



California State Board of Education January 2019 Meeting—Item 05

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



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SBE Options

- The Santa Clara County Committee on School District Organization unanimously disapproved the proposed transfer from Campbell USD and Campbell UHSD to Saratoga 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.



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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?).



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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.



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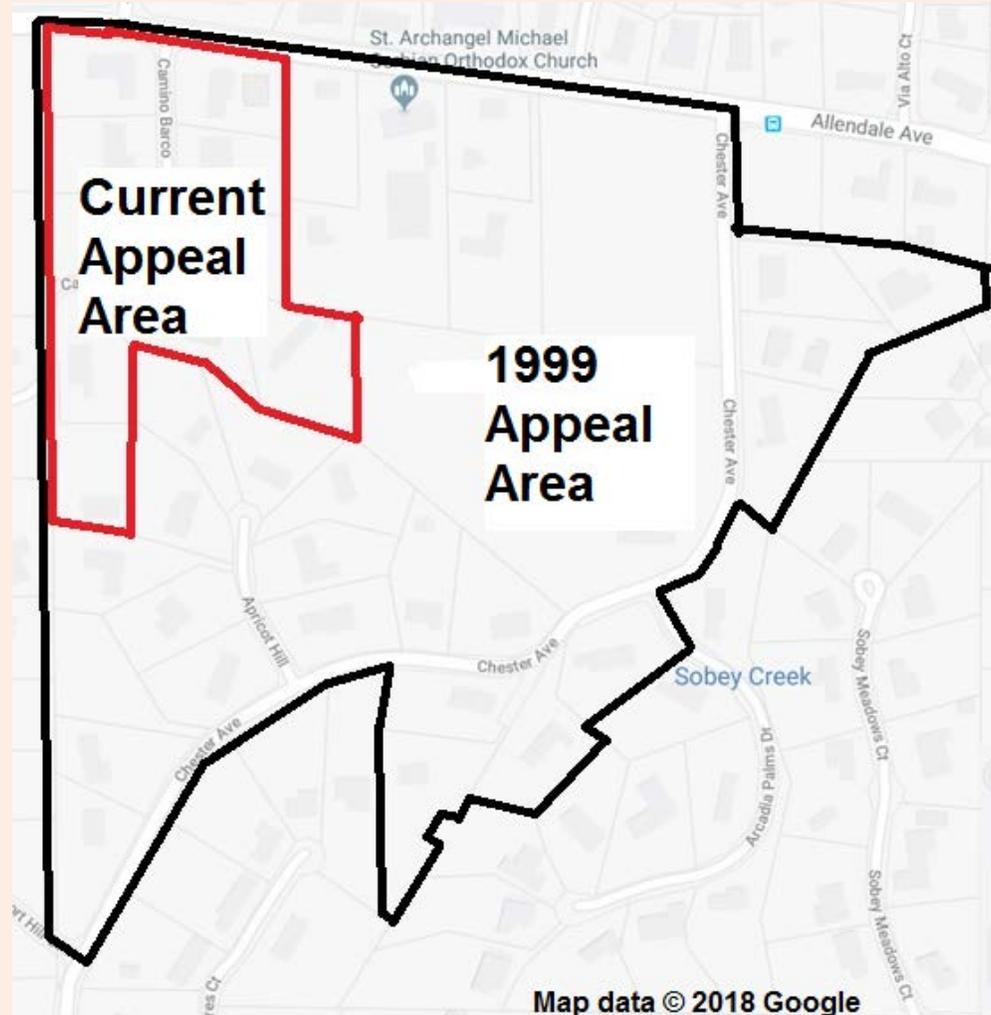
Camino Barco Transfer Proposal

- Proposed transfer of 10 parcels (one public school student) from Campbell USD and Campbell UHSD to Saratoga USD and Los Gatos-Saratoga JUHSD.
- The proposed transfer area is a subset of parcels considered for transfer by the SBE on appeal in 1999.



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Proposed Transfer Area





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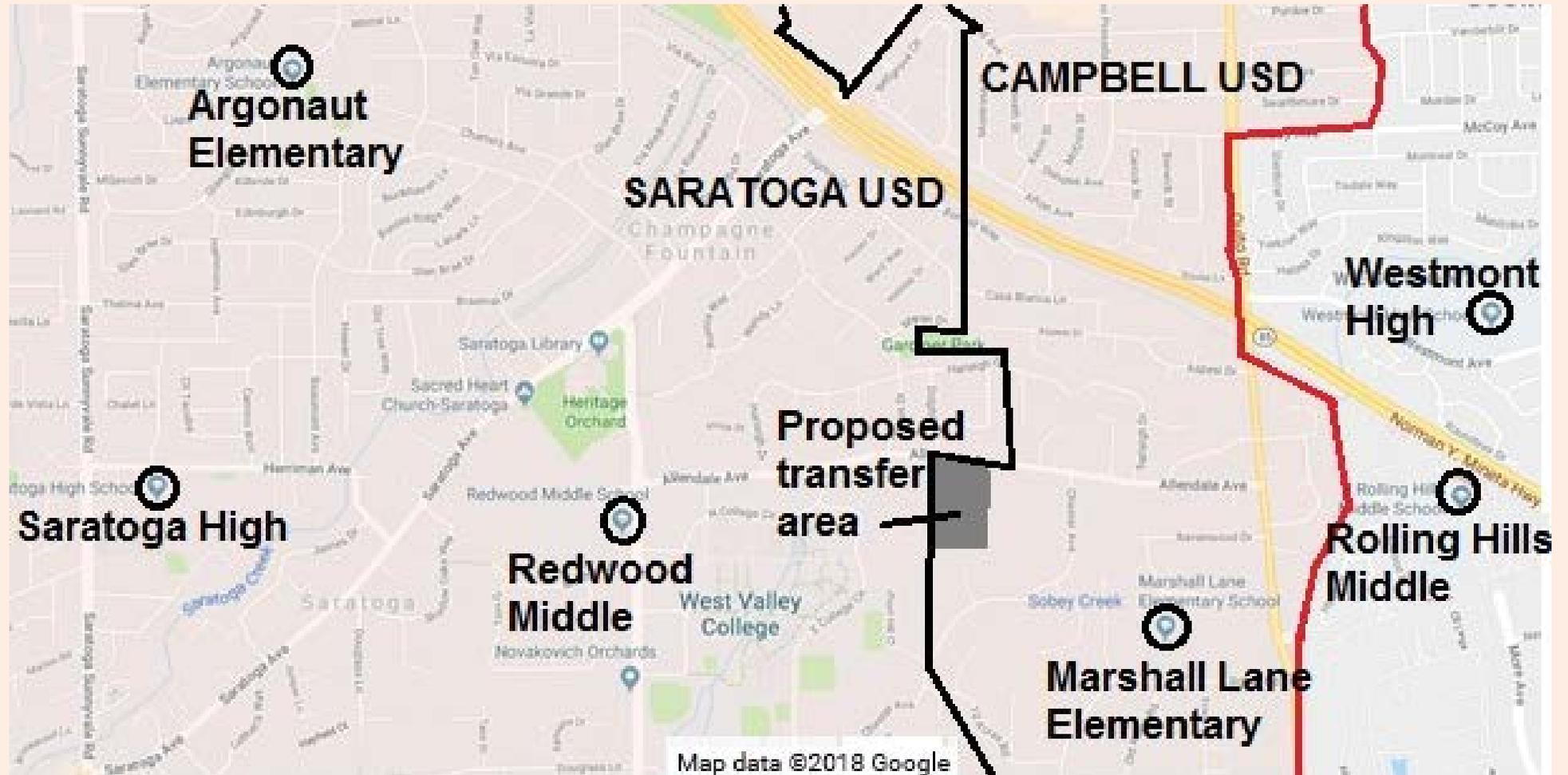
Petitioner Reasons for Transfer

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



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Map of Camino Barco Area





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District Opposition

All four affected districts oppose the transfer due to:

- Unanimous disapproval of a previous proposal that included the current area.
- All minimum threshold standards not substantially met.
- Precedent for future transfers.
- Significant increase to petitioners' property values.



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Other District Opposition Points

Campbell USD and Campbell UHSD state that future transfers will (1) increase financial obligations of remaining property owners in the districts and (2) negatively affect district finances and bonding capacity.

Los Gatos-Saratoga JUHSD notes that future transfers will (1) contribute to overcrowded facilities in the district and (2) disrupt educational programs.



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County Committee Action

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

- Reorganized districts would not be organized on the basis of substantial community identity.



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EC Section 35753(a)(2)

The school districts are each organized on the basis of a substantial community identity.

County Committee Findings:

- No compelling argument that transfer area is isolated from Campbell USD and Campbell UHSD.
- No evidence that commute to Campbell schools is less safe than to Saratoga schools.
- Community identity arguments are not unique to proposed transfer area.



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EC Section 35753(a)(2): CDE Findings

- There is no burden on the petitioners to prove that the transfer improves community identity. Community identity threshold standard substantially met.
- There is no evidence of (1) differences in commute safety or (2) unique community identity circumstances.



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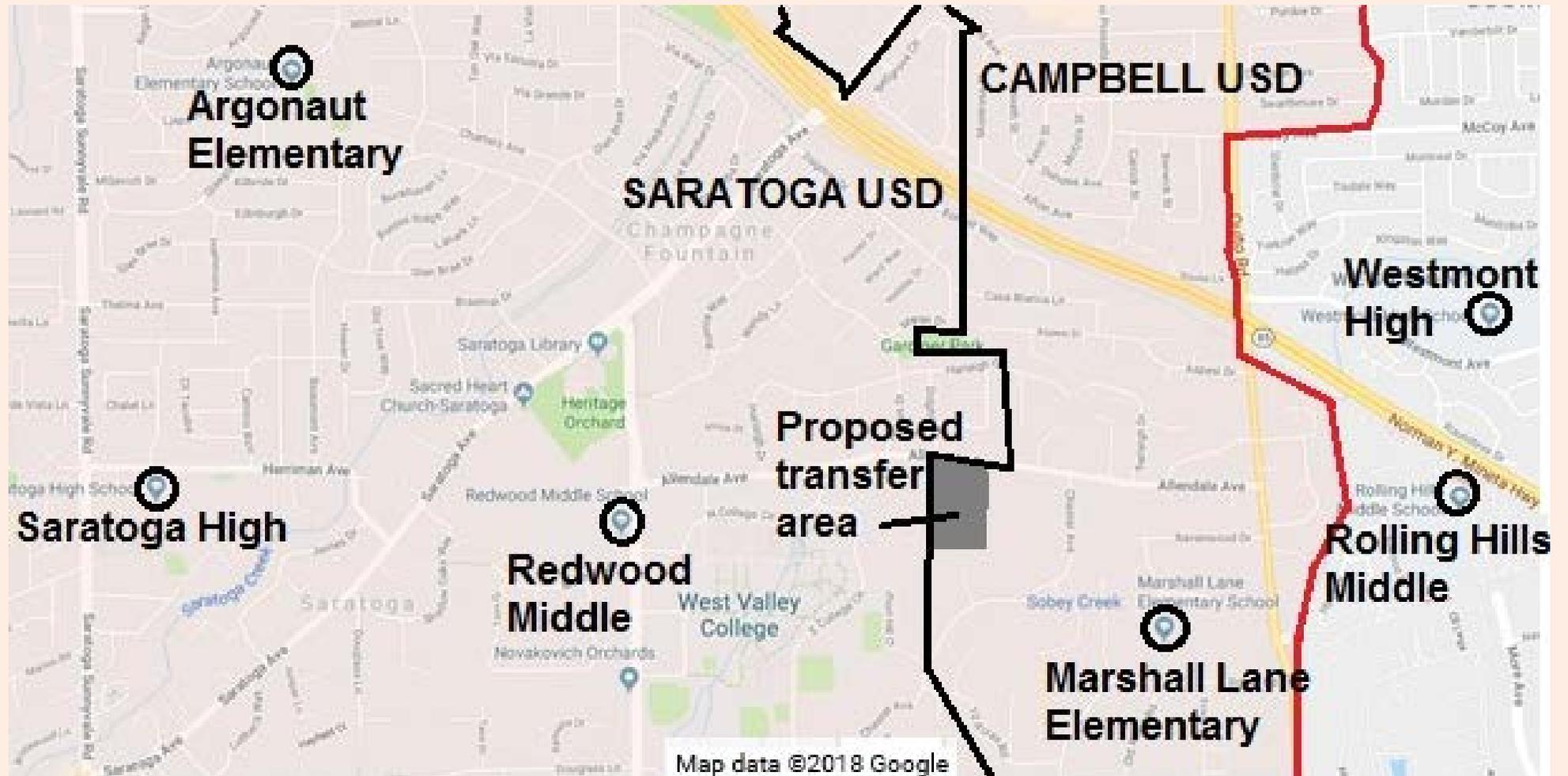
Petitioner Reasons to Approve Transfer

- Home-to-school commute safety: Commutes to Saratoga schools are much safer than commutes to Campbell schools.
- Community identity: The area is in the city of Saratoga and community ties with that city are greater than those with the Campbell area.
- Uniqueness: The neighborhood's unique conditions will not set a precedent for future transfers.



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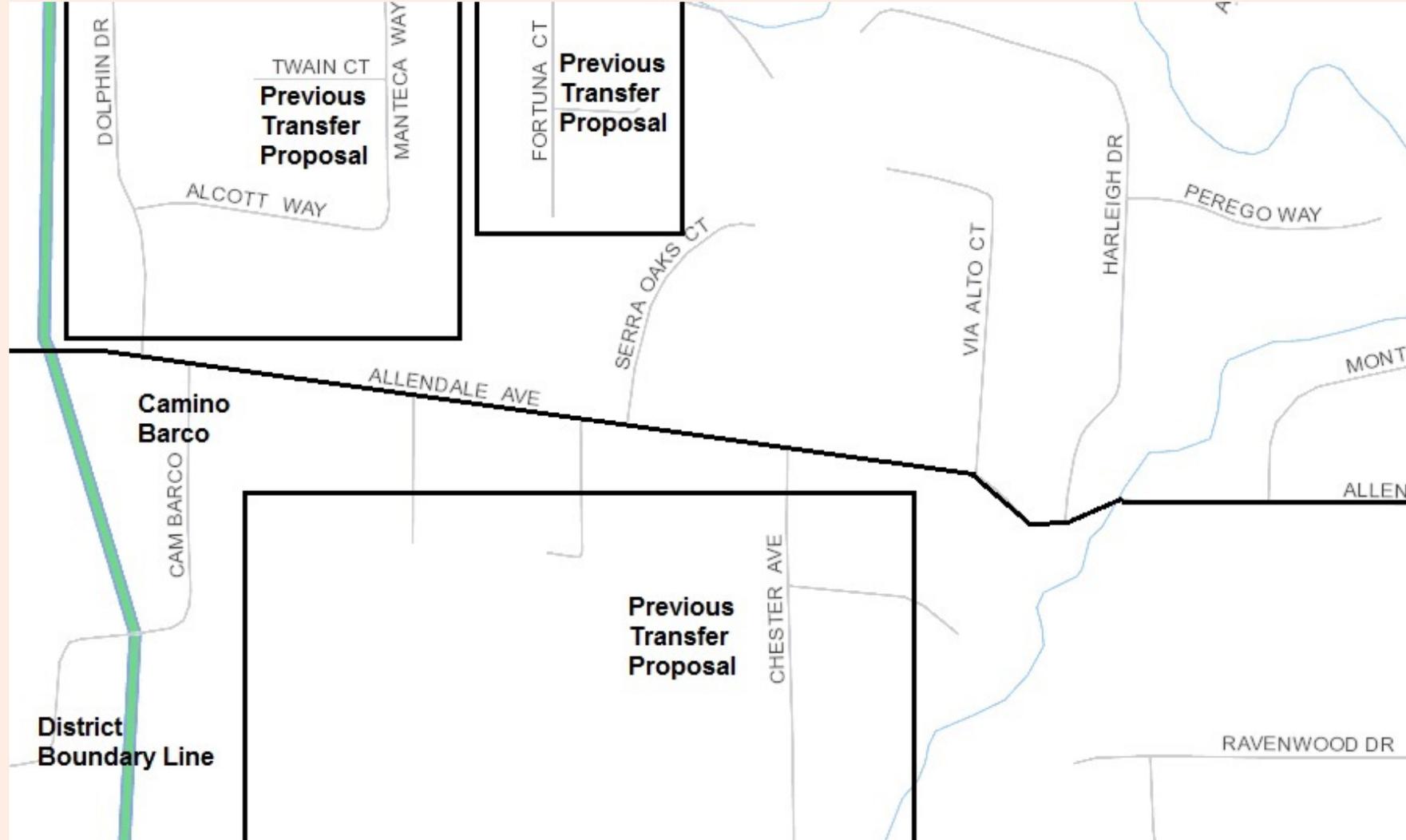
Commute Safety





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Unique Community Identity





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Encouragement of Future Transfers

- Area-wide study of reorganization options notes that transfers will shift issues to adjacent areas.
- All districts express concerns that approval will encourage future transfer requests.



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Other Potential Concerns

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



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Summary

- CDE finds all minimum threshold conditions met, including the one the County Committee determined was 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.



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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.