

**CRITERIA FOR APPROVAL OF REORGANIZATION PROPOSALS – EDUCATION  
CODE SECTION 35753**

(a) The state board may approve proposals for the reorganization of school districts, if the state board has determined, with respect to the proposal and the resulting school districts, that all of the following conditions are substantially met:

- (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.

(b) The state board may approve a proposal for the reorganization of school districts if the state board determines that it is not practical or possible to apply the criteria of this section literally, and that the circumstances with respect to the proposals provide an exceptional situation sufficient to justify approval of the proposals.

*(Amended by Stats. 2016, Ch. 186, Sec. 31. Effective January 1, 2017.)*

**TRANSFER OF TERRITORY  
CRITERIA MATRIX**

**The County Committee may approve the petition, if the County Committee finds that the conditions enumerated in Education Code section 35753(a)(1)-(9) are substantially met.**

**Criterion 1**

**Education Code section 35753(a)(1): The reorganized districts will be adequate in terms of number of pupils enrolled.**

**5 CCR 18573(a)(1):** It is the intent of the State Board that direct service districts not be created which will become more dependent upon county offices of education and state support unless unusual circumstances exist. Therefore, each district affected must be adequate in terms of numbers of pupils, in that:

(A) Each such district should have the following projected enrollment on the date that the proposal becomes effective or any new district becomes effective for all purposes: Elementary District: 901; High School District: 301; Unified District: 1,501

(B) The analysis shall state whether the projected enrollment of each affected district will increase or decline and the extent thereof.

Petitioner	School District(s)	Public Comments

**Criterion 2**

**Education Code section 35753(a)(2): The school districts are each organized on the basis of a substantial community identity.**

**5 CCR 18573(a)(2):** To determine whether the new district is organized on the basis of substantial community identity, the following criteria should be considered: (A) Isolation, (B) Geography, (C) Distance between social centers, (D) Distance between school centers, (E) Topography, (F) Weather, (G) Community, school, and social ties and other circumstances peculiar to the area.

Petitioner	School District(s)	Public Comments

**Criterion 3**

**Education Code section 35753(a)(3): The proposal will result in an equitable division of property and facilities of the original district or districts**

**5 CCR 18573(a)(3):** To determine whether an equitable division of property and facilities will occur, the California Department of Education will determine which of the criteria authorized in Education Code Section 35736 shall be applied. It shall also ascertain that the affected districts and the county office of education are prepared to appoint the committee described in Education Code section 35565 to settle disputes arising from such division of property.

Petitioner	School District(s)	Public Comments

**Criterion 4**

**Education Code section 35753(a)(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 CCR 18573(a)(4):** To determine whether the new districts will promote racial or ethnic discrimination or segregation, the effects of the following factors will be considered:

- (A) The current number and percentage of pupils in each racial and ethnic group in the affected districts and schools in the affected districts, compared with the number and percentage of pupils in each racial and ethnic group in the affected districts and schools in the affected districts if the proposal or petition were approved.
- (B) The trends and rates of present and possible future growth or change in the total population in the districts affected, in each racial and ethnic group within the total district, and in each school, of the affected districts.
- (C) The school board policies regarding methods of preventing racial and ethnic segregation in the affected districts and the effect of the proposal or petition on any desegregation plan or program of the affected districts, whether voluntary or court ordered, designed to prevent or to alleviate racial or ethnic discrimination or segregation.
- (D) The effect of factors such as distance between schools and attendance centers, terrain, and geographic features that may involve safety hazards to pupils, capacity of schools, and related conditions or circumstances that may have an effect on the feasibility of integration of the affected schools.
- (E) The effect of the proposal on the duty of the governing board of each of the affected districts to take steps, insofar as reasonably feasible, to alleviate segregation of minority pupils in schools regardless of its cause.

Petitioner	School District(s)	Public Comments

**Criterion 5**

**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.**

**5 CCR 18573(a)(5):** 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 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.

Petitioner	School District(s)	Public Comments

**Criterion 6**

**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 affected districts.**

Petitioner	School District(s)	Public Comments

**Criterion 7**

**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.**

Petitioner	School District(s)	Public Comments

**Criterion 8**

**Education Code section 35753(a)(8): The proposed reorganization is primarily designed for purposes other than to significantly increase property values.**

Petitioner	School District(s)	Public Comments

**Criterion 9**

**Education Code section 35753(a)(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.**

Petitioner	School District(s)	Public Comments