



Cupertino Union School District

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Angie Cardoza, Foreperson
2009-2010 Santa Clara Civil Grand Jury
Superior Court Building
191 North First Street
San Jose, CA 95113

DAVID H. YAMASAKI
Chief Executive Officer/Clerk,
Superior Court of CA County of Santa Clara
BY D. ALDYCKI

Dear Ms. Cardoza:

This letter is the Cupertino Union School District's response to your June 24, 2010, correspondence to Board of Education President, Ben Liao. ***Please note that the current Board of Education President is Josephine Lucey.***

As required by California Penal Code section 933.05(a,b), the Cupertino Union School District response to the Findings and Recommendations from the Civil Grand Jury's Final Report, "Achieving School District Efficiency Through Consolidation" is enclosed for your reference.

Should you have questions, I may be reached at (408) 252-3000, Extension 200.

Sincerely,

Phil Quon
Superintendent

PQ:jn

Enclosure

Cupertino Union School District
Response to the Santa Clara County Grand Jury's Final Report
"Achieving School District Efficiency Through Consolidation"

Finding 1

Education and financial benefits can be achieved by consolidation and unification of certain county school districts.

The Cupertino Union School District partially agrees with this finding. Given the fact that there are 32 school districts in Santa Clara County of varying sizes, there are certain circumstances where consolidating and/or unifying smaller districts will achieve efficiency of scale.

Recommendation 1c

The Boards of Trustees should unify Cupertino Union School District and Sunnyvale School District with Fremont Union High School District.

The Cupertino Union School District will not implement this recommendation because it is not warranted. The Cupertino Union School District is the largest elementary school district in northern California and is one of the highest performing school districts in the state. With an enrollment of over 18,000 students, the Cupertino Union School District is already operating with the efficiency of scale that the Grand Jury's recommendation of unification is based upon. The Cupertino Union School District's enrollment alone is already in the "optimum" range of efficiency as stated on page 7 of the Grand Jury's Final Report.

After carefully reviewing the Grand Jury's recommendation, the rationale for not implementing the unification recommendation is based on several factors, which are summarized in the sections below.

The primary reason for unification stated in the Grand Jury's Final Report is cost savings. It should be noted that the projected cost savings estimate of seven percent that is stated on page 6 of the Grand Jury's Final Report may be an unrealistic figure given the following reasons:

Already Implemented Reductions

Given the budget uncertainties surrounding education funding, the Cupertino Union School District has already made significant reductions ranging from elimination of central office positions (including management) and the reduction of departmental budgets. Please note that the number of administrators listed in Table 1 of the Grand Jury's Final Report overstates the number of administrators in the Cupertino Union School District by 4.5 FTE.

Overall Funding For Proposed District

It is unclear on the net result of the blended revenue limit for the proposed unification of the Cupertino Union School District, Sunnyvale Elementary School District, and the Fremont Union High School District. The Cupertino Union School District is a revenue limit district, while the other two school districts of

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the proposed unification are basic aid districts. Given the fact that the Cupertino Union School District's enrollment would represent almost 60% of the proposed unified district, the new district could actually receive less revenue than the aggregate of the three individual districts due to the potential loss of the basic aid funding structure.

Unique Programs

The Grand Jury's Final Report assumes that there will be significant savings due to the elimination of redundant programs within the three school districts due to unification. This may not necessarily be true as the Cupertino Union School District, Sunnyvale School District, and the Fremont Union High School District operate a number of outstanding unique programs. Some examples are the Comprehensive Autism Program Center and State Preschool Program in the Cupertino Union School District and the Adult & Community Education Program in the Fremont Union High School District.

Classified Employee Protection

California Education Code prevents the layoff of classified employees for two years due to the consolidation or unification process. The cost of maintaining the classified employees from the three involved districts would have to be taken into consideration when calculating any projected cost savings. It is unclear if the Grand Jury's seven percent calculation accounts for this fact.

In addition to the assumed financial benefits, the Grand Jury's Final Report cites six education benefits for consolidation. The Cupertino Union School District's responses are as follows:

1. **Enhance communication between the high schools, middle, and elementary schools**

The Cupertino Union School District and Fremont Union High School District already have a long history of strong articulation at both the district and school site levels. In addition, there is also collaboration between the elementary, middle, and high school parent organizations. Both districts are committed to ensuring that this strong articulation will continue into the future.

2. **Make temporary assignments of high school teachers and middle school students to facilitate exceptional student learning opportunities**

Currently, when appropriate, an exceptional middle school student from the Cupertino Union School District can be enrolled in a high school level class.

3. **Design middle school configurations (e.g. K-8, or 5-8, or 7-12) in recognition of the varied maturation rates of middle school age students**

The Cupertino Union School District already offers the middle school configuration of grades 6 through 8. The Cupertino Union School District also

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offers a K through 8 program of choice, in addition to a K-8 language immersion strand program.

4. **Move students having difficulty into a new school to improve their education experience and performance**

The Cupertino Union School District is already able to offer a wide range of education options through our 20 elementary and five middle school sites.

5. **Deploy the newly available financial resources to enable counselors and librarians as well as teachers to be retained**

It is unclear what the actual amount of additional resources would be available to retain additional employees through unification.

6. **Enhance program choices and restore previously cancelled or scaled back programs**

It is unclear what the actual amount of additional resources would be available to restore previously cancelled or scaled back programs through unification.

It also should be noted that the Grand Jury's Final Report cites the consolidation of the Twin Rivers Unified School District as containing similar characteristics to the proposed unification of the Cupertino Union School District, Sunnyvale School District, and the Fremont Union High School District. After reviewing the recent unification of the Twin Rivers Unified School District, the following differences in the two scenarios should be pointed out:

1. The Twin Rivers Unified School District covers 120 square miles and the greatest operational savings was achieved through the elimination of redundant transportation services and the streamlining of the transportation department. The proposed unification of the Cupertino Union School District, Sunnyvale School District, and the Fremont Union High School District would create a district of approximately 35 square miles and there would not be a significant transportation savings since the districts currently do not operate general bussing.
2. The Grand Jury's Report points out a number of potential benefits for unification. However, the report fails to acknowledge that consolidation of departments has had an impact on the level of service and support from the Twin Rivers Unified School District central office due to lower levels of staffing (this information was obtained from the Twin Rivers Unified School District's website). The proposed unification of the Cupertino Union School District, Sunnyvale School District, and the Fremont Union High School District paired with the elimination of district administrators could cause a decrease in the quality of programs being offered in the unified district.

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3. The unification of the Twin Rivers Unified School District involved three elementary school districts with enrollment of 1,500 students, 2,100 students, and 10,000 students with a grade Kindergarten through 6 configuration and one high school district with enrollment of 14,000 students in a grade 7 through 12 configuration. This unique configuration of grades is vastly different than the current configurations of the Cupertino Union School District, Sunnyvale School District, and the Fremont Union High School District.

As you can see, it is difficult at best to draw conclusive evidence of school district efficiency through unification due to the major differences between Twin Rivers and the proposed unification of the Cupertino Union School District, Sunnyvale School District, and the Fremont Union High School District.