



## P R E S S   R E L E A S E

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### **Santa Clara Superior Court Rules in Favor of Los Altos School District on 2012-2013 Facilities Offer; Sanctions Bullis Charter School for Hiding Lawsuit Financing**

In a series of rulings handed down in the last two weeks, the Santa Clara County Superior Court ruled in favor of the Los Altos School District on Bullis Charter School's latest lawsuit, relating to its 2012-2013 facilities offer. The Court also sanctioned Bullis more than \$51,000 for refusing to provide information regarding who has been financing its lawsuits.

As Judge Patricia Lucas was rejecting Bullis' previous suit over the summer, Bullis filed a new action challenging LASD's offer of facilities for the 2012-2013 school year. Bullis picked three issues for an immediate court ruling: (1) whether LASD had the right to disagree with Bullis' projections of its junior high enrollment for 2012-2013, (2) whether the multi-purpose space that LASD made available to Bullis for 2012-13 was reasonable even though Bullis wanted access to a local gymnasium instead, and (3) whether LASD was required to provide an inventory of all furniture and equipment available at the LASD public schools. The Court ruled in favor of LASD on all three issues. Recognizing that a school district must consider the needs of all the public school students that are affected by a charter school's demands, the court ruled that LASD was not required to furnish the gymnasium to Bullis because doing so would adversely impact pupils at Egan Junior High School, who use that gym for all periods in the school day. Judge Lucas noted, "it is established that charter schools are not necessarily entitled to what they want but only to what is reasonably equivalent" while citing a Southern California appellate court decision that had rejected facilities allocations that "would tip the balance too far in favor of the charter school." The Court also noted that LASD K-6 students do not enjoy access to a gymnasium, and that there was no basis for Bullis to demand such access for its own students. The Court further found the District's position reasonable on the other issues, and found Bullis' position to be "without merit."

By separate order, the court also ruled in favor of LASD on a discovery motion in the case related to BCS's demand for \$1.3 million in attorneys' fees incurred in prior litigation. The Court granted LASD's request for access to a portion of BCS's donor data and rejected the

notion that BCS could conceal information on who and how the litigation against the District has been funded. The judge levied a substantial monetary sanction of \$51,085.00, emphasizing that Bullis had no “substantial justification” for concealing the requested information.

“The District is heartened by this ruling because it has always endeavored to take the best interests of all its public school students into account, and this ruling affirms it has the right to do so and made the right choices,” said LASD Superintendent Jeffrey Baier. “This ruling affirms that LASD is permitted to exercise reasonable discretion, and to balance the needs of all students when considering facilities issues. Having this direction from the court should provide some clarity for all parties, and allow LASD to focus more of our time and energies on doing what is best for children.”

Board President Mark Goines said, “We are pleased that Judge Lucas recognized the legal authority of the elected Los Altos School Board and its responsibility to balance the needs of all the members of our community. Bullis’ appointed board needs to recognize that as well and accept the need to balance the interests of all students in facilities allocations. Litigation is a wasteful approach to fairly serving the needs of all our students.” “It seemed unjust to us that Bullis could ask the public to pay \$1.3 million in attorney’s fees for a lawsuit that sought to grab more resources away from the District’s 4,500 public school pupils for the benefit of the Bullis community without Bullis revealing who is paying for its very expensive lawyers. The order granting the District access to that information and sanctioning Bullis injects some common sense into attorney’s fee issues,” Goines added. “Bullis does claim to be a public school,” said Goines, “so it should not be hiding behind a veil of secrecy.”

Los Altos School District operates seven elementary and two junior high schools and is a top-rated school district in the State of California. LASD serves 4500 K-8 students from portions of Los Altos, Los Altos Hills, Mountain View and Palo Alto. All nine schools in the district have been California Distinguished Schools and/or National Blue Ribbon Schools. LASD is nationally recognized for its many educational innovations and awards including the first district to create blended learning mathematics environments utilizing Khan Academy.

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