



March 9, 2022

Mefula Fairley, Director
Charter Schools Department
Santa Clara County Office of Education
1290 Ridder Park Drive
San Jose, CA 95131

Re: Los Altos School District;
Bullis Charter School

Dear Ms. Fairley:

Thank you for your correspondence of February 24, 2022, requesting the demographic breakdown of Los Altos School District ("LASD" or "District") *resident* students by racial and ethnic student group, special education, and English learner pupils (including redesignated fluent English proficient pupils). Enclosed please find the information requested. We provide this to assist Santa Clara County Office of Education ("SCCOE") in its ongoing efforts to assess Bullis Charter School's compliance with the law and in addressing the concerns raised in the Santa Clara County Board of Education's ("SCCBOE") Notice of Concern ("Notice").

As the data reflects, the District does not serve a significant out-of-district student population such that the CALPADs data is significantly different from the information provided here by the District. Nor does a focus on resident students materially change the diversity requirements that BCS must achieve in order to be compliant with Education Code section 47605(c)(5)(G). Of course, as a charter school BCS is provided the flexibility to draw students from anywhere in the State in order to mirror the District's diversity and is not limited to territorial boundaries when seeking to achieve diversity.¹

¹ In fact, as a charter school, BCS has broad flexibility to pursue unique programs to draw students that the District does not similarly have. Nevertheless, the District has developed an outstanding special education program that ends up drawing out-of-district students to enroll. Due to enrollment limitations applicable only to school districts and not to charter schools, the out-of-district student numbers do not skew the District's data but it does demonstrate that with a focus on programmatic offerings, BCS can similarly grow its diversity for students with disabilities by developing its own outstanding program.

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We appreciate all that the SCCOE/SCCBOE is doing to ensure that BCS meets its obligations to serve a diverse student population and is truly an accessible public education program available to all. That being said, BCS's focus on reducing or limiting the student numbers by which it measures its diversity seems counterproductive to any true intent to enroll a diverse student population.

As you are no doubt are aware, there is a long history of BCS making assurances it will diversify its student population to reflect the resident students within the District's boundaries to no effect. Despite the repeated pledges made to SCCOE and SCCBOE over the years to obtain renewals, BCS never demonstrated progress. Furthermore, BCS contracted through a 2014 settlement agreement with the District to 1) ensure additional services for students with disabilities; 2) ensure the full spectrum of services for students with disabilities; and, 3) to revise the website to eliminate reference to fees and donations. However, even with your Notice and the District's settlement agreement, BCS's diversity has *decreased* and BCS failed to ensure their program was available to all students on a fair and equitable basis as contracted for in the settlement agreement and required by your Notice.

BCS has had every opportunity to demonstrate a commitment to serving all students, by deed and by data, but has continued to fail. Again, BCS's effort to minimize the number of protected class students it serves by (erroneously) assuming that eliminating out-of-district students would significantly decrease the District numbers, seems to counter a commitment to achieving fair and equal access for all students. We would hope to see BCS focus on efforts to draw students that are not represented than to seek to minimize its responsibilities. Nonetheless, the District remains available to assist SCCOE/SCCBOE in any way and emphatically shares the SCCOE/SCCBOE interest in ensuring fair and equal access to all schools for all students, without regard to any protected characteristics.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jeffrey Baier', written over a horizontal line.

Jeffrey Baier
Superintendent
Los Altos School District