TRANSFER OF TERRITORY FROM
MORELAND SCHOOL DISTRICT AND
CAMPBELL UNION HIGH SCHOOL DISTRICT TO
CUPERTINO UNION SCHOOL DISTRICT AND
FREMONT UNION HIGH SCHOOL DISTRICT

COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION STUDY
August 2015

BACKGROUND

A request to transfer territory from Moreland School District (MSD) and Campbell Union High School District (CUHSD) to Cupertino Union School District (CUSD) and Fremont Union High School District (LGSJUHSD) has been presented to the Santa Clara County Committee on School District Organization (County Committee). See Appendix A for a copy of the request.

The territory proposed for transfer includes 123 parcels located in the Westbrook neighborhood of Saratoga. A list of the addresses, parcel numbers, and maps of the territory proposed for transfer can be found in Appendix B.

The request to transfer territory was submitted to the Santa Clara County Superintendent of Schools on March 4, 2015. The petition was subsequently transmitted to the County Committee and State Board of Education on March 20, 2015 (see Appendix C). The public hearings of the petitions mandated by Education Code Section 35705 were held on May 14, 2015 and June 16, 2015. Appendix D contains a copy of the notices of the public hearings, description of petition, and minutes from the hearings.

The request has been made for the following reasons: children’s safety, distance/travel to schools, isolation, environmental factors, sharing border with Lynbrook High School (FUHSD), and budget considerations.

Each of the affected school districts is opposed to the transfer request. Appendix E contains a copy of each district’s resolution and a letter of opposition from FUHSD.

The County Committee has 120 days from the first public hearing (September 3, 2015) to approve or disapprove the petition. (Ed. Code § 35706). In making its decision, the County Committee must determine whether the following conditions regarding the petition are substantially met (Ed. Code § 35709, 35710):

1. The reorganized districts will be adequate in terms of number of pupils enrolled.
2. The districts are each organized on the basis of a substantial community identity.
3. The proposal will result in an equitable division of property and facilities of the original district or districts.
4. The reorganization of the districts will preserve each affected district’s ability to educate students in an integrated environment and will not promote racial or ethnic discrimination or segregation.

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

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

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

8. The proposed reorganization is primarily designed for purposes other than to significantly increase property values.

9. The proposed reorganization will continue to promote sound fiscal management and not cause a substantial negative effect on the fiscal status of the proposed district or any existing district affected by the proposed reorganization.

10. Any other criteria as the board may, by regulation, prescribe.

Petitioners and/or affected school districts may appeal to the State Board of Education the decision of the County Committee (Education Code section 35710.5). Petitioners have five days and school districts have 30 days to notify the County Committee of intent to appeal. Within 15 days of this notification, appellants must file a statement of reasons and factual evidence supporting the appeal. The County Office of Education will transmit the appeal to the State Board of Education along with a complete administrative record of the proceedings.

The study team for this feasibility report is comprised of Suzanne Carrig of the Office of the Superintendent, Santa Clara County Office of Education.
1.0 CRITERION 1

California Education Code Section 35753 (a)(1) – The reorganized districts will be adequate in terms of number of pupils enrolled.

This topic is governed by Title 5, California Code of Regulations, Section 18753 (a), which states that each of the affected school districts shall have the following projected enrollment on the date the proposal become effective:

- Elementary District: 901
- High School District: 301
- Unified District: 1,501

Current student enrollments (taken from the 2014-2015 California Basic Educational Data System (CBEDS) reports) for each of the four affected school districts are listed in Table 1.

<table>
<thead>
<tr>
<th>School District</th>
<th>Enrollment</th>
</tr>
</thead>
<tbody>
<tr>
<td>MSD</td>
<td>4,825</td>
</tr>
<tr>
<td>CUHSD</td>
<td>7,453</td>
</tr>
<tr>
<td>CUSD</td>
<td>19,079</td>
</tr>
<tr>
<td>FUHSD</td>
<td>10,792</td>
</tr>
</tbody>
</table>

A total of 27 public school students currently reside in the territory proposed for transfer; 21 in MSD and 6 in the CUHSD (student counts updates as of August 2015).

Based on the current enrollment of the affected districts, each district would have the required enrollment if the proposal were approved.

The study team recommends that Criterion 1 is met.
2.0 CRITERION 2

California Education Code Section 35753 (a)(2) - The districts are each organized on the basis of a substantial community identity.

The California Code of Regulations (CCR) § 18753 (a)(2) suggest using the following criteria to determine whether a district is organized on the basis of substantial community identity:
(a) Isolation;
(b) Geography;
(c) Distance between social centers;
(d) Distance between school centers;
(e) Topography;
(f) Weather; and
(g) Community, school, and social ties, and other circumstances peculiar to the area.

A. Isolation
The 123 parcels proposed for transfer are located in the western portion of MSD/CUHSD by the intersection of Prospect Road and Lawrence Expressway. The area proposed for transfer cannot be considered isolated from the MSD or CUHSD as the exits from the area are directly onto Prospect Road via Brookglen Drive and Johnson Avenue and there is direct driving access from the territory proposed for transfer to Prospect High School in CUHSD. Travel to schools in MSD and CUHSD do not require the residents of the area proposed for transfer to drive through any other school district. Figure 1 shows the transfer area (within the read oval) and roads in the surrounding area; the two red arrows point to the outlets of Johnson Avenue and Brookglen Drive onto Prospect Road.

Figure 1. Overview of Transfer Area
Petitioners have stated that Saratoga Creek creates a natural boundary and the school district boundaries should be redrawn to follow the creek. While it is the case in some instances that natural boundaries like creeks or boundaries such as major thoroughfares are used as school district boundaries it is not exclusively true and in many situations school boundary lines follow no obvious natural boundary. Additionally, the fact that the boundary does not follow the creek does not isolate that district from MSD or CUHSD.

B. Geography
The geography of the area proposed for transfer and all four of the affected district is similar; there are no significant geographical distinctions between any of the affected school districts that would impact this request.

C. Distance from Social Centers
There are several social centers, retail establishments and grocery stores within reasonable driving distance of the property proposed for transfer. Residents of the area are most likely to drive to the social centers and retail centers that best fit their needs. Therefore, due to personal preferences the significance of distance is diminished since residents will choose shopping and social centers that best meet their needs.

D. Distance from School Centers
The travel distances and times to each of the schools in the affected districts is shorter to schools in CUSD and similar for CUHSD and FUHSD. However, the differences are not significant even during morning commute hours and any differences in these travel distances and times do not meet the Santa Clara County Committee’s definition of extreme hardship (an extreme hardship, under commute duration, exists if the length of time to travel between the territory proposed for transfer and the closest school district of residence exceeds the length of time to travel to the desired school district by 20 minutes or more - see Appendix F).

Table 2 – Distance and Time to School Centers

<table>
<thead>
<tr>
<th>Schools</th>
<th>Distance (Miles)</th>
<th>Time (Minutes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary Schools</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Country Lane (MSD)</td>
<td>1.7</td>
<td>7 (15)</td>
</tr>
<tr>
<td>John Muir (CUSD)</td>
<td>1.3</td>
<td>5</td>
</tr>
<tr>
<td>Middle Schools</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Moreland Middle School (MSD)</td>
<td>1.7</td>
<td>6 (15)</td>
</tr>
<tr>
<td>Miller (CUSD)</td>
<td>.9</td>
<td>3</td>
</tr>
<tr>
<td>High Schools</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prospect (CUHSD)</td>
<td>.5</td>
<td>2 (8)</td>
</tr>
<tr>
<td>Lynbrook (FUHSD)</td>
<td>.6</td>
<td>2</td>
</tr>
</tbody>
</table>

Direction source: Google Maps, August 23, 2015. Starting point beginning at an estimated central point of the area proposed for transfer – intersection of Walbrook Drive and Shadybrook Court.
E. Topography
The affected districts each share a similar topography.

F. Weather
Weather is the same throughout and is therefore not a factor.

G. Community, School, and Social Ties and other Circumstances
Petitioners have stated that a portion of the area proposed for transfer (Walbrook Drive) borders Lynbrook High School in FUHSD and is stated in the petition as a reason for the transfer request. However, proximity is not a criterion for transferring property and in this particular case the area is not isolated from Prospect High School in CUHSD. Additionally, the situation is not unique in Santa Clara County as seen below in Figures 2a and 2b. The blue dotted line represents the school district boundary line.

Figure 2a. Example of Schools Located on District Boundary Line

Figure 2b. Example of Schools Located on District Boundary Line
Cumulative Impact
In 1997 the County Committee completed a study of the impacts of reorganizing portions of thirteen west side Santa Clara County school districts; the portions of Saratoga that fall within MSD and CUSD are included within the study. The study was prompted by widespread interest in school district organization issues by members of the community and some school districts. The study was also prompted by the multiple requests to transfer small areas – referred to as piece-meal transfers. For the complete findings of the report, the reader is referred to the Report on the Study of the Feasibility of Reorganization for the Santa Clara County Westside School Districts. The report is available from the Santa Clara County Office of Education.

The findings of the study in relation to community identity were that any changes in the boundaries would cause “disruption to existing communities of identity, specifically those around existing schools.” Blue Hills and McAuliffe schools in CUSD were included in those findings. Additionally, the study found that there could be a negative impact on CUHSD if the district was to be partitioned by territory transfers or unifications.

It is conceivable that approval of the Westbrook transfer could lead to additional requests to transfer.

Additionally, the four affected school districts have each stated at public hearings their concerns regarding piece-meal transfers and potential domino effect – one transfer request leading to multiple requests. The boards of each of the affected school districts have taken a position of opposition to the requested transfer of territory.

The study team recommends that Criterion 2 is not met.

3.0 CRITERION 3

California Education Code Section 35753 (a)(3) - The proposal will result in an equitable division of property and facilities of the original district or districts.

There is no real property located in the territory proposed for transfer therefore no such property will be divided.

General Obligation Bonds
The territory proposed for transfer will drop any liability for outstanding bonded indebtedness of the district(s) of which it was formerly a part and assume its proportionate share of the outstanding bonded indebtedness of the districts(s) of which it becomes a part. (Education Code Section 35575)
Table 3. General Obligation Bonds by School District

<table>
<thead>
<tr>
<th>District</th>
<th>Bond (in millions)</th>
<th>Date Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>MSD</td>
<td>$55</td>
<td>November, 2010</td>
</tr>
<tr>
<td>CUHSD</td>
<td>$90</td>
<td>November, 2006</td>
</tr>
<tr>
<td>CUSD</td>
<td>$220</td>
<td>June, 2012</td>
</tr>
<tr>
<td>FUHSD</td>
<td>$295</td>
<td>November, 2014</td>
</tr>
</tbody>
</table>

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

The current property tax revenue for the territory proposed for reorganization is approximately $1.4 million dollars. If the transfer of territory is approved, CUSD and FUHSD would gain the property tax revenue of the territory proposed for transfer and MSD and CUHSD would lose the property tax revenue.

There would be no division of any property, funds or obligations, and current law would provide for shifts in responsibility of existing bonded indebtedness, if the territory was approved for transfer.

The study team recommends that Criterion 3 is met.

4.0 CRITERION 4

California Education Code Section 35753 (a)(4) – The reorganization of the districts will preserve each affected district’s ability to educate students in an integrated environment and will not promote racial or ethnic discrimination or segregation.

School districts have a constitutional obligation to prevent racial and ethnic segregation and to alleviate the harmful effects of segregation. As such, any school district reorganization should not isolate minority students and deprive all students of an integrated educational experience.

The information on racial/ethnic groups in the affected districts is taken from the 2014-2015 California Basic Educational Data System (CBEDS) report. The racial/ethnic group categories used by CBEDS are:

- American Indian or Alaskan Native - A person having origins in any of the original peoples of North America and who maintain cultural identification through tribal affiliation of community recognition.
Asian - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent.

Pacific Islander - A person having origins in any of the original peoples of the Polynesian, Micronesian, or Melanesian Islands.

Filipino - A person having origins in any of the original peoples of the Philippine Islands.

Hispanic - A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

Black - Not of Hispanic origin, a non-Hispanic person having origins in any of the black racial groups of Africa.

White - Not of Hispanic origin, a non-Hispanic person having origins in any of the original peoples of Europe, North Africa, or the Middle East.

Tables 4 and 5 depict the number of students and the percentage of students in each of the racial/ethnic groups in the four affected school districts.

Table 4 - Race/Ethnicity of Students in Affected Districts by Number

<table>
<thead>
<tr>
<th></th>
<th>American Indian</th>
<th>Asian</th>
<th>Pacific Islander</th>
<th>Filipino</th>
<th>Hispanic</th>
<th>Black</th>
<th>Mult./No Response</th>
<th>White</th>
</tr>
</thead>
<tbody>
<tr>
<td>MSD</td>
<td>37</td>
<td>1,207</td>
<td>19</td>
<td>142</td>
<td>1617</td>
<td>130</td>
<td>315</td>
<td>1,358</td>
</tr>
<tr>
<td>CUHSD</td>
<td>18</td>
<td>852</td>
<td>40</td>
<td>165</td>
<td>2,572</td>
<td>216</td>
<td>512</td>
<td>2,978</td>
</tr>
<tr>
<td>CUSD</td>
<td>32</td>
<td>13,873</td>
<td>25</td>
<td>207</td>
<td>1,043</td>
<td>134</td>
<td>556</td>
<td>3,209</td>
</tr>
<tr>
<td>FUHSD</td>
<td>10</td>
<td>5,959</td>
<td>29</td>
<td>346</td>
<td>1,663</td>
<td>121</td>
<td>526</td>
<td>2,138</td>
</tr>
</tbody>
</table>

Table 5 - Race/Ethnicity of Students in Affected Districts by Percentage

<table>
<thead>
<tr>
<th></th>
<th>American Indian</th>
<th>Asian</th>
<th>Pacific Islander</th>
<th>Filipino</th>
<th>Hispanic</th>
<th>Black</th>
<th>Mult./No Response</th>
<th>White</th>
</tr>
</thead>
<tbody>
<tr>
<td>MSD</td>
<td>0.8</td>
<td>25</td>
<td>0.4</td>
<td>2.9</td>
<td>33.5</td>
<td>2.7</td>
<td>6.5</td>
<td>28.1</td>
</tr>
<tr>
<td>CUHSD</td>
<td>0.2</td>
<td>11.6</td>
<td>0.5</td>
<td>2.2</td>
<td>35.0</td>
<td>2.9</td>
<td>7.0</td>
<td>40.5</td>
</tr>
<tr>
<td>CUSD</td>
<td>0.2</td>
<td>72.7</td>
<td>0.1</td>
<td>1.1</td>
<td>5.5</td>
<td>0.7</td>
<td>2.9</td>
<td>16.8</td>
</tr>
<tr>
<td>FUHSD</td>
<td>0.1</td>
<td>55.2</td>
<td>0.3</td>
<td>3.2</td>
<td>15.4</td>
<td>1.1</td>
<td>4.9</td>
<td>19.8</td>
</tr>
</tbody>
</table>

There are currently 27 public school students residing in the area proposed for transfer. If the proposed territory transfer were approved, there would be no effect on the racial/ethnic balance of the affected districts by the proposed transfer. The potential number of students who could live within the area to be transferred would not significantly impact the racial/ethnic balance of the affected school districts.

The study team recommends that Criterion 4 is met.
5.0 CRITERION 5

California Education Code Section 35753 (a)(5) – Any increase in costs to the state as a result of the proposed reorganization will be insignificant and otherwise incidental to the reorganization.

The State Board of Education has not adopted a regulation to implement this criterion. However, the *School District Organization Handbook*, 2006 edition, published by the State Department of Education, suggests that the following factors be considered in analyzing whether the proposal will increase state costs:

a. Whether implementation of the proposal would change one or more of the affected districts’ basic aid status.

b. Additional state costs for school facilities.

c. Other state special or categorical aid programs and any increased state costs if students transferring would qualify in the gaining district and not in the losing district.

d. The additional costs to the state if costs per student for special or categorical programs are higher in the gaining district.

e. The effect on the districts’ home-to-school and special education transportation costs and state reimbursements.

f. Increased costs resulting from additional schools becoming eligible for “necessary small school” funding pursuant to Sections 42280 through 42289.”

With the introduction of the Local Control Funding Formula (LCFF) legislation the revenue limit funding formula was eliminated. Under the new funding formula, districts receive a uniform dollar amount per grade level, known as the base grant. In addition to the base grant, districts may receive additional funds depending on the number of high-needs students in the district. High-needs students include students who are low-income, English learners, and foster youth students. Based on the number of high-needs students, a district can receive an additional 20 percent of the base grant; this is the supplemental grant. The concentration grant is added on when a district has 55 percent or more of high-needs students enrolled in the district.

Currently, none of the affected school districts meets the concentration percentage of high-needs students (55%), MSD has 45.7%, CUHSD 26%, CUSD 16 %, and FUHSD 18.8% (source: California Department of Education, School Fiscal Services Division, *LCFF Funding Snapshot*, August, 2015). However, both MSD and CUHSD received supplemental grant funds.
Currently there are a total of 27 school-aged children residing in the area proposed for transfer. Under LCFF the funding for students is a uniform dollar amount per grade level that would not change if the students moved from one district to another. In this particular case, high school students would be moving from one basic aid district to another and one ADA elementary district to another so there would be minimal if no impact in costs to the state.

**Cost Factors**

1. **Whether the implementation of the proposal would change one or more of the affected districts’ basic aid status.**

   The territory proposed for transfer has an assessed valuation of approximately $99.4 million generating total tax revenues of approximately $1.4 million. Both CUHSD and FUHSD are basic aid school districts. CUHSD is in basic aid status by approximately $10 million and FUHSD is in basic aid status by $24 million therefore the loss of tax revenues to CUHSD would not affect their basic aid status if the transfer were to be approved.

2. **Additional state costs for school facilities.**

   The proposed reorganization, if approved would not create an additional cost to the state for school facilities.

3. **Other state special or categorical aid programs and any increased state costs if students transferring would qualify in the gaining district and not in the losing district.**

   Under the new Local Control Funding Formula (LCFF) legislation most categorical program funding streams were eliminated. The LCFF target amount districts now receive are by grade span and include base, supplemental, and concentration grants, with add-ons for the former Home-to-School Transportation and Targeted Instructional Improvement Block Grant Programs. Funds would shift to the district receiving the students.

4. **The additional costs to the state in costs per student for special or categorical programs are higher in the gaining district.**

   This does not apply in the current system of school funding. The LCFF funding model has eliminated most categorical funding streams. Funding for districts is uniform for school district by grade span and additional funding for districts is based on percentage of high-needs students in the district.
5. **The effect on the districts home-to-school special education transportation costs and state reimbursements.**

There is currently one special education student in the area proposed for transfer attending MSD who requires transportation within district. If the transfer request is approved, CUSD would incur the cost of the transportation but the impact on costs and state reimbursements would not be significant.

6. **Increased costs resulting from additional schools becoming eligible for “necessary small school funding...”**

All of the schools in the affected school districts are within 15 miles of other schools. The transfer of territory will not result in the creation of additional necessary small schools nor will it relegate existing schools to necessary small school status.

The study team recommends that Criterion 5 is met.

6.0 **CRITERION 6**

**California Education Code Section 35753 (a)(6) - The proposed reorganization will continue to promote sound education performance and will not significantly disrupt the educational programs in the districts affected by the proposed reorganization.**

California Code of Regulations, Title 5, Section 18573 (a)(5) states that the proposal or petition shall not significantly adversely affect the educational programs of districts affected by the proposal or petition. In analyzing the proposal or petition, the California Department of Education (Santa Clara County Office of Education for purposes of this study) shall describe the districtwide programs and the school site programs in schools not a part of the proposal or petition that will be adversely affected by the proposal or petition.

Each of the affected districts currently provides sound educational programs for their students and the transfer, if approved, is not expected to significantly impact the quality of the education provided in any of the districts.

In the short term, both CUSD and FUHSD would likely be able to place the current students (21 elementary, 6 high school) in classrooms in the districts; however, CUSD and FUHSD may not be able to place the students in the schools closest to their homes.

The study team recommends that Criterion 6 is met.
7.0 CRITERION 7

California Education Code 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.

No regulations have been adopted under this criterion; however, according to the CDE's School District Organization Handbook, the discussion should provide a concise analysis of the availability of school facilities to house the pupils in the portion of the district being reorganized.

The Handbook provides that, in the case of a territory transfer, the study “should address whether the school district receiving the new students has adequate facilities to house them. If new facilities are required, the study should address how facilities will be funded” (CDE School District Organization Handbook, 89).

In addition, the Handbook recommends that the following areas should also be addressed:

a. Local bonding capacity. It should be determined whether the territory transfer reduces the assessed valuation of a district to a point where the bonding capacity might be impaired.

b. Developer fees. An analysis should be made of how income from developer fees might be affected. Whether developer fees have already been paid, whether they have increased or decreased because of the district losing or gaining the territory, and the impacts of the territory transfer should be determined.

c. School property. If there is school property in the area to be transferred, the impact on each district should be determined. If a school is to be transferred, it should be determined how the district losing the school will compensate for the loss of the facilities. If school sites are involved, it should be determined how each district’s facility plan will be affected.

d. School capacity. The analysis should take into consideration whether the schools are operating on traditional, single, or multi-track schedules.

e. Condition of existing facilities. The analysis should distinguish between permanent and portable buildings, the age of the facilities, whether they have been well or poorly maintained or modernized, whether they have had technological upgrades, and the conditions of the mechanical systems on the school site (e.g. HVAC).

f. State School Facilities Program. It should be determined how the loss and gain of pupils will affect school districts’ eligibility for state building funding.
**Bonding Capacity**

The bonding capacity of a school district is determined by the total assessed valuation of the district; for an elementary and high school district the bonding capacity is 1.25% of the total assessed value and for a unified district it is 2.5% of the total assessed value. The current total bonding capacity of the affected school districts is illustrated in Tables 6 and 7.

**Table 6. Current Bonding Capacity for Affected School Districts**

<table>
<thead>
<tr>
<th></th>
<th>MSD</th>
<th>CUHSD</th>
<th>CUSD</th>
<th>FUHSD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Total assessed valuation secured and unsecured</td>
<td>$7,515,229,121</td>
<td>$39,791,397,247</td>
<td>$35,591,034,140</td>
<td>$59,862,062,590</td>
</tr>
<tr>
<td>2. Applicable percentage bond debt*</td>
<td>1.57%</td>
<td>1.25%</td>
<td>1.25%</td>
<td>1.25%</td>
</tr>
<tr>
<td>3. Bonding capacity (1\times2)</td>
<td>$177,989,087</td>
<td>$497,392,465.59</td>
<td>$444,887,926.75</td>
<td>$748,275,782.38</td>
</tr>
<tr>
<td>4. Outstanding bonded indebtedness</td>
<td>$87,272,050</td>
<td>$142,365,000</td>
<td>$236,168,461</td>
<td>$382,240,089</td>
</tr>
</tbody>
</table>

Source: Santa Clara County, Finance Agency Controller-Treasurer - Property Tax Division, August 2015. *Due to a waiver, Moreland has a slightly higher percentage.

**Table 7. Bonding Capacity for Affected Districts if Transfer Approved**

<table>
<thead>
<tr>
<th></th>
<th>MSD</th>
<th>CUHSD</th>
<th>CUSD</th>
<th>FUHSD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Total assessed valuation secured and unsecured</td>
<td>$7,415,781,520</td>
<td>$39,691,949,646</td>
<td>$35,690,481,741</td>
<td>$59,961,510,191</td>
</tr>
<tr>
<td>2. Applicable percentage bond debt</td>
<td>1.57%</td>
<td>1.25%</td>
<td>1.25%</td>
<td>1.25%</td>
</tr>
<tr>
<td>3. Bonding capacity ([1]\times[2])</td>
<td>$116,427,769</td>
<td>$496,149,370.58</td>
<td>$446,131,021.76</td>
<td>$749,518,877.39</td>
</tr>
<tr>
<td>4. Outstanding bonded indebtedness</td>
<td>$87,272,050</td>
<td>$142,365,000</td>
<td>$236,168,461</td>
<td>$382,240,089</td>
</tr>
<tr>
<td>5. Available bonding capacity ([3]\times[4])</td>
<td>$29,155,719</td>
<td>$353,784,370.58</td>
<td>$209,962,560.76</td>
<td>$367,278,788.39</td>
</tr>
</tbody>
</table>

Source: Santa Clara County, Finance Agency Controller-Treasurer - Property Tax Division and County Assessor, August 2015.
Pursuant to Education Code Section 35575, if the transfer of territory were to be approved, CUSD and FUHSD would see an increase in available bonding capacity; CUSD would increase to approximately $209 million and FUHSD to $367 million. MSD and CUHSD would see a decrease in available bonding capacity to $29 million and $353 million respectively. If the transfer were approved, the proportionate share of outstanding bonded indebtedness from MSD and CUHSD would not transfer to CUSD and FUHSD; rather, the remaining portion of MSD and CUHSD would be responsible for the outstanding bonded indebtedness but with a diminished tax base.

**Developer Fees**
The developer fees for each of the affected districts are listed in Table 8. The fees levied by each district are per square feet.

<table>
<thead>
<tr>
<th>District</th>
<th>Residential</th>
<th>Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>MSD</td>
<td>$2.01 (SFD)</td>
<td>$0.357</td>
</tr>
<tr>
<td></td>
<td>$2.24 (MFD)</td>
<td>$0.313 (Hotel)</td>
</tr>
<tr>
<td>CUHSD</td>
<td>$1.01</td>
<td>$0.141/$0.162</td>
</tr>
<tr>
<td>CUSD</td>
<td>$2.02</td>
<td>$0.32</td>
</tr>
<tr>
<td>FUHSD</td>
<td>$3.36</td>
<td>$0.54</td>
</tr>
</tbody>
</table>

There is little development activity within the territory proposed for transfer and the number of parcels is small compared to the total number of parcels in MSD and CUHSD, therefore the impact on developer fees for MSD and CUHSD would not be significant.

**School Property**
The territory proposed to be transferred does not contain any school facilities.

**School Capacity**
Currently there are 27 public school students (21 elementary and 6 high school) residing in the area proposed for transfer. The student generation rate for CUSD is .56 (for single family dwellings) and for FUHSD it is .30. Using these student generation rates for the area proposed for transfer, there is a potential for 68 K-8 students and 36 high school students.

CUSD has experienced an increase in enrollment every year since the 2005-2006 school year with the exception of a decrease from 2013-14 to 2014-15. FUHSD has also seen an increase in student enrollment every year with the exception of a decrease from 2008-09-2009-10. Table 9 represents the ten year enrollment history for each of the affected school districts.
Table 9. Ten Year Enrollment History of Affected School Districts

<table>
<thead>
<tr>
<th>School Year</th>
<th>MSD</th>
<th>CUHSD</th>
<th>CUSD</th>
<th>FUHSD</th>
</tr>
</thead>
<tbody>
<tr>
<td>05-06</td>
<td>4,207</td>
<td>7,721</td>
<td>16,572</td>
<td>9,890</td>
</tr>
<tr>
<td>06-07</td>
<td>3,873</td>
<td>7,779</td>
<td>16,971</td>
<td>10,228</td>
</tr>
<tr>
<td>07-08</td>
<td>3,921</td>
<td>7,838</td>
<td>17,294</td>
<td>10,333</td>
</tr>
<tr>
<td>08-09</td>
<td>4,003</td>
<td>7,746</td>
<td>17,581</td>
<td>10,339</td>
</tr>
<tr>
<td>09-10</td>
<td>4,135</td>
<td>7,791</td>
<td>18,010</td>
<td>10,285</td>
</tr>
<tr>
<td>10-11</td>
<td>4,240</td>
<td>7,581</td>
<td>18,370</td>
<td>10,403</td>
</tr>
<tr>
<td>11-12</td>
<td>4,402</td>
<td>7,408</td>
<td>18,650</td>
<td>10,535</td>
</tr>
<tr>
<td>12-13</td>
<td>4,477</td>
<td>7,417</td>
<td>19,035</td>
<td>10,664</td>
</tr>
<tr>
<td>13-14</td>
<td>4,670</td>
<td>7,353</td>
<td>19,194</td>
<td>10,710</td>
</tr>
<tr>
<td>14-15</td>
<td>4,825</td>
<td>7,453</td>
<td>19,079</td>
<td>10,792</td>
</tr>
</tbody>
</table>


Chris Jew, Chief Business Officer with CUSD, has stated that capacity is an issue at many of the schools within the district. John Muir Elementary would be the home school for students in the area proposed for transfer if the transfer were approved. Mr. Jew has stated that although enrollment within the attendance boundaries of John Muir have slightly declined, the district has added a transitional kindergarten (TK) program there that serves the entire school district and a special education preschool program. Both of these added programs use classroom space at the district. John Muir is also used as a possible overflow school if nearby elementary schools are at capacity. Additionally, the district has had to add 10 portable classrooms to John Muir to deal with capacity issues.

FUHSD stated in a letter (see Appendix E) that the district is currently 101 students over capacity and by next year that number nearly doubles. The district projects that enrollment will be 1,309 above current capacity by 2020. Table 10 below shows the FUHSD enrollment projections.

Table 10. FUHSD Enrollment Projections

<table>
<thead>
<tr>
<th>Dist. Totals</th>
<th>Current*</th>
<th>2015-16</th>
<th>2016-17</th>
<th>2018-19</th>
<th>2020-21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enrollment</td>
<td>10,733</td>
<td>10,816</td>
<td>11,054</td>
<td>11,644</td>
<td>11,941</td>
</tr>
<tr>
<td>Capacity</td>
<td>10,632</td>
<td>10,632</td>
<td>10,632</td>
<td>10,632</td>
<td>10,632</td>
</tr>
<tr>
<td>Over Capacity</td>
<td>101</td>
<td>184</td>
<td>422</td>
<td>1,012</td>
<td>1,309</td>
</tr>
</tbody>
</table>

*As of May 2015.


Although there are currently on 6 high school students in the area proposed for transfer that number could potentially increase to 36 students if using the current student generation rate of .30 for FUHSD. FUHSD has recently passed a general obligation bond that will be used to construct additional classrooms; however with the potential addition of 36 students the districts states that would require them to construct one
additional classroom which would take approximately 2 years to construct and cost approximately $1,200,000.

Condition of Existing Facilities
According to the most recent School Accountability Report Cards (SARCs) schools within CUSD and FUHSD facilities are in overall good condition. Both school districts recently passed bonds to upgrade facilities.

State School Facilities Program
If the proposed transfer is approved, the potential gain or loss of pupils will not affect the school districts’ eligibility for state building funding.

The study team recommends that Criterion 7 is not met.

8.0 CRITERION 8

California Education Code Section 35753 (a)(8) - The proposed reorganization is primarily designed for purposes other than to significantly increase property values.

The purpose of Criterion 8 is to ascertain whether the primary reason for proposing the transfer of territory is for financial advantage to the owners.

Based on the original request and statements made by the homeowners, there is no indication that this request is primarily designed to increase property values, rather the primary reason stated is community identity and safety.

The average value per the Santa Clara County Assessor for homes in the area is approximately $809,000, Zillow estimate is approximately $2 million. At the time this study was written, six homes in the neighborhood had been sold within the last 8 months for an average sale price of $1.58 million; this is equivalent to the sales prices of recently sold homes in the neighboring streets that are within CUSD and FUHSD.

Based on the home value data presented above, it does not appear that the primary reason for the transfer is designed to increase property values.

The study team recommends that Criterion 8 is met.
9.0 CRITERION 9

California Education Code Section 35753 (a)(9) - The proposed reorganization will continue to promote sound fiscal management and not cause substantial negative effect on the fiscal status of the proposed district or any existing districts affected by the proposed reorganization.

There are no regulations on this subject. The CDE’s School District Organization Handbook provides the following:

The county committee should review and consider any potential revenue gains or losses resulting from community development, agency agreements or other pass-through agreements, loss of incremental taxes, Mello-Roos Community Facility District funds, parcel taxes, certificates of participation, basic aid, tax overrides, mitigation agreements with developers, and any other categorical or specialized funds (e.g. Public Law 874 funds and Timber Reserves).

(CDE’s School District Organization Handbook, 90.)

Basic Aid Status
CUHSD and FUHSD are the only two affected districts that are basic aid. The territory proposed for transfer has an assessed valuation of approximately $99.4 million generating total tax revenues of approximately $1.5 million. CUHSD receives approximately 19% ($285,000) of the tax revenue dollars. CUHSDs actual funding exceeds 2014-15 transition entitlement by $10,626,064. The loss of tax revenue, if the transfer of territory were to be approved would not impact the basic aid status of CUHSD nor would the basic aid status of FUHSD be negatively impacted since it would be receiving the additional tax revenues if the transfer were approved.

Average Daily Attendance
MSD and CUSD are the two affected districts that are not basic aid. Currently there are 25 K-8 students in the area proposed for transfer that attend Moreland schools. Looking at the loss of ADA based on the 2015-16 adjusted base grant per ADA, the transfer of 21 students would be a loss of ADA totaling $166,158. This total does not include the additional %10.4 percentage of the base grant for TK-3 grades students or any possible supplemental grant money.

Table 11. Loss of ADA for Moreland

<table>
<thead>
<tr>
<th>Grade Span</th>
<th>2015-16 Base Grant per ADA</th>
<th>Number of MSD Students</th>
<th>Total Base Grant per Grade Span</th>
</tr>
</thead>
<tbody>
<tr>
<td>K-3</td>
<td>$7,820</td>
<td>12</td>
<td>$93,840</td>
</tr>
<tr>
<td>4-6</td>
<td>$7,189</td>
<td>8</td>
<td>$57,512</td>
</tr>
<tr>
<td>7-8</td>
<td>$7,403</td>
<td>2</td>
<td>$14,806</td>
</tr>
</tbody>
</table>

Parcel Tax
Each of the affected school districts has a parcel tax still in effect. Table 12 below shows each district’s parcel tax and the date the parcel tax is set to expire.

<table>
<thead>
<tr>
<th>District</th>
<th>Parcel Tax per Year</th>
<th>Expiration Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>MSD</td>
<td>$95</td>
<td>2017</td>
</tr>
<tr>
<td>CUHSD</td>
<td>$85</td>
<td>2023</td>
</tr>
<tr>
<td>CUSD</td>
<td>$250</td>
<td>2022</td>
</tr>
<tr>
<td>FUHSD</td>
<td>$98</td>
<td>2022</td>
</tr>
</tbody>
</table>

Source: Individual school district websites.

If the transfer is approved, the current MSD parcel tax would expire by the time the transfer was effective in terms of tax rolls (best case scenario of effective date of transfer if approved would be July 1, 2017). However, according to MSD, the district will be requesting a renewal of the current parcel tax which means a potential loss of future dollars if the parcel tax is renewed.

Regarding the other district parcel taxes, residents within the area proposed for transfer would drop their liability for the CUHSD parcel tax and assume responsibility for the parcel tax of both CUSD and FUHSD.

Assuming the transfer is approved and becomes effective July 1, 2017 for tax purposes and assuming there are no senior exemptions, CUHSD would lose 7 years of the parcel tax income from each of the homes, a total of $73,185 over 7 years. Using the same assumption used for the CUHSD parcel tax, if the transfer is approved, CUSD would gain approximately $153,000 and FUHSD would gain approximately $60,270.

Assessed Valuation
The Santa Clara County Assessor’s Office reported on June 18, 2015 that assessed valuation of residential and commercial properties in Santa Clara County has increased for the third straight year for every city. The current assessed valuation of each of the affected school districts is illustrated in Table 13.

<table>
<thead>
<tr>
<th>District</th>
<th>Assessed Valuation</th>
</tr>
</thead>
<tbody>
<tr>
<td>MSD</td>
<td>$7,515,229,121</td>
</tr>
<tr>
<td>CUHSD</td>
<td>$39,791,397,247</td>
</tr>
<tr>
<td>CUSD</td>
<td>$35,591,034,140</td>
</tr>
<tr>
<td>FUHSD</td>
<td>$59,862,062,590</td>
</tr>
</tbody>
</table>

The current assessed valuation of the territory proposed for transfer is $9.4 million and represents 1.3% of the total assessed valuation of MSD, 0.25% of CUHSD, and 0.28% of CUSD and 0.17% of FUHSD.

The loss of assessed valuation (0.25%) to CUHSD if the transfer was approved would not be significant. Although MSD would lose 21 students and the ADA associated with those students, it is not significant enough that the district would no longer be able to continue to promote sound fiscal management and it would not cause substantial negative effect on the fiscal status of the district.

The study team recommends that Criterion 9 is met.

10.0 CRITERION 10
Any other criteria as the board (i.e. State Board or Education) may, by regulation, prescribe.

No other criteria were considered.

11.0 ADDITIONAL CONSIDERATION
The County Committee can give additional consideration to information that may not fall within one of the nine criteria evaluated above. One issue the County Committee may use for approving/disapproving the proposed territory transfer is safety concerns. Petitioners have stated in their initial request and at the public hearings that safety and travel to MSD schools and Prospect High School in CUHSD are concerns. Petitioners have stated that the traffic volume and average speed of cars is a safety concern for students going to MSD and CUHSD schools. Additionally, students have to cross busy roads and intersections such as Prospect Road, Lawrence Expressway, Saratoga Avenue, and Hamilton Avenue to get to their home schools. Conversely, travel to schools in CUSD and FUHSD would be done on quieter, neighborhood streets.

It is unlikely that students in the area proposed for transfer would walk or ride bikes to schools in MSD but it is conceivable that high school students could walk to Prospect High School safely. There are traffic lights and crossing guards located at the entrance of Prospect High School. It is likely that if the area proposed for transfer were to be approved, students would walk or bike to their home school districts which are within reasonable distances. Additionally, travel on neighborhood streets as opposed to crossing major thoroughfares mitigates the danger of travel.
12.0 CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Public Resources Code Section 21000 requires that public agencies review and document the environmental implications of their activities and actions. An activity or “project” under Public Resources Code Section 21065 is defined as follows:

“Project” means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and which is any of the following:

(a) An activity directly undertaken by any public agency.
(b) An activity undertaken by a person which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
(c) An activity that involves the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

The petition to transfer property was filed with the Santa Clara County Committee on School District Organization, and they are therefore considered the lead agency for CEQA issues. A Notice of Exemption will be submitted to the County Clerk of Santa Clara County and the California State Clearinghouse if the project is approved. See Appendix G for CEQA documents.

CONCLUSIONS

The nine criteria discussed in Sections 1.0 through 9.0 represent minimum criteria (Hamilton v. State Board of Education, [1981] 117 Cal.App.3d 132; Cal.Rptr. 748) that the County Committee is required to examine prior to approving/disapproving a request to transfer territory from one school district to another. The study team has analyzed the nine criteria and found that each has been met with the exception of criteria 2 and 7. However, if the County Committee determines that all nine conditions are substantially met, it has the discretion, but not the obligation, to approve the proposal. If all nine criteria are found to be met by the County Committee, they may choose to approve the proposed transfer if a compelling reason exists for the transfer or, conversely, may choose not to approve the transfer if a compelling reason exists not to approve it.
PETITION FOR TRANSFER OF TERRITORY

To the Superintendent of Schools of Santa Clara County:

Pursuant to Education Code Section 35700, subdivision (a), the undersigned, constituting at least 25 percent of the registered electors residing in the territory proposed to be transferred, now within the boundaries of the Moreland ELEMENTARY School District, Santa Clara County, petition for the transfer of territory from the MORELAND ELEMENTARY School District(s) with the corresponding area of the CAMPBELL UNION High School District(s) to CUPERTINO UNION School District(s) and the corresponding area of the FREMONT UNION High School District(s).

The property to be transferred is described as follows:

1. All homes in Brookglen Drive, Saratoga
2. All homes in Brookhaven Drive, Saratoga
3. All homes in Walbrook Drive Saratoga
4. All homes in Sunnybrook Ct, Saratoga
5. All homes in Shadybrook Ct, Saratoga
6. All homes in Brookridge drive, Saratoga
7. All homes in Brook Ln, Saratoga
8. All homes in Brookhurst Ct, San Jose
9. All homes except <5641> in Walbrook drive, San Jose

Total homes: 113

All these properties are adjoining the Lynbrook High School area and are in the pocket between Lynbrook High School and Prospect Road.

The undersigned request the changes in the respective boundaries of the school districts for the following reasons:
1. Safety of children

Children belonging to the aforementioned properties today are assigned to primary, middle and high schools that necessitate the need for crossing at least one major intersection from home to reach the schools. This is especially a significant safety factor for High School students who today (even though they might prefer to) cannot walk to and fro back from school without adult supervision. It also poses a significant driving hazard to high school students who drive to work.

High school children belonging to the aforementioned property today go to Prospect High School, which is on, average about 0.40 miles from any of the property. Although this is a walk-able distance for most high school students- this does pose a serious security hazard. To able to reach school by foot, children have to cross a major intersection across Prospect Road, which is a 4 lane Road where the average speed limit is 40 mph. The proximity of the school to Lawrence Expressway where the speed limit is 50 mph poses an additional security concern for children.

Here are some artifacts and evidence that further accentuate the challenges that kids face walking to school that involves a major intersection

1. As evidenced recently (Oct 2014) by the fatal accident of the Monta Vista Student in Cupertino, where a high school student was killed while going on to a major road to school. High school students, who tend to walk without adult supervision in most cases, are more prone to be involved in accidents as pedestrians at major crossings. [http://abc7news.com/news/teen-riding-bike-fatally-struck-by-big-rig-in-cupertino/367810/](http://abc7news.com/news/teen-riding-bike-fatally-struck-by-big-rig-in-cupertino/367810/)

2. In 2012, more than one in every five children between the ages of 5 and 15 who were killed in traffic crashes were pedestrians [http://www.cdc.gov/Motorvehiclesafety/Pedestrian_safety/](http://www.cdc.gov/Motorvehiclesafety/Pedestrian_safety/)

3. According to NHTSA study on road accidents involving pedestrians, the 0-14 age group accounted for 390 (8 percent) of those fatalities, and 65 percent of the pedestrian fatalities in this age group were males. [http://www-nrd.nhtsa.dot.gov/Pubs/809762.pdf](http://www-nrd.nhtsa.dot.gov/Pubs/809762.pdf)

4. In addition to the pedestrians under 15 years old who died, 17,000 were injured in motor vehicle crashes. These young pedestrians accounted for 24 percent of the total pedestrians injured in motor vehicle crashes in 2003. [http://www.avvo.com/legal-guides/ugc/pedestrian-accidents-involving-children](http://www.avvo.com/legal-guides/ugc/pedestrian-accidents-involving-children)

5. Almost one-fifth (18 percent) of the traffic fatalities in the 0-14 year age group were pedestrians. In 2003, 32 percent of the cyclists injured in motor vehicle crashes were under 15 years old.

5. According to WHO/UNICEF study: In most countries, road traffic injuries are one of the top two causes of death from unintentional injury, with the highest
rates among 15–19 year olds. Globally, road traffic injuries are the leading cause 
of death in 10–19 year olds. About two thirds of child road traffic injury deaths 
occur in the South-East Asia and the Western Pacific regions.

6. Another studies done in the US states that: it shows that ‘Pedestrians account 
for about 30% of all traffic fatalities involving children under the age of 15 
years. Approximately 19% of children involved in traffic fatalities under age 16 
were pedestrians. And approximately 8% of all children under age 16 injured in a 
car accident were pedestrians. 45% of all pedestrian fatalities involving children 
under age 16 were killed between 3:00 PM and 7:00 PM, which is also the prime 
time for students from high school to walk back home. 

Sources

On the other hand if the students where transferred to Lynbrook High school it 
would reduce the security risk by many orders of magnitude as Lynbook High is 
less then .25 miles for most children in the neighborhood and more importantly 
there are no major crossings and most high school students would be able to 
walk to or bike to school. Multiple homes in this neighborhood actually share their 
backyard with Lynbrook High School.

2. Distance to Schools/Travel

<table>
<thead>
<tr>
<th>Distance to schools/travel</th>
<th>Average distance to school</th>
<th>Campbell Union (current school district)</th>
<th>Average distance to school</th>
<th>Cupertino Union (Proposed changed school district)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary</td>
<td>1.8 miles</td>
<td>Country Lane Elementary</td>
<td>0.6 miles</td>
<td>Murdock Portal</td>
</tr>
<tr>
<td>Middle</td>
<td>1.6 miles</td>
<td>Moreland Middle school</td>
<td>.6 miles</td>
<td>Miller Middle School</td>
</tr>
<tr>
<td>High</td>
<td>.40 miles</td>
<td>Prospect High School</td>
<td>.25 miles</td>
<td>Lynbrook High School</td>
</tr>
</tbody>
</table>
For this neighborhood all current schools need parents to drive the kids through major roads/expressways, where as all Cupertino School district are closer to most home as well as offers kids to walk themselves to the school as schools are within smaller community roads.

3. Environmental, Isolation and other factors

1. **Isolation:** In addition to the security and child safety issues that kids in the aforementioned properties face today there are few other intangible but key factors that the community believes can have a significant impact on the overall growth of the children in this community. Most of these factors were gathered talking to the parents of the children who have been through the current primary, middle and high schools. Quotes from residents best capture the effects of isolation

“We all grew up in the neighborhood where kids went to same school, did activities/events together and connected via schools along with neighborhood facilities. Unfortunately, for our neighborhood, that’s not the case.” -- Kanaka Sriram

“The nearest play area is the Lynbrook school ground and Rainbow park, where majority of the kids are from Cupertino schools. Kids feel isolated amongst that crowd and are frequently asked about how come they are in the same neighborhood and unable to go to the neighborhood school!”

Brookglen neighbor

2. **Environmental factors:** All kids in the aforementioned community have to be charted to this will also eliminate the need for use of cars, thus reducing pollution, when kids walk/bike to nearby schools.

3. **Sharing border with local high school:** Most homes in the aforementioned homes are in close proximity to the high school and some even bordering them and are subject to slew of problems without any associated benefits

   - Noise levels: During school times and loud noises off-hours during ball and football games, marching band practices, weekend games etc.,
   - Parking problems: During the pickup-drop off times, traffic during pick up and drop-off times etc.,

4. Budget Considerations

   1. Both Lynbrook High and Miller Middle in the past few years has opened enrollment for students outside of their school area due to spot availability. We sincerely believe there will not be a big increase in the student population (more than 50% of homes have no kids)
   2. Taxes from our homes will then be channeled to CUSD
The Chief Petitioners for the purpose of receiving notices and so forth are:

<table>
<thead>
<tr>
<th>Name (print or type)</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>KANAKA SRIRAM</td>
<td>11871 Brookglen Drive Saratoga CA 95070</td>
</tr>
<tr>
<td>Judy Chang</td>
<td>11975 Walbrook Drive, Saratoga, 95070</td>
</tr>
<tr>
<td>Michael Szymanski</td>
<td>1450 Walbrook Drive, San Jose, 95129</td>
</tr>
</tbody>
</table>

DECLARATION OF PETITION CIRCULATOR

I, (Print name) ____________________________________________, state as follows:

(1) That my residence address is: (Number and Street)

_________________________________________________________

(City and Zip Code)

(2) That I, Judy Chang and Michael Szymanski circulated the foregoing petition and
saw the appended signatures being written.

(3) That according to my best information and belief, each signature is the genuine
signature of the person whose name it purports to be.

(4) That the dates between which all signatures to the petition were obtained are:

____________________________ and _______________________

(Beginning date) (Ending date)

I certify, under penalty of perjury, that this declaration is true and correct.

__________________________________________________________________

(Signature of Circulator) (Include first name and middle initial or first initial and
middle name)

Executed on ______________________ at

______________________________.
APPENDIX B
<table>
<thead>
<tr>
<th>APN</th>
<th>Street Number</th>
<th>Street Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>378-21-001</td>
<td>11871</td>
<td>Brookglen Dr</td>
</tr>
<tr>
<td>378-21-002</td>
<td>19007</td>
<td>Brookhaven Dr</td>
</tr>
<tr>
<td>378-21-003</td>
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<td>378-21-010</td>
<td>19123</td>
<td>Brookhaven Dr</td>
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<td>378-21-011</td>
<td>19151</td>
<td>Brookhaven Dr</td>
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<tr>
<td>378-23-009</td>
<td>5634</td>
<td>W Walbrook Dr</td>
</tr>
<tr>
<td>378-23-010</td>
<td>5626</td>
<td>W Walbrook Dr</td>
</tr>
<tr>
<td>378-23-011</td>
<td>5618</td>
<td>W Walbrook Dr</td>
</tr>
<tr>
<td>378-23-012</td>
<td>5612</td>
<td>W Walbrook Dr</td>
</tr>
<tr>
<td>378-23-013</td>
<td>1457</td>
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<td>5615</td>
<td>Brookhurst Ct</td>
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<tr>
<td>378-23-015</td>
<td>5627</td>
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</tr>
<tr>
<td>378-23-016</td>
<td>5641</td>
<td>Brookhurst Ct</td>
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March 20, 2015

Karen Stapf Walters, Executive Director,
California State Board of Education
1430 N Street, Suite #5111
Sacramento, CA 95814

Dear Ms. Walters:

The Santa Clara County Office of Education has validated a request to transfer 123 parcels from the Moreland and Campbell Union High School Districts to the Cupertino Union and Fremont Union School Districts. A copy of the request, verification of signatures, and maps of the property proposed for transfer are enclosed. I am providing the State Board of Education notice of this valid request pursuant to Education Code Section 35704.

Please contact Suzanne Carrig at (408) 453-6869 if you require additional information.

Sincerely,

Jon R. Gundry
County Superintendent of Schools

cc: Mark Barmore, Superintendent, Moreland School District
    Patrick Gaffney, Superintendent, Campbell Union High School District
    Dr. Wendy Gudalewicz, Superintendent, Cupertino Union School District
    Polly Bove, Superintendent, Fremont Union High School District
    Larry Shirey, School Fiscal Services Division, California Department of Education
    County Committee Members
March 18, 2015

Ms. Suzanne Carrig
Administrative Program and Evaluation Specialist
Santa Clara County Office of Education
1290 Ridder Park Dr
San Jose, CA 95131-2398


Dear Ms. Carrig:

We have received a total of 100 signatures, submitted on March 9, 2015. Pursuant to Education Code 35704 and Elections Code 105, in order to certify the petition, 25% or more of the registered voters in the area proposed for transfer must have signed the petition. The number of registered voters for the proposed territory is 233, therefore 58 signatures must be valid for the petition to qualify.

We verified 100% of the signatures submitted using petition guidelines issued by the California Secretary of State. Of the 100 signatures verified, 91 were found to be valid signatures. The number of valid signatures is greater than the 25% requirement, therefore this petition has passed.

If you have any questions concerning this matter, please feel free to contact me at (408) 282-3051.

Sincerely,

[Signature]

Maggy Smith
Election Division Coordinator
Voter Registration Division

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian
County Executive: Jeffrey V. Smith
CLERK'S CERTIFICATE TO INITIATIVE PETITION

I, SHANNON BUSHEY, Registrar of Voters of the County of Santa Clara, State of California, hereby certify:

That the Petition for Transfer of Territory – from Moreland School District and Campbell Union High School District to be transferred to Cupertino Union School District and Fremont Union High School District has been filed with this office on March 9, 2015.

That said petition consists of 23 sections;

That each section contains signatures purporting to be the signatures of qualified electors of this county;

That attached to this petition at the time it was filed was an affidavit purporting to be the affidavit of the person who solicited the signatures, and containing the dates between which the purported qualified electors signed this petition;

That the affiant stated his or her own qualification, that he or she had solicited the signatures upon that section, that all of the signatures were made in his or her presence, and that to the best of his or her knowledge and belief each signature to that section was the genuine signature of the person whose name it purports to be;

That after the proponent filed this petition I verified the required number of signatures by examining the records of registration in this county, current and in effect at the respective purportive dates of such of signing, to determine what number of qualified electors signed the petition, and from that examination I have determined the following facts regarding this petition:

1. Number of unverified signatures filed by proponent (raw count) 100

2. Number of signatures verified 100
   a. Number of signatures found SUFFICIENT 91
   b. Number of signatures found NOT SUFFICIENT 9
      1. NOT SUFFICIENT because DUPLICATE 1

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 18th day of March, 2015.

Shannon Bushey
Registrar of Voters

By: [Signature]
Deputy
DESCRIPTION OF PETITION
TO TRANSFER TERRITORY FROM
MORELAND SCHOOL DISTRICT AND
CAMPBELL UNION HIGH 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 123 parcels from the Moreland School District and Campbell Union High 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:

Kanaka Sriram  Judy Chang  Michael Szymanski
11871 Brookglen Dr  11975 Wallbrook Dr  1450 Walbrook Dr
Saratoga, CA 95070  Saratoga, CA 95070  Saratoga, CA 95070
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 123 homes and there are 35 public school students in the area according to the records of Moreland and Campbell Union High School District records. Campbell Union High School District and Fremont Union High School District are basic aid districts. 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).
NOTICE OF PUBLIC HEARING

ON:

A PROPOSED TRANSFER OF TERRITORY
FROM
MORELAND SCHOOL DISTRICT AND
CAMPBELL UNION HIGH SCHOOL DISTRICT
TO
CUPERTINO UNION SCHOOL DISTRICT AND
FREMONT UNION HIGH SCHOOL DISTRICT

The Santa Clara County Committee on School District Organization will conduct a public hearing to obtain public response to a request to transfer 123 parcels from Moreland School District and Campbell Union High School District to Cupertino Union School District and Fremont Union High School District.

The public hearing will be held at the following location and time:

Thursday, May 14, 2015  5:00 p.m.
Campbell Union High School District – Board Room
3235 Union Ave
San Jose  95124

For more information regarding the process and public hearings, contact Suzanne Carrig at (408) 453-6869.
NOTICE OF PUBLIC HEARING

ON:

A PROPOSED TRANSFER OF TERRITORY
FROM
MORELAND SCHOOL DISTRICT AND
CAMPBELL UNION HIGH SCHOOL DISTRICT
TO
CUPERTINO UNION SCHOOL DISTRICT AND
FREMONT UNION HIGH SCHOOL DISTRICT

The Santa Clara County Committee on School District Organization will conduct a public hearing to obtain public response to a request to transfer 123 parcels from Moreland School District and Campbell Union High School District to Cupertino Union School District and Fremont Union High School District.

The public hearing will be held at the following location and time:

Tuesday, June 16, 2015 4:30 p.m.
Cupertino Union School District – Board Room
1309 S. Mary Ave. #150
Sunnyvale 94087

For more information regarding the process and public hearings, contact Suzanne Carrig at (408) 453-6869.
NOTICE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT PUBLIC HEARING

ON:

A PROPOSED TRANSFER OF TERRITORY FROM MORELAND SCHOOL DISTRICT AND CAMPBELL UNION HIGH SCHOOL DISTRICT TO CUPERTINO UNION SCHOOL DISTRICT AND FREMONT UNION HIGH SCHOOL DISTRICT

Public Resources Code Section 21000 requires that public agencies review and document the environmental implications of their activities and actions. Under Public Resources Code Section 21065 school district reorganization is considered a project and therefore is subject to review.

The Santa Clara County Committee on School District Organization will conduct a public hearing to obtain public response to a request to transfer 123 parcels from Moreland School District and Campbell Union High School District to Cupertino Union School District and Fremont Union High School District.

The CEQA public hearing will be held at the following location and time:

Tuesday, June 16, 2015 4:30 p.m.
Cupertino Union School District – Board Room
1309 S. Mary Ave. #150
Sunnyvale 94087

For more information regarding the above issues, contact Suzanne Carrig at (408) 453-6869
Santa Clara County
Committee on School District Organization
Public Hearing #1
May 14, 2015
5:00 p.m.
Proposed Transfer of Territory from
Moreland School District and Campbell Union High School District
to
Cupertino Union School District and Fremont Union High School District

Location: Campbell Union High School District
3235 Union Ave, San Jose CA

Committee Members Present:
Nejleh Abed
Kathleen Sullivan
Mandy Lowell

Bill Martin and Judy Chang, Chief Petitioners:
Presentation attached
The following comments were made by Mr. Martin
• President of the Westbrook Improvement Association which is part of the 123 home neighborhood in the transfer area.
• View all of our neighbors as part of our neighborhood.
• Neighborhood is directly south of Lynbrook High School.
• Retired with two grown daughters; one is a teacher in Alum Rock School District and she lives in Campbell. Demographics are different in Alum Rock but parents have the same concerns; they want neighborhood schools and so do we, that’s why we are here.
• Feel more connected to the schools that are adjacent and north of us.
• Hope you will fairly and equitably hear our concerns.
• The natural boundaries are Saratoga Creek to the east, Lynbrook High School to the north, Johnson to the west, and Prospect Road to the south.
• Judy will talk more about safety but wanted to mention Prospect Road. Fremont Union High School District refers to it as moderately trafficked, but we disagree with that.
• The houses in the neighborhood are nice and have large lots. Bothered by the districts’ claims that this is about increasing property values; not one person has talked about property values, that’s not why we are here. These are our homes. Understand that the language on the resolutions is boilerplate but the claim bothers me.
• Area was subdivided in 1953 and our association was formed around 1967. Lynbrook was built in 1965 and Prospect was built 1968/69.
• Looked into history and it looks like the boundaries for the area were drawn about 50 years ago and maybe a mistake was made. Things have changed dramatically and it’s time to take a second look.
• Looking at the slide of the Lynbrook attendance area and it looks gerrymandered; 50 years ago there was probably some “horse trading” and our neighborhood wasn’t taken into consideration. Traffic is heavier now.
• We have this process, give us a chance.
• Why did all four districts say no? What’s going on? Perhaps a fear of change. Districts talk about the domino effect but please consider the integrity of this neighborhood and the safety of the kids.
• There is no real financial impact on the districts, the number of kids is not significant.
• Only seven high school kids would transfer but Fremont estimates that there will be 34 students – disagree with this projection.
• Enrollment at Lynbrook is flat, Cupertino has declining enrollment, and Moreland is growing.
• Personal experience we loved the Moreland schools, daughters went to Country Lane and it was a great school, great education. Country Lane is a neighborhood school but not our neighborhood, can’t let kids walk there. Much closer to Lynbrook.
• Kids in the future will benefit from this transfer.

Judy Chang reviewed the slides on traffic and safety and made the following comments:
• Emphasized the safety issues while traveling on Prospect Road; highlighted bike accident and the issue of student safety to schools.
• Stated that the bike accident on Prospect involved a student from Lynbrook. After witnessing the accident Ms. Chang left a message with the Lynbrook principal. She also stated that the accident did not appear on the sheriff’s records because the sheriff did not come to the scene of the accident.
• Parents in the neighborhood don’t let kids walk or bike to schools in Moreland due to the safety issues.

Affected Districts

Patrick Gaffney, Superintendent, Campbell Union High School District:
Mr. Gaffney made the following statements:
• CUHSD board unanimously adopted a resolution in opposition to the transfer request and found that the request does not meet the criteria in education code, that there is a financial impact on the district, that there will be an increase in property values, and that this will set a precedent for transfer out of the district.
Member Mandy Lowell:
Asked Superintendent Gaffney if he had any information on the 32 versus seven students in the area.

Mr. Gaffney:
Stated that the district provided staff with the current number of CUHSD students in the area proposed for transfer and that number is seven.

Staff clarified that the estimate of 32 students was provided by the FUHSD.

Member Lowell asked if there were any interdistrict transfer agreements from the area.

Mr. Gaffney stated that there was one interdistrict transfer agreement issued in the last five years for a student in the area proposed for transfer.

Mark Barmore, Superintendent, Moreland School District:
Mr. Barmore made the following comments:
• Our district is on record opposing the transfer; passed a resolution on April 28th.
• Most of the reasons are financial, feel that there could be a significant impact on our bond obligation and the loss of ADA could be as high as $250,000.
• Demographer helped with student numbers, our estimated loss of students is 28
• The loss of 123 parcels could affect the district’s ability to issue bonds
• Measure K in 2010 for $53 million, still have another $15 million to go; the assessed valuation of the homes has an impact on our ability to issue bonds, there could be some risk to the district if we lose the parcels.
• The district budget is still being finalized but looking at the preliminary data our current reserves is about 4% - barely above the 3% required by law. Loss of dollars will have a huge impact on the district.
• Over the past seven years our district has grown by about 800 students
• Spent millions upgrading Latimer and it opened in the fall. There are plans to expand Latimer to a K-8 campus; the construction will begin next year. Yes, the district was packed but now there is plenty of room for students.
• There was a recent success for a charter petition – Wei Yu Charter – that, when operational, could draw away students from the district. At this time we don’t know how many that would be.

Committee Chair, Nejleh Abed:
Asked if Moreland was a basic aid school district.
Staff stated that only CUHSD and FUHSD are basic aid districts.

Member Mandy Lowell:
Asked if the schools in the district had parent organizations.
Mr. Barmore stated that each of the schools has a home and school club.

Chris Jew, CBO, Cupertino Union School District:
- Board passed a resolution in opposition to the request for the same reasons as the other districts have stated.
- There will be an impact to some districts; to CUSD 123 additional homes – all it takes is one special needs child that could move into the district that could then create additional costs to us and to the state which is one of the criterial to evaluation these types of requests.
- CUSD agrees that this is a precedent setting situation. There are adjacent neighbors on the other side of the creek that could request a transfer and there is the potential for more petitioners to make the same case.
- Notice on the petitioners slides that they show John Muir as the elementary and on another handout the distance to Murdoch Portal; want to let you know that Murdoch Portal is not a neighborhood school but an alternative program school.
- Don’t disagree with the distances between the middle schools.

Chair, Nejleh Abed:
Asked Mr. Jew if there was a decrease in enrollment in CUSD.

Mr. Jew:
Stated that no the district is growing but there are pockets of decline and pockets of increase. Seeing some decline in the south end. We are having to provide options for parents to move to schools where we have capacity. We offer through choice and we offer through offering alternative programs so we have space for all of the kids in the district. So we are impacted when you look at it that way.

Jason Crutchfield, Director of Business Services, Fremont Union High School District:
Mr. Crutchfield made the following comments:
- Clarified that there is a difference between enrollment projections and how many kids are actually living in the area; the petition is not for four years it’s for the lifetime of these homes. So our district uses a projection based upon similar neighborhoods, that’s where we get the 32 students.
- There are already 28 students at the elementary level and they’re going to move up; we feel our numbers are accurate.
- We are a high demand district and people find a way to into our boundaries.
- Understand the desire of the petitioners to attend our schools.
- District spends $500,000 a year in residency verification and we dis-enroll nearly 300 students due to illegal residency.
- Our district is constantly petitioned and asked to expand its boundaries to take more kids but the district can’t afford to have enrollment go further beyond current capacity.
- Expected to have 12,000 students by 2021, currently at 10,700 – that’s fairly substantial growth. District is currently 100 students over capacity and expect to be 300 over capacity by 2021.
• District recently passed a general obligation bond. Need to build classrooms to catch up. Cupertino High School alone will have a 200 student growth just next year.

• There is a financial burden to the district – we know we will get the property tax from these homes which are nice homes and that will help cover cost of students but there is a capacity issue. The district would need to build at least one new classroom to accommodate new students. The estimated cost of a new classroom is $1.2 million and that’s not in our plans at the moment.

• The property was never within our district, the homeowners knew there were in Moreland and CUHSD.

• Feel that there has been some misrepresentation of information regarding the criteria.

• We understand the safety issues – our district has safety issues as well. We work with the city to improve safety.

• Over 300 students have to cross Prospect Road to attend Monte Vista and Lynbrook and none have ever asked to leave due to safety concerns. There are over 7000 district students who cross busier streets than Prospect. Busy streets include Highway 101, 237, 85, 280, El Camino, Central Expressway, Foothill, Stevens Creek, Wolf Ave. That’s why we stated that Prospect Road was moderately busy.

• All cross points to Prospect High School are well marked and well lit, and there are cross walks.

• The homes in this area are some of the closest homes to Prospect in the Prospect attendance area so we don’t feel that distance to schools is a good argument.

• Petitioners talk about isolation but it’s a neighborhood of 113 homes and a couple of different neighborhoods – don’t think it’s isolated

• The petitioners state in the petition that Lynbrook has open enrollment, that is not true – in 2011 we did allow about 30 students to transfer into Lynbrook so we could ease capacity at other high schools. Right now Lynbrook is a little low but we’re hundreds over in other locations but we have to find ways to move kids over so there is room in classrooms at other schools. We fully expect Lynbrook to exceed capacity in the next five years. We are looking at program changes, boundary changes, voluntary transfers to get students to move into Lynbrook so we can ease overcrowding at other sites.

• Would love to be able to accept all homes on our boundaries but the reality is there is always someone over the boundary line that will want to come into our schools. We don’t have the money or capacity to accept them.

Chair, Nejleh Abed:
Asked Mr. Crutchfield that if some of the high schools are impacted the district transfers them to Lynbrook.

Mr. Crutchfield:
Stated that the district has a five year plan to move 300-500 students to Lynbrook. The district expects the four other high schools to have an enrollment of 2,600 students by 2021.
Registered Speakers

Patricia Belvel, Resident/Proponent:
Ms. Belvel was unable to attend the hearing; Judy Change read her letter for the record. The letter is attached.

Samuel Carlino, Resident/Proponent:
- Born and raised in San Jose
- Buying a house in this neighborhood was a really big deal for us
- Find the home value argument insulting
- The creek is the natural boundary for this neighborhood, that’s the line, and that’s what should be considered.
- My house is eight houses away from Lynbrook High School but my kids can’t go there. We can see and hear all of the different activities but kids won’t be able to enjoy that school. We have no association with Prospect.
- What’s the difference of 26 additional students if the district expects 12,000 by 2021?
- The argument that one district will lose $250,000 for the safety of kids, don’t put a price tag on a child’s life, that argument is insulting.
- The creek is the natural boundary and our neighborhood should have been drawn into FUHSD 50 years ago.

Kathy Laton, Resident/Proponent:
- Lived in neighborhood since 1962
- Went to Prospect High School
- Have three children – 15, 19, and 21. Older one went to Prospect.
- Went to Country Lane in Moreland and did the commute for years. We live just 10 houses from Lynbrook and can walk there in five minutes but the drive to Moreland Middle School takes 25 minutes.
- Would never let kids walk or bike to Moreland schools – see kids get hurt.
- Has seen three accidents involving kids on bikes in her years of driving kids to school.
- At Prospect High School you have to wait three cycles at the light to get through but kids can get to Miller Middle School in five minutes.
- Amount of traffic has increased so much – has increased five times as much.

Member Lowell:
- Asked Ms. Laton where her youngest child attends school. Ms. Laton stated that her youngest attends Mitty.

Brent Fairbanks, Resident/Proponent:
- Two small children, we can’t walk to Country Lane, not in any reasonable amount of time.
- Can’t let kids bike to school
- My biggest concern is the safety of my children. I’m most concerned about Lawrence Expressway and Saratoga Avenue for when my kids go to middle school. Recognize that
Prospect Road is not as busy as Saratoga, but representative from FUHSD called out Saratoga as being a busy road.

- Built our house about four years ago and intend to be there for the duration.
- Can hear the activity from Lynbrook
- Kids play at Rainbow Park
- Would like to have the entire neighborhood west of the creek contiguous in terms of school district.

**Suresh, Resident/Proponent:**
- Have lived in the neighborhood for five years
- Representative from FUHSD pointed out the Prospect Road is busy but not that busy compared to other roads in the school district. There is a difference in crossing Prospect Road by Miller Middle School compared to crossing by Prospect High School at 7:30 or 8:00 a.m.
- Drive past Prospect High School every day for the past five years and see a lot of unsafe driving, parking, drop-off of kids. See children run across the road to the high school.
- There is a significant difference in saying that it’s busy and fine; it’s not okay by Prospect High School but it may be okay by Miller.
- Just because there is a group of people on the other side of Prospect Road who do not want to leave the district doesn’t mean that we can’t want it, our reasons are different.

**Chair, Nejleh Abed:**
Stated that she knew there were traffic lights on Prospect Road by Prospect High School but asked if there were any crossing guards or other type of monitors to help.

**Patrick Gaffney** stated that there were no crossing guards for the high school. Someone in the audience stated that Lynbrook High School has a crossing guard. **Jason Crutchfield** then stated that was due to the fact that there was not light there just a crosswalk.

**Billie Hsia, Resident/Proponent:**
- Living in Westbrook neighborhood since 1988
- Both kids went to school in the districts – Country Lane, Rogers Middle and Moreland Middle and daughter graduating from Prospect High School this year
- Kids grew up in the Lynbrook area – play and use fields at Lynbrook High School
- Kids have had to use the bus/district transportation to get to the schools; the district has all of these buses for just a small number of students, we have to pay for that.
- Recent incident with our daughter, she wants AP music program but it’s not available in the district, closest program is at Gunn High School in Palo Alto.
Bill Martin, Resident/Proponent/Chief Petitioner:
- Want to make a rebuttal to the comment from FUHSD regarding enrollment; I did not say that the enrollment for the district was declining but only that the enrollment for Lynbrook was stable or declining. I think he admitted that they were moving kids into Lynbrook and that was my point.
- Saratoga Creek is a natural boundary and for some reason 50 years ago the boundary changed and instead of following the creek all the way south to Prospect Road horse trading occurred and we were excluded and the boundary went west.

Kanaka Sriram, Resident/Proponent/Chief Petitioner:
- I have two children and have lived in the neighborhood for many years.
- First started thinking about this issue when driving kids to kindergarten on Prospect Road. Prospect is crazy so I started looking for alternate driving routes. Started thinking why is our neighborhood in these school districts – Moreland and Campbell High – when we are much closer to schools in Cupertino and Fremont Union High.
- I realized that our home schools are much further away than the schools that are actually in our neighborhood but our kids are not allowed to attend. That’s when the petition was started.
- Driving on Prospect is dangerous; I have personally witnessed near misses and dangerous situations with kids crossing the street. This prompted me to start the petition, especially after hearing about the student from Monte Vista that died.
- We don’t want one more child to die because of what was done 50 years ago for whatever reason; I don’t understand why our neighborhood wasn’t included.
- What surprises me are all the contradictory challenges from the districts; it seems their standard policy is just to say no. No one is open to change – why aren’t we putting our kids first; the safety and community of the kids should be a priority.
- Why are 27 kids so much of a burden to a district that will have 12,000 students?
- Isolation is an issue. My son played on a soccer team in the neighborhood where 99% of the team attended Cupertino schools, he felt left out.
- We get mailers from Lynbrook High School asking to participate in fundraising or updating on information but still the kids are not allowed to go there.
- Is a few thousand dollars more important that the safety and community of the child.
- I thought America was about change and that this committee was in place to hear our concerns. Just looking at the reactions of all the school district I feel disappointed and uncertain especially when I hear their arguments about property values. I paid millions of dollars for my home and I’m not going to sell it.

Randy Shingai, Cupertino School District Resident/Opponent:
- Stated that the petitioners need to go by Cupertino High School and Monte Vista High School to see real traffic.
- The Brookview neighborhood on the other side of Prospect Road tried to transfer 200 parcels but was turned down by the County Committee; they appealed and were turned
down by the State Board of Education. Should take a look at the staff report (handout attached).

- The County Committee has guidelines on geographic isolation; 20 minutes is the minimum to consider and you (the petitioners) are not going to be considered.
- Regarding safety, Saratoga is going to spend almost $5 million on Prospect fixing it up; making upgrades to Prospect Road possibly from Miller to Lawrence Expressway.
- One of the things in the state staff report in the appeal was a recommendation that if the State Board were to overrule the County Committee that the election should take place in a larger area. The staff recommended that the election should be held in at least Moreland and Cupertino school districts. I would ask the County Committee that if you do rule in favor of this transfer that you expand the election area to at least the two elementary school districts.
- Children in the Stocklmeir attendance area in Sunnyvale and in the attendance area for the elementary school my son attended, Eisenhower, were sent to Muir because the schools were overcrowded and that’s a long way.
- Participate on a parcel tax and bond oversight committee for CUSD and participate in a lot of parcel tax and bond measures. One of the things about parcel tax measures is that the state can’t take a penny. There has to be a link between willingness to pay the parcel tax and the feeling that it somehow benefit’s them.

Judy Chang, Resident/Proponent/Chief Petitioner:
- Lived in the neighborhood for 15 years.
- Three kids, 16 year old is at Mitty, two younger kids attend CUSD on an interdistrict transfer. Husband just received a job offer from CUSD. Probably the only parent here who has had children in both Moreland School District and Cupertino.
- You will hear a lot of numbers and “facts” but a good decision is based on your knowledge and who you believe. Do you believe we have a safety issue and a community identity issue?
- Daughter transferred into CUSD in 2nd grade. In kindergarten she was in community recreational soccer and all of her teammates were in CUSD and they all knew each other. At the end of the season she no longer wanted to play soccer. Four years later, now that she attends CUSD schools, she is back on the soccer team with her friends. Gets a sense of community from the team.
- Little League is the same situation, Cupertino American is the league and all practices are held at Miller field in CUSD, this is a bike ride from home.
- Everything is centered around CUSD.

Jem Taysi, Resident/Proponent:
- Resident of the area for 10 years
- Grew up in Cupertino, went to CUSD/FUHSD schools
- Have two children in kindergarten
- As a child I was able to walk to school kids now can’t walk to school even though they would like to
• Not here for financial reasons, here for the kids and for lifestyle – being able to walk to school. Important for parents to give kids that experience and life lessons.
• There is a hard boundary with the creek; precedent issue shouldn’t be a factor here. There is a physical boundary.
• There is a relative risk, can have kids walk 8 homes away to school or have them cross busy streets.

Member Mandy Lowell asked Mr. Taysi if he knew that his home was in Moreland and CUHSD when he purchased the home or if he had been misled. Mr. Taysi stated that he did not have children at the time is home was purchased so the issue of school district was not a factor.

Chair Nejleh Abed asked staff to find out what the area on the other side of the creek was, either residential or commercial properties.

Unregistered Speakers

Cliff Moore, Resident/Proponent:
• Used to live on the other side of the creek but moved to become part of the current community.
• Son currently attends Prospect High School but at one point had him in private school because of the commute to school was dangerous.
• Son’s friend was hit by a car and was in a coma as he was crossing Prospect Road on the way to school. Students who are in a hurry are not using the crosswalks. Drives son to high school because of the dangerous travel conditions. There are serious safety factors that are not present if the kids went to Lynbrook or CUSD schools.

Nancy Forristel, Resident/Proponent:
• Moved into her home in the area in 1962
• Kids went to Cupertino schools with permission from the Superintendent
• Should be concerned by what these parents are saying regarding the safety issue
• Feels the committee should grant the transfer and not be so rigid – a compromise should be in order.

Bruce DeBoer, Resident/Proponent:
• Graduated from Miller Middle School and Lynbrook
• Moved into the neighborhood eight years ago
• No children but have past affiliation with Lynbrook
• Didn’t move into the area because of the district but because it’s a community and its proximity to Lynbrook; we go to all the games at Lynbrook, that’s important to us.
• Homeowners in the neighborhood want to establish a sense of community and tradition – that’s what’s important.

Public hearing ended at 6:25
Santa Clara County  
Committee on School District Organization  
Public Hearing #2  
June 16, 2015  
4:30 p.m.  

Proposed Transfer of Territory from  
Moreland School District and Campbell Union High School District  
to  
Cupertino Union School District and Fremont Union High School District

Location:  Cupertino Union School District  
1309 S. Mary Ave., #150, Sunnyvale

Committee Members Present:  
Nejleh Abed  
Albert Beltran (arrived 4:45)  
Frank Biehl  
Josephine Lucey  
Kathleen Sullivan

County Office Staff Present:  
Suzanne Carrig

**Bill Martin and Judy Chang, Chief Petitioners:**  
*Presentation attached*

The following comments were made by Mr. Martin

- President of the Westbrook Improvement Association which is part of the 123 home neighborhood in the transfer area.
- Retired, had two girls attend Moreland schools – Country Lane and Rogers – and then they attended Prospect High. They got a good education.
- Country Lane is a great neighborhood school but it’s not in our neighborhood, it’s 2.5 miles away.
- The neighborhood is bounded on the north and the west by Cupertino and Fremont districts, on the south by Prospect Road, where there’s lots of traffic, and on the east by Saratoga Creek which is a natural boundary
- The boundaries, as they exist right now, the school district boundaries follow the creek south then the boundary goes west and it stops at our neighborhood, don’t know why.
- The boundaries don’t make sense to me; it’s time to make a change. We would like you to redraw the boundaries along the creek and include us.
- Regarding process, why is there a redistricting committee? Why is there education code that allows for this change? It’s human endeavor, because mistakes are made, and things change. It is drastically different from the early 1960’s to now.
• Drawing lines can be a hard thing to do but things change over time. Wise institutions allow for systems of change. Need to allow for amendments.

• We contend a mistake was made 50 years ago. We think if you follow the rules the principals that have been followed, drawing lines is difficult, rules that you’re not supposed to divide a community, supposed to enhance safety, and try to follow natural boundaries if you can and, for some reason 50 years ago, they didn’t do that. We are just asking for you to follow the creek and include us.

• We naturally look to the north and the west because you don’t have to cross Prospect Road. We used to practice at Lynbrook fields because they were closer; we’re 15 houses away from the back gate of Lynbrook, it’s a five minute walk and we don’t have to cross Prospect Road.

• Fortunately, we have guidelines, use criteria, need for correction is clear.

• Just want to put out there why are the districts afraid of this, they are routinely against this change. I understand this, they don’t like change, they don’t need more change, they have enough chaos dealing with budgets, etc. This shouldn’t be easy to do but I think that it should be possible. I don’t share the district’s fear that this will set a precedent. Granting this petition will not create undue harm to the district.

Judy Chang referred to and reviewed the slides on traffic and safety and made the following comments:

• Asking for the transfer on the basis of safety and community identity.

• It’s a far safer option to attend schools in Cupertino than in Moreland, that’s what we’re asking for, asking for you to approve our kids safety.

• Fremont contends that we have overblown the safety issue but when you look at the difference in commuting on Prospect Road to commuting on Brookglen I think you’ll find we have a significant difference between the two.

• Referring to the picture in the handout, a picture of an average morning, bumper to bumper traffic.

• The average speed on Prospect is 42 mph, according to the 2013 Saratoga speed report; on Brookglen the average speed is 27mph.

• If you’re a person who gets hit by a car on Prospect as opposed to being hit on Brookglen, your chance of fatality is 3x. Compound that with the volume of traffic on Prospect – 25,000 cars per day on Prospect on the one mile stretch between Miller and Lawrence Expressway.

• On Brookglen that’s 470 cars, that’s a difference of 60x. That shows itself in accident data, traffic data, medical data from San Jose Police; you see 123 tickets on Prospect compared to 3 or 4 on Rainbow and Johnson. That’s not a moderate difference, that’s a significant difference.

• Also asking for the transfer based on community identity. CDE has stated that community identity can be established by transportation patterns, parks and recreation, and sports activity. For the transportation category none of us parents would let our kids walk to Moreland schools. Kids are not going to cross a six lane Lawrence Expressway with 50 mph.
Nobody lets their kids do that, instead our neighbors send their kids to Easterbrook Discovery and these kids board the bus at 7:10 am so that they can be to school by 8:10. It’s $390 per kid per year and it’s a complete waste of money, time, and gas when they could have a 15 minute walk to neighborhood schools.

**Affected Districts**

**Mark Barmore, Superintendent, Moreland School District:**

*Mr. Barmore made the following comments:*

- Transfer would have a significant economic impact on Moreland; want to highlight those issues.
- Want to reiterate that the board passed a resolution in opposition to the request on April 28th for various economic reasons.
- Adverse impacts include an estimated loss of ADA of $200,000 on an annual basis plus another $12,000 in parcel tax loss. Again, these are estimates and I wouldn’t be surprised if there were higher.
- Transfer would have a negative impact on our ability to issue bonds. In 2010 a measure passed for $55 million bond. We have yet to issue another $15 million bonds. The loss of parcel would make it difficult and will slow us down in issuing those bonds. We have another $15 million to go; one part of it we would like to issue later this year, another part next year.
- The budget will go to the board for final approval at the next meeting. One thing that we know is clear is that our reserve level is low; it’s between 3% and 4%, 3% is the minimum. We are very close to the margin and any economic impact especially in the $100,000 could impact us and we’re quite concerned about that.
- Last month SBE approved a charter school, they have yet to find a location and they may not have one in Moreland but we do know for sure it will draw students away from the district but the number of students is unknown at this point.
- A point was made by petitioners at the last hearing at us being at capacity, the suggestion being that we didn’t need the kids because we were already full. We have responded to that need and we’ve already devoted tens of millions of dollars to expand our district. We reopened a school this year – Latimer Elementary – then subsequently made the decision to expand it to a K-8 spending several more millions over the next year to afford that expansion. We in fact will have room for the students we currently have and that we anticipate.

*Chair Nejleh Abed asked Superintendent Barmore how many students were in the area. Superintendett Barmore stated they estimated the number at 26 or 27. Staff stated that as of April 28 there were 25 students in the area.*
Chris Jew, CBO, Cupertino Union School District:
- Board passed a resolution in opposition to the request for the same reasons as the other districts have stated.
- There are impacts to Cupertino School District in potential facility costs to accommodate many more students than are attending Moreland at this point in time.
- Want to point out one thing, if I recall right, the petitioners identified one elementary school that’s closer in proximity than the elementary school in Moreland. I believe the petitioners identified Murdoch Patal as the closest elementary school and I would imagine the school of preference. Murdoch Patal is not a neighborhood school it’s a choice school so there aren’t necessarily neighborhood children that go to that school.
- Those that live in the affected area would not automatically qualify to attend Murdoch Patal on proximity and thinking it’s a neighborhood school.
- At the last hearing one of the speakers had identified a request that had gone to the county committee to identify about 200 residential parcels in the Brookview neighborhood. The Brookview neighborhood is on the opposite side of Prospect. The county committee went through the process to consider the transfer and it involved the same school districts. The county committee denied the petition and the petitioners appealed the decision. The decision was upheld by the State Board of Education. I would like the committee to go back and review the situation in regards to Brookview and look at any similarities to the current request.

Member Kathleen Sullivan:
Are you saying that they wouldn’t necessarily be able to walk to the school if the transfer was approved?

Chris Jew:
Murdoch Patal is technically not a neighborhood school, it’s an alternative program and parents would have to go through a lottery process. In this case the petitioners would have to travel further; the nearest neighborhood school is John Muir which is about the same distance as Country Lane.

Member Kathleen Sullivan:
It would still be in walking distance?

Chris Jew:
Just wanted to point out that the petitioner identified a school that’s closer to them but that it’s not a neighborhood school.
Ron Wheelehan, Asst. Superintendent, Business Services, Campbell Union High School District:

Mr. Wheelehan made the following statements:
- Here on behalf of the superintendent and board of education.
- Board adopted a resolution no to consent to the transfer on April 2, 2015.
- Transfer would negatively fiscally impact the district. Our estimates are $150,000 to $200,000.
- We did look into the current high school population, there are currently seven high school students representing five parcels. There is only one transfer into Fremont and that was done for professional reasons, it was a courtesy transfer.

Jason Crutchfield, Director of Business Services, Fremont Union High School District:

Mr. Crutchfield made the following comments:
- We understand the desire to enter our district. We have about 1,000 families trying to come into our district whether they live in the district or not.
- We spend about $500,000 a year on residency verification due to the demand of students trying to get into our district.
- We dis-enroll about 300 students every year due to faulty residency. We do feel under siege. Our district has been involved in about 4 requests to transfer in this general area since 2003 and we worry about the impact due to enrollment growth.
- We are currently projected to have 11,941 students by 2021. We currently have 10,733 students and our current capacity is 10,632; that puts us 1,309 short of what that projected enrollment is going to be.
- We have a supportive community that passed another bond measure that will allow us to build additional classrooms. We are racing to build classrooms for the projected students.
- Looking at similar neighborhoods right next to this neighborhood that are in the Lynbrook area, the student generation rate is .3. This is every high but almost one in every three homes will send their kids to the high school. With this student generation rate there could be 30 or more students in the area and that’s a fairly largely student impact.
- We don’t think the per student cost will be an issue since it would be offset by the property value we would get from those properties but we need to know where to place those students. If we’re looking at 1,300 seats needed and adding 30 or more.
- The impact is unfair to current students and families that have moved into our boundaries and paid the higher cost and went through the hoops to get into our district. To add these new parcels simply because they moved there, knew the school district; the decision was made by each of those homeowners.
- We don’t belittle the safety concerns. We lost a student this year due to safety and we’ve probably done more than any district to try to research and find solutions to that. What we know is that we have over 300 students that currently cross Prospect to come to our district and we’ve never had a single student from those areas request to leave our district due to safety concerns.
• Looking at our boundaries and all the cities that includes, it’s estimated that about 7,000 of our students travel across streets busier than Prospect; from Highway 101, 237, Fremont Avenue, Sunnyvale-Saratoga Road, Wolf Road, Homestead, and Stevens Creek.

• We have learned that students of a high school age can cross the street with a light very safely.

• The uncontrolled intersection in from of Lynbrook – without a light – we have to pay and train staff to monitor traffic because it’s dangerous.

• If you look at Prospect, there are multiple locations where that street can be crossed with traffic signals controlling it.

• On five occasions since I first received notice of this petition I’ve been out to watch traffic and watch cars come in and out of the school (Prospect HS) and it’s calm and safe compared to what happens in front of our schools without traffic signals of any kind. We’re paying officers and teachers to do it; everything we can to try and control traffic because we don’t have lights.

• Chris Jew (Cupertino SD) mentioned the State Board of Education upholding the county committee’s decision from 2008. Found one part of the appeal where the State Board talks about criterion two, community identity. Would like to remind the petitioners that criterion two talks about the community identity of the school district not the selected residence of various neighborhoods. The State Board talks about the community within the district boundaries that affected and in this case what they said is that there are so many different cities and so many different school districts that unless we go back to one city, one district it won’t fix this.

• The west side study from 1997 basically said that there are so many boundaries like this that if you change one it’s a problem for somebody else.

• Anytime one of our boundaries has been moved the people that are now close to that boundary petition and want to get into that school. It seems that there is no stopping on how far we can stretch our boundaries.

• We do believe this is precedent setting; we do see a number of these petitions over and over again. Our boundaries have remained fairly consistent since 1923; the only change that has come is when unincorporated areas have been annexed in or changes like this.

• Our board unanimously passed a resolution in opposition to the request.

Registered Speakers

Kanaka Sriram, Resident/Proponent/Chief Petitioner:

Ms. Sriram provided a written statement of her comments (attached) and made some additional comments:

• First started thinking about this issue when driving to kindergarten. Prospect is crazy so I started looking for alternate driving routes.

• I realized that our home schools are farther away than the schools that are actually in our neighborhood but our kids are not allowed to attend.

• My son played on a soccer team in the neighborhood but didn’t want to play because all the kids were in Cupertino.
• We are in the back yard of Lynbrook; we’re the only neighborhood that borders Lynbrook. The kids play there, we get mailers from Lynbrook High School asking to participate in fundraising or apologizing if something goes wrong, but still the kids are not allowed to go there.
• This is a public school system, the kids need to come first; their interests and their safety should be first and foremost.
• School districts talk about the financials, that’s important, but we are less than .2% of all of it.

Sriram Chakravarty, Resident/Proponent:
Mr. Chakravarty reviewed slides as part of his statement to the committee; slides are attached.
• Want to talk through some of the numbers; there have been a lot of numbers presented.
• If you look at the numbers, just the absolute numbers, I don’t think it gives the full picture. I want to give you a sense of what these numbers really mean from a school district perspective as well as from our perspective.
• All of this data is public and available.
• The point we’re trying to make is that the numbers here, compared to the entire school district numbers, are really small.
• On the flipside, if you look at it from our perspective, from the kids’ perspective, we do think security is a big issue for us. As we look at each and every day as the traffic is increasing, this is a big issue for us and we would like you to consider security first, in front of everything else.

Patricia Belvel, Resident/Proponent:
Ms. Belvel read from her written statements, a copy of these statements is attached along with maps of the neighborhood.

Jeff Mitbo, Resident/Proponent:
Maps/slides from Mr. Mitbo’s comments are attached.
• Three children who have attended both Moreland and Cupertino schools on and interdistrict transfer. Two attended Easterbrook Discovery and all three attended Christa McAuliffe.
• Commenting on community identity, more than 10 years my kids have played with Cupertino American Little League. Would like to point out that almost without exception players in Cupertino American Little League are almost entirely, with the only exception being our neighborhood, exactly match the dimensions of the Lynbrook attendance area.
• It is true that the focus for our neighborhood is to the west and the north; kids ride their bikes to Rainbow Park. They ride to Miller Field which is the home field for little league. The kids ride their bikes to practice, they play in the park after practice, and they can walk home from Miller and Rainbow Park at night in a safe neighborhood.
• This is the picture of a community. The fact that we have Lynbrook players coming over and watching their ex-teammates, they come over and play with them; this wouldn’t happen if you didn’t call this a single community.
• The fact that the kids who live in our neighborhood are the only ones who don’t go to school with the other kids in the league shows the anomaly to the way this line has been drawn.
• To preserve this sense of kids playing together after dark and walking home and seeing their friends at the park – that’s what I’m here to talk about.

Samuel Carlino, Resident/Proponent:
• Disappointed that we have to fight for this sliver of land. When I hear that there are 25 children out of 12,000 – that doesn’t make sense to me. They have 12,000 kids in their student community and they’re going to lose 25 kids.
• The creek is a natural boundary to the neighborhood.
• Everything goes north and west. It doesn’t make sense that kids have to cross Prospect.
• When I drive kids to school we witness cars on Prospect making illegal U-turns and kids getting out of the cars in the middle of the street; it’s an accident waiting to happen.
• Regarding property values and taxes, my property taxes have increased over the last few years and I’m sure the districts are getting some of that.
• Brookview neighborhood petition didn’t make sense because they were on the other side of Prospect. We have the creek as a natural boundary and Lynbrook is literally in our back yard.
• Can’t understand why this would be bad for both districts.

Larry Hernandez, Resident/Proponent:
• Limit remarks to questions about three priorities: 1) the element of child safety, I can attest to this as a 30 year resident. I marvel daily at the mayhem that is Prospect Road. I think anyone who has been there to witness the morning rush into there would understand the concerns these parents have. 2) I’ve never been able to find out why it is that this neighborhood exists in an unnatural way; it’s removed from everything that would appear part of the district. I hear a lot of people saying that if we do this once it opens the flood gates. When I look at the map (see attached) I fail to see any like this one neighborhood that’s cut out from the district.
• I doubt these boundaries have been enforced since 1923, I don’t know that there was much here in 1923 but it seems that this has proven to be a hardship for my neighbors. When I had kids in school there were issues then.
• From the standpoint of the focus of this neighborhood, all of the elements the children naturally go to are in the opposite direction of the schools they are forced to attend. It is important to their growth and to the substance of the community to go to schools in their community.
• All of us have known each other for a long time and we’ve always had a very strong sense of community and we vehemently defend that when we have the opportunity and improve it.
• Provided a copy of area map – see attached.
Kathy Laton, Resident/Proponent:
See attached letter read by Ms. Laton

Suresh, Resident/Proponent:
See attached letter read by Suresh

Billie Hsia, Resident/Proponent:
- Living in Westbrook neighborhood since 1988, kids were born in the 90’s.
- The bussing issue – all of my kids have to take the bus to elementary and middle school. My youngest daughter goes to Moreland School which was even farther and sometime she has to walk home and pass three major streets – Hamilton, Saratoga Avenue, and Lawrence Expressway.
- There were a few incidents with the bus when my daughter got on the wrong bus, no cell phone then, worry when she doesn’t get off the bus. The bus took her back to the district and we have to pick her up there.
- Kids grew up in the Lynbrook area – play and use fields at Lynbrook High School
- Recent incident with our daughter, she wants AP music program but it’s not available in the district, closest program is at Gunn High School in Palo Alto.

Bill Martin, Resident/Proponent/Chief Petitioner:
- Brookview is south, on the other side of Prospect Road. It’s a completely different neighborhood and a completely different situation.
- Want to emphasize that we’re a unique neighborhood that looks north and west towards the school districts we want to join.
- We won’t set a precedent and open up the flood gates that would allow everyone south of Prospect Road to join in.
- This is a unique neighborhood and a unique situation.

Judy Chang, Resident/Proponent/Chief Petitioner:
- Have lived in the Westbrook neighborhood for 15 years.
- Kids’ safety comes first, that’s really what we’re here about.
- We feel strongly that attending CUSD/FUHSD schools is a safer option for our kids. We actually found that CUSD/FUHSD also believe that because the city council of Cupertino and the National Safe Routes to School Program voted to und safe routes to school; to get cars off the road, to put kids in biking and walking distance to schools, and making safer paths to schools. We’re asking for the same things the school districts are asking for we just happen to be in a different school district.
- I have three kids that attend CUSD on interdistrict transfers and it’s been a huge benefit to them in terms of strengthening their sense of belonging.
- Ms. Chang then read from her letter – see attached letter.
Jem Taysi, Resident/Proponent:
• While we are in our current school district we do identify more with CUSD and FUHSD.
• We are a unique community that won’t set a precedent because of the natural borders that we have. There’s no chance of anyone formulating an argument that would dovetail off of our argument.
• We are closer to Lynbrook than 90% of existing families within the Lynbrook attendance area.
• Understand there are others in FUHSD that cross major intersections to get to school but with us there a choice you have to make. That there’s a choice between something very dangerous and something that’s quite safe.
• It’s irresponsible to let kids walk to Moreland schools especially when you have another choice that’s so simple and so obvious makes for an easy decision.
• I was rear-ended in front of Prospect High about 2-3 years ago, police officer couldn’t respond so that accident went unreported.
• Grew up in CUSD and had the experience of walking to school, want to give that experience to children because there’s more to school than just academics, it’s about character building as well and walking to school is part of that experience.

Cliff Moore, Resident/Proponent:
• Have two children, live on Walbrook Drive
• Regarding community, my son was in little league, all the kids went to Cupertino schools and the friendships fell apart; hard to maintain because walking or bike riding was dangerous and many parents can’t drive them.
• Community nexus is right where we are.
• When I went to a family law class they talked about the standards that are supposed to be applied and in law it’s supposed to be in the best interest of the kids. The district talks about financials.
• You should be thinking about what’s in the best interest of the kids because I think it’s pretty compelling that our kids are best served by going to school locally.
• My son does go to Prospect – we took all kids out of Moreland – we were going to have them commute to Country Lane. My son wanted to go back to public school; he’s enjoying it and making friends, it’s everything we hoped it would be. He did report to me that one of his friends was hit by a car while crossing Prospect Road. It’s what I fear for him because no matter how many times I tell him to go to the light he’s going to bolt across to the median. That’s what 17 year olds do and it’s dangerous. That’s not going to change unless you move them to another district.
• My daughter won’t go there because I don’t want that element of danger in her life.
Michael Szymanski, Resident/Proponent:
Letter prepared by Mr. Szymanski read into the record by Judy Chang.

Randy Shingai, Cupertino School District Resident/Opponent:
• Christa McAuliffe is a school in CUSD that’s across Prospect from the area in question and correct me if I’m wrong Judy (directing comments to petitioner) don’t your two kids attend Christa McAuliffe? (Chair asked Mr. Shingai not to direct questions to the audience).
• I’ll make a statement: her kids attend Christa McAuliffe which is across Prospect on an interdistrict transfer agreement.
• AYSO has no residency requirement – have emails to show that (see attached).
• Moreland Little League and Cupertino American Little League are going to merge next year so that’s not going to be an issue (see attached).
• I want to point out that Louis Stocklmeir school has an enrollment of 1,236 kids in the 2013/14 school year. This give you an idea of the kind of thing school districts have to balance; in what universe is it okay for an elementary school to have over 1,200 kids.
• Everybody is talking about their experiences. I went to a high school in Hollister. There were kids who rode the bus five hours; there are probably not too many of those, but right now there are two school sites still in existence where Google maps shays it take an hour and an hour and seven minutes to get to each.
• There is a section of the county on the other side of Mt. Hamilton – San Antonio Valley – that’s actually in the Patterson School District. This is what the laws are meant to deal with in terms of isolation and distance, not housing tracts that are in the middle of town.

Public hearing ended at 5:30
Westbrook Redistricting
Saratoga & San Jose

June 16 2015
Presented at Cupertino Union School District

By William Martin & Judy Chang
Identity.

School District (FUSD), on the basis of safety and community
Cupertino Union School District (CUSD) and Fremont Union High
Campbell Union School District (CUSD) to
boundary change under California Education Code 35753, from
Westbrook neighborhood is requesting a school district

Proposal
Lynbrook's back Gate
Brookside High School
Johnson Ave and Lynbrook
Creek, Prospect Rd
Borders by Saratoga
Established in 1950s
92 in Saratoga
123 Homes
except Westbrooke

of Lynbrook school

boundaries are part

border Lynbrook's

All homes that

Boundaries

Lynbrook
Lynbrook Neighborhood

Lynbrook Boudaries and Webster

and exit school

Lynbrook students use this gate to enter

Brookline ends in Lynbrook's back Gate
Parcel taxes ended this year, long-term bonds impact
0.20% of parcels in CUSD (1.23% of parcels)
CUUSD: $83,000,000 annual income

Impact of bonds
0.05% of parcels (3% of parcels in CUSD)
CUUSD: $83,000,000 annual income

Impact: $205 M/45,700
Supplemental estimation ADL impact of $205,000 or 0.4% of
Moredale revenue for 28 kids.
Actual enrollment impact: 28 K-8; 7 high schools.

Disagree with FUSD estimate of 34 high school students vs 7 (actual number attending Prospect High School).

<table>
<thead>
<tr>
<th>2015-2018 CUUSD Projections</th>
<th>FUUSD Projections</th>
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<tbody>
<tr>
<td>$108,000,000</td>
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<tr>
<td>42-10 -1.42***</td>
<td>0.10% (28/19000)</td>
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<tr>
<td>Lyndhrock</td>
<td>0.7%</td>
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<td>John Muir-62</td>
<td>92</td>
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<tr>
<td>By 2018:</td>
<td></td>
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<tr>
<td>+799 **</td>
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<td>FUUSD</td>
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<td>CUUSD</td>
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Enrollment is declining at John Muir, Miller (CUUSD) and Lyndhrock (FUUSD).

Impact on CUUSD/FUUSD
Comparison of Major Financial

No obvious table or numerical data is present in the visual elements of the document.
42 mph ave for (Prospect, Mt Millier & Lawrence)

27 mph ave Brookline

CUSD/FUSD Route

Moreland/CUSD Route

Variable

* Fatality, when struck

Increase in risk of

3x

Safety & Speed
### Traffic Volume

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<th>Route</th>
<th>ADT (Traffic)</th>
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<tr>
<td>Moreland/CUSD Road</td>
<td>25,000 Vehicles</td>
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<tr>
<td>2 Lanes Brookline CUSD/FUSD Route</td>
<td>470 Vehicles</td>
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### Average Daily Traffic

- **Prospect Rd.**: 3000 to 7500 vehicles
- **Brookline**: 0 to 7500 vehicles

**Safety & Traffic**

60X Traffic
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<td>Johnson</td>
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<tr>
<td>CUSD/FUSD</td>
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<td>Morland/CUSD</td>
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Response & Tickets
Safety, Accidents, Medical
Facilities and programs, sports activities, transportation patterns, parks and recreation include... Indicators that the committee might study... Identity factors Community
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<tr>
<th></th>
<th>(Moreland) Eastbrook Discovery School 7:30 AM</th>
<th>(Lombrook HS)</th>
<th>CUSD John Muir Miller EES</th>
<th>Bus</th>
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<td>$390/Yr, pick-up 1 hour before</td>
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<td>X</td>
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Traffic congestion on Lawrence Expressway has worsened over the last decade.

Traffic & Safety

Spur, "Freedom to Move" Report 2014

Source: San Jose Mercury News, Jan 23 2014

Campbell, Morland School District to Reopen Later School Year

Traffic congestion on Lawrence Expressway has worsened over the last decade.

Facilities consulting firm on defining boundaries

Dolinka Group, Morland School District's

Prospect include Lawrence Expressway... Lawrence Prospects include Lawrence Expressway... Lawrence

Prospects include larger or larger than

A lot of times, the boundaries are on major streets so students don't have to cross over them.

Jason Cruickshank, Dir Business FUSD, May 14 public hearing

Fremont Union opposition letter
death and major injury for children in the U.S. ages 1 to 17.

In 1969, approximately 50% of children walked or bicycled to school, with approximately 87% of kids and teens to bicycle and walk to and from school.

Children living within one mile of school walking or bicycling. Today, fewer than 15% of students walk or bicycle to school. As much as 20 to 30% of morning traffic can be generated by parents or bicycling to school.

"SRTS is a national and international movement to create a safe, convenient, and fun opportunity for children and teens to bicycle and walk to and from schools. These same goals for Westbrook neighborhood and walking to schools, yet they oppose FORCE (SRTS) are encouraging more bicycling with City of Cupertino's Safe Route to School Task Force."
Rainbow is our neighborhood park, all other neighborhoods adjacent to Park are CUSD/FUHSD kids.
3. It is comparatively more dangerous to travel to Moorland/Campbell schools from neighborhoods are on contiguous streets to CUSD/FUSD schools.

2. No precedence would be established. Creek is the natural boundary and no other

1. Westbrook Neighborhood Shares its border with Lyndbrook HS and is in Lyndbrook

Financial Impact to schools is negligible. FUSD agrees that tax revenue is enough.

5. Community identity is impacted. For the kids in Westbrook, whose extra-curricular

activities center around Cupertino.
First of all, I would like to thank Suzanne and the county committee members for doing this service for the community. It means a lot to us.

I am Kanaka Sriram. I have two kids. We have lived in this neighborhood for many years. We love this neighborhood and the sense of community amongst the neighbors here who have lived through generations and generations.

I am one of the main petitioners and as part of the community, we believe in putting the kids interest first!

I would like to share 3 key personal anecdotes that has prompted me to advocate for the change of school district

1. **Safety**: It all started with me taking my kid to his first Kindergarten class. Finding traffic in Prospect really crazy and taking alternate route via Johnson. I started thinking I can't have my kids go to school like that. It’s just not safe. This is dangerous and wondered why and how school boundaries are made, especially given that we are less than 200 meters from another public school. That’s when I realized it's just not the high school, but all our primary and middle schools are farther away from the closest public schools. Why should we put any kid in harm’s way? Why cannot he go to school which is right around the corner, less than 200 meters from home.
2. **Sense of community**: And then Arjun, my son, hesitating to go to soccer since he seemed to know no kids there and most kids knew each other via school. We go to AYSO 64, plays in John Muir and 99% of kids there are from Cupertino schools.

3. **Backyard connection**: We live right in Lynbrook’s backyard and listen to its band practicing, bell ringing and kids playing. Some of my neighbors also share their backyard with Lynbrook. It just seems very unfair to our kids that they cannot be part of these. We get mailers from Lynbrook to contribute, to be part of their social activities or apologizing when things don’t go the way they should have in their backyard.

School district’s response was disappointing and at the same contradictory. How can one school district loose lot of money to have significant impact to decline the transfer for these homes, and while the other states that money is not enough and would adversely impact their services. It just doesn’t seem right and looks like a cookie cutter response where kids interest is not even thought about...all they wanna say is “NO”.

We are here in USA and are told, it's all about choices and public committees are designed and put in place to help create safe choices for our kids.

And that’s why we are here. We need to keep the interest of our kids at the top.

3. **Kids first**: For our kids, its safety and community that’s key to their right development
Hence the Petition drive and the request to change our school district.
After the accident at Monta Vista and literally encountering a kid being hit at Prospect while crossing road, I am requesting the school districts to retake a look at their responses and think “Kids” first. There have been 100+ incidents on prospect compared to <15 on the other streets that go to Lynbrook!

Our neighborhood is a very small piece compared to your entire budget, but a life of a kid is lot more important than a few thousand dollars.

I would like to ask members of the committee and school board members to come visit Prospect or Lawrence between 7:45 and 9am and see the craziness. The photos are mild compared to the actual experience.

So, am questioning the logic of school boundaries, challenging the past and requesting to make the right decision for the future of our kids.

We are all in America, the country that embraces change for better. Here we are in the school board office requesting to make the right decision for the future and safety of our kids.
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[Signature]
<table>
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<tr>
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<td><strong>Increase:</strong></td>
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<td>Parcel tax</td>
<td>Parcel %</td>
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<td><strong>Year-over:</strong></td>
<td><strong>Year-over:</strong></td>
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<tr>
<td>0.09% = 7/74.57</td>
<td>0.5% = 28/4832</td>
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<tr>
<td><strong>Enrollment %</strong></td>
<td><strong>Enrollment %</strong></td>
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28 Kids at Moreland; 7 Kids at CUSD

CUSD is insubstantial impact on Moreland.

Impact on Moreland:
<table>
<thead>
<tr>
<th></th>
<th>2014-2015 Budget</th>
<th>Cost per Student (Budget/Enrollment)</th>
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<tbody>
<tr>
<td><strong>$113.8 Million</strong></td>
<td><strong>$163.8 Million</strong></td>
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<tr>
<td><strong>Less</strong></td>
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<tr>
<td><strong>$10.476 vs $11.302 (CUHSD)</strong></td>
<td><strong>$83.38 vs $94.65 (Moroland)</strong></td>
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<tr>
<td>Lyndbrook has space for increasing but decreasing enrollment year-over-year</td>
<td>Public hearing statement contradiets CUSD May 14 slides from CUSD that Appendix 147 (appends)</td>
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<tr>
<td>0.06% = 7/10865</td>
<td>0.01% = 28/19184</td>
<td></td>
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<tr>
<td>CUSD</td>
<td>CUSD</td>
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FUHSD is insubstantial impact on CUSD and...
District and each of our schools,
we contract with a demographer to provide the impact of new housing on our schools.
Alto, Santa Clarita, and Saratoga) to determine cities (Cupertino, Sunnyvale, San Jose, Los
Cupertino Union works with all six of our
a housing element plan.
All cities are required by the state to develop
Enrollment and Planned Development
Facilities Plan
Being considered part of the School District's
Consistent with expected projections
- CUSD Middle between 46 and 98 students
- CUSD Elementary between 163 and 310 students
Distribution:
By 2018 units could generate, depending on
in the city of Cupertino
Currently 45% of the District's students reside
CUSD Projections
Enrollment Projections
<table>
<thead>
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Table 3B (PowerPoint version, page 1 of 2)
Cupertino School District Historical Perspective

I'm a retired elementary school teacher and currently supervising student teachers from SJSU in both Moreland and Cupertino Districts... where I place my student teachers & see outstanding teaching in both districts. I've done staff development workshops in many schools and districts in the county around Classroom Management and instructional strategies.

I moved to Walbrook Drive in 1973. When my daughter was 6 I asked the neighbors where their children went to school. All of them told me: John Muir, Miller and Lynbrook.

So Brandy, my daughter who is now 40 (went to those schools with all the other neighborhood children) walked and rode her bike...from 1980-1992 with no awareness or conflicts about being in or out of the district. I would never let her ride her bike to Lynbrook Lane.

The first I even knew there was another option was when Bob Reasoner, a former Superintendent in Moreland, was in our home for a meeting (we were working together on a project) and he said, "Pat I didn't know you lived in my district" AND I said, "No you are kidding we're in Cupertino, Fremont Union ...and He laughed and said, "Next time you're in my office let me show you the map.

And now here we are 20 years later.....still trying to make a safe journey for our children to get to school. Jamie Lgagni Rebel

June 16, 2013
CUSD and Fremont Union Schools within boundaries of Cupertino American Little League

Blue Hills Elementary
Christa McAuliffe Elementary
Joaquin Miller Middle
John Muir Elementary
Lynbrook High
Murdock-Portal Elementary
Nelson S. Dilworth Elementary
R. I. Meyerholz Elementary

The vast majority of Cupertino American Little League players attend CUSD schools.

The Lynbrook HS Fresh-Soph baseball team is coached by former Cupertino American coaches and features many former Cupertino American players.

Many players walk and ride bikes to practice and games at Cupertino American’s home field, Miller Field, on Rainbow Drive.
Cupertino American Little League

CUSD and Fremont Union and
Shared Community, Shared Geography
Community Identity:
This is a general overview map. Please do not use for residency or purchase/rental decisions. For detail boundary listings please go to http://www.schvision.com/schoolfinder3/fuhsd/.
My family has lived on Brookglen Dr since 1962. My uncle was in the first graduating class from Prospect High School, I graduated from Prospect in 1985 and two of my children graduated from Prospect in 2012 and 2013. Even though the Moreland Schools and Prospect are near and dear to our family, I still believe moving to the Cupertino School District would be best for the families in our neighborhood. As a parent, I spent 12 years driving my 3 children to the designated Country Lane Elementary and 6 years driving them to Moreland Middle school. The drive to and from these schools can take anywhere from 20-30 minutes with the heavy traffic. There is no way I would ever allow my children to walk or bike to the elementary or middle school either...it is far too dangerous. Not only would they have to cross Lawrence Expressway, but busy shopping center driveways pave about 80% of their route. There are sidewalks and bike paths for them but there is also a constant stream of cars entering and exiting the lots of these shopping centers crossing over the sidewalks and bike paths our children would be in. I have personally seen 3 separate accidents involving children on bikes on this route...it’s just not a safe option! It only takes 5-10 minutes to **WALK** down neighborhood streets to the Cupertino schools from my house. Even though the road map may be the same, the biggest change I have seen in our community since I was a little girl is the high volume of traffic and businesses and increase of accidents involving pedestrians and bikes. It’s no longer the small town I grew up in.

Kathy Laton

11898 Brookglen Dr Saratoga

408 483 1935
2015-06-16 Cupertino Union High School District Meeting
1309 S Mary Ave #150

Speaker: S. Suresh, 18921 Sunnybrook Ct., Saratoga, CA
Resident in The Brooks community for the last 5 years

Topics:
1. Prospect Road Safety
2. Prospect Road Beautification & Safety Improvements Project
3. Creative thinking

Prospect Road Safety
- I have driven by Prospect Rd every morning around 7:30 am
- I have personally observed unsafe maneuvers by parent dropping their kids
  - beating red lights
  - double parking
  - opening car doors in stopped traffic to let their kids out who then dart across the road to sidewalks
- I have also observed on occasion students run across Prospect Rd (not in pedestrian crossing in front of the school at Lyle Dr.)
- The frequency of these incidents have increased over the years and patience of the driving parents have reduced
- By allowing The Brooks community to transfer, at least, you will ensure some 50+ cars will be off road in front of Prospect HS during peak school time. That ought to count for something.

Prospect Road Beautification & Safety Improvements Projects
- Ongoing since 2006
- 17 medians planned in the 1.9 mile stretch on Prospect Rd from Sunnyvale-Saratoga – Lawrence Expwy.
  - The Titus/Provincetown median was completed in 2009
- All these improvements are on Prospect away from where The Brooks community is located. We do have a median installed in 1970s. The Prospect Rd. beautification and safety improvements is an excellent project, but not directly relevant to the issue at hand.
- In fact, the pedestrian cross walk installed in front of Christa McAuliffe School (between Titus Ave in Saratoga & Provincetown in San Jose) had to be removed as the crossing was deemed unsafe for the traffic conditions in Prospect Road.

Creative Thinking
- The largest employer in Cupertino, Apple, did not succeed and become a $730 billion company with Steve Jobs and Tim Cook surrounding themselves with people who find reasons on why something cannot be done
- I strongly urge CUHSD, FUHSD to look for creative solutions and not excuses
- Creative thinking is the essence of living in silicon valley
I have 3 kids and we have an inter-district transfer to CUSD, which has been a huge benefit for my kids in strengthening their sense of belonging.

All our extra-curriculars center around CUSD and FUHSD. On Friday nights, my kids and I are at Lynbrook High School, where they attend Silicon Valley Chinese School. In addition to the classroom time, my kids participate in Chinese academic contests and performances as part of the Chinese school program.

On weekends, we are at Rainbow Park and CUSD fields - Miller, McAuliffe, Meyerholtz, Sedgwick - participating in AYSO soccer and Cupertino American Little League. We have no occasion to use any Moreland facilities.

Ella, my youngest, hasn’t always attended CUSD, she attended kindergarten and first grade at Easterbrook Discovery in Moreland. When she was in kindergarten we signed her up for AYSO soccer, and she was placed on a team with girls from CUSD. These girls all went to school together and while they were very kind to Ella, she never felt completely part of their group. After that first soccer season she told us she didn’t want to play anymore.

In 2nd grade she was able to transfer into CUSD and we asked her, now that she could play with her classmates, if she’d give it another try. 4 years later, she’s still playing. Her soccer team is all CUSD kids. When she meets new people and they ask her what she likes to do, she says that she is a soccer player.

She loves it
She’s gained confidence
She deepened friendships that wouldn’t have happened only in the classroom.
The twice-weekly practices are an opportunity for her to play with her friends and be active.

If we hadn’t obtained the inter-district transfer, Ella wouldn’t have joined AYSO again.

Likewise my sons have played in Cupertino American Little League for the past 10 years, starting when they were 5 years old.
My son Luke was able to join CUSD schools from kindergarten and he always felt like he belonged when he played in CALL, which is composed of CUSD classmates.
Luke plays and practices at Miller field three or four times a week, and it’s his home away from home.
He rides his bike to Miller for practice at least twice a week and stays at the park almost until dark practicing and playing with friends.
Being part of CALL and attending CUSD schools have been a large part of what makes him who he is today.
Major thoroughfares
- Moreland's own consulting firm says that major thoroughfares should be considered for school boundaries.
- Fremont Union says Lawrence Expwy is busier than Prospect, and we agree that our kids shouldn't have to cross Lawrence either.
- Prospect & Lawrence Expresway ARE major thoroughfares that our kids should not have to cross when we have safer options in our neighborhood.

SRTS slide
- CUSD and FUHSD school districts would seem to be supportive of this, since they are working with the city of Cupertino and the Safe Routes to Schools Program to encourage riding bikes and walking to school.
- Here's an excerpt from the April Cupertino city council meeting, in which they voted to support this SRTS initiative on the basis of safety.

- In addition to transportation patterns, the next community identity proof point is parks and rec. Our neighborhood park is Rainbow Park. In my 15 years of living on Walbrook I have been to this park probably close to 1000 times, going multiple times per week and sometimes multiple times per day.
- We've celebrated birthdays, held end of season baseball parties in this park, we've spent a lot of time in this park.
- Due to the location, the predominant park-goers are CUSD families. Of course, it's open to the public and anyone can use this park but it's by virtue of its location, primarily a CUSD park.

Thirdly, on community identity, our sports teams are ALSO CUSD-based.
- My kids have collectively played on dozens of American Youth Soccer Organization (AYSO) and Cupertino American Little League (CALL) teams.
- Registrations for AYSO are held at John Muir, in CUSD
- Games are played at McAuliffe, Miller, Meyerholtz, CUSD schools.
- Practices are at Miller and Sedgwick, CUSD schools.
- Picture day is held at Rainbow Park
- The teammates are CUSD kids.
- Everything is centered around CUSD.

Closing
- Wrong decision was made 50 years ago.
- We want our kids to attend neighborhood schools.
Dear School Board:

I live at 1450 Walbrook Drive, San Jose and look at the current school zoning with bemusement. I am assuming that none of you were on the board when the school district was created and I certainly was not. When you look at the current configuration, you have to wonder why it was set up the way it currently is. From my house, the band practice serenades me every night in the late summer. I don't need to have to attend the football game as I can hear them while I am eating dinner. I don't need a clock to know when classes start as I can hear the class bells ringing. (actually now it is more a buzz). I also have had the pleasure of cars parking on my street for school events and yet my house is not in the district and my kids cannot attend the school. Where is the logic in that? I live on a street that is split in half. With 70% attending Lynbrook and the rest left to shuffle off to Prospect. There was a time that this was not an issue as all the kids on my street went to Lynbrook, purely because it was the closet and most logical school to attend. At that time, both the parents and the administrators realized that it made sense to have local kids attend the local school. Only in the late 1990’s, did that common sense disappear and our kids were forced to attend distant schools.

What I don’t understand is how did this come to pass. Lynbrook was started in 1965 and Prospect in 1968. What logic prevailed in 1968 to split our neighborhood to send kids who are 5 minutes from Lynbrook to a school that is 20 minutes away and across a main artery? Same for the elementary and middle schools. Whatever flawed logic that prevailed then must be corrected so we can be a neighborhood again. It make no sense that my children play with friends who live 5 houses down the block, yet they attend another school. I understand that a line needs to be drawn, but that line should be drawn in a neighborhood that is miles away from the school, not in a neighborhood that backs up to the school.

We are essentially the forgotten neighborhood, so close, yet so far. My kids participated in all of the recreation activities that Cupertino had to offer, except for the schools.

It is time to right a poorly thought out district boundary from years past and let our neighborhood kids return to the schools that they attended from 1965 to 1999.

Thank you

Michael Szymanski

6/12/15
Re: League finder message

President, Moreland <president@morelandlittleleague.org> Thu, May 21, 2015 at 10:45 AM

To: Randy Shingai

I am happy to tell you that Moreland Little League is merging with Cupertino American for the 2016 season so the answer to your question is yes we will all be the same league next year.

On Thu, May 21, 2015 at 7:16 AM, <me> wrote:

Hi Dan Kenney,
You have received a message from an interested party via Eteamz.com league finder application www.eteamz.com/lib/finder

Details:
From name: randy shingai
From e-mail: <my_email> - reply to this message Here
Message: For next year, can someone that lives in the Cupertino American LL area, but attends Country Lane Elementary in the Moreland School District play in the Moreland LL? The residence is in the Moreland School District.

Note: do not reply to this email using your email client's reply button, instead use the link provided above.
If you are having any problems or to report email abuse please send an email to websupport@eteamz.com

-The Team

Dan Kenney
President
Moreland Little League

Text 40404 & enter "Follow @MorelandLL" for Text Message Updates
Web - www.morelandlittleleague.org
Video - www.morelandtv.com
Twitter - @MorelandLL
Facebook
Community Yahoo Mail Group
president@morelandlittleleague.org

(408) 883-9984

Mailing Address
P.O. Box 10626
San Jose, CA 95157

Physical Location
merger with Moreland Little League?

C.A.L.L <cupertino_american@yahoo.com>  
To: Randy Shingai  
Cc: "C.A.L.L" <cupertino_american@yahoo.com>  

That is correct. Does your child currently play in CALL? Do you have any questions or concerns regarding this?

Thanks,
Satish.

> On May 27, 2015, at 11:04 AM, Randy Shingai wrote:
> Hi,
> I have heard that the Cupertino American Little League will be merging with the Moreland Little League next year. Is this true?
> thanks,
> Randy Shingai
Randy Shingali

Thank you

participation in your region, or is anyone allowed to select a region in the area to participate in?

I have noticed that there are several regions that serve the West San Jose/Cupertino area. Is there some sort of residency requirement for

Hi,

On May 27, 2015 at 11:14 AM, Randy Shingali wrote:

Thanks

To: Randy Shingali

AYSO has no residency requirement, you can pick any region that suits you. You can see which fields different regions use if that helps you making the

AYSO Residency Requirements

Wed, May 27, 2015 at 11:21 AM

Randy Shingali
Louis E. Stocklmeir Elementary

Information
Administrator Melissa Mohamed, Principal
Address 592 Dunholme Way, Sunnyvale CA 94087-3300
Phone (408) 732-3363
Status OPEN
Date Opened 07/01/1980

Related Websites
Cupertino Union District Website (http://www.cusdk8.org)
Santa Clara County Website (http://www.sccgov.org)

Key Attributes
CDS 43-69419-6046957
School Type Elementary
Grade Span K-05
2013-14 Enrollment 1,236
Charter School N
Title 1 Not a Title I School
Year-Round Calendar No
Moreland School District

Resolution 10-2014/2015

Opposing the Territory Transfer Request of 123 Homes from the Moreland and Campbell Union High School Districts to the Cupertino and Fremont Union High School Districts


WHEREAS, California Education Code Section 35700 stipulates that an action to reorganize one or more districts is initiated upon the filing, with the County Superintendent of Schools, of a petition signed by the owners of the territory proposed to be organized, or by a majority of the governing boards of each of the districts that would be affected by the proposed reorganization; and

WHEREAS, the petition has been examined by the Santa Clara County Superintendent of Schools and found to be sufficient and required by law; and

WHEREAS, California Education Code Section 35709 stipulates that the County Committee on School District Organization may grant the petition if the conditions enumerated in Education Code Section 35753 are substantially met and the petition is to transfer inhabited territory of less
than 10 percent of the assessed valuation of the district from which the territory is being transferred and all of the governing boards have consented to transfer; and

WHEREAS, the transfer does not meet the conditions of Education Code Section 35753; and

WHEREAS, provisions for the exchange of property tax revenue are set for in Taxation and Revenue Code Section 99(h) and provide that upon the aforementioned transfer becoming effective for all purposes, the property tax revenues generated by the aforementioned territory shall be attributable to tax rate areas within the district(s) which receive the territory which is transferred; and

WHEREAS, the transfer has an increased financial impact on the remaining Moreland School District residents to pay the current and prior general obligation bonds; and

WHEREAS, the property transfer is designed to result in a significant increase in property values causing financial advantage to property owners because territory was transferred from one school district to an adjoining district; and

WHEREAS, the property transfer is designed to result in a significant loss of ADA to the Moreland School District negatively impacting the currently enrolled students,

NOW THEREFORE BE IT RESOLVED that the governing board of the Moreland School District opposes the Territory Transfer of 123 homes (parcel numbers listed above) from the Moreland and Campbell Union High School Districts to the Cupertino Union and Fremont Union High School Districts.

PASSED, APPROVED AND ADOPTED by the Board of the Moreland School District this 28th day of April 2015, at its regularly scheduled meeting held at 4711 Campbell Avenue, San Jose, County of Santa Clara, State of California.

AYES:

NOES:

ABSENT:

ABSTAIN:

_____________________________________________
Brian Penzel
Clerk of the Board of Trustees, Moreland School District
CAMPBELL UNION HIGH SCHOOL DISTRICT
Resolution #15-2282.1

Transfer of Territory
from the Moreland and Campbell Union High School Districts
to the Cupertino Union and Fremont Union High School Districts

WHEREAS, the Santa Clara County Committee on School District Organization has received a formal petition from the owners of one hundred twenty-three (123) parcels in Saratoga and San Jose from the Moreland and Campbell Union High School Districts to the Cupertino Union and Fremont Union High School Districts which are under the jurisdiction of the Santa Clara County Superintendent of Schools;

WHEREAS, California Education Code Section 35700 stipulates that an action to reorganize one or more districts is initiated upon the filing, with the county superintendent of schools, of a petition signed by the owners of the territory proposed to be reorganized, or by a majority of the members of the governing boards of each of the districts that would be affected by the proposed reorganization;

WHEREAS, the petition has been examined by the Santa Clara County Superintendent of Schools and found to be sufficient and signed as required by law;

WHEREAS, California Education Code Section 35709 stipulates that the county committees on school district organization may grant the petition if the conditions enumerated in Education Code Section 35753 are substantially met and the petition is to transfer inhabited territory of less than 10 percent of the assessed valuation of the district from which the territory is being transferred and all of the governing boards have consented to the transfer;

WHEREAS, the transfer does not meet the conditions of Education Code Section 35753;

WHEREAS, provisions for the exchange of property tax revenue are set forth in Taxation and Revenue Code Section 99(h) and provide that upon the aforementioned transfer becoming effective for all purposes, the property tax revenues generated by the aforementioned territory shall be attributable to tax rate areas within the district(s) which receive the territory which is transferred;

WHEREAS, the transfer has an increased financial impact on the remaining Campbell Union High School District residents to pay the current and prior general obligation bonds and parcel taxes;

WHEREAS, the property transfer is designed to result in a significant increase in property values causing financial advantage to property owners because territory was transferred from one school district to an adjoining district;
WHEREAS, the approval of the transfer would set precedence for future transfers of territory out of the Campbell Union High School District;

NOW, THEREFORE, BE IT RESOLVED that, by a vote of the majority of the members, the Governing Board of the Campbell Union High School District declares that it is not in the best interest of our school district to accept this transfer of property.

PASSED AND ADOPTED by the Governing Board of the Campbell Union High School District, County of Santa Clara, State of California, this 2nd day of April, 2015 by the following vote:

AYES: K. Gallagher, W. Dillingham-Plew, S. Brown, L. Goytia and M. Dean

NOES: None

ABSENT: None

ABSTENTIONS: None

PREFERENTIAL AYES: H. Zawacki

I, Stacey Brown, Clerk of the Governing Board, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Governing Board of the Campbell Union High School District at the regular meeting of April 2, 2015, and maintained on file in the office of said Board.

[Signature]

Stacey Brown
CUPERTINO UNION SCHOOL DISTRICT
RESOLUTION NO. 14-15-26

THE CUPERTINO UNION SCHOOL DISTRICT OPPOSES THE PROPOSED TRANSFER OF TERRITORY FROM MORELAND SCHOOL DISTRICT AND CAMPBELL UNION HIGH SCHOOL DISTRICT TO CUPERTINO UNION SCHOOL DISTRICT AND FREMONT UNION HIGH SCHOOL DISTRICT

WHEREAS, the Santa Clara County Committee on School District Organization had received a petition requesting the transfer of 123 parcels in Saratoga and San Jose from the Moreland School District and Campbell Union High School District to the Cupertino Union School District and Fremont Union High School District which is under the jurisdiction of the Santa Clara County Superintendent of Schools on March 4, 2015; and

- California Education Code Section 35700 stipulates that an action to reorganize one or more districts is initiated upon the filing, with the County Superintendent of Schools, of a petition signed by the owners of the territory proposed to be organized, or by a majority of the members of the Governing Boards of each district affected by the proposed reorganization; and

- The petition has been examined by the Santa Clara County Superintendent of Schools, and found to be sufficient and signed as required by law; and

- California Education Code Section 35709 stipulates that the County Committee on School District Organization may grant petition in the conditions enumerated in Education Coded Section 35753 are substantially met and the petition is to transfer inhabited territory of less than 10 percent of the assessed valuation of the District from which the territory is being transferred and all of the Governing Board have consented to the transfer; and

- The transfer does not meet the conditions of Education Code Section 35753; and

- The property transfer is designed to result in a significant increase in property values causing a financial advantage to property owners because the territory was transferred from one school district to an adjoining district; and

- The petitioner have identified Murdock-Portal Elementary School and Miller Middle School as the potential school areas of attendance; and

- Murdock-Portal Elementary School is an alternative school program and not a traditional neighborhood school, and the current neighborhood elementary school would potentially be Muir Elementary School; and
• The property transfer may increase costs to the state for school facilities as the number of students that could potentially reside in the area would generate additional construction costs; and

• The property transfer may increase costs to the state should there be any special education transportation required to be offered as stipulated with a student's individualized education program; and

• The approval of the transfer would set precedence for future transfers of territory into the Cupertino Union School District,

NOW, THEREFORE, BE IT RESOLVED that, by a vote of the majority of the members, the Board of Education of the Cupertino Union School District declares that it is not in the best interest of our school district to accept this transfer of property.

PASSED AND ADOPTED by the Governing Board of the Cupertino Union School District, County of Santa Clara, on this 5th day of May, 2015, by the following vote:

AYES: 4
NOES: 0
ABSENT: 0
ABSTAIN: 1

Phyllis Vogel, Board President

Josephine Lucey, Board Vice President

Anjali Rausar, Board Clerk

Soma McCandless, Board Member

Kristen Pan Lyn, Board Member
FREMONT UNION HIGH SCHOOL DISTRICT

RESOLUTION #1415-25

OPPOSITION TO TRANSFER OF TERRITORY
From the Campbell Union High School District
to the Fremont Union High School District

WHEREAS, the Santa Clara County Committee on School District Organization has received a formal petition from the owners of 113 parcels in San Jose, to transfer territory from the Moreland Elementary District and Campbell Union High School District to the Fremont Union High School District and Cupertino Union School District, which is under the jurisdiction of the Santa Clara County Superintendent of Schools;

WHEREAS, California Education Code Section 35700 stipulates that an action to reorganize one or more districts is initiated upon the filing, with the County Superintendent of Schools, of a petition signed by the owners of the territory proposed to be reorganized, or by a majority of the members of the Governing Boards of each of the districts that would be affected by the proposed reorganization;

WHEREAS, the petition has been examined by the Santa Clara County Superintendent of Schools and found to be sufficient and signed as required by law;

WHEREAS, California Education Code Section 35709 stipulates that the county committees on school district organization may grant the petition if the conditions enumerated in Education Code Section 35753 are substantially met and the petition is to transfer inhabited territory of less than 10 percent of the assessed valuation of the district from which the territory is being transferred and all of the Governing Boards have consented to the transfer;

WHEREAS, the transfer does not meet the conditions of Education Code Section 35753;

WHEREAS, provisions for the exchange of property tax revenue are set forth in Taxation and Revenue Code Section 99(h) and provide that upon the aforementioned transfer becoming effective for all purposes, the property tax revenues generated by the aforementioned territory shall be attributable to tax rate areas within the district(s) which receive the territory which is transferred;

WHEREAS, the transfer has an increased financial impact on the remaining Fremont Union High School District residents to pay the current and prior general obligation bonds and parcel taxes;

WHEREAS, the property transfer is designed to result in a significant increase in property values causing financial advantage to property owners because territory was transferred from one school district to an adjoining district;

WHEREAS, the approval of the transfer would set precedence for future transfers of territory into the Fremont Union High School District;
NOW, THEREFORE, BE IT RESOLVED that, by a vote of the majority of the members, the Governing Board of the Fremont Union High School District declares that it is not in the best interest of our school district to accept this transfer of property.

PASSED AND ADOPTED by the Governing Board of the Fremont Union High School District, County of Santa Clara, State of California, this 28th day of April, 2015, by the following vote:

I, Clerk of the Governing Board, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Governing Board of the Fremont Union High School District at the regular meeting of April 28, 2015, and maintained on file in the office of said Board.

5 AYES
_____ ABSTAIN

_____ NOES
_____ ABSENT

Clerk of the Governing Board
Though the Fremont Union High School District (FUHSD) understands the petitioner’s desire to attend our schools, the District opposes the proposed property transfer due to the negative impact it would have on our students and schools. This opposition is due to the district’s rapidly increasing enrollment, capacity restrictions at our schools and the possible precedent setting effect it could have on the large number of similar properties along our boundaries. The District does not feel that the transfer request adequately meets the 9 criteria outlined in Ed. Code §35709 & 35710 and believes that the concerns listed in the petition are not fully valid.

Unlike many districts, the Fremont Union High School District is experiencing skyrocketing enrollment growth for the next 5 – 7 years, pushing all of our schools further beyond capacity. Currently, the District is 101 students over capacity and next year that number nearly doubles. By the year 2020, our projected enrollment will be 1,309 above current capacity.

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<td>1,309</td>
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Though, our community recently passed a new General Obligation bond to help pay for new classrooms, it will be a race each year to see if we can meet the demand for space. Adding any amount of new students to this already skyrocketing enrollment number, will be a tremendous detriment to our students, staff and community.

The current student generation rates for neighborhoods in the Lynbrook High School (LHS) Attendance area are quite high. Using the neighborhood adjacent to the petitioner’s neighborhood, but in the LHS attendance area, we can come up with a very good student generation rate (SGR) to help calculate the possible enrollment impact this transfer would have if approved.

The adjacent neighborhood bordered by Johnson Ave., W. Walbrook Dr., Brook Glen Dr. and McKellar Dr. contains 105 single family homes (Figure 1- below). In the 105 homes, 32 students currently attend Lynbrook High School. This equates to an SGR of .30. Applying this SGR to the 113 homes in the petition, we can estimate that 34 additional students would attend Lynbrook High School if this petition were to pass.

Adding an additional 34 students would have a tremendously negative impact on our district’s students, staff and community:

1. It would require the construction of one additional classroom to meet the capacity demands of 34 additional students – this would take approximately 2 years and cost approximately $1,200,000.
2. The cost of educating a student in our district is approximately $10,500 per year. The addition of 34 students would create an increased expense of $357,500 per year.

As a Basic Aid District, FUHSD relies on local property taxes for the majority of its revenue and therefore, does not receive additional funding for additional students. Though the District does not yet have official numbers from the County concerning the property taxes it would receive from these properties, it is expected to be close to the approximate $10,500 per student it will cost to educate the students generated from this addition. The district would receive no additional funds to build needed classroom space for these extra students.

In additional to the high number of students we would receive from this petition, we also believe that there are thousands of properties along our boarders in similar situations. The number of possible new students from properties sitting just outside of the current district boundaries would have a devastating effect on our enrollment and budget.

Lastly, it should be noted that the proposed property in question has never been a part of the Fremont Union High School district, nor has it ever been under consideration by our Board of Trustees to make it part of the district. Therefore, everyone that chose to live in these homes did so knowing that their children would attend school in the Campbell Union High School District.

As for the reasons stated by the petitioners for wanting the property transfer, we feel they are somewhat exaggerated or misrepresented and certainly do not “substantially meet” the 9 criteria defined by Ed. Code.

Safety of Children
For the petitioners to travel to Prospect High School, the only moderately busy street that would have to be crossed is Prospect Road. Not only is this Road well lit and marked, but it has three possible crossing points near the school that are fully controlled by traffic signals, cross walks and sidewalks (Figures 2-7 below). Of course any interaction with a vehicle can be dangerous. Residential driveways, parking lots, and quiet neighborhood streets can all pose dangers to children. However, in the District’s 80+ years of experience, students of high school age can cross a road such as Prospect Rd., quite safely.

The Fremont Union High School District has over 300 students that must cross Prospect Rd. each day to attend Lynbrook High School and Monta Vista High School. FUHSD has never received a request for any of these students to transfer out of our district due to safety concerns over crossing Prospect Rd. Districtwide, more than 7,000 FUHSD students must cross roads that are as large as or larger than Prospect Rd. These include the 101 Freeway, Highway 237, Highway 85, Interstate 80, El Camino Real, Central Expressway, Foothill Expressway, Lawrence Expressway, Stevens Creek Blvd., Homestead Rd., Fremont Ave., Wolfe Rd. and more. Once again, FUSHD has never had any residents request a property transfer out of our district due to the danger of having to cross one of these roadways.
**Distance to School**
Prospect High School is very close to the petitioner’s residence. In fact, the neighborhoods involved in the petition are some of the closest neighborhoods to Prospect High School that exist within the Campbell Union High School District. In Figure 8, you can see the boundary area of Prospect High School, with the petitioner’s neighborhood shown in pink.

**Isolation**
In reading the petitioner’s comments concerning isolation, it was hard to determine how 113 homes consisting of multiple neighborhoods, are isolated. One of the quotes, attributed to a neighbor, states:

“We all grew up in the neighborhood where kids went to the same school, did activities/events together and connected via schools along with neighborhood facilities. Unfortunately, for our neighborhood, that’s not the case.”

113 homes, with children all attending the same schools, sounds exactly like the description provided in the quote above. Perhaps the isolation is by choice, but it is certainly not caused by the lack of neighbors or common schools.

The other condition listed to prove isolation concerns the use of Rainbow Park which is a large City Park in Cupertino. Though none of the homes listed in the petition are in Cupertino, it is easy to see why they gravitate to such a nice park. In a recent weekend visit to Rainbow Park I found people from all over the valley playing in the park. A group of 10 young men were playing football on the lawn and when I asked them what high school they attended, nine said Prospect High School and one said Lynbrook. There was also a large group celebrating a birthday, which I was lucky enough to join. When I asked where people lived, I discovered one family was from Los Gatos, one from Alameda, one from San Jose and two from Saratoga.

Rainbow Park is a beautiful and well maintained public park that draws visitors from a wide range of neighborhoods, schools and cities. To believe that any public park in the Bay Area is used solely by a single neighborhood or school is simply not true and is certainly not evidence of isolation.

**Budget Considerations**
The petitioners state that Lynbrook High School has “opened enrollment for students outside of their school are due to spot availability.” Lynbrook High School did have open enrollment in August of 2011 for 30 students in order to offset increasing enrollment at other schools in the district. Unfortunately, the district continues to grow, with enrollment growth projected to accelerate over the next 5 years. Any school in our district that may have space available, will be used to offset overcrowding in other district schools. FUHSD does not have room for additional students living outside of the district.
Figure 1 – Adjacent Neighborhood for SGR Comparison

Blue area is the comparison area for SGR. Pink area is the area included in the petition.
Figure 2 - Johnson Ave. Crossing – Street View

Figure 3 - Johnson Ave. Crossing – Street View
Figure 4 - Lyle Dr. / Prospect High School Entrance – Street View

Figure 5 - Lyle Dr. / Prospect High School Entrance – Overhead View
Figure 6 - Lawrence Expressway – Street View

Figure 7 - Lawrence Expressway – Overhead View
Figure 8 - Boundary Map for Prospect High School – Location Adjacent to Prospect High
Petitioner’s neighborhoods in Pink.

Figure 8 – Map Showing Lack of Isolation
Area included in the petition is outlined in yellow. Area in purple is FUHSD attendance area.
Definition of Geographic Isolation
A situation in which the duration and/or safety of the commute between the territory proposed for transfer and the closest school within the school district of residence causes an extreme hardship to the student(s) residing in the territory.

Criteria for Determining Extreme Hardship
The two general criteria for determining extreme hardship are (1) duration of the commute and (2) safety of the commute.

Commute Duration
All “commute safety” criteria being equal, an extreme hardship exists if the length of time to travel between the territory proposed for transfer and the closest school district of residence exceeds the length of time to travel between the territory and the closest school within the desired school district by 20 (twenty) or more minutes.

Commute Safety
The two commute safety criteria to be considered are (1) road and/or street conditions and (2) traffic patterns.

- Road and/or Street Conditions
  All “commute duration” and “traffic pattern” criteria being equal, an extreme hardship exists if “road and/or street conditions” place the student(s) in significantly greater danger during the commute between their homes and the closest school within the school district of residence than during the commute between their homes and the closes school within the desired school district. “Road and/or street conditions” may include, but not necessarily be limited to, width, number of lanes, repair history, speed limit, grade, visibility, frequency of road closures, existence of shoulders or sidewalks, etc.

- Traffic Patterns
  All “commute duration” and “road and/or street conditions” criteria being equal, an extreme hardship exists if “traffic pattern conditions” place the student(s) in significantly greater danger during the commute between their homes and the closest school within the school district of residence than during the commute between their homes and the closest school within the desired school district. “Traffic pattern condition” may include, but not necessarily limited to, volume of traffic, direction of commute traffic, accident history, etc.

The County Committee also may consider exceptional circumstances of a particular territory or area surrounding the territory.
To: Office of Planning and Research  
PO Box 3044, 1400 Tenth Street, Room 212  
Sacramento, CA 95812-3044

From: (Public Agency) __________________________  
Santa Clara County Office of Education  
1290 Ridder Park Dr.  San Jose, CA 95131

Project Title: Transfer of Territory: Moreland School District and Campbell Union High School District to Cupertino Union School District and Fremont Union High School District

Project Location – Specific: Attached is a list of addresses and parcel numbers for the territory proposed for transfer.

Project Location – City: Santa Clara  
Project Location – County: Santa Clara

Description of Project: Proposal to transfer 123 parcels from MSD/CUHSD to CUSD/FUHSD

Name of Public Agency Approving Project: __Santa Clara County Committee on School District Organization____

Name of Person or Agency Carrying Out Project: __Santa Clara County Committee on School District Organization____

Exempt Status: (check one)

☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
X  Categorical Exemption. State type and section number __Article 19  Section 15320  Class 20________
☐ Statutory Exemptions. State code number: ______________________________________________________________________

Reasons why project is exempt: Minor boundary change between to local agencies (school districts).

Lead Agency  
Contact Person: _Suzanne Carrig_______  Area Code/Telephone/Extension: (408) 453-6869

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  □ Yes  □ No

Signature: ____________________________  Date: ___________  Title: _Administrative Program & Evaluation Specialist

X  Signed by Lead Agency  
Date received for filing at OPR: ________________

☐ Signed by Applicant