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8 BULLIS CHARTER SCHOOL

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF SANTA CLARA

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12 BULLIS CHARTER SCHOOL,
13
14 Petitioner,
15 v.
16 LOS ALTOS SCHOOL DISTRICT; BOARD OF
TRUSTEES OF THE LOS ALTOS SCHOOL
DISTRICT; and TIM JUSTUS, in his capacity as
District Superintendent,
17
18 Respondents.

CASE NO. 109CV144569
**DECLARATION OF PETER
EVANS IN SUPPORT OF BULLIS
CHARTER SCHOOL'S
VERIFIED PETITION FOR WRIT
OF MANDATE AND
COMPLAINT FOR
DECLARATORY RELIEF**

The Honorable James P. Kleinberg
Department 1

Hearing: September 29, 2009

Petition Filed: June 10, 2009

1 1. I am a member of the Board of Directors of the Bullis Charter School (“Bullis”).
2 In my capacity as a Bullis Board member, for the past 6 years I have served on an ad hoc
3 committee focused on Proposition 39, Bullis’s facilities, and our relationship with the Los Altos
4 School District (“LASD”) as it pertains to the provision of school facilities. I have personal
5 knowledge of the facts set forth herein, and I could and would testify competently to them if
6 called as a witness.

7 2. As a member of the Proposition 39 committee, I have helped Bullis formulate its
8 yearly facilities request to LASD. As part of its annual facilities request, Bullis provides
9 projections of the number of students we expect will attend Bullis in the upcoming school year.

10 3. Because LASD is only required to provide facilities sufficient to house Bullis
11 students residing within LASD in conditions reasonably equivalent to those of LASD-run
12 schools, we break down our attendance projection by in-District and out-of-District students.
13 And because LASD is required to choose a group of LASD-run comparison schools (for use in its
14 Proposition 39 reasonable equivalency analysis) based on the LASD-run schools that the most in-
15 District Bullis students could attend based on their residence, we break our in-District attendance
16 projection down by the LASD attendance areas in which those students reside.

17 4. To project in-District attendance for 2009-2010, we study a number of factors,
18 including present enrollment, historical recruiting, application, enrollment, and retention rates,
19 families’ residency, and the level of community interest in Bullis.

20 5. For 2009-2010, we projected that 133 students would come from the Gardner
21 Bullis attendance area, 44 students would come from the Loyola attendance area, 43 students
22 would come from the Covington attendance area, 41 would come from the Santa Rita attendance
23 area, 33 would come from the Almond attendance area, 23 would come from the Springer
24 attendance area, and 10 would come from the Oak attendance area. For Bullis’s 7th grade, Bullis
25 projected 13 students would come from the Egan attendance area and 5 from the Blach attendance
26 area. Thus, based on these projections, the three LASD-run elementary schools that the most in-
27 District Bullis students would otherwise be able to attend are Gardner Bullis, Loyola, and
28 Covington.

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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 17th day of September, 2009, at Los Altos Hills, California.

Peter Evans