

Territory Transfer Proposal and Process



Benjamin C. Rosenbaum
Legal Counsel
FCSS Legal Services

1

Petition to Transfer Territory



Received

PETITION FOR TRANSFER OF TERRITORY

MAY 06 2024

To the Superintendent of Schools of Fresno County:

FCSS Legal Services

Pursuant to *Education Code* Section 35700, subdivision (a), the undersigned, constituting at least 25 percent of the registered voters residing in the territory proposed to be transferred, now within the boundaries of the Sierra Unified School District, Fresno County, petition that the boundaries of the Sierra Unified School District be changed to eliminate from it the territory hereinafter described. The undersigned persons petition that the territory be transferred to and included within the Clovis Unified School District of Fresno County.

The property to be transferred is described as follows:

Lots 1-91 and Outlots A-R of "Map of Tract No. 5100, Ventana Hills," recorded in the County of Fresno on March 9, 2005 in Volume 71 of Plats, at pages 84 thru 92. This territory transfer proposal also includes the land contained within Fresno County APNs 300-061-29, 300-061-30, 300-061-59, 300-061-62, 300-420-29S, 300-420-04S, 300-420-25S, 300-542-19, 300-542-20, 300-542-21, 300-542-22, 300-542-23. Please see [Exhibit A](#) for a visual delineation.

Affected school districts: Sierra Unified School District; Clovis Unified School District

The undersigned request the changes in the respective boundaries of the school districts for the following reasons:

1. Substantial community identity
2. Student safety and access to cocurricular activities

2



Petition to Transfer Territory

- Needed to contain 8 valid signatures to represent 25% of registered voters in the proposal territory
- Contained 18 signatures
- 16 of the 18 signatures were found to be legally valid

3



Petition to Transfer Territory

- Proposal territory includes the neighborhood currently under development known as “Ventana Hills” (~200 acres)
- Also includes multiple undeveloped parcels to the West (~430 acres)

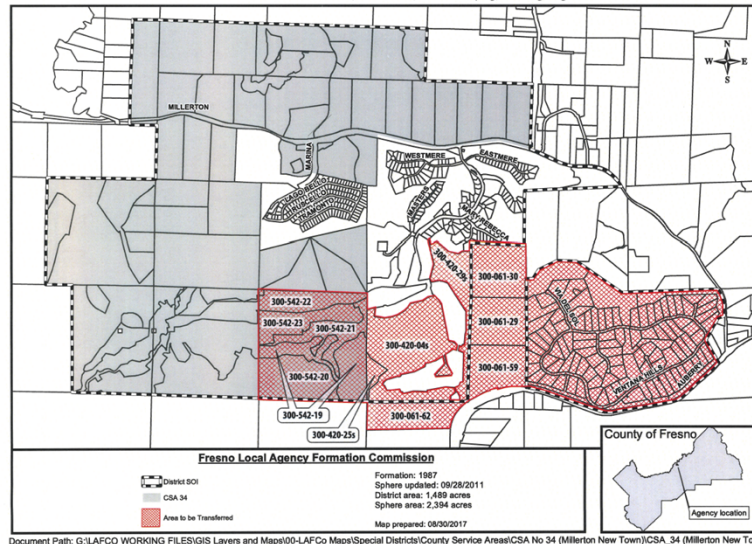
4



Petition to Transfer Territory

EXHIBIT A to PETITION for TRANSFER of TERRITORY

County Service Area No. 34 (Millerton New Town)
Authorized services: water, wastewater, street sweeping, street lighting



Document Path: G:\LAFCO WORKING FILES\GIS Layers and Maps\00-LAFCo Maps\Special Districts\County Service Areas\CSA No 34 (Millerton New Town)\CSA_34 (Millerton New Town)

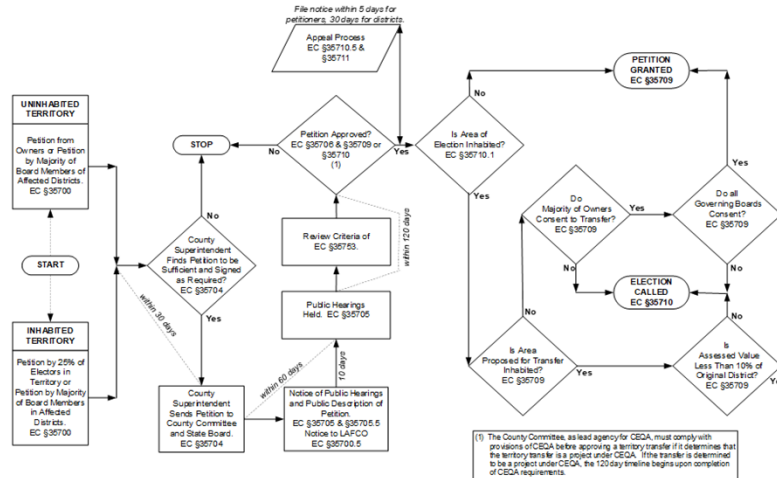
5



Territory Transfer Process

Flowchart A

TERRITORY TRANSFER INITIATED BY OWNERS, 25% PETITION, OR DISTRICT GOVERNING BOARDS



6



Territory Transfer Process

- County Committee must examine defined criteria (Ed. Code § 35753)
- If all criteria are substantially met, the County Committee **may** approve the petition

7



Ed. Code § 35753 Criteria

- (1) The reorganized districts will be adequate in terms of number of pupils enrolled.
- (2) The school 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 school districts will preserve each affected district's ability to educate pupils 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 affected districts.
- (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 affected district.
- (10) Any other criteria that the state board may, by regulation, prescribe.

8



Information for the Public

Fresno County Committee on
School District Organization
Website:

<https://www.fcoe.org/departments/fccsdo>

CDE Handbook:

<https://www.cde.ca.gov/re/lr/do/sdohandbook.asp>



Questions from the Committee?
