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Santa Clara County Superior Court Delivers Ruling

March 27, 2012, Los Altos, California – As reported at the March 26, 2012 special Los Altos School District Board of Trustees meeting, the District has received a ruling from the Santa Clara County Superior Court on the form of judgment associated with the Court of Appeal decision concluding the 2009 - 2010 litigation brought by Bullis Charter School ("BCS").

As the District anticipated, the judgment included the points contained in the Court of Appeal's fall 2011 opinion, which the District has been working to implement since then, and also included the points on which the District prevailed in the litigation. Importantly, however, the judgment rejects BCS's request to add findings that the Court of Appeal never made. Rather, consistent with the arguments that the District made at the March 19, 2012 hearing in the superior court, the judgment does not require the District to provide BCS with its own exclusive campus, nor does it require any pre-set minimum acreage for the District's school facilities offer to comply with Proposition 39. As the District's lawyers pointed out at the recent hearing, the District has 10 schools within its boundaries and only 9 campuses, so facilities must be shared on these campuses. As the District also pointed out, the law requires the District to provide reasonably equivalent facilities, which involves a practical assessment of the quality of the facilities, and does not require the kind of formulaic approach that BCS has been demanding.

"I'm gratified that the ruling allows the District the flexibility within the constraints of the law to meet Proposition 39's requirements, while not requiring the closing of one of our high performing schools," said Jeff Baier, Los Altos School District superintendent.

"The District remains committed to complying with the requirements of Proposition 39 and firmly believes the final offer the Board of Trustees instructed the District to provide the charter school complies with the Court of Appeal opinion and the Superior Court ruling issued on Monday," said Mark Goines, President of the Los Altos School District Board of Trustees.

"The District remains hopeful that the mediation efforts currently underway between it and BCS will result in a long term solution on the allocation of facilities so both the District and BCS can concentrate on their key missions — educating children," added Goines.

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