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 LOS ALTOS SCHOOL DISTRICT; BOARD OF
 TRUSTEES OF THE LOS ALTOS SCHOOL
 DISTRICT; and TIM JUSTUS

SUPERIOR COURT OF THE STATE OF CALIFORNIA
 COUNTY OF SANTA CLARA

BULLIS CHARTER SCHOOL,

Petitioner,

v.

LOS ALTOS SCHOOL DISTRICT;
 BOARD OF TRUSTEES OF THE LOS
 ALTOS SCHOOL DISTRICT; and TIM
 JUSTUS, in his capacity as District
 Superintendent,

Respondents.

Case No. 109CV144569

**DECLARATION OF THOMAS
 CAMPBELL IN SUPPORT OF
 RESPONDENTS' OPPOSITION TO
 MOTION TO COMPEL COMPLIANCE
 WITH JUDGMENT AND WRIT AND
 CROSS-MOTION FOR DECLARATORY
 RELIEF**

Date: August 15, 2012
 Time: 9:00 a.m.
 Dept: 2

Judge: Hon. Patricia Lucas

DECLARATION OF THOMAS CAMPBELL

I, Thomas Campbell, declare:

1. I am a member of the Los Altos School District ("LASD") Citizens Advisory Committee on Finance, and have served on that committee since my appointment in 2003. I am a retired engineer, with a Ph.D. in physics from UC Riverside, and have lived within the boundaries of the Los Altos School District since 1978. I have personal knowledge of the following facts and could and would competently testify thereto if called as a witness.

2. The Citizen's Advisory Committee on Finance provides several functions for LASD. The primary statutory function is oversight of the District's spending of parcel tax monies approved by local voters. In my capacity as a member of the Citizen's Advisory Committee on Finance, I serve on the following subcommittees: 1) Enrollment and Staffing, 2) Compensation and Benefits, and 3) Revenue. I have also served on several Ad Hoc Committees that were formed to address issues that combine the aspects of two or more subcommittees.

3. I make this declaration in support of LASD's opposition to Petitioner Bullis Charter School's Motion to Compel Compliance with Judgment and Writ ("Motion") in this action between LASD and Bullis Charter School ("BCS"),

4. The following paragraphs respond to the Declaration of David Spector submitted together with BCS' Motion.

Responding to Spector Paragraph 2

5. It is true that the Los Altos School District has spent about \$120 million since 1998 to remodel and improve school facilities. However, Mr. Spector's statement is misleading insofar as it suggests BCS's facilities have not also been improved. In fact, the Los Altos School District has continued to add facilities to the Egan Camp School campus during the term of its use by Bullis Charter School. The Egan Camp School in 2012 is a much different site from what it was in August 2004.

Responding to Spector Paragraph 4

6. A number of Mr. Spector's statements in this paragraph are misleading or inaccurate.

1 LASD opened the Gardner Bullis School in August 2008 on the site of the former Bullis-Purissima
2 School with 201 students in grades kindergarten through 5. Grade 6 students which might have
3 attended Gardner Bullis in 2008-2009 were not transferred from the schools which they had been
4 attending in earlier grades. The attendance by grade by student location is shown in the table I
5 prepared and attached hereto as **Exhibit A**. I prepared this table using the attendance roster sent to
6 me by the Los Altos School District during the 2008-2009 year; this roster includes all the students
7 in all of the schools. Mr. Spector states that Gardner Bullis School was opened in 2008 with fewer
8 than 200 district resident students; indeed, six (6) students at Gardner Bullis were interdistrict
9 transfers in 2008-2009. Page 2 of Exhibit A shows the detail for these six students. There are
10 clearly two sets of siblings; each set has a kindergarten student. From the structure of the student
11 identification numbers it is easy to see that the siblings of the kindergarten students were admitted as
12 interdistrict transfer students to the district in kindergarten in 2006 for the second grade student and
13 in 2005 for the third grade student. Given the district board's policy on interdistrict transfer
14 students at that time (and at present), it is highly likely that these two pairs of siblings are the
15 children of district employees. The student ID of the second third grade student indicates that the
16 student had been admitted to the district in 2007 a year before Gardner Bullis was opened; likewise,
17 the fifth grade student from the Cupertino area of Los Altos has a student ID similar to many other
18 fifth grade students at Covington school in that year. This fifth grade student likely had been a
19 student in the district for several years.

20 7. Mr. Spector implies in this paragraph that LASD did not make an appropriate
21 decision in reopening the Bullis-Purissima site as Gardner Bullis School in 2008, but that
22 implication is disingenuous given the early enrollment history of Bullis Charter School. It took four
23 years for BCS to exceed an enrollment of 200 in-district students, as shown on Exhibit A page 3, and
24 it took the same amount of time to reduce the interdistrict transfer percentage to under 20% of the
25 entire student body (the values shown here are abstracted from slide #23 of the presentation given to
26 the LASD Board on February 14, 2012 by the district's demographer regarding the 2012 enrollment
27 forecast). Mr. Spector's use of the 2006 Citizens Advisory Committee for Finance report regarding
28

1 future uses for the Bullis-Purissima campus (his Exhibit U) is entirely inappropriate; apparently he
2 did not bother to read the document because his citation of a district capacity of 3,773 students was
3 clearly stated as a theoretical limit and a limit that could only be established with the addition of both
4 permanent and portable classroom facilities (see both page 9 and Appendix B of his Exhibit U).

5 **Responding to Spector Paragraph 5:**

6 8. This statement is false and misleading. In the spring of 2007, prior to opening
7 Gardner Bullis School, the Los Altos School District conducted a lengthy public process to redraw
8 school attendance boundaries. I was the only person on the committee considering these issues who
9 was neither a district parent nor a member of district staff. The attendance boundaries effective with
10 the opening of Gardner Bullis were set after many public meetings, several of which had hundreds of
11 attendees and organized neighborhood groups lobbying for their preferred boundary.

12 9. Of all of the contention in these meetings, the issues concerning the Gardner Bullis
13 boundaries were very minor. Further, Mr. Spector's statement regarding the "recruitment" of
14 interdistrict students to populate Gardner Bullis School is false; LASD sought and obtained a
15 memorandum of understanding with the Palo Alto Unified School District to specifically allow Los
16 Altos Hills residents to have their children attend Gardner Bullis School as their neighborhood
17 school. This memorandum of understanding allows for the transfer of funds between two basic aid
18 districts and sets rules protecting the ability of parents to have their children attend their school of
19 choice. The agreement is a public service to residents of Los Altos Hills that is supported by both
20 school districts. While Gardner Bullis School was and is the LASD school with the smallest
21 attendance, it has grown steadily and has done so with district residents and with a small number of
22 Los Altos Hills children attending under the memorandum of understanding with the Palo Alto
23 Unified School District. In fact, the LASD Board adopted a policy prior to the opening of Gardner
24 Bullis School at my personal urging to allow small schools in the district (less than 420 students).
25 One of the rationale's used for the closing of Bullis-Purissima School in 2003 was that it was the
26 smallest school in the district and closing it would affect the fewest students.

27 **Responding to Spector Paragraph 6:**

1 including one that projects higher (K-6) enrollments in LASD. The approach here has two
2 components: the first is the identification of different enrollment scenarios based on past data for the
3 district as it is currently configured. The second component is a re-evaluation of the possible effects
4 of new developments that are planned for our community; many of the developments Ms. Lapkoff
5 identifies are currently under construction.

6 14. As part of her work for the LASD, Ms. Lapkoff has provided a report, dated February
7 10, 2012, titled "Los Altos School District Subarea Demographic Trends." This report is attached
8 hereto as **Exhibit B**. It contains several figures, each of which show K-6 student counts for the
9 elementary school attendance area effective in 2011-2012. These figures provide the basis for the
10 alternate projection of future enrollments.

11 15. I am familiar with and have analyzed the data Ms. Lapkoff used to make her
12 projections, and in my view Ms. Lapkoff underestimates future enrollments in LASD. Attached
13 hereto as **Exhibit C** is a copy of a presentation I drafted showing how I reached this conclusion. In
14 summary, unless something dramatic happens (exterior to LASD), past growth trends indicate a near
15 term need for at least one more school site (not counting the need for a charter school site).
16 Anticipated students from new housing may have been estimated on the low side by the
17 demographer. The net effect of the arrival of these students (regardless of whose guesses are closer
18 to reality) is to bring the need for additional facilities closer to the present. Higher estimates for
19 these students move the expected enrollment numbers closer by one to two years.

20
21 I declare under penalty of perjury under the laws of the state of California that the foregoing
22 is true and correct. Executed on July 23, 2012 in Los Altos, California.

23
24
25 By Thomas J. Campbell
Thomas Campbell