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LOS ALTOS SCHOOL DISTRICT; BOARD OF  
7 TRUSTEES OF THE LOS ALTOS SCHOOL  
DISTRICT; and TIM JUSTUS  
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF SANTA CLARA

11 BULLIS CHARTER SCHOOL,  
12 Petitioner,  
13 v.

14 LOS ALTOS SCHOOL DISTRICT;  
BOARD OF TRUSTEES OF THE LOS  
15 ALTOS SCHOOL DISTRICT; and TIM  
JUSTUS, in his capacity as District  
16 Superintendent

17 Respondents.

CASE NO. 109 CV 144569

**DECLARATION OF TIM JUSTUS IN  
SUPPORT OF RESPONDENTS LOS ALTOS  
SCHOOL DISTRICT; BOARD OF  
TRUSTEES OF THE LOS ALTOS SCHOOL  
DISTRICT; and TIM JUSTUS' SURREPLY  
TO PETITION FOR WRIT OF MANDATE**

Trial: October 15, 2009

Petition Filed: June 10, 2009

Time: 9:00 a.m.

Dept.: 1

Judge: Hon. James P. Kleinberg

22 I, Tim Justus, declare:

23 I am the Superintendent of the Los Altos School District, Respondent in the above matter,  
24 and have held that position since July of 2005. I have personal knowledge of the matters stated in  
25 this declaration and could testify to them if called as a witness.  
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27 1. Attached as Exhibit 1 is a true and correct copy of an editorial in the December 17,  
28 2008 edition of the Los Altos Town Crier. Exhibit 1 was one of the articles from which I learned

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that the Bullis Charter School did not intend to offer seventh grade in the 2009-2010 school year.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 8 day of October, 2009, in Los Altos, California.

  
\_\_\_\_\_  
Tim Justus

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EXHIBIT 1

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## Editorials

Written by Los Altos Town Crier

WEDNESDAY, 17 DECEMBER 2008

### LASD JUNIOR HIGH ACTION APPROPRIATE

We think it's good that the Los Altos School District Board of Trustees has voted to allow parents a choice of sending their Egan or Blach junior high schools, no matter where they reside in the district.

Redrawn attendance lines for the elementary schools (which accommodate the opening of the new Gardner Bullis School children and families move from one school to the next. The possibility existed for siblings and friends to be separated yet to a junior high school. The new open enrollment ensures families that their children will experience fewer school transition careers, thereby keeping them with groups of friends longer. The decision does not compromise the size of the enrollment which is important.

Of course, we think it would be strange if someone who lived next door to Blach, for instance, opted to send their student families on or near the boundary lines, the decision makes perfect sense.

We would not like to see the scales tipped to where one school has a clear advantage, say, with gifted students or disproportionate financial support. So we're glad to hear the district will monitor the effects of this decision in the months and years to come currently enjoy excellent reputations and we would like them to stay that way.

The board and district are showing sensitivity through their recent decision. We only hope the long-term effects are beneficial to themselves as well as the parents and students.

### QUESTIONS ON BULLIS EXPANSION DELAY

We appreciate the recent decision by the Bullis Charter School board to postpone middle-school expansion plans for a year to iron out a few issues that have developed in the wake of the expansion approval.

The board of the K-6 school was ready to add seventh and eighth grades, beginning next year. However, a significant number of parents were apparently opposed. An online petition that included 77 names was briefly posted, then removed when our inquirer inquired.

Charter board president Ken Moore indicated the board is responding to parents' as well as Los Altos School District concerns about middle school expansion. School officials said they had pushed for it in the first place based on parent feedback.

We are supportive of the charter school program. But several questions come to mind. Among them: Why won't parents explain themselves? Why the refusal, even by board members (excluding Ken Moore), to comment on this issue: Is it the right decision for the charter school? Stay tuned.

No Comments

There are no comments up to now.

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### POST COMMENT

Email (will not be published)

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Name

Title

Comment

500 remaining characters

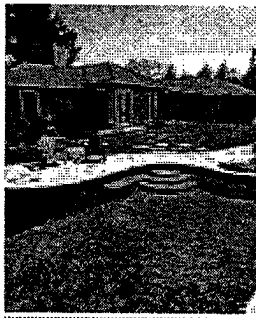


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**PROOF OF SERVICE**

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SAN FRANCISCO )

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is: 71 Stevenson Street, 19th Floor, San Francisco, CA 94105.

On the date set forth below I served the foregoing document described as **DECLARATION OF TIM JUSTUS IN SUPPORT OF LOS ALTOS SCHOOL DISTRICT; BOARD OF TRUSTEES OF THE LOS ALTOS SCHOOL DISTRICT; and TIM JUSTUS' SURREPLY TO PETITION FOR WRIT OF MANDATE** on interested parties in this action by placing true copies thereof enclosed in sealed envelopes addressed as follows:

**SEE ATTACHED SERVICE LIST**

(VIA U.S. MAIL) I caused such document to be placed in the U.S. Mail at San Francisco, California with postage thereon fully prepaid.

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

(BY PERSONAL SERVICE) I caused such envelope to be delivered by hand to the addressee.

(VIA OVERNIGHT MAIL) I caused such envelope to be deposited at an authorized "drop off" box on that same day with delivery fees fully provided for at 71 Stevenson Street, 19th Floor, San Francisco, CA 94105, in the ordinary course of business.

(STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction this service was made.

Executed on October 9, 2009, at San Francisco, California.

Michele Knox-Thomas  
Type or Print Name

  
Signature

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