



For Immediate Release
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CA SUPREME COURT RULES IN FAVOR OF BULLIS CHARTER SCHOOL, DENIES REVIEW OF LANDMARK PROP 39 DECISION

Denies review of decision that found district offer – which excluded from consideration over one million square feet of facilities space – does not comply with the law

Los Altos, CA – Today, the California Supreme Court denied hearing an appeal from the Los Altos School District, upholding the unanimous published decision on Proposition 39 from the California Court of Appeal for the Sixth District. The Supreme Court also denied a request to depublish the appellate opinion, meaning that charter schools across California can cite the landmark ruling when requesting equal access to facilities for public charter school students.

In October 2011, the Court of Appeal unanimously ruled that, “the (Los Altos School) District offer of facilities for the 2009-10 school year did not comply with Proposition 39 or its implementing regulations.” Proposition 39, passed into law in 2000, states that, “public school facilities should be shared fairly and equally among all public school pupils, including those in charter schools.”

According to the Court of Appeal’s decision, they found that, “The District, in its facilities offer here, excluded from consideration over *one million square feet* of collective non-classroom space of the comparison group schools.” After the Court of Appeal ruled unanimously in favor of Bullis, Los Altos School District chose to further appeal the ruling to the Supreme Court.

“Now that the highest court in California has upheld this landmark decision, it is time that all public school students are given access to equivalent facilities,” said Ken Moore, Bullis’ Board Chair. “With this facilities decision final, it is our desire to work in partnership with the District to ensure that all students are treated fairly. This is the second message sent by our judicial system to the District that it is time to find solutions that comply with the law.”

“This decision will bolster our statewide efforts to fulfill the promise of Proposition 39,” said Jed Wallace, President and CEO of the California Charter Schools Association. “By deciding not to review the Court of Appeal’s finding that the District failed to make a good faith attempt to comply with the law, it is now undeniable that charter school students are entitled to reasonably equivalent facilities from school districts. We appreciate Bullis’ efforts to advance the cause.”

“This ruling should end this litigation,” said Morrison & Foerster partner Arturo Gonzalez, who tried the case on behalf of Bullis. “School districts in California do not have the right to ignore the law with unfair allocations of space and facilities. We are hopeful that the district will finally share facilities fairly with Bullis students.”

The Court of Appeal also ruled that, “The lower court should have granted mandamus and declaratory relief making an affirmative finding that the District acted arbitrarily by failing to apply the proper legal standards in its facilities offer to Bullis, in violation of Proposition 39. Accordingly, we will reverse the judgment.”

After years of being denied reasonably equivalent facilities, Bullis Charter School filed a petition for relief with the lower court in 2009. The lower court ruled against Bullis shortly thereafter, prompting Bullis to appeal the ruling.

To view the Sixth Appellate District of the California Court of Appeal decision in its entirety, visit: www.courtinfo.ca.gov/opinions/documents/H035195.PDF.

About Bullis Charter School

Bullis Charter School (www.bullischarterschool.com) is a K-8 public charter school serving the Los Altos School District (LASD) community. The charter school was founded in 2003 by LASD parents who were determined to have a high-quality public school option for their children. Currently serving more than 450 students, Bullis is the top-performing public charter elementary school in California. Bullis equips its students with the skills needed to compete in a 21st century global environment, including Mandarin language instruction, leadership training and a focus on engineering and technology.

About the California Charter Schools Association

The California Charter Schools Association is the membership and professional organization serving 982 charter public schools and over 412,000 students in the state of California. The Vision of the California Charter Schools Association is to usher in a new era in public education so all students attend independent, innovative, accountable schools of choice. The Mission of the California Charter Schools Association is to influence the legislative and policy environments, leverage collective advocacy, and provide resources to support our members in developing and operating high quality, charter schools reflective of California’s student population. For more information, please visit www.calcharters.org.

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