7.82%	24	8.45%
English Learners	26	24.76%	13	9.70%	9	7.03%	12	10.81%	95	22.95%	58	19.66%	51	16.61%	53	18.66%
Socio-Economically Disadvantaged*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	29	7.00%	24	8.14%	13	4.23%	18	6.34%
Students with Disabilities*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	29	7.00%	26	8.81%	20	6.51%	24	8.45%

Source: CDE DataQuest, Annual Enrollment Data Reports

\* Grade level subgroup comparison for socioeconomically disadvantaged and students with disabilities unavailable due to small sample size at BCS.

Table 1. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) Grade 1 Enrollment in 2016-17 for Select Student Groups

Student Group	BCS		LASD		Difference	Z-Score	p-value	Result
	Count	%	Count	%				
Hispanic	0	0.00%	36	8.70%	8.70%	3.1322	0.002	Significant difference
English Learners	26	24.76%	95	22.95%	-1.82%	-0.3929	0.694	No significant difference
Socio-Economically Disadvantaged*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Students with Disabilities*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Grade 1 Enrollment	105		414					

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

The proportion of Grade 1 Hispanic students enrolled at Los Altos Elementary School District in 2016-17 is significantly higher than the proportion enrolled at Bullis Charter School in 2016-17.

There is no significant difference between the proportion of Grade 1 English Learners enrolled at Los Altos Elementary School District and at Bullis Charter School in 2016-17.

Table 2. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) Grade 1 Enrollment in 2021-22 for Select Student Groups

Student Group	BCS		LASD		Difference	Z-Score	p-value	Result
	Count	%	Count	%				
Hispanic	3	2.24%	27	9.15%	6.91%	2.6023	0.009	Significant difference
English Learners	13	9.70%	58	19.66%	9.96%	2.5725	0.010	Significant difference
Socio-Economically Disadvantaged*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Students with Disabilities*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Grade 1 Enrollment	134		295					

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

The proportion of Grade 1 Hispanic students enrolled at Los Altos Elementary School District in 2021-22 is significantly higher than the proportion enrolled at Bullis Charter School in 2021-22.

The proportion of Grade 1 English Learners enrolled at Los Altos Elementary School District in 2021-22 is significantly higher than the proportion enrolled at Bullis Charter School in 2021-22.

Table 3. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) Grade 1 Enrollment in 2022-23 for Select Student Groups

Student Group	BCS		LASD		Difference	Z-Score	p-value	Result
	Count	%	Count	%				
Hispanic	9	7.03%	24	7.82%	0.79%	0.2823	0.778	No significant difference
English Learners	9	7.03%	51	16.61%	9.58%	2.6409	0.008	Significant difference
Socio-Economically Disadvantaged*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Students with Disabilities*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Grade 1 Enrollment	128		307					

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

There is no significant difference between the proportion of Grade 1 Hispanic students enrolled at Los Altos Elementary School District and at Bullis Charter School in 2022-23.

The proportion of Grade 1 English Learners enrolled at Los Altos Elementary School District in 2021-22 is significantly higher than the proportion enrolled at Bullis Charter School in 2021-22.

Table 4. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) Grade 1 Enrollment in 2023-24 for Select Student Groups

Student Group	BCS		LASD		Difference	Z-Score	p-value	Result
	Count	%	Count	%				
Hispanic	4	3.60%	24	8.45%	4.85%	1.6873	0.092	No significant difference
English Learners	12	10.81%	53	18.66%	7.85%	1.8916	0.059	No significant difference
Socio-Economically Disadvantaged*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Students with Disabilities*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Grade 1 Enrollment	111		284					

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

There is no significant difference between the proportion of Grade 1 Hispanic students enrolled at Los Altos Elementary School District and at Bullis Charter School in 2023-24.

There is no significant difference between the proportion of Grade 1 English Learners enrolled at Los Altos Elementary School District and at Bullis Charter School in 2023-24.



## Bullis Charter School Petition

	BCS - ALL Students Enrolled in Grade 1			LASD- ALL Students in Grade 1 Excluding Interdistrict Transfers		
	2021-22	2022-23	2023-24	2021-22	2022-23	2023-24
<b>Total Enrollment</b>	<b>134</b>	<b>134</b>	<b>111</b>	<b>281</b>	<b>283</b>	<b>267</b>
<b>Hispanic</b>	3 2.24%	9 7.26%	4 3.60%	26 9.25%	21 7.42%	23 8.61%
<b>English Learners</b>	13 9.70%	9 7.26%	12 10.81%	58 20.64%	49 17.31%	53 19.85%
<b>Socio-Economically Disadvantaged</b>	2 1.49%	1 0.81%	7 6.31%	23 8.19%	13 4.59%	18 6.74%
<b>Students with Disabilities</b>	9 6.72%	3 2.42%	3 2.70%	25 8.90%	19 6.71%	23 8.61%

BCS Notes: Socio-economically disadvantaged was calculated from meeting any of the following criteria:

2021-22: Title I Part C, Homeless, Socioeconomically, FRL

2022-23: Title I Part C, Homeless, Socioeconomically, Parent High School Graduate

2023-24: Title I Part C, Homeless, Socioeconomically, FRL

2016-17 data was pulled from DataQuest only.

LASD Notes: Socio-economically disadvantaged was calculated from meeting any of the following criteria:

2021-22, 2022-23, 2023-24: Title I Part C, Homeless, Socioeconomically, Parent High School Graduate

2016-17 data was pulled from DataQuest only.

Table 2. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) Grade 1 Student Enrollment in 2021-22 for Select Student Groups, Excluding Interdistrict Transfers

	BCS		LASD		Difference	Variance		Z	p-value	Result
	Count	%	Count	%		Pooled Proportion	Denominator			
<b>Hispanic</b>	3	2.24%	26	9.25%	7.01%	0.0701	0.069879518	0.026764741	<b>2.6206</b>	<b>0.009</b> Significant difference
<b>English Learners</b>	13	9.70%	58	20.64%	10.94%	0.1094	0.171084337	0.039534731	<b>2.7670</b>	<b>0.006</b> Significant difference
<b>Socio-Economically Disadvantaged</b>	2	1.49%	23	8.19%	6.69%	0.0669	0.060240964	0.024978865	<b>2.8793</b>	<b>0.007</b> Significant difference
<b>Students with Disabilities</b>	9	6.72%	25	8.90%	2.18%	0.0218	0.081927711	0.028792033	<b>0.7573</b>	<b>0.448</b> No significant difference
<b>Total Enrollment</b>	<b>134</b>	<b>100.00%</b>	<b>281</b>							

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

Table 3. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) Grade 1 Student Enrollment in 2022-23 for Select Student Groups, Excluding Interdistrict Transfers

	BCS		LASD		Difference	Variance		Z	p-value	Result
	Count	%	Count	%		Pooled Proportion	Denominator			
<b>Hispanic</b>	9	7.26%	21	7.42%	0.16%	0.0016	0.075710074	0.028140385	<b>0.6577</b>	<b>0.554</b> No significant difference
<b>English Learners</b>	9	7.26%	49	17.31%	10.06%	0.1006	0.142596142	0.037846673	<b>2.8713</b>	<b>0.008</b> Significant difference
<b>Socio-Economically Disadvantaged</b>	1	0.81%	13	4.59%	3.79%	0.0379	0.034398034	0.019627231	<b>1.9296</b>	<b>0.054</b> No significant difference
<b>Students with Disabilities</b>	3	2.42%	19	6.71%	4.29%	0.0429	0.054054054	0.024352326	<b>1.7635</b>	<b>0.078</b> No significant difference
<b>Total Enrollment</b>	<b>124</b>	<b>100.00%</b>	<b>283</b>							

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

Table 4. Comparison of Bullis Charter School (BCS) and Los Altos Elementary School District (LASD) Grade 1 Student Enrollment in 2023-24 for Select Student Groups, Excluding Interdistrict Transfers

	BCS		LASD		Difference	Variance		Z	p-value	Result
	Count	%	Count	%		Pooled Proportion	Denominator			
<b>Hispanic</b>	4	3.60%	23	8.61%	5.01%	0.0501	0.071428571	0.029085224	<b>1.7227</b>	<b>0.085</b> No significant difference
<b>English Learners</b>	12	10.81%	53	19.85%	9.04%	0.0904	0.171957672	0.042615327	<b>2.3212</b>	<b>0.034</b> Significant difference
<b>Socio-Economically Disadvantaged</b>	7	6.31%	18	6.74%	0.44%	0.0044	0.066137566	0.028066893	<b>0.1551</b>	<b>0.877</b> No significant difference
<b>Students with Disabilities</b>	3	2.70%	23	8.61%	5.91%	0.0591	0.068783069	0.028582156	<b>2.0683</b>	<b>0.039</b> Significant difference
<b>Total Enrollment</b>	<b>111</b>	<b>100.00%</b>	<b>267</b>							

Notes: Z-Score proportion difference tests are two-tailed with a priori alpha level set at 0.05.

The proportion of Grade 1 Hispanic students enrolled at Los Altos Elementary School District in 2021-22 is significantly higher than the proportion enrolled at Bullis Charter School in 2021-22.

The proportion of Grade 1 English learners enrolled at Los Altos Elementary School District in 2021-22 is significantly higher than the proportion enrolled at Bullis Charter School in 2021-22.

The proportion of Grade 1 socio-economically disadvantaged students enrolled at Los Altos Elementary School District in 2021-22 is significantly higher than the proportion enrolled at Bullis Charter School in 2021-22.

There is no significant difference between the proportion of Grade 1 students with disabilities enrolled at Los Altos Elementary School District and at Bullis Charter School in 2021-22.

There is no significant difference between the proportion of Grade 1 Hispanic students enrolled at Los Altos Elementary School District and at Bullis Charter School in 2022-23.

The proportion of Grade 1 English learners enrolled at Los Altos Elementary School District in 2022-23 is significantly higher than the proportion enrolled at Bullis Charter School in 2022-23.

There is no significant difference between the proportion of Grade 1 socio-economically disadvantaged students enrolled at Los Altos Elementary School District and at Bullis Charter School in 2022-23.

There is no significant difference between the proportion of Grade 1 students with disabilities enrolled at Los Altos Elementary School District and at Bullis Charter School in 2022-23.

There is no significant difference between the proportion of Grade 1 Hispanic students enrolled at Los Altos Elementary School District and at Bullis Charter School in 2023-24.

The proportion of Grade 1 English learners enrolled at Los Altos Elementary School District in 2023-24 is significantly higher than the proportion enrolled at Bullis Charter School in 2023-24.

There is no significant difference between the proportion of Grade 1 socio-economically disadvantaged students enrolled at Los Altos Elementary School District and at Bullis Charter School in 2023-24.

The proportion of Grade 1 students with disabilities enrolled at Los Altos Elementary School District in 2023-24 is significantly higher than the proportion enrolled at Bullis Charter School in 2023-24.