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Attorneys for Petitioner
BULLIS CHARTER SCHOOL

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE 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 LEON
BEAUCHMAN
The Honorable James P. Kleinberg
Department 1
Hearing: September 29, 2009
Petition Filed: June 10, 2009

1 1. I am a Board Member of the Santa Clara County Board of Education ("SCCBF"),
2 which serves as the chartering authority of Bullis Charter School ("Bullis"). I have personal
3 knowledge of the facts set forth herein, and I could and would testify competently to them if
4 called as a witness.

5 2. On November 18, 2008, I received an email from Bill Cooper, who is a member of
6 the Board of Trustees of the Los Altos School District ("LASD"). The email pertained to
7 proposed meetings between Bullis and LASD representatives. A true and correct copy of this
8 email is attached hereto as Exhibit 1.

9 3. In or around March 2009, I attended a meeting with representatives of the Bullis
10 and LASD. Anne Maric Gallagher, Ken Moore, and Peter Evans, who are Bullis Board members,
11 attended on behalf of Bullis. LASD Board members David Pefley and Bill Cooper attended on
12 LASD's behalf.

13 4. The meeting was one of a series of meetings I attended, all of which had the
14 purpose of enhancing the lines of communication and fostering a productive relationship between
15 LASD and Bullis. Although LASD is not located within my electoral jurisdiction, I am hopeful
16 that Bullis and LASD can work cooperatively and volunteered to assist in the effort to bring the
17 parties closer together.

18 5. During the March meeting, the issue of Bullis's request for 7th grade facilities for
19 the 2009-2010 school year came up. This was the only meeting I recall during which Bullis's
20 middle school plan was discussed.

21 6. The LASD representatives said that, with respect to their Proposition 39 offer, they
22 assumed that Bullis would not have a 7th grade in 2009-2010.

23 7. In response, Bullis representatives said that the Bullis Board had not made a final
24 decision about whether to open a 7th grade in 2009-2010, and that Bullis still wanted 7th grade
25 facilities in order to start the 7th grade and middle school program in the 2009-2010 school year.
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 1 day of ~~August~~ *Sept.*, 2009, at San Jose, California.

/ Leon Beauchman

Exhibit 1

From: BEAUCHMAN, LEON (ATTSI) [mailto:lb5646@att.com]
Sent: Thursday, November 20, 2008 3:23 PM
To: Mark Goines; Ken Moore; amgallagher@stanfordalumni.org; cooper_lasd@hotmail.com; Asongdist5@aol.com; rummelhoff@yahoo.com; Christopher Vargas
Subject: FW: BCS/ LASD Follow-up Meeting

All,

You will see below a response from Bill Cooper and LASD regarding our Sunday (7pm) meeting. You will see that the location has changed to the LASD District office. Second, Dave Pefley will be replacing Mark Goines on the committee. Finally, you will see below three suggested topics for Sunday's meeting. In addition, we agreed at our previous meeting to explore how BCS might transition to a LASD. Let's make time to start this conversation.

See you Sunday . . .

Leon

-----Original Message-----

From: Bill Cooper [mailto:cooper_lasd@hotmail.com]
Sent: Tuesday, November 18, 2008 4:34 PM
To: BEAUCHMAN, LEON (ATTSI)
Subject: RE: BCS/ LASD Follow-up Meeting

Hi Leon,

Many thanks for taking the lead in keeping the dialog open between LASD and BCS.

The LASD board met last night in closed session last night to determine if we want to continue the dialog under the auspices of the SCCOE. We agreed to continue the conversation and will plan to meet this Sunday as planned.

Next month, Dave Pefley will be taking over as LASD board president and given the change in leadership, we've chosen to have Dave join me as one of the two LASD representatives at our talks. Dave, along with Mark Goines, was one of the two LASD representatives during the most recent negotiations with BCS and he has a good grasp of the issues involved.

Our board was given copies of your email listing the ten questions you posed in framing our dialog for Sunday's meeting. At this time, the board agreed that it would be premature to try to address the very specific questions you listed.

In lieu of addressing your questions, the board did come up with three key criteria that need to be addressed in order for LASD to come to some sort of agreement with BCS.

- 1) Cap student enrollment at a size to be mutually agreed upon

- 2) Maintain enrollment to grades K – 6 (no 7th & 8th grade)
- 3) Determine a permanent site for BCS

I'd like to suggest that we put the above questions on the table this Sunday. Likewise, if there are key "must issues" for BCS, would welcome a discussion on those as well.

Assuming we can make some forward progress on both LASD and BCS key criteria, we'll then be able to move closer to addressing the ten questions you listed in your email.

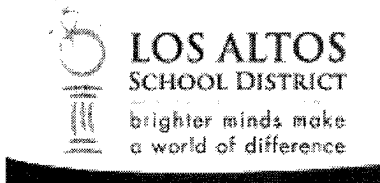
With Mark leaving the committee, we'll need to find an alternative location for Sunday's meeting. If you like, we'd be happy to host the meeting at our district boardroom.

Don't hesitate to call or email with any comments or questions.

Thanks

Bill

Bill Cooper
LASD Board of Trustees
(650) 961-1760
cooper_lasd@hotmail.com



Subject: BCS/ LASD Follow-up Meeting
Date: Mon, 17 Nov 2008 12:34:20 -0800
From: lb5646@att.com
To: Markgoines@yahoo.com; Ken.Moore@moore.org; amgallagher@stanfordalumni.org; cooper_lasd@hotmail.com; Asongdist5@aol.com; rummelhoff@yahoo.com; Covargas@sbcglobal.net

All,

You will find below questions that should provide a dialog framework. It was suggested that BCS and LASD provide writing responses for the questions to the SCCOE board members before our next meeting. Let me know what you think. I know this might be a short turnaround given the need to confer with your respective organizations.

In regards to our next meeting, Sunday (11-23) at 7pm appears to be the best option. On Thursday we'd be missing Anna and Gary. On Sunday, we'd be missing Chris and maybe Ken. As you know, next week is Thanksgiving and the following week is the annual school board conference in San Diego. This puts some pressure on us getting the meeting done this week.

Please respond to let me know if Sunday still works.

Leon

Dialog Framework

1. Will LASD allow BCS to be an independent charter under its jurisdiction.
2. Would BCS be agreeable to operating under the same SCCOE charter guidelines if LASD is the chartering agency?
3. Are there additional requirements beyond those specified in the SCCOE charter that LASD would require of BCS?

4. What would be the timing of the BCS charter transition to LASD?
5. How many BCS students will be allowed at the Gardner Bullis campus?
6. What would be timing of a BCS move to the Gardiner Bullis campus?
7. Would LASD have any restrictions as to how BCS would share the Gardner Bullis campus?
8. What are the options for accommodating BCS 7th and 8th grades considering both alternatives of BCS being at Gardner Bullis or not?
9. What would be the timing of implementing the above options?
10. What role will SCCOE play as a mediator (e.g. what issues?, how long?)

Leon F. Beauchman

AT&T

Area Manager, External Affairs

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San Jose, CA 95134

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