



California State Board of Education January 2019 Meeting—Item 04

Territory Transfer Appeal (Alta Vista):
Union School District and Campbell Union
High School District to Los Gatos Union
School District and Los Gatos-Saratoga
Joint Union High School District in
Santa Clara County



TONY THURMOND
State Superintendent
of Public Instruction

SBE Options

- The Santa Clara County Committee on School District Organization unanimously disapproved the proposed transfer from Union SD and Campbell UHSD to Los Gatos USD and Los Gatos-Saratoga JUHSD.
- The SBE may affirm or reverse the County Committee's action to disapprove.
- If the SBE reverses the action, thus approving the territory transfer, it must establish an election area.



TONY THURMOND
State Superintendent
of Public Instruction

District Reorganization Procedure

- Determine that the proposed reorganization meets nine threshold conditions (minimum standards).
- If threshold conditions are substantially met, determine whether there is a local educational need or concern to reorganize districts (i.e.: Is there a compelling educational reason to overturn the local decision to disapprove the territory transfer?).



TONY THURMOND
State Superintendent
of Public Instruction

Historical Transfer Requests

In the mid-1990s, Santa Clara County experienced a surge of requests to transfer territory out of Campbell UHSD (and its components) into Cupertino, Los Gatos, and Saratoga school districts.



TONY THURMOND
State Superintendent
of Public Instruction

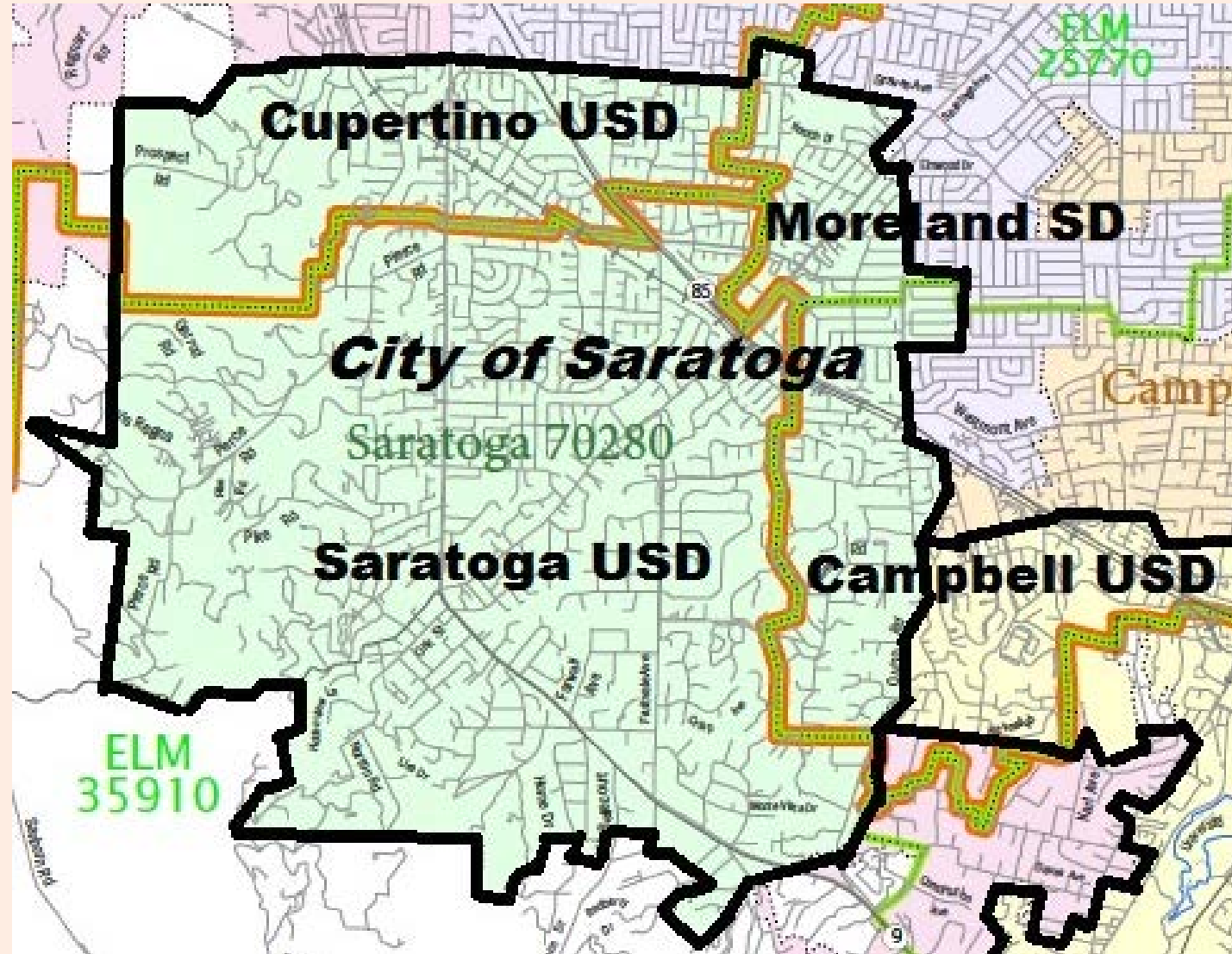
Reasons for Historical Requests

- Interdistrict transfer requests, which generally had been approved, were being denied.
- Growth of technology brought many new residents to Silicon Valley from outside the state, and they were unfamiliar with the concept of district boundaries not matching city boundaries.
- Those living within Los Gatos and Saratoga municipalities, but not the corresponding district, felt they did not receive full community benefits.

School Districts in Saratoga



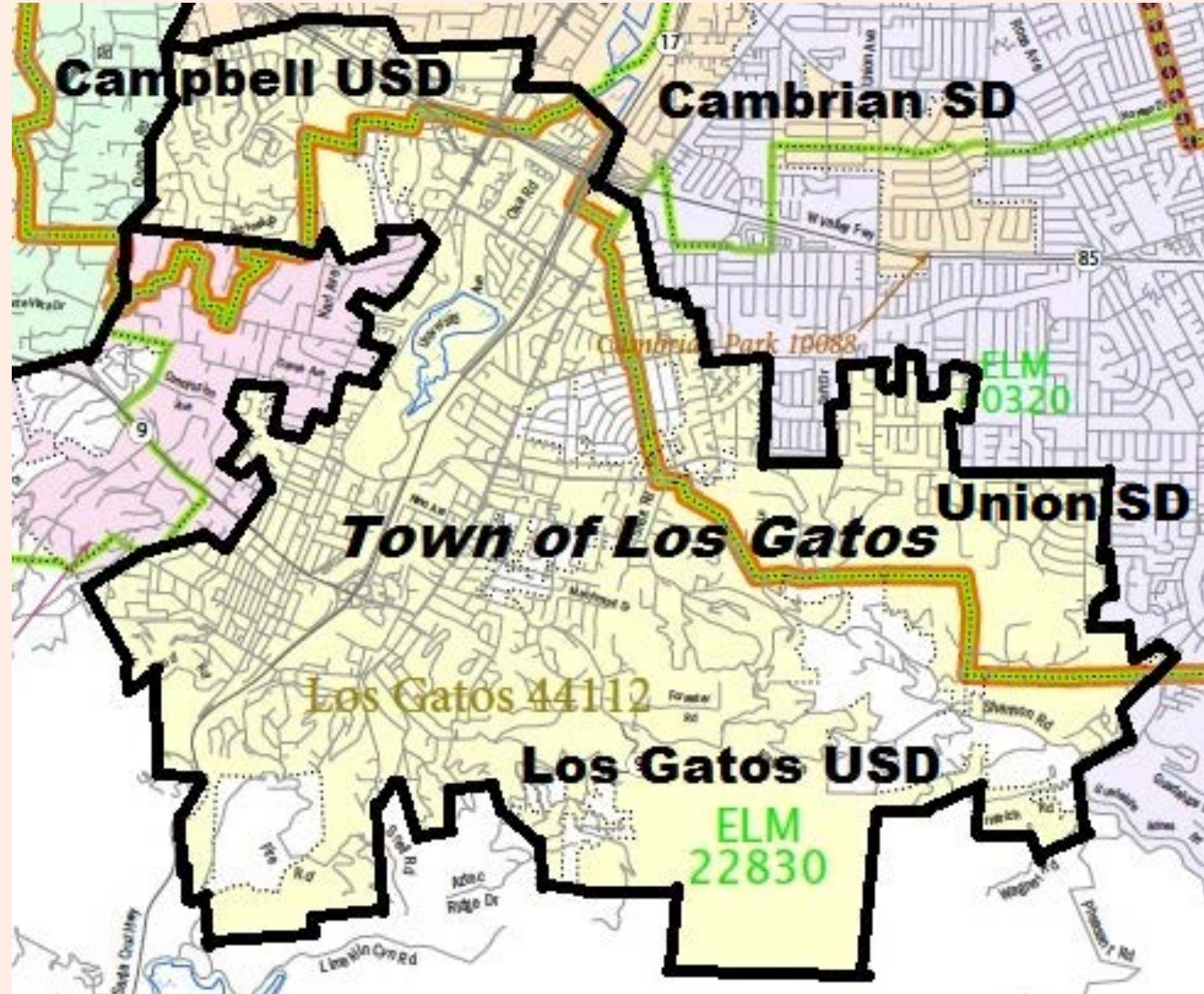
TONY THURMOND
State Superintendent
of Public Instruction





TONY THURMOND
State Superintendent
of Public Instruction

School Districts in Los Gatos





TONY THURMOND
State Superintendent
of Public Instruction

Early Transfer Proposals

- Although Campbell UHSD and its component districts opposed early transfer proposals, there existed some initial support at the county and state levels.
- Transfer requests significantly increased after this early support.
- Santa Clara County decided to conduct a study of reorganization options in the area.



TONY THURMOND
State Superintendent
of Public Instruction

Study of Reorganization Options

- The area-wide reorganization study was a yearlong examination of territory transfer and unification options.
- The SBE approved a request by Santa Clara County to waive the timelines for processing transfer proposals during conduct of the study.



TONY THURMOND
State Superintendent
of Public Instruction

Findings of Reorganization Study

- “Piecemeal” territory transfers shift issues to new neighborhoods.
- Transfers will shrink tax base of Campbell UHSD (and its components) and likely deplete capital accounts.
- Continued territory transfers would lead to overcrowding and increased property taxes in the Los Gatos and Saratoga districts.



TONY THURMOND
State Superintendent
of Public Instruction

Response to Reorganization Study

- Early support for transfers, especially from Los Gatos and Saratoga districts, evaporated.
- County Committee adopted an “extreme geographic hardship” standard for territory transfer proposals from the area.
- Local newspaper editorials supported the study and subsequent County Committee action.



TONY THURMOND
State Superintendent
of Public Instruction

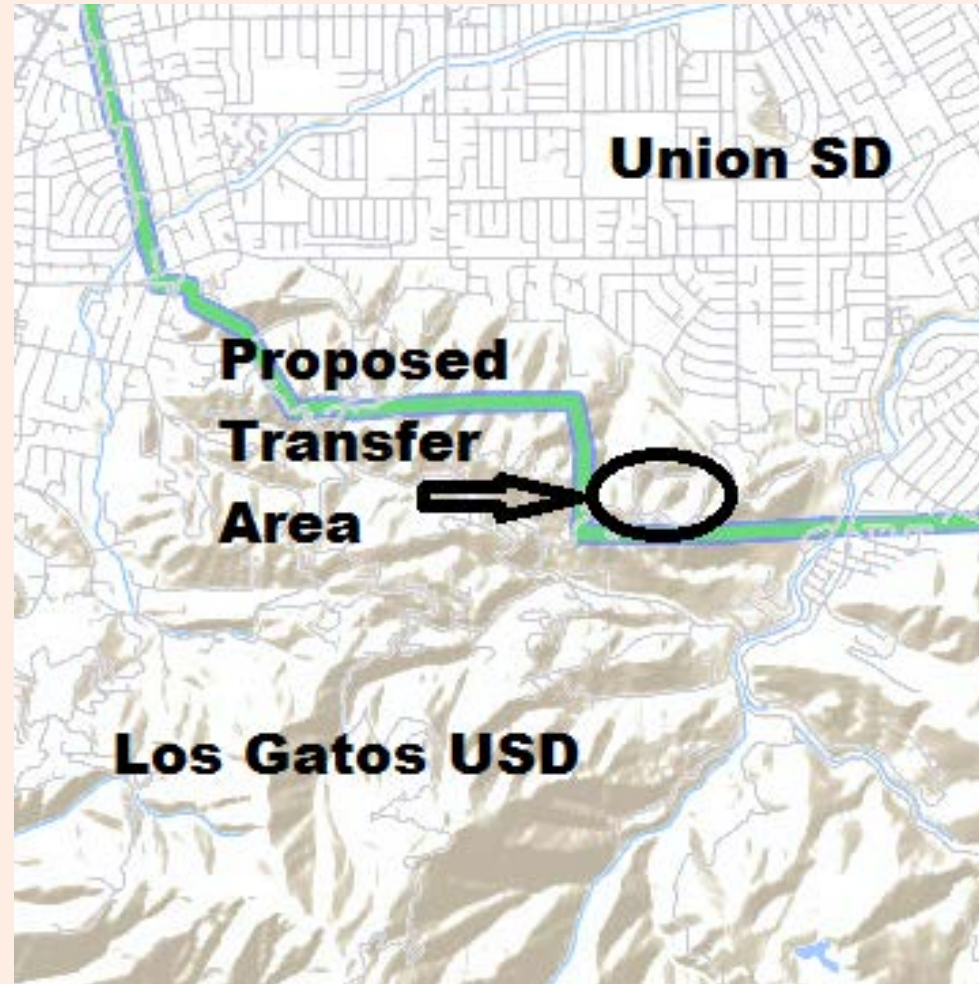
Alta Vista Transfer Proposal

- Proposed transfer of 59 parcels (eight public school students) from Union SD and Campbell UHSD to Los Gatos USD and Los Gatos-Saratoga JUHSD.
- Identical transfer request considered by SBE on appeal in 1999.
- Territory located in the hills at the base of the Santa Cruz Mountains.



TONY THURMOND
State Superintendent
of Public Instruction

Topography of Transfer Area





TONY THURMOND
State Superintendent
of Public Instruction

Petitioner Reasons for Transfer

- Student safety: Home-to-school commutes to Union SD/Campbell UHSD schools are more dangerous than commutes to Los Gatos USD/Los Gatos-Saratoga JUHSD schools.
- Community identity: Transfer area has a stronger sense of identity with neighbors in the Los Gatos school districts, as well as with the greater Los Gatos community.



TONY THURMOND
State Superintendent
of Public Instruction

District Opposition

All four affected districts oppose the transfer due to:

- Increased financial bond obligation for property owners in Union SD and Campbell UHSD.
- Financial loss to Union SD and Campbell UHSD from removal of assessed valuation and students.
- Precedent for future transfers.
- Significant increase to petitioners' property values.



TONY THURMOND
State Superintendent
of Public Instruction

Los Gatos Districts' Opposition

Los Gatos USD and Los Gatos-Saratoga JUHSD also oppose the transfer because it will:

- Contribute to overcrowded facilities in the districts.
- Disrupt educational programs.
- Threaten safety and health of current and prospective students in the districts.



TONY THURMOND
State Superintendent
of Public Instruction

County Committee Action

The County Committee unanimously disapproved the transfer because it failed to meet two of the minimum threshold conditions of *EC* Section 35753. Specifically, the County Committee found that the transfer would:

- Disrupt educational programs of the districts.
- Significantly increase school facility costs.



TONY THURMOND
State Superintendent
of Public Instruction

EC Section 35753(a)(6)

The proposed reorganization will continue to promote sound education performance and will not significantly disrupt the educational programs in the affected districts.

County Committee Findings:

- Increased numbers of students from transfers would compound overcrowding in Los Gatos schools, potentially having negative effects on teaching and learning.
- Because of existing overcrowded conditions, students from the transfer area may not be able to attend the Los Gatos schools closest to their homes.



TONY THURMOND
State Superintendent
of Public Instruction

EC Section 35753(a)(6): CDE Findings

- Although enrollment exceeds current capacity of schools, declining enrollment in Los Gatos USD and additional classrooms at Los Gatos High School have mitigated concerns regarding increased overcrowding.
- The small number of students from the transfer area (4 potential new students in Los Gatos USD and 4 in the high school district) will not significantly affect the educational program in either district.



TONY THURMOND
State Superintendent
of Public Instruction

EC Section 35753(a)(7)

Any increase in school facilities costs as a result of the proposed reorganization will be insignificant and otherwise incidental to the reorganization.

County Committee Findings:

- Union SD and Campbell UHSD each would lose approximately \$1.5 million in bonding capacity.
- Both Los Gatos USD and Los Gatos JUHSD are experiencing enrollment growth and schools in the districts already are over-capacity.



TONY THURMOND
State Superintendent
of Public Instruction

EC Section 35753(a)(7): CDE Findings

- Assessed valuation and bonding capacity in Union SD and Campbell UHSD have increased by 40% over the past five years.
- Declining enrollment in Los Gatos USD and additional classrooms at Los Gatos High School have mitigated concerns regarding increased overcrowding.
- Schools still exceed capacity, but facility costs should not increase substantially due to projected enrollment declines and few students from the transfer area (4 in each district).



TONY THURMOND
State Superintendent
of Public Instruction

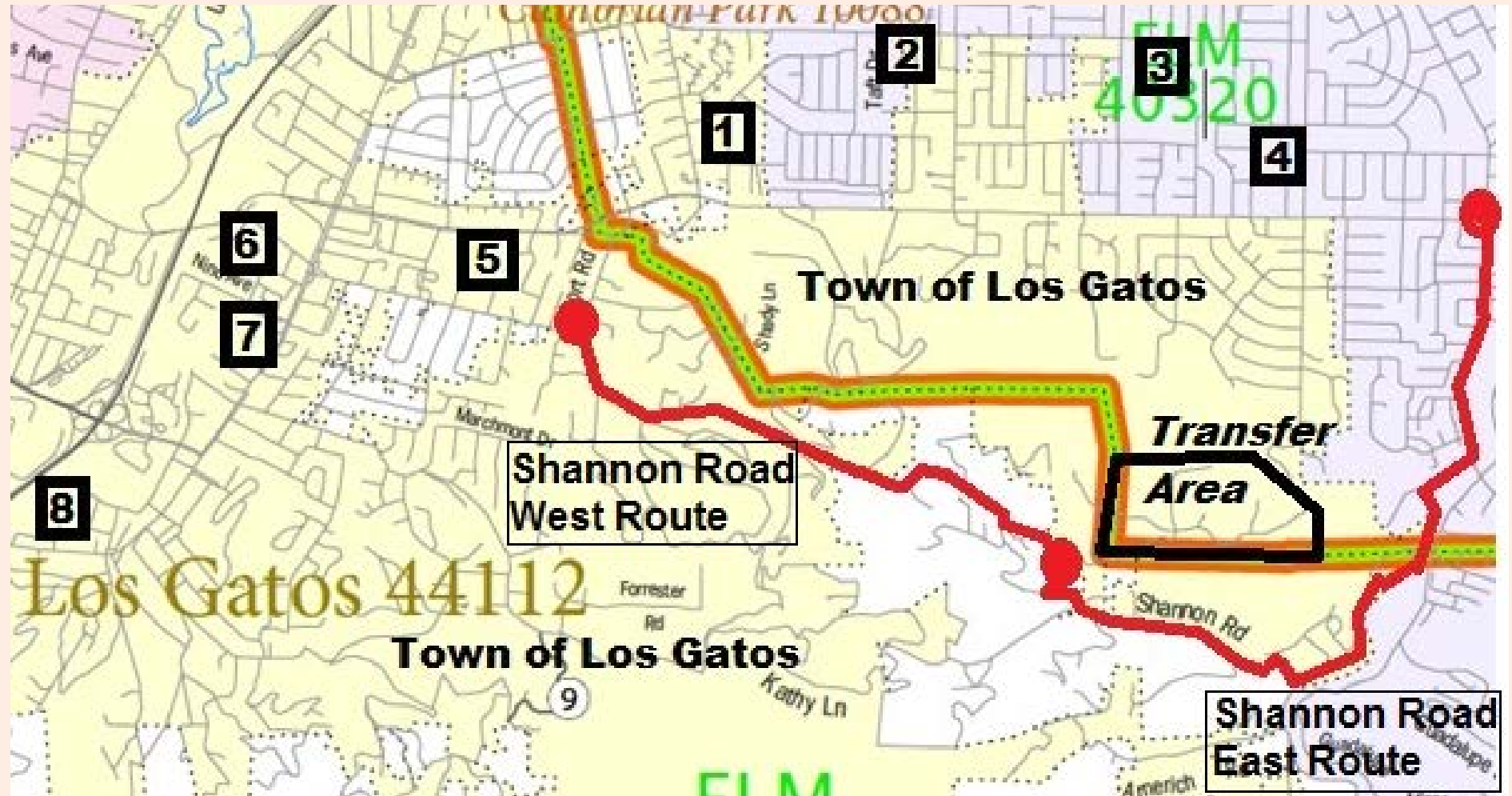
Petitioner Reasons to Approve Transfer

- Home-to-school commute safety: Schools in the Los Gatos districts are closer and commutes are significantly safer.
- Community identity: The area is part of the town of Los Gatos and closer to shopping and social opportunities in Los Gatos.
- Uniqueness: The area's unique circumstances will not set a precedent for future transfers.



TONY THURMOND
State Superintendent
of Public Instruction

Commute Safety: CDE Findings





TONY THURMOND
State Superintendent
of Public Instruction

Commute Safety: Other Findings

- County Committee has twice determined that there are no significant differences in commute safety (for the 1999 and the current proposal).
- Susan Hammer,* after studying the proposed transfer area: “It is geographically isolated, but safety is not the key issue...There are dangers in driving to any of the schools.” SBE Minutes, June 1999

*SBE member 1999-2003; City of San Jose mayor 1991-1998.



TONY THURMOND
State Superintendent
of Public Instruction

Community Identity: CDE Findings

- There are other hillside communities similarly situated; one which previously filed an appeal with the SBE from County Committee disapproval of a territory transfer proposal
- Geographic isolation of the proposed transfer area exists regardless of the school district in which the neighborhood is located.



TONY THURMOND
State Superintendent
of Public Instruction

Encouragement of Future Transfers

- All districts express concerns that approval will encourage future transfer requests.
- Area-wide study of reorganization options notes that transfers will shift issues to adjacent areas.
- Susan Hammer* (San Jose mayor, 1991-98): "...if this appeal is approved, there would undoubtedly be other reorganization proposals from similarly situated areas." SBE Minutes, June 1999

*SBE member 1999-2003



TONY THURMOND
State Superintendent
of Public Instruction

Other Potential Concerns

- Enrollment growth from future transfers may place pressure on the Los Gatos districts' future ability to house and educate their students.
- Future transfers may cause fiscal difficulties for Union SD and Campbell UHSD due to loss of assessed valuation and students.
- Transfers increase property values of petitioners.



TONY THURMOND
State Superintendent
of Public Instruction

Summary

- CDE finds all minimum threshold conditions met, including the two the County Committee determined were not met.
- CDE finds no reason compelling enough to overturn the County Committee's disapproval.
- CDE finds concerns substantial enough to warrant upholding County Committee action.
- CDE recommends the SBE affirm the County Committee disapproval of the transfer.



TONY THURMOND
State Superintendent
of Public Instruction

SBE Action

- The SBE may affirm or reverse the County Committee's decision to disapprove the proposed transfer of territory.
- If the SBE reverses the action, thus approving the territory transfer, it must establish an election area.