DESCRIPTION OF PETITION
TO TRANSFER TERRITORY FROM
SANTA CLARA UNIFIED SCHOOL DISTRICT
TO
CUPERTINO UNION SCHOOL DISTRICT AND FREMONT UNION HIGH SCHOOL DISTRICT

Education Code Section 35705.5 requires that the County Committee on School District Organization make available to the public and to the governing boards affected by the petition a description of the petition, including:

1. The rights of the employees in the affected districts to continued employment.
2. The revenue limit per unit of average daily attendance for each affected district and the effect of the petition, if approved, on such revenue limit.
3. Whether the districts involved will be governed, in part, by provisions of a city charter and, if so, in what way.
4. Whether the governing boards of any proposed new district will have five or seven members.
5. A description of the territory or districts in which the election, if any, will be held.
6. Where the proposal is to create two or more districts, whether the proposal will be voted on as a single proposition.
7. Whether the governing board of any new district will have trustee areas and, if so, whether the trustees will be elected by only the voters of that trustee area or by voters of the entire district.
8. A description of how the property, obligations, and bonded indebtedness of existing districts will be divided.
9. A description of when the first governing board of any new district will be elected and how terms of office for each new trustee will be determined.

Description of Petition

The proposal requests a transfer of 2 parcels from the Santa Clara Unified School District to the Cupertino Union School District and the Fremont Union High School District. A map of the territory proposed for transfer with the Assessor Parcel Numbers (APNs) is attached.

The chief petitioners are:

Charles and Linda Peters
2777 Glorietta Circle
Santa Clara, CA  95051

Ranjeet Mankikar and Leena Janardanan
2775 Glorietta Circle
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1. The rights of the employees in the affected districts to continued employment:

Not applicable to the current proposal. The rights of the employees to continued employment will not be affected by the proposed territory transfer.

2. The revenue limit per unit of average daily attendance for each affected district and the effect of the petition, if approved, on such revenue limit.

The territory proposed for transfer has two homes and there is currently one school-aged child in the area. If the petition is approved, there is no indication, at this time, that there will be an impact on district revenue. As of July 1, 2013, “revenue limits” no longer exist as a means of computing school district revenue. To the extent that students reside in the area in the future, funding calculations will be determined by legislative requirements set forth in Assembly Bill 97 (Chapter 47, Statutes of 2013), effect July 1, 2013 (Local Control Funding Formula).

3. Whether the districts involved will be governed, in part, by provisions of a city charter and, if so, in what way.

Not applicable to the current petition.

4. Whether the governing boards of any proposed new district will have five or seven members.

Not applicable to the current petition.

5. A description of the territory or districts in which the election, if any, will be held.

If an election is required, the election area will be the area proposed for transfer. This specification is subject to change pending information obtained in the public hearings [EdC § 35705], completion of the feasibility report [EdC § 35710], and approval of the petition [EdC § 35706].

Pursuant to the provisions of California Education Code section 35710.1, notwithstanding any other provision of law, an election may not be called to vote on a petition to transfer territory if the election area for that petition, as determined pursuant to Section 35732, is uninhabited territory as described in Section 35517.

6. Where the proposal is to create two or more districts, whether the proposal will be voted on as a single proposition.

Not applicable to the current petition; the petition does not propose the creation of any new district(s).
7. Whether the governing board of any new district will have trustee areas and, if so, whether the trustees will be elected by only the voters of that trustee area or by voters of the entire district.

Not applicable to the current petition.

8. A description of how the property, obligations, and bonded indebtedness of existing districts will be divided.

The area proposed for transfer contains no public school property or buildings. The plans and recommendations of the County Committee on School District Organization would stipulate the division of any other property, funds or obligations (except bonded indebtedness) affected by the proposed transfer. The County Committee may use any equitable means to divide the property, funds and obligations, including assessed valuation, average daily attendance (ADA), or value and location of property. [EdC §§ 35560, 35736]

If the territory is transferred, it will drop any liability for outstanding bonded indebtedness of the district of which it was formerly a part and assume its proportionate share of the outstanding bonded indebtedness of the district of which it becomes a part. [EdC § 35575]

Provisions for the exchange of property tax revenue are set forth in Revenue and Taxation Code Section 99 (i).

9. A description of when the first governing board of any new district will be elected and how terms of office for each new trustee will be determined.

Not applicable to the current petition; this petition does not propose the creation of any new district(s).