

Current Considerations

There are some areas of misunderstanding that have been stated at recently held public meetings that can be addressed.

Myth: Eastview students may lose their right to attend PVPUSD schools.

The fact is the choice of Eastview students to attend PVPUSD schools is part of the California *Education Code*. Neither LAUSD nor PVPUSD has the ability to violate the Code. The only way that the students of Eastview may lose the ability to attend PVPUSD schools is if new legislation is introduced that amends the current law. Ironically, a transfer of territory legislative initiative may provide the vehicle wherein such a change is possible.

Myth: The effects of legislation that transfers territory from LAUSD to PVPUSD would only be positive for the District.

Numerous issues must be resolved through the legislative process should such a legislative proposal be made. LAUSD has a much greater ability to shape legislation than does PVPUSD. For example, three members of the Assembly Education Committee, including the committee chairperson, reside within the boundaries of LAUSD and none reside within the boundaries of PVPUSD. LAUSD has full-time lobbyists that can follow legislation through every step of the legislative process and work to shape a bill through their numerous contacts within the legislature. PVPUSD would have to pay its part-time lobbyist to undertake this task, at considerable expense to the District.

In conversations with legal counsel for LAUSD, we have identified at least three (3) critical issues where district interests could possibly be in conflict.

First, transfer of territory usually includes any school facilities located within the area being transferred. Indeed, since PVPUSD is using all of its available classroom space for elementary age children, PVPUSD would not have the capacity to provide facilities to new students in the event of a transfer of territory, absent a transfer of facilities, or new school construction. In this case, there are two (2) schools in question, Crestwood Street Elementary and Dodson Middle. The informal position communicated by LAUSD is that PVPUSD would owe market value for these sites. In a 1982 court filing, the market value of these sites was estimated to be \$42 million. While various arguments can be made under existing law that PVPUSD should not be required to pay LAUSD for these sites, advancing these arguments would likely involve the District in protracted and costly litigation, the outcome of which is inherently uncertain. Alternatively, if the special legislation were to include specific provisions for the transfer of school facilities, any such provisions would of necessity be shaped through a process in which, as noted above, LAUSD has vastly greater influence, and to which LAUSD can devote vastly greater resources.

Second, the two districts have differing opinions as to how the bond indebtedness would be handled. Eastview homes currently pay approximately \$143 per \$100,000 of assessed valuation for LAUSD bonds. The informal view of counsel for LAUSD is that PVPUSD would owe LAUSD the present value of the bonds. PVPUSD staff believes the common practice should prevail, which is the bonds would either be removed from Eastview homes or remain attached to the Eastview homes.

Third, when the original Eastview optional attendance area legislation was passed in 1998, PVPUSD requested that base funding for special needs students be transferred from LAUSD to the Southwest Special Education Plan Area (SELPA), of which PVPUSD is a member. LAUSD refused to transfer these base funds, and it was determined by the SELPA that the cost of litigating the issue was too high. This increased the encroachment on the PVPUSD General Fund. A transfer of territory would likely increase the number of special needs students served by PVPUSD. It would be staff's position that base level funds for these students should be transferred from LAUSD to the PVPUSD.

It is in the interest of both parties to have all these issues clearly defined within any proposed legislation. In the event the legislation does not address an issue, the prospect of litigation is very high, along with the corresponding expense. Whether it is lobbying the proposed legislation or litigating an issue, PVPUSD will be out resourced by LAUSD. Any expenditure of District funds on this issue would come from the District's General Fund that is used for the education of our students.

Myth: The transfer of territory will reduce the cost of the PVPUSD bonds on each PVPUSD resident.

Eastview residents do not have to pay any portion of the three (3) PVPUSD bonds (Measures K, R, and S) nor the District's parcel tax (Measure P), even though Eastview students benefit from these measures. It is unlikely that any legislation would change this condition.

Myth: All Eastview students will be better off in a transfer of territory scenario.

Many Eastview residents choose to send their students to their neighborhood school. Public officials in the City of Rancho Palos Verdes have suggested that a transfer of territory need not necessarily include the school sites. Were that to be the case, those residents of Eastview who want their children to attend their neighborhood school would no longer be permitted to do so. PVPUSD does not have a transfer agreement with LAUSD. It has consistently been the position of the PVPUSD Board of Education that such an agreement would not be in the best interest of the Peninsula community, as any student in LAUSD could then apply for admission to a PVPUSD school. Conversely, there are some programs offered by LAUSD and accessed by Eastview families that, due to the size of LAUSD, cannot be replicated by PVPUSD. LAUSD may not be interested in providing access to these programs for our students, as they typically cost LAUSD far more to provide than the state provides in funding.

Myth: This should be a matter easily resolved in meetings with officials from LAUSD and PVPUSD.

Both school districts have spent resources in court over issues related to Eastview legislation. The likelihood that complex issues such as stated above, along with the unique issues identified by LAUSD in its court filings, can be resolved through negotiations is unrealistic.

Fact: There are some things we do know.

Any Kindergarten through 12th grade student who resides in the Eastview area currently has the right to choose to attend school in either PVPUSD or LAUSD, a right none of the families who reside within District boundaries share. This right is written into the *Education Code*, with no discretion by either LAUSD or PVPUSD.

PVPUSD bonds and the PVPUSD parcel tax are paid by households residing within the jurisdictional boundaries of the PVPUSD. A transfer of territory will not result in the sharing of these costs by Eastview property owners.

Should transfer of territory legislation be submitted, PVPUSD will be forced to spend precious resources on lobbyists and attorneys, not to mention staff time. This issue is not a PVPUSD Board goal and does not benefit PVPUSD students, but may adversely affect the residents who live within the jurisdictional boundaries of the Palos Verdes Peninsula Unified School District, all in an effort to achieve something Eastview students have now, the right to attend PVPUSD schools.