

**BEFORE THE GOVERNING BOARD
OF THE CAMPBELL UNION SCHOOL DISTRICT
SANTA CLARA COUNTY, CALIFORNIA
RESOLUTION NO. 2017-18-13**

**RESOLUTION APPROVING THE CLOSURE OF CAMPBELL MIDDLE SCHOOL AS
A TRADITIONALLY-OPERATED PUBLIC SCHOOL AND RE-OPENING THE
SCHOOL SITE AS A TK-8TH GRADE CHARTER SCHOOL
AND DETERMINING THE PROJECT IS EXEMPT FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT**

WHEREAS, the District operates Campbell Middle School (“CMS”), a traditionally-operated (non-charter) public school located at 295 W. Cherry Lane, Campbell, California (“School Site”); and

WHEREAS, in or around June 2016, the Superintendent recommended closure of Campbell Middle School (“CMS”) as a traditionally-operated public school at the end of the 2017-2018 school year and further recommended re-opening the School Site as a charter school serving students in transitional kindergarten through 8th grade (“TK-8th Grade Charter School”) on the School Site for the 2018-2019 school year; and

WHEREAS, in or about January 2017, the District convened a Transformation Team comprised of community members, parents, teachers, classified employees, and administrators to develop a TK-8th Grade Program Implementation Plan for the closure of the traditionally-operated public school at the School Site at the end of the 2017-2018 school year and the opening of the TK-8th Grade Charter School at the School Site for the 2018-2019 school year; and

WHEREAS, on April 20, 2017, the Board took action to approve the following recommendations of the Transformation Team for the 2017-2018 transition year prior to the closure of the traditionally-operated public school at the School Site and the opening of the TK-8th Grade Charter School at the School Site: (1) that 6th grade students would not be enrolled at CMS for the 2017-2018 school year; (2) that 5th grade students currently enrolled at CMS would be transferred to Rolling Hills Middle School or Monroe Middle School for the 2017-2018 school year; and (3) that only 7th and 8th grade students be enrolled at CMS for the 2017-2018 school year; and

WHEREAS, on June 22, 2017, the Board took action to approve the TK-8th Grade Program Implementation Plan submitted by the Transformation Team; and

WHEREAS, the closure of the traditionally-operated public school and the opening of the TK-8th Grade Charter School at the School Site (collectively, the “Project”) is a project subject to the California Environmental Quality Act (Pub. Resources Code, § 21000, *et seq.*, (“CEQA”)); and

WHEREAS, the Guidelines for CEQA (California Code of Regulations, Title 14, Chapter 13) (“CEQA Guidelines”) exempt certain projects from further CEQA evaluation, including the following: Class 1 for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features (Cal. Code Regs., tit. 14, § 15301), and Class 14 for minor additions to schools (Cal. Code Regs., tit. 14, § 15314); and

WHEREAS, the Project does not involve any of the following and so is eligible for a categorical exemption as described above under CEQA Guidelines section 15300.2:

- (a) the cumulative impact of successive projects of the same type in the same place, which over time are significant;
- (b) an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;
- (c) a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway;
- (d) a hazardous waste site which is included on any list compiled pursuant to Section 65962.5 of the Government Code; and
- (e) a project which may cause a substantial adverse change in the significance of a historical resource; and

WHEREAS, the CEQA Guidelines also exempt from further CEQA review those activities that are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA (the “Common Sense Exemption”); and

WHEREAS, upon a determination that the Project is exempt from CEQA, the District is entitled to file a Notice of Exemption with the County Clerk pursuant to California Code of Regulations, Title 14, section 15062.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Campbell Union School District that it hereby finds, determines, and orders as follows:

1. The foregoing Recitals are adopted as true and correct.
2. The Board hereby approves the Project and finds and determines that the Project is in the best interests of the District, its students, and the community.
3. The Project is hereby found to be exempt from the requirements of CEQA pursuant to the Common Sense Exemption and the Class 1 and 14 exemptions. The District’s

Superintendent, or her designee, is authorized and directed to prepare and file a Notice of Exemption with the County Clerk.

4. The Superintendent or her designee is authorized and directed to take such further actions as may be necessary and appropriate to carry out the intent of this Resolution.

The foregoing Resolution was adopted at a meeting of the Governing Board of the Campbell Union School District on November 16, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Thomas M. Gemetti
Board President
Campbell Union School District

CERTIFIED TO BE A TRUE
AND CORRECT COPY:

Richard H. Nguyen
Clerk
Campbell Union School District