

**POLICIES OF THE  
LOS ANGELES COUNTY COMMITTEE  
ON  
SCHOOL DISTRICT ORGANIZATION**

**ADOPTED November 6, 2002**

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## PREFACE

County committees on school district organization were created in each county by the California State Legislature in 1949. The Los Angeles County Committee on School District Organization (County Committee) is governed by the rules and regulations established by the Legislature and by its own policies and procedures. Its duties and responsibilities pertain to both school and community college districts.

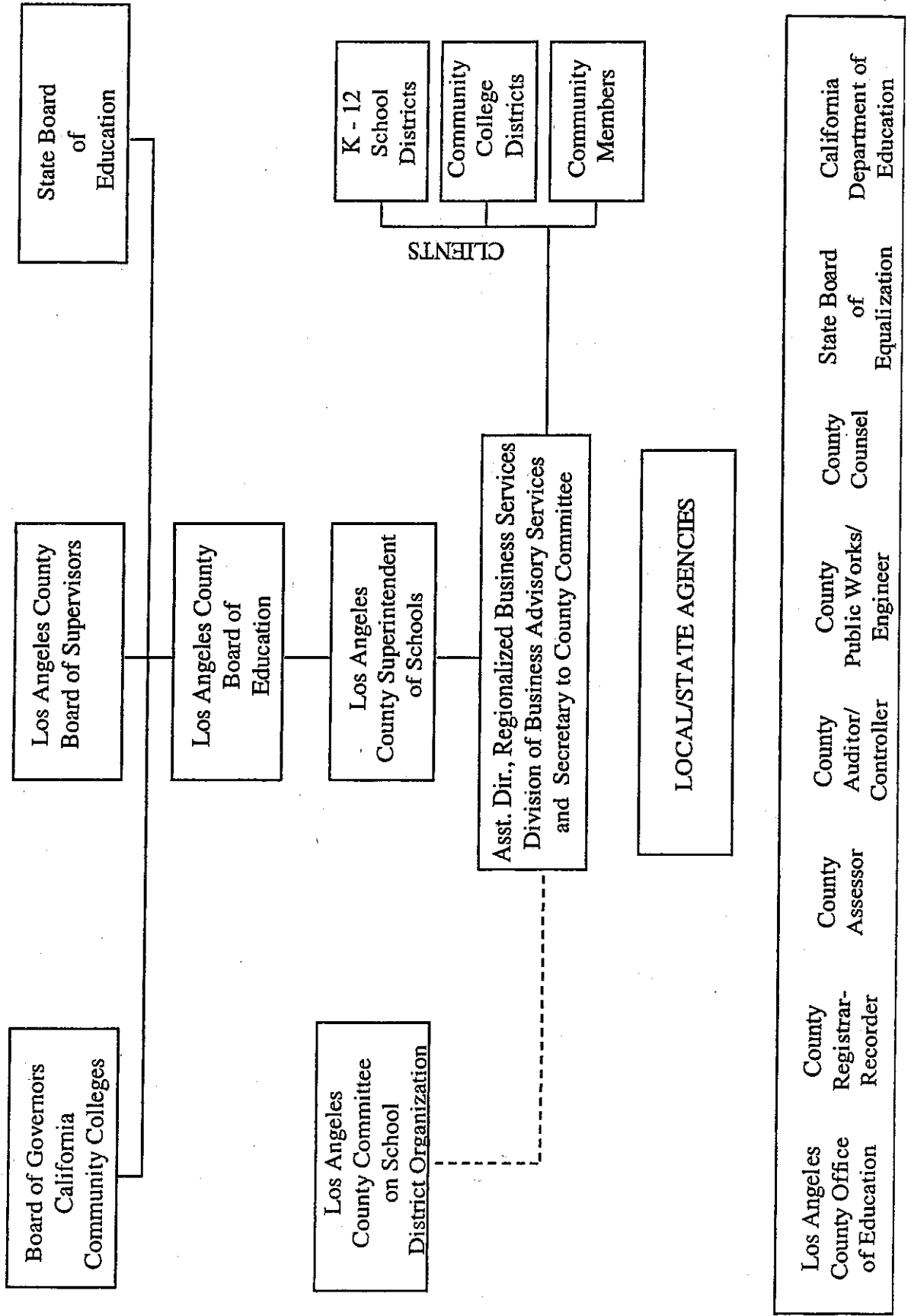
The County Committee is charged by the state to study and make recommendations and decisions in the areas of reorganizing school districts; establishing, rearranging, and abolishing trustee areas; and changing the number of governing board members and the manner in which they are elected. Since 1964 the County Committee has maintained a countywide Master Plan for school district organization. The latest revision to the Los Angeles County Master Plan was October 6, 1999. (See Appendix 1)

The activities of the County Committee are administered by the Los Angeles County Superintendent of Schools and communicated to the Los Angeles County Board of Education. The County Committee interacts with school and community college districts, community members, other county committees, state and county agencies including the California Department of Education (CDE), the State Board of Education (SBE), the Los Angeles County Board of Supervisors, the Los Angeles County Assessor, the Los Angeles County Auditor Controller, and the State Board of Equalization.

It is the intent of the County Committee that any reorganization will improve the efficiency and effectiveness of the delivery of educational services. In carrying out its responsibilities, the County Committee will follow the provisions of the Education Code, be guided by the regulations of the SBE as outlined in Title V of the California Administrative Code, and seek input from district representatives, community members, and other interested stakeholders.

The following contains the policies and procedures of the County Committee as adopted October 6, 1999. The County Committee will revise its policies and procedures as changes in applicable law occur or other conditions require and as the County Committee deems changes necessary.

**ORGANIZATION CHART  
LOS ANGELES COUNTY COMMITTEE ON  
SCHOOL DISTRICT ORGANIZATION**



**POLICIES OF THE  
LOS ANGELES COUNTY COMMITTEE ON  
SCHOOL DISTRICT ORGANIZATION**

**I. ORGANIZATION**

**A. Membership**

1. The Los Angeles County Committee on School District Organization (County Committee) shall be composed of 11 members who are registered voters of Los Angeles County and who are not county superintendents of schools or employees of the office of a county superintendent of schools or any school or community college district (Education Code [EC] §4003 and §4007).
2. Each supervisorial district, of Los Angeles County, shall be represented by at least two members of the County Committee elected by a majority vote of representatives of the governing boards of school and community college districts in Los Angeles County at the annual meeting called and held pursuant to EC §4005. One member shall be elected at-large.
3. If any change in the boundaries of a county supervisorial district in the county affects an incumbent member of the County Committee, the affected member shall serve the remainder of his or her term of office, and succeeding County Committee members shall be elected in accordance with paragraph 2 above (EC §4008).
4. To be eligible to serve on the County Committee, a person must be a registered voter residing within the supervisorial district in which a vacancy exists (EC §4008). Any member of the governing board of a school district or community college district in the same or any other county may simultaneously serve as a member of the County Committee (EC §4007).

**B. Election of Members**

1. The members of the County Committee shall be elected at the annual meeting of school and community college district representatives called by the Los Angeles County Superintendent of Schools (County Superintendent) and held between October 1 and December 1 of each year. The annual meeting shall be held in conjunction with the fall meeting of the Los Angeles County School Trustees Association (LACSTA). One vote will be cast by the representative of the governing board of each school and community college district of the county.

A majority vote is required to fill the seat (EC §4005, §35023, and §72403). If a majority vote is not obtained, a run-off election will be held between the two candidates receiving the most votes. The run-off election will be conducted by absentee ballot (EC §4006).

Current County Committee members are encouraged to attend the annual election. Registration costs will be paid by the County Superintendent.

2. In July/August of each year, the Secretary will prepare a bulletin to send to the superintendents and governing boards of all school and community college districts to solicit nominations for candidates to serve on the County Committee.

To ensure representation that is balanced and diverse, the County Committee encourages districts to nominate community leaders/individuals in addition to governing board members to serve on the County Committee.

3. In August/September of each year, the Secretary will send a follow-up bulletin to superintendents and governing boards of all school and community college districts informing them of the date, time, and place of the annual election held in conjunction with the LACSTA fall meeting. To increase participation of voting representatives in the County Committee election, the voting representatives may vote for County Committee members by means of an absentee ballot (EC §4006). A Ballot Exchange Card, an Absentee Ballot, and biographical sketches of candidates will also be sent (EC §4005[b]).

If a voting delegate opts to vote using the Absentee Ballot, he/she will return the Ballot Exchange Card along with the completed Absentee Ballot to the County Committee Secretary as required. If a voting delegate chooses not to use the Absentee Ballot, only those voting delegates submitting a Ballot Exchange Card at the annual meeting will receive a Ballot and be allowed to vote.

Absentee ballots are to be submitted prior to the date set for the annual meeting. The deadline for submission of absentee ballots will be 5:00 p.m. on the last working day prior to the annual meeting. Absentee ballots will be tabulated at the same time the regular voting ballots are tabulated at the annual meeting. Results of the election will be announced at the annual meeting.

4. The term of office of each member shall be four years beginning upon election (EC §4009).
5. The County Committee Chairperson will administer the oath of office to each newly elected/appointed County Committee member at the next scheduled meeting of the County Committee.

#### C. Vacancies

1. Vacancies on the County Committee are created by any of the events outlined in Government Code (GC) §1770 (see Appendix 2).
2. Vacancies occurring during the term of office of a member of the County Committee shall be filled by a majority vote of the remaining members of the County Committee or, if they fail to fill such vacancies within 70 days, by the County Superintendent. Persons appointed to fill such vacancies shall hold office for the remainder of the unexpired term (EC §4006[c][2]).

Since no legal provisions specify the method for county committees to make appointments to fill vacancies, the County Committee may:

- a. Solicit nominations for candidates from governing boards of the 94 school and community college districts in Los Angeles County and interview each candidate whose name is submitted; or
- b. If the vacancy occurs within two months prior to or three months subsequent to a regular County Committee election (October of each year) and the election was held to elect candidates in the supervisorial district in which there is now a vacancy, the County Committee may select the candidate receiving the next highest number of votes.

3. As determined by the County Committee, the appointment process shall be conducted by either of the following methods:

- a. By Interview

All candidates will be interviewed in a public meeting forum. In the event that there is a large number of candidates, the County Committee has the option to either interview all of the candidates or to appoint a screening committee responsible for narrowing down the list of candidates. The screening committee will determine the method for selecting the field of candidates to advance to the final interview and the number of candidates who will be interviewed by the County Committee.

The County Committee can request all candidates to sit at the staff table and interview together or request candidates, other than the candidate being interviewed, to leave the room until it is his/her turn to be interviewed.

During the interview process, County Committee members may ask questions of each candidate related to the candidate's availability, experience, and commitment. Each candidate may be asked to make comments regarding questions or concerns relating to County Committee service.

Questions will not be revealed to the candidate prior to the actual appointment interview. A letter will be forwarded to the candidates specifying the time, date, and place of the interviews, and indicating that a series of general questions will be asked of each candidate.

At the conclusion of the interview session, motions may be made and seconded concerning the appointment of any candidate. The successful candidate will be determined by a vote of a majority (6) of the members of the County Committee.

- b. Select Candidate From a List of Nominees From Prior Election

The County Committee will contact the candidate with the next highest number of votes from the prior election and determine if the candidate is still interested in serving on the County Committee. If the candidate is still interested, the County Committee will take action to seat him/her at the next County Committee meeting.

If the candidate with the next highest number of votes is not interested, the County Committee may go down the list to the third candidate with the highest number of votes, etc., or opt to solicit nominations using the interview process.

The County Committee is not required to interview the candidates in utilizing this process.

4. If a County Committee member desires to resign, the pending resignation should be discussed with the County Committee Secretary prior to writing and submitting a formal letter of resignation. The vacancy becomes an established fact upon the date indicated in the written resignation or upon filing of the written resignation with the County Committee Secretary if no date is indicated.

D. Secretary/Staff to the County Committee

1. The County Superintendent, or his/her designee, shall serve as Secretary to the County Committee (EC §4012).



2. The Secretary will provide for the administrative responsibilities/functions of the County Committee and act as its spokesperson.
3. Legal counsel will be provided by the County Superintendent through the Office of Los Angeles County Counsel (County Counsel). Based on availability, County Counsel will attend meetings when requested by the County Committee. Questions, inquiries, and request for information by the County Committee to County Counsel shall be made through the Secretary.

E. Officers

1. The Chairperson shall preside over all meetings of the County Committee. The Vice Chairperson shall preside in the absence of the Chairperson.
2. At the first County Committee meeting following the election of members, the Chairperson shall select a nominating committee to establish a list of potential officers for the next calendar year.
3. The County Committee organizational meeting will be held in January for the purpose of electing a new Chairperson and Vice Chairperson. The nominating committee will present its recommendations at this meeting for the County Committee to vote on.
4. Officers shall assume their duties immediately upon their election and serve until the next organizational meeting in January of the following calendar year.
5. The County Committee authorizes its Chairperson or designee to represent its majority views on behalf of the County Committee with local community groups, the media, state and local agencies, and other entities as appropriate.

F. Meetings

1. Regular meetings of the County Committee shall be held on the first Wednesday of each calendar month at 9:30 a.m. in the Board Room of the Los Angeles County Office of Education (LACOE), 9300 Imperial Highway, Downey, California 90242-2890.

Regular attendance by County Committee members strengthens the function, effectiveness, and the continuity of the work of the County Committee. It is expected that each member will be in attendance unless prevented from such attendance by circumstances beyond the control of the member.

2. Regular meetings may be canceled for lack of business upon recommendation of the Secretary and approval of the Chairperson.
3. Special meetings may be called by the Chairperson or a quorum of the County Committee whenever either judges that business warrants the call (EC §4013).
4. Notice of regular meetings shall be posted in at least three public places at least 72 hours prior to the meeting. Notice of special meetings shall be delivered personally or by mail at least 24 hours before the time of such meeting (GC §54956).
5. A quorum at a regular or special meeting of the County Committee shall consist of a majority of the members of the County Committee (EC §4014).

6. County Committee meetings must be conducted in accordance with the "Brown Act" (GC §54950 *et seq.*). All actions of the County Committee will be taken openly and all of its deliberations will be conducted openly, allowing the public to address issues.
7. In order to promote constructive citizen and employee participation at County Committee meetings, to ensure equal and fair treatment to all individuals and groups, and to enable the County Committee to make maximum use of the limited time available at meetings, the following procedures will be observed:
  - a. Any individual or group may make an oral presentation to the County Committee concerning any subject that lies within the County Committee's jurisdiction.
  - b. A maximum of five minutes will be allocated to each speaker and a maximum of 20 minutes to each subject. No speaker may relinquish a time allotment to another speaker. Waivers to these time limits shall be made only by vote of the County Committee.
  - c. As the County Committee does not act as an employer, no oral presentation shall include charges or complaints against any employee, whether or not the employee is identified in any manner. All charges or complaints against an employee shall be referred to the Director, Division of Business Advisory Services, LACOE.
  - d. A person addressing the County Committee shall be ruled out of order if any remarks are made which serve to disrupt meeting proceedings. Persistence in such remarks shall be grounds for summary termination, by the Chairperson, of the person's privilege of address.
8. An act by the County Committee to approve or disapprove a proposal to transfer territory or an act to recommend approval or disapproval of a unification or formation proposal occurs by consensus or a majority vote of the County Committee.
9. A member should abstain from voting on any issue before the County Committee where such a vote will result in either a real or perceived conflict of interest. A conflict of interest exists when a member, individually or as a representative of a public agency or special interest group, has a competing financial, personal, policy, or other interest on any issue. Members should avoid voting on issues where such a vote may even give the appearance of a conflict of interest. A member need not state on the record the nature of the actual or perceived conflict but should merely state that he or she abstains from the vote. If a member is uncertain as to whether a conflict exists, it is better practice to err on the side of caution and abstain from voting on the issue.

G. County Committee Agenda

1. The Secretary to the County Committee shall prepare an agenda for all meetings. Items for the agenda may be suggested by County Committee members as well as by any school or community college district employee or governing board member or any local citizen. During the County Committee meeting, any and all subjects on the agenda may be heard by the County Committee. No discussion of, or action on, items not included on the agenda for the meeting will occur unless the provisions of GC §54954.2(b) are enacted.

2. Copies of the agenda of the County Committee will be mailed to the following:
  - a. Members of the County Committee;
  - b. The superintendent of each school or community college district that would be affected by the action of the County Committee on any agenda item;
  - c. Chief Petitioners;
  - d. Cabinet and Division Heads of LACOE; and
  - e. Concerned individuals upon request.

#### H. Minutes of the County Committee Meetings

1. The official minutes of the County Committee meeting will be recorded by the Secretary of the County Committee. The Secretary will mail a copy of the minutes of each meeting to each member of the County Committee prior to the ensuing regular County Committee meeting. The minutes will contain all motions made and the names of the individuals making and seconding each motion. The voting result will be recorded by number of ayes and nays; or, if a roll call vote was requested, the vote of each member will be recorded as cast.
2. It is the intent of the County Committee to maintain a complete set of minutes of items pertaining to specific proposals. Therefore, the Secretary will provide for minutes which document the pertinent discourse and underlying reasons behind a motion/vote and the major issues considered.
3. It is expected that each member present cast a vote when required except upon extenuating circumstances or upon the advice of County Counsel.
4. The minute books for the County Committee will be open to inspection by the public at LACOE during usual business hours (Public Records Act, GC §6250 *et seq.*). Such inspection will be under the supervision of an employee of LACOE.
5. County Committee meetings will be tape recorded to the extent possible. Tape recordings of County Committee meetings shall be readily available for a period of two years at which time they will be archived for a period of five years. Tape recordings of County Committee meetings may be destroyed after seven years.

#### I. Compensation to County Committee Members

1. Members of the County Committee serve without pay but shall be reimbursed for their actual and necessary travel expenses incurred in the performance of their duties (EC §4010).
2. Travel includes attendance at regular and special meetings and public hearings, as well as workshops, seminars, conventions, conferences, or other meetings serving County Committee related purposes. Expenses may include meeting registration fees, transportation, and meals.

All costs in conjunction with travel shall have been provided for in the County Committee budget prepared and maintained by the Secretary. The Secretary will validate whether sufficient funds have been budgeted to reimburse members for specific travel outside of mileage reimbursement.

a. Mileage

County Committee members performing authorized travel involving the use of their own vehicles shall be reimbursed for mileage at the Internal Revenue Service approved rate.

b. Meals

Reimbursement to County Committee members for meals while on approved travel will be reimbursed using the LACOE approved travel policy at the LACOE approved rate.

c. Lodging

Lodging shall be reimbursed for authorized stay-over at actual cost. Reimbursement shall not exceed the rate for single occupancy lodging.

d. Transportation

Economy, standard, tourist, or similar airfare rates are allowed. In the event the authorized person wishes to use a mode of travel that is not the most cost-effective, only the most cost-effective amount may be claimed. The Secretary will arrange for airfare and lodging for County Committee members as required.

e. Registration/Conference Fees

Registration fees are authorized and will be reimbursed. Other conference fees for specific events shall be reimbursed, except the cost of conference-sponsored or non-sponsored activities that are essentially entertainment or non-business.

f. Inservice Training – Meals and Refreshments

The cost of inservice training for County Committee members may be allowed. Meal expenses for an informal meeting consisting of selected County Committee members at a designated site or location other than LACOE facilities is authorized only if the County Committee authorizes the meeting and approves those in attendance.

g. Travel Claims

Whenever travel is authorized and costs are incurred, the County Committee member shall submit a claim to the Secretary that shows, in detail, all expenditures incurred. Invoices or proof of payment shall also be provided and attached to the claim for airfare/trainfare, lodging, conference fees, and meals.

h. Types of Travel

County Committee members are eligible to attend the following types of conferences or meetings with actual and necessary expenses reimbursed only if funds are available as validated by the Secretary and approval is provided by the County Committee. If there is insufficient time for the County Committee to approve the travel, authorization can be made by the Chairperson and/or Secretary.

- LACSTA Quarterly Meetings.

- Meetings of the State Board of Education (SBE) when there is an agenda item concerning County Committee related activities and the individual is authorized to represent the County Committee.
- School district organization related conferences/workshops within the State of California.

J. Miscellaneous

1. Any policy or provision herein, which is not mandated by law, is within the inherent discretion of the County Committee and may be waived by a two-thirds vote of the County Committee.

## II. RELATIONSHIP WITH SCHOOL AND COMMUNITY COLLEGE DISTRICTS

### A. Feasibility Studies

1. "It is the intent of the California Legislature to utilize the organization of districts as they existed on January 1, 1981, and local educational needs and concerns shall serve as the basis for future reorganization of districts in each county." (EC §35500)
2. Each County Committee shall, under the direction of the SBE, formulate plans and recommendations for the organization of the districts in the county (EC §35720).
3. The County Committee will perform feasibility studies on proposals brought forth in petitions that the County Superintendent has found to be sufficient and signed as required by law.

### B. Plans and Recommendations

1. The County Committee will approve and/or recommend approval of only those plans for reorganization which it considers will not have a serious adverse effect on the districts involved. The proposals must also be deemed by the County Committee to improve the efficiency and effectiveness of the delivery of educational services.
2. The plans and preliminary recommendations for reorganization will be compiled by the Secretary. Plans and recommendations may include, but are not limited to, applicable provisions of the Education Code, applicable court cases, decisions of the County Committee, and input from public hearings, school and community college districts, and the community.

### III. RELATIONSHIP WITH LACOE

#### A. Attendance at Meetings

1. The Secretary or his/her designee shall attend all regular and special meetings and public hearings of the County Committee.
2. When the County Committee or the Secretary determines that the work of the County Committee can be promoted by the attendance of the Secretary or his/her designee at conferences or conventions, such attendance is authorized.

#### B. Duties of the Secretary

1. The Secretary shall keep accurate and complete minutes of regular and special County Committee meetings, conduct necessary correspondence, prepare agendas and notices for meetings, and perform other duties as are requested by the County Committee.
2. The Secretary shall prepare feasibility studies relating to proposals submitted to the County Committee, advise the County Committee on procedures of law, and perform other duties as may be necessary. As appropriate, the data shall include, but not be limited to, information regarding: Conditions Affecting Reorganization Proposals (EC §35753 and §35730.1) (see Appendix 4). The Secretary will provide recommendations as to whether each condition set forth in EC §35753 and §35730.1 was met. If the proposal is approved by the County Committee, the Secretary will provide options as to the area in which to hold the election.
3. The Secretary shall review and evaluate data submitted to the County Committee by districts, chief petitioners, community members, and other agencies, and report the findings to the County Committee.
4. The Secretary shall act in an advisory capacity and shall not make recommendations to chief petitioners, districts or other parties.
5. The files of the County Committee shall be kept by the Secretary or his/her authorized representative.
6. Annually, the County Committee will provide an evaluation of the Secretary using the Performance Evaluation Document (see Appendix 5). The Chairperson will select an evaluation committee in September of each year to prepare the evaluation. Input will be solicited from other members and will be used by the evaluation committee to provide its recommendation to the Chairperson. The Chairperson will provide the Secretary with the completed evaluation document with his/her comments in September/October.

#### IV. RELATIONSHIP WITH OTHER AGENCIES

##### A. California Department of Education (CDE)/SBE

The County Committee and its Secretary will cooperate with and work through the CDE and the SBE on matters relating to school district organization.

##### B. County Committees on School District Organization

The County Committee and its Secretary will work with and cooperate with other county committees to promote efficient and effective processing of school district organization petitions.

##### C. Local Agency Formation Commissions

"Before initiating proceedings to consider any reorganization plan, the County Committee shall provide written notice of the proposed action to the local agency formation commission for the affected area." (EC §35700.5)

##### D. City Councils, County Board of Supervisors, Special Districts and Local Agency Formation Commissions

"On receipt of a resolution approved by a majority of the members of a city council, county board of supervisors, governing body of a special district or local agency formation commission with jurisdiction over all or a portion of the school district for consideration of unification or other reorganization, [the county committee will process the proposal pursuant to EC §35721]."

##### E. The Media

1. All correspondence/communiqués from and to County Committee members are to be directed to the Secretary or his/her designee.
2. News media or other requests for information to County Committee members will be directed through to the Secretary or his/her designee. The Secretary or his/her designee will contact the County Committee member and relate the information. It is within the County Committee member's discretion to return calls from the media.
3. The names of County Committee members and their supervisorial district representation will be provided upon request.
4. Written news releases regarding activities of the County Committee shall be approved by the County Committee, its Chairperson, or its Secretary.
5. The Secretary shall strive to maintain a positive relationship with the media.
6. The Secretary may answer questions from reporters when the matters are of public record.



## PROCEDURES

### I. PETITION REQUESTS

- A. All requests pertaining to school district organization will be made to the Secretary or his/her staff.
- B. All prospective petitioners are encouraged to work with the Secretary or his/her staff. Prior to preparing a petition, the following information is required:
  - 1. A map and boundary description of the territory to be covered by the proposed action;
  - 2. A list of districts affected by the proposal;
  - 3. The reasons for the proposed reorganization; and
  - 4. The names and addresses of no more than three chief petitioners.
- C. Prospective petitioners and affected districts are informed that costs associated with the filing of boundary change documents with the State Board of Equalization will be borne by the newly created district(s) (receiving district for territory transfers) [GC §54902.5].

### II. PREPARATION OF PETITIONS

- A. The Secretary will prepare and forward a petition to County Counsel for approval as to form and content. The petition must contain a map and boundary description, rationale, names and addresses of the three chief petitioners (if applicable), and an affidavit stating that all signatures on the petition are genuine signatures and were obtained in the presence of the petition circulator (EC §35701 and §35702).
- B. An approved petition, with a cover letter of instruction, will be forwarded as requested, to the chief petitioners, affected district governing boards, or landowner(s) (where uninhabited territory is involved [EC §35700(c)]) for signatures.

### III. DETERMINATION OF SUFFICIENCY OF ELECTORATE PETITIONS

- A. Completed petitions are to be returned to the Secretary in order that the County Superintendent can verify the signatures and determine if they are sufficient and signed as required by law (EC §35704).
- B. Upon receipt of a petition, the County Superintendent has 30 days to examine the petition and determine if it is sufficient and signed as required by law (EC §35704).
- C. The County Superintendent shall contract with the Los Angeles County Registrar-Recorder/County Clerk (Registrar-Recorder) to verify petition signatures. The Registrar-Recorder will provide his/her certificate showing the results of the examination.
- D. If the number of verified signatures is insufficient, the petitioners will be notified and no further action will be taken by the County Superintendent. Because there are no statutory timelines for submitting or appending signatures to a petition, the petitioners may obtain additional signatures to append to the original petition in order to attain the required percentage. The petition can be resubmitted to the County Superintendent.

- E. If the number of verified signatures is sufficient, the County Superintendent will present the petition to the County Committee at its next regularly scheduled meeting and transmit a copy of the petition that day to the SBE (EC §35704).

#### IV. PUBLIC HEARINGS

- A. For school district reorganization petitions filed pursuant to EC §35721(a)-(c), Education Code requires the County Committee to hold a public hearing at a regular or special meeting, after which it shall grant or deny the petition.

“If the County Committee grants the petition, it shall adopt a tentative recommendation, following which action it shall hold one or more public hearings in the area proposed for reorganization.” (EC §35721[d])

If the County Committee denies the petition, it shall not adopt a tentative recommendation and terminate further processing of the petition.

- B. For each school district organization petition filed under EC §35700, or petition granted under EC §35721(d), the Education Code requires the County Committee to hold at least one public hearing in each affected district within 60 days of the receipt of a petition from the County Superintendent (EC §35705). Additional hearings may be held at the discretion of the County Committee.
- C. Guidelines have been established by the County Committee for use in conducting public hearings (refer to Appendix 3).
- D. Public hearings will be scheduled when required on evenings that are most convenient for the majority of the County Committee members to attend. Hearings will usually start between 7:00-7:30 p.m. However, to facilitate multiple public hearings on the same date, starting times may be scheduled earlier or later as necessary.
- E. Although a quorum of the County Committee is not required to conduct a public hearing, every effort should be made by County Committee members to attend any/all hearings.
- F. Notice of public hearings shall be given at least ten days prior to the hearing to not more than three persons designated as chief petitioners, to the governing board of the affected districts, and to all other persons requesting notice (EC §35705).
- G. Notice of public hearings shall be published once in a newspaper of general circulation within the affected districts at least ten days prior to the hearing.
- H. Ten days prior to a public hearing, the County Committee will make available to the public a description of the petition and related data as required by EC §35705.5.
- I. In order to promote constructive citizen participation, to ensure equal and fair treatment to all individuals and groups, and to enable the County Committee to make maximum use of the limited time available at hearings conducted by the County Committee, the following procedures will be observed:
1. Any individual or group may make an oral presentation to the County Committee concerning any topic that pertains to the hearing agenda and subject matter.
  2. Hearings will be conducted in accordance with a posted agenda and agenda guidelines. A maximum of five minutes will be allocated to each speaker and a maximum of 45 minutes to each agenda guideline item. The County Committee may, at its discretion, utilize an abridged version of its public hearing guidelines

which provides for a maximum of 20 minutes for each agenda item. No speaker may relinquish a time allotment to another speaker. Waivers to these time limits shall be made only by vote of the County Committee.

3. A person addressing the County Committee shall be ruled out of order if any remarks are made which serve to disrupt meeting proceedings. Persistence in such remarks shall be grounds for summary termination, by the Chairperson, of the person's privilege of address.
4. Posting or distribution of banners, leaflets, handouts, or other media or communications, which serve to promote or discourage specific points of view, are prohibited inside the hearing room.
5. Language translation services can be provided with a minimum of three business days notice prior to the public hearing.
6. Public hearings are an opportunity for the community and district representatives to express their views on a reorganization proposal. Further, they provide an opportunity for the County Committee to gain first-hand knowledge of the unique issues associated with each proposed reorganization. While the proceedings may be tape recorded at the discretion of the County Committee, no minutes of the proceedings are normally kept. In some instances, a local television station may televise the hearings. In the event this should occur, consideration should be given to accommodating television crews while ensuring that the sight lines of neither the audience nor the County Committee are obstructed by the crews or their equipment.

#### V. APPROVAL/DISAPPROVAL OF THE PROPOSAL

- A. Within 120 days after the first public hearing, the County Committee will approve or disapprove a proposal (transfer of territory) or recommend approval or disapproval of the proposal (formations and unifications) (EC §35706).
- B. For petitions for formation or unification, the County Committee will transmit its plans, report, and recommendations to the SBE upon completion of the required statutory processes (EC §35707).
- C. In cases of the transfer of uninhabited territory or inhabited territory that is less than ten percent of the assessed valuation of the original district and where the majority of owners of the territory and the affected governing boards support the transfer by resolution, the County Committee may approve the petition without an election held in the affected territory (EC §35709).
- D. For all other cases involving transfer of territory, the County Committee may approve the proposal and notify the County Superintendent who must call an election in the territory of the districts as determined by the County Committee (EC §35710) (see Appendix 4).

#### VI. AREA OF ELECTION

- A. Whenever the County Committee approves a petition to transfer territory between school districts that requires any election, the County Committee shall also determine the territory in which the election shall be held.
- B. When the County Committee denies such a petition as described above in A, the County Committee need not determine an election area.

- C. Whenever the County Committee recommends approval of a unification or formation petition to the SBE, the County Committee may, in its discretion, also include a recommendation as to an area of election within its plans and recommendations.
- D. Whenever the County Committee makes a recommendation as to an area of election as described above in C, the County Committee may, in its discretion, make a determination that there exists a logical and meaningful reason(s) to expand the area of election beyond the area of the petition.

VII. APPEALS PROCESS (TERRITORY TRANSFER ONLY)

- A. An action by the County Committee approving or disapproving a petition to transfer territory may be appealed to the SBE by the chief petitioners or one or more of the affected school districts (EC §35710.5).
- B. Appeals may be made on issues of non-compliance regarding provisions of specific Education Code sections:
  - §35705 public hearings, notice
  - §35706 recommendations of the County Committee
  - §35709 order; notification
  - §35710 notification of approval; election; conditions

or

on issues of whether the proposal will adversely affect the racial or ethnic integration of schools of the affected districts (EC §35711).

For appeals on issues of non-compliance, a chief petitioner has five days and a school district has 30 days from the date of final action by the County Committee to file the notice of appeal with the County Superintendent and the County Committee. Upon filing of the notice of appeal, the action of the County Committee shall be stayed pending the outcome of the appeal. The appellant has 15 days from the filing of the notice to submit a statement of reason and factual evidence with the County Committee.

For appeals made on issues of whether the proposal will adversely affect the racial or ethnic integration of schools of the affected district(s), a notice of appeal must be filed directly to the SBE within 30 days (EC §35711).

The County Committee, within 15 days following receipt of the statement, must forward the statement and the County Committee records of the proceedings to the SBE.

The SBE may elect either to review the appeal or to deny review of the appeal (ratify the County Committee's decision). There are no time limits specified for the SBE to take action on an appeal.

- C. For reorganizations under the jurisdiction of different counties, only the County Committee may initiate an appeal to the SBE.

VIII. STATE BOARD OF EDUCATION REVIEW

- A. The petition, plans, and recommendations that propose unification or formation of a district will be heard by the SBE in accordance with statutory guidelines. The SBE will approve or disapprove the petition and make other pertinent decisions as required (EC §35708, §35750, and §35754).

- B. The SBE may review a petition for transfer of territory upon an appeal by the chief petitioners or the affected school districts (EC §35710.5 and §35711).
- C. The SBE is required to send a notice of public hearing to the districts, County Superintendent, County Committee, and chief petitioners at least 30 days prior to the date of the hearing (EC §35752).
- D. The SBE will hold the required public hearing and approve or disapprove the petition (EC §35754). There are no timelines in which the SBE is required to hold a public hearing.
  - 1. If the SBE disapproves the proposal, the process ends.
  - 2. If the SBE approves the proposal, the County Superintendent will be notified by the SBE (EC §35755). Within 35 days after receiving notification, the County Superintendent must call an election to be conducted at the next available regular election date within the territory determined by the SBE (EC §35756).

#### IX. ELECTION PROCESS

- A. The County Superintendent shall order an election for reorganization proposals as notified by the SBE (unification, formations or appeals) (EC §35756; §35710.51) or the County Committee (transfers of territory) (EC §35710).
- B. An election involving a transfer of territory shall be called by the County Superintendent within 35 days of receiving the notification from the County Committee. The County Superintendent shall not issue an order of election until after the time for an appeal pursuant to EC §35710.5(b) has elapsed (EC §35710.51).
- C. The County Superintendent shall prepare a statement of official information and statistics (EC §35757).
- D. The County Superintendent shall be responsible for causing the arguments for and against the proposed reorganization to be prepared and distributed (EC §35758).
- E. The County Superintendent shall tabulate the returns and notify the State Superintendent of Public Instruction, the Los Angeles County Board of Supervisors (Board of Supervisors), and the governing boards of the affected school districts (EC §35763).
  - 1. If the majority vote is against the proposal, the process is ended.
  - 2. If the majority vote is in favor of the proposal, the Board of Supervisors is notified to take further action.

#### X. NOTIFICATION TO LOCAL, COUNTY, AND STATE GOVERNMENTAL AGENCIES

Pursuant to EC §35765, the Board of Supervisors must cause a copy of the order and a map or plat of the reorganized territory to be filed with the appropriate local, county, and state governmental agencies upon any successful reorganization of school districts.

#### XI. EFFECTIVE DATE OF IMPLEMENTATION

If all processes are completed by December 31, then the effective date of the implementation shall be July 1 of the following calendar year (EC §35534).

# **APPENDIX 1**

## **ELECTION BALLOT/BALLOT EXCHANGE CARD SAMPLE**

**LOS ANGELES COUNTY OFFICE OF EDUCATION  
DIVISION OF BUSINESS ADVISORY SERVICES**

**BALLOT**

**TO ELECT THREE MEMBERS TO THE  
LOS ANGELES COUNTY COMMITTEE  
ON SCHOOL DISTRICT ORGANIZATION**

**October 2000 Election**

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**FIRST SUPERVISORIAL DISTRICT (Vote for One Only)**

Mr. John Nunez (Incumbent).....

Write-in Candidate \_\_\_\_\_

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**FOURTH SUPERVISORIAL DISTRICT (Vote for One Only)**

Mr. Frank Bostrom (Incumbent).....

Mr. Carl Moore.....

Ms. Mary Stanton.....

Write-in Candidate \_\_\_\_\_

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**FIFTH SUPERVISORIAL DISTRICT (Vote for One Only)**

Ms. Kathryn Blankinship (Incumbent).....

Ms. Sharon Beauchamp.....

Mr. Steven Sturgeon.....

Write-in Candidate \_\_\_\_\_

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**If voting by Absentee Ballot, this form, along with the Ballot Exchange Card, must  
be returned by 5:00 p.m., Wednesday, October 11, 2000, to:**

Ms. Mary Bracamontes  
Los Angeles County Committee on School District Organization  
c/o Los Angeles County Office of Education  
9300 Imperial Highway, EC Annex  
Downey, CA 90242-2890

# Ballot Exchange Card

\_\_\_\_\_  
Name

has been selected as the **Voting Representative** at the annual meeting to elect members to the Los Angeles County Committee on School District Organization to be held at The Castaway, 1250 Harvard Road, Burbank, on Thursday, October 12, 2000, at 7:15 p.m.

District: \_\_\_\_\_

Signed: \_\_\_\_\_  
(Clerk/Secretary to the Governing Board)

Signed: \_\_\_\_\_  
(Voting Representative)

**This card must be presented by the voting representative at the annual meeting in exchange for a ballot, or if voting by Absentee Ballot, this card must be returned along with the Absentee Ballot.**



# **APPENDIX 2**

## **GOVERNMENT CODE SECTION 1770**

GOVERNMENT CODE  
SECTION 1770

1770. An office becomes vacant on the happening of any of the following events before the expiration of the term:
- (a) The death of the incumbent.
  - (b) An adjudication pursuant to a quo warranto proceeding declaring that the incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of his or her office for the remainder of his or her term. This subdivision shall not apply to offices created by the California Constitution nor to federal or state legislators.
  - (c) His [or her] resignation.
  - (d) His [or her] removal from office.
  - (e) His [or her] ceasing to be an inhabitant of the state, or if the office be local and one for which local residence is required by law, of the district, county, or city for which the officer was chosen or appointed, or within which the duties of his or her office are required to be discharged. However, the office of judge of a municipal court shall not become vacant when, as a result of a change in the boundaries of a judicial district during an incumbent's term, the incumbent ceases to be an inhabitant of the district for which he or she was elected or appointed to serve.
  - (f) His [or her] absence from the state without the permission required by law beyond the period allowed by law.
  - (g) His [or her] ceasing to discharge the duties of his or her office for the period of three consecutive months, except when prevented by sickness, or when absent from the state with the permission required by law.
  - (h) His [or her] conviction of a felony or of any offense involving a violation of his or her official duties. An officer shall be deemed to have been convicted under this subdivision when trial court judgment is entered. For the purposes of this subdivision, "trial court judgment" means a judgment by the trial court either sentencing the officer or otherwise upholding and implementing the plea, verdict, or finding.
  - (i) His [or her] refusal or neglect to file his or her required oath or bond within the time prescribed.
  - (j) The decision of a competent tribunal declaring void his [or her] election or appointment.
  - (k) The making of an order vacating his [or her] office or declaring the office vacant when the officer fails to furnish an additional or supplemental bond.
  - (l) His [or her] commitment to a hospital or sanitarium by a court of competent jurisdiction as a drug addict, dipsomaniac, inebriate, or stimulant addict; but in that event the office shall not be deemed vacant until the order of commitment has become final.

# **APPENDIX 3**

## **PUBLIC HEARING AGENDA GUIDELINES**

LOS ANGELES COUNTY COMMITTEE ON  
SCHOOL DISTRICT ORGANIZATION  
(COUNTY COMMITTEE)

PUBLIC HEARING AGENDA GUIDELINES

- I. Call to Order by the Chairperson
- II. Flag Salute
- III. Introduction of the County Committee by the Chairperson
  - Responsibilities/Mission .....no time limit
- IV. Hearing on Proposed Reorganization
  - A. Explanation of the Proposal, Evaluation Conditions and Process  
by the Secretary .....no time limit
  - B. Agenda Guidelines Explanation by the Chairperson .....no time limit
  - C. Testimony in the following order:
    - 1. Chief Petitioners .....20 minutes maximum
    - 2. Representatives of the Affected Districts .....20 minutes maximum  
(each district)
    - 3. Public Comment
      - a. Proponents.....45 minutes maximum; each  
speaker limited to five  
minutes maximum (time  
may be shortened at the  
discretion of the  
chairperson)
      - b. Opponents.....45 minutes maximum; each  
speaker limited to five  
minutes maximum (time  
may be shortened at the  
discretion of the  
chairperson)
  - D. Summation/Closing Statements
    - Chief Petitioners .....5 minutes each maximum
    - Affected Districts .....5 minutes each maximum
  - E. Adjournment

**NOTE: At the second hearing, numbers four and five will be in reverse order, and numbers six and seven will be in reverse order.**

LOS ANGELES COUNTY COMMITTEE ON  
SCHOOL DISTRICT ORGANIZATION  
(COUNTY COMMITTEE)

ABRIDGED PUBLIC HEARING AGENDA GUIDELINES

I. Call to Order by the Chairperson

II. Flag Salute

III. Introduction of the County Committee by the Chairperson

Responsibilities/Mission .....no time limit

IV. Hearing on Proposed Reorganization

A. Explanation of the Proposal, Evaluation Conditions, and Process  
by the Secretary .....no time limit

B. Agenda Guidelines Explanation by the Chairperson .....no time limit

C. Testimony in the following order:

1. Chief Petitioners ..... 10 minutes maximum

2. Representatives of the Affected Districts.....10 minutes maximum  
(each district)

3. Public Comment

a. Proponents.....20 minutes maximum; each  
speaker limited to five  
minutes maximum (time  
may be shortened at the  
discretion of the  
chairperson)

b. Opponents.....20 minutes maximum; each  
speaker limited to five  
minutes maximum (time  
may be shortened at the  
discretion of the  
chairperson)

D. Summation/Closing Statements

Chief Petitioners ..... 5 minutes each maximum

Affected Districts ..... 5 minutes each maximum

E. Adjournment

**NOTE: At the second hearing, items 1 and 2 will be in reverse order, and numbers 3a and 3b will be in reverse order.**

# **APPENDIX 4**

## **CONDITIONS AFFECTING REORGANIZATION PROPOSALS**

LOS ANGELES COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

**CONDITIONS AFFECTING REORGANIZATION PROPOSALS**

Proposal: \_\_\_\_\_

**Policy Statement**

- The Los Angeles County Committee on School District Organization (County Committee) may vote to approve a proposal to transfer territory when the conditions contained in Education Code (EC) §35753(a)(1) through (10) are substantially met.
- The County Committee has the option to vote to recommend that a proposal for unification or formation be disapproved, when the conditions are substantially met, if it determines a proposal will not be in the best overall interests of those affected, there is no compelling reason for a change, the proposal will not improve the effectiveness and/or the efficiency of the delivery of educational services to students, or for any other reason(s) the County Committee deems relevant.
- The County Committee may vote to recommend approval of a proposal for unification or formation if it determines it is not practical nor possible to apply the EC §35753 conditions literally and circumstances with respect to the proposal present an **exceptional situation** sufficient to justify approval of the proposal.

**I. Conditions Required To Be Considered By The County Committee**

**A. EC §35753(a)**

**NOTE:** Following each condition is a list of considerations which may be used by the County Committee in determining if the condition has been substantially met. Because each reorganization proposal is unique, all considerations listed may not apply to specific proposals. Staff will use their discretion in determining which considerations to address in preparing reports and recommendations for the County Committee.

Condition #1	Condition Substantially Met	
	Yes	No
The new districts will be adequate in terms of number of pupils enrolled.	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS:**

<u>Type of School District</u>	<u>Minimum # of Pupils</u>
• elementary	901
• high	301
• unified	1501

The County Committee should consider the projected enrollment and the resulting increase/decrease.

It is not necessary to meet the minimum requirements if the County Committee feels there are extenuating circumstances, e.g., geographical barriers.

Condition #2	Condition Substantially Met	
	Yes	No
The districts are each organized on the basis of a substantial community identity.	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS:**

The County Committee should consider the following criteria:

- isolation
- geography
- distance between social centers
- distance between school centers
- topography
- weather
- community, school, social ties, and other circumstances peculiar to the area
- size and style of homes and similarity of architecture
- usage patterns of park and school facilities for recreation programs
- traffic patterns and public transportation
- geopolitical factors such as cities, zip codes, and electoral districts
- neighborhood and regional shopping patterns

Condition #3	Condition Substantially Met	
	Yes	No
The proposal will result in an equitable division of property and facilities of the original district or districts.	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS:**

- a. All property, funds, and obligations, except real property and bonded indebtedness (e.g., funds, cash on hand, monies due but uncollected, state apportionments).

The County Committee will determine which of the criteria authorized under EC §35736 shall apply for dividing the property:

- assessed valuation;
- revenue limit per pupil in each district;



- average daily attendance (ADA).

The County Committee should consider the value and location of the school property and such other matters as may be deemed pertinent and equitable.

b. Real Property

The real property and personal property and fixtures normally situated there shall be the property of the district in which the real property is located.

In reviewing the aspects of proposals dealing with school facilities, the County Committee should request long-range facilities plans from the districts affected. Those plans should include:

- demographic studies showing both current and projected student population data;
- development of maps showing census tracts, boundaries, current and proposed zoning, and projected development;
- an evaluation and report of the utilization, capacity, and condition of existing facilities; and
- development of a "comparison analysis" considering both existing and proposed divisions.

c. Bonded Indebtedness

Provided for under EC §35570-§35579.

**NOTE:** The County Committee may recommend, pursuant to EC §35565, the appointment of a board of arbitrators to resolve any disputes between the governing boards of the affected school districts concerning the division of funds, property, or obligations.

Condition #4	Condition Substantially Met	
	Yes	No
The reorganization of the district will not promote racial or ethnic discrimination or segregation.	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS:**

The County Committee should consider the effects of the following criteria (Title V of the California Administrative Code (CAC) §18573). Each of these items should be evaluated to determine whether any imbalance would be so disproportionate that, realistically, minority students would be isolated from other students and that all students would be deprived of an integrated educational experience:

- 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 is approved.

- 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.
- 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 alleviate racial or ethnic discrimination or segregation.
- 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.
- 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.

The County Committee may also consider:

- participation in extracurricular activities;
- equipment of affected school districts;
- condition of facilities of affected school districts;
- perception of staff, administrators, and community regarding whether schools are segregated; and
- racial/ethnic makeup of staff and administration.

Condition #5	Condition Substantially Met	
	Yes	No
The proposed reorganization will not result in any substantial increase in costs to the state.	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS:**

Pursuant to Title V of the CAC §18573, each district affected will be adequate in terms of financial ability if:

- the revenue limit per ADA of the proposed district does not vary from the revenue limit per ADA in all of the affected districts by more than 15 percent; or
- the proposal does not increase costs to the state for the affected territory by more than ten percent.

**NOTE:** Reorganization proposals exceeding the ten-percent limit will not be denied; however, the maximum increase will be held to ten percent.

The following factors should also be considered in evaluating this criterion:

- the blended revenue limit per unit of ADA including salary add-ons and inflation adjustment calculated pursuant to EC §35735.1;
- other state special or categorical programs, and the increased state costs if students transferring would qualify in the gaining district and not in the losing district;
- the additional costs to the state if special or categorical program costs are higher in the gaining district; and
- the effect on the district's home-to-school and special education transportation cost and state reimbursement.

Condition #6	Condition Substantially Met	
The proposed reorganization will not significantly disrupt the educational programs in the proposed districts and districts affected by the proposed reorganization and will continue to promote sound educational performance in those districts.	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS:**

The County Committee must look at the effect of the proposal on all school districts affected by the reorganization. The County Committee should look at district-wide programs and the school site programs in schools not a part of the proposal that will be affected by the proposal.

Condition #7	Condition Substantially Met	
The proposed reorganization will not result in a significant increase in school housing costs.	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS:**

The County Committee should evaluate the affected districts' school housing needs and the long-range facilities plans for meeting the current and projected facilities requirements including:

- local bonding capacity (potential);
- developer fee income;
- surplus property and asset management opportunities;

- eligibility for state school facilities funding;
- deferred maintenance, modernization, and reconstruction needs; and
- the portion of costs for additional housing to be assumed by state and local programs.

Condition #8	Condition Substantially Met	
	Yes	No
<b>The proposed reorganization is not primarily designed to result in a significant increase in property values causing financial advantage to property owners because territory was transferred from one school district to an adjoining district.</b>	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS:**

The County Committee should analyze the rationale presented in the petition for the transfer. The County Committee should consider whether increased property values might be the primary reason for the petition. The county tax assessor's office or local real estate boards should be consulted concerning the potential impact on property values in the area proposed for transfer or unification.

Condition #9	Condition Substantially Met	
	Yes	No
<b>The proposed reorganization will not negatively affect the fiscal management or fiscal status of the proposed district or any existing district affected by the proposed reorganization.</b>	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS:**

The County Committee should look at the percentage of lost revenue to total revenue of the affected districts. It should also look at the viability of a new school district to operate a meaningful educational curriculum with its anticipated revenue.

The County Committee should review the financial status of the districts for several preceding years and evaluate the financial impact of the reorganization on each of the districts affected. The County Committee might also review other sources of financial data including the annual audit reports prepared by the districts' independent auditors.

Additionally, the County Committee should review and consider any potential revenue gains and/or losses (e.g. community redevelopment agency agreements, Mello-Roos Community Facility District funds, parcel taxes, certificates of participation, mitigation agreements with developers, or any other categorical or specialized funds.)

**B. EC §35707**

The County Committee must report whether any of the following, in the opinion of the County Committee, would be true regarding the proposed reorganization.

	True	Not True
The proposed reorganization would comply with the provisions of EC §35753.	<input type="checkbox"/>	<input type="checkbox"/>

	True	Not True
The proposed reorganization would adversely affect the school district organization of the county.	<input type="checkbox"/>	<input type="checkbox"/>

**II. County Committee Decision/Recommendation**

Within 120 days of the commencement of the first public hearing on the petition, the County Committee shall recommend approval or disapproval of a petition for unification of school districts; or for the division of the territory of an existing school district into two or more separate school districts, as the petition may be augmented; or shall approve or disapprove a petition for the transfer of territory, as the petition may be augmented.

**A. May Approve the Proposal**

- if all the conditions of EC §35753 are substantially met.

Certain conditions may be waived, and the County Committee may approve a proposal if the County Committee determines circumstances with respect to the petition or proposal provide an exceptional situation sufficient to justify approval.

**B. To Disapprove the Proposal**

- In making its decision, the County Committee should consider whether:
  - a compelling reason necessitates the reorganization;
  - the reorganization proposal improves the effectiveness and efficiency of the delivery of educational services;
  - the reorganization is in the best interests of all those concerned;
  - any other reasons deemed pertinent by the County Committee to support the reorganization.

Except for petitions for the transfer of territory, the County Committee shall forward its recommendation to the SBE.

<p><b><u>Decision/Recommendation</u></b></p> <p><b>The County Committee:</b></p> <p><input type="checkbox"/> Approves the proposed reorganization</p> <p><input type="checkbox"/> Disapproves the proposed reorganization</p>
---

**III. Determining the Area of Election**

<p><b>STEP 1</b></p>
----------------------

- Identify the petition area.

<p><b>STEP 2</b></p>
----------------------

- The County Committee may expand the area of election beyond the petition area if it determines that there exists a logical and meaningful reason to do so.
- If not, then the election area is deemed to be the petition area.

<b>Recommended Area of Election</b>
<b>Area Description:</b>

LOS ANGELES COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

**REORGANIZATION PROPOSAL GUIDELINES PURSUANT TO  
EDUCATION CODE SECTION 35730.1**  
(School districts with more than 500,000 pupils in average daily attendance [ADA])

Proposal: \_\_\_\_\_

**Policy Statement**

- Education Code (EC) §35730.1 states that any reorganization of a school district with more than 500,000 pupils in ADA shall require that each new district created meets certain prescribed conditions.\*
- The evaluation of any such reorganization proposal will be conducted in conjunction with the criteria contained in EC §35753 and the conditions delineated in EC §35730.1. **This document addresses only the conditions included in EC §35730.1.**
- Pursuant to EC §35705.5, the Los Angeles County Committee on School District Organization (County Committee) may add to the petition by incorporating in its plans and recommendations any of the appropriate provisions specified in §35730.1 which were not included in the petition as filed and may amend any such provision which was included.

\* At this time, Los Angeles Unified School District (USD) is the only school district in Los Angeles County with over 500,000 ADA.

**Conditions - Pursuant to EC §35730.1**

**NOTE:** Following each condition is a list or summary statement of considerations or stipulations which may be used by the County Committee in determining if the condition has been met. Each reorganization proposal is unique; therefore, all considerations listed may not apply to specific proposals. Staff will use their discretion in determining which considerations to address in preparing reports and recommendations for the County Committee.

Condition (a)	<u>Condition Met</u>	
	Yes	No
Socioeconomic diversity.	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS/STIPULATIONS:**

The County Committee shall consider the four following factors in determining the socioeconomic status of the proposed district:

- household income;
- education levels;
- occupational groups;
- race.

As this condition does not require any particular degree of "difference" or "diversity," the County Committee shall consider this condition met if the proposed district has economic, educational, occupational, and racial differences that are more than minimal or more than insignificant.

Condition (b)	Condition Met	
	Yes	No
Geographical compactness.	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS/STIPULATIONS:**

The County Committee shall consider the rationality of the boundaries for the proposed district in that they make sense from a geographic point of view. A rational basis for geographic compactness may include the following factors:

- existing city boundaries
- existing high school attendance area boundaries
- existing city sphere of influence
- isolation
- topography
- community, school, social ties, and other circumstances peculiar to the area

Condition (c)	Condition Met	
	Yes	No
Equity of resource distribution.	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS/STIPULATIONS:**

The County Committee shall include language in its plans and recommendations to ensure that resources are distributed in an equitable manner. The resource categories to be considered include:

- real property
- personal property
- funds derived from the sale of school bonds
- property, funds, and obligations of a student body
- human resources (e.g., certificated/classified school district staff)



- any other resource category deemed pertinent by the County Committee

**NOTE:** Pursuant to EC §35565, a board of arbitrators shall be appointed to resolve any disputes between the governing boards of the affected school districts concerning the division of funds, property, or obligations.

Condition (d)	Condition Met	
	Yes	No
Compliance with <u>Crawford vs. Board of Education</u> , 17 Cal. 3d 280, and the terms of the Consent Decree in <u>Rodriguez vs. Los Angeles Unified School District (USD)</u> , Consent Decree No. C-611358.	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS/STIPULATIONS:**

To satisfy this condition, the County Committee shall ensure that the following language is contained in its plans and recommendations: "The new unified school district, if formed, will be obligated to comply with Crawford vs. Board of Education, 17 Cal. 3d 280, and the terms of the Consent Decree in Rodriguez vs. Los Angeles USD, Consent Decree No. C-611358. Los Angeles USD is obligated to comply with the Rodriguez consent decree as of July 1, 1997."

As identified in the consent decree, the County Committee will evaluate basic norm resources for availability and constraints imposed on the new district(s).

Condition (e)	Condition Met	
	Yes	No
Preservation of the policies used by magnet schools, charter schools, site-based management initiatives, and the Los Angeles Educational Alliance for Restructuring Now (LEARN) program as those policies already exist in practice or pursuant to law.	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS/STIPULATIONS:**

To satisfy this condition, the County Committee shall ensure that the following language is contained in its plans and recommendations: "The new district, if formed, must preserve the policies used by magnet schools, charter schools, site-based management initiatives, and the Los Angeles Educational Alliance for Restructuring Now (LEARN) program as those policies already exist in practice or pursuant to law, unless and until such policies and practices are amended in accordance with the law."

Condition (f)	Condition Met	
	Yes	No
Compliance with the Individuals with Disabilities Education Act (20 U.S.C. §1400 et seq.).	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS/STIPULATIONS:**

The new district must make accommodations for the administration of special education that may be different from merely taking over the existing program from Los Angeles USD. Therefore, to satisfy this condition, the County Committee shall ensure that the following language is contained in its plans and recommendations: "Pursuant to the provisions of the Individuals with Disabilities Education Act (20 USC §1400, et seq.) and California law (EC §35730.1(f) and §56000, et seq.) the new district, if formed, shall comply with the Individuals with Disabilities Education Act."

The County Committee will evaluate options available to the new district in order for it to meet this obligation as well as the obligations under the consent decree in Chanda Smith, et al. v. Los Angeles Unified School District, et al., U.S.D.C., C.D. Cal., Case No. CV 93-7044-LEW (GHKx).

Condition (g)	Condition Met	
	Yes	No
Compliance with the federal Voting Rights Act of 1965 (42 U.S.C. §1971), as amended.	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS/STIPULATIONS:**

To satisfy this condition, the County Committee shall ensure that the following language is contained in its plans and recommendations: "The new district, if formed, must comply with the federal Voting Rights Act of 1965 (42 USC §1971), as amended."

Condition (h)	Condition Met	
	Yes	No
The formation of the new school district does not result in the diminution of minority protections.	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS/STIPULATIONS:**

It is assumed that the new district, if formed, will comply with all statutory and constitutional protections that apply to the Los Angeles USD which include, but are not limited to, Title VI of the Civil Rights Act, Title VII of the Civil Rights Act, Title IX of the Education Amendments of 1972, and the equal protection clause of the federal and state constitutions.

The County Committee shall consider the impact that the formation of the proposed new school district has on minority protections identified by the Los Angeles USD, (e.g., existing migrant and bilingual education programs) at the time of the receipt of a valid petition and whether it will result in the diminution of those protections.

Condition (i)	Condition Met	
	Yes	No
The maintenance of the conditions of all collective bargaining agreements until their expirations.	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS/STIPULATIONS:**

The Legislature has made it clear that the collective bargaining agreements in effect between Los Angeles USD and its employee unions will be an obligation of the new unified district. The County Committee shall include in its plans and recommendations a reference to the collective bargaining agreements and the obligation of the new district to maintain the conditions of such agreements.

Condition (j)	Condition Met	
	Yes	No
Recognition of the existing retiree health, dental, and vision care benefits.	<input type="checkbox"/>	<input type="checkbox"/>

**CONSIDERATIONS/STIPULATIONS:**

There is an obligation of the new school district to existing retirees who already have vested benefit rights by virtue of their previous retirement from Los Angeles USD. An actuarial study will be prepared to determine the total amount of the unfunded liability of Los Angeles USD and the proportionate share of that liability to be apportioned to the new district based on ADA or by any other equitable means determined by the County Committee. The new district would pay Los Angeles USD the determined amount over a period of time. The amount to be paid and the period of time are to be negotiated.

**County Committee Disposition**

Within 120 days of the commencement of the first public hearing on a petition, the County Committee shall recommend approval or disapproval of such petition. The action will be conducted in conjunction with the conditions contained in EC §35753 and the conditions delineated in EC §35730.1.

# **APPENDIX 5**

## **PERFORMANCE EVALUATION DOCUMENT**

**Los Angeles County Committee on School District Organization  
(County Committee)**

Performance and Development Plan  <b>Secretary and Staff to the County Committee</b>  For the Period  _____ through _____
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**Instructions:**

This form is provided to the County Committee's Evaluation Committee to assist them in evaluating staff as a unit (Section I); evaluating and commenting on specific assignments (Section II); and providing for goals, objectives and other comments from the County Committee to staff (Section III).

<b>Section I: <u>Evaluation of Staff as a Unit</u></b>	<b><u>Excellent</u></b>	<b><u>Good</u></b>	<b><u>Average</u></b>	<b><u>Improvement Needed</u></b>
a. Staff provides the County Committee with a written agenda and appropriate backup material before each regular or special County Committee meeting.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Agendas are received far enough in advance of meetings to provide the County Committee adequate time to review before discussion.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Agendas, meeting minutes, and corresponding material are in a format that is easy to follow and comprehend.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Staff's work is accurate, reliable, and timely.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Staff is knowledgeable and offers professional advice and appropriate recommendations on items requiring action.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Staff keeps the County Committee informed of issues, needs, and trends regarding school district organization issues.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Staff comes well prepared to meetings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Staff arrives on time for meetings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Meeting rooms are appropriately set up.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<u>Excellent</u>	<u>Good</u>	<u>Average</u>	<u>Improvement Needed</u>
j. Staff demonstrates awareness and adherence to the Education Code, Brown Act, and County Committee Policies.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k. Staff maintains a professional relationship with the County Committee, which includes seeking and accepting constructive criticism.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l. Staff is responsive and follows through on requests made by the County Committee.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
m. Staff actively pursues the goals and objectives of the County Committee.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
n. Staff strives to maintain a harmonious relationship with state, county, and local representatives.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
o. Staff strives to provide equitable assistance/resources to all parties involved in a school district organization proposal.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
p. Staff maintains high standards of ethics, honesty, and integrity in all professional matters relating to the County Committee.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
q. Staff devotes time and energy effectively to their duties.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
r. Staff is professionally courteous in their relationship to the County Committee and others that they deal with on a routine basis.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
s. Staff performs well in new and/or emergency situations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
t. Staff is easily approachable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
u. Staff communicates effectively, expressing ideas in a logical and concise manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
v. Staff strives to maintain a positive relationship with the news media.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Section II: Evaluation and Comment for Specific Assignment**

**Please rate and comment on the performance of clerical staff, technical staff, and the Secretary to the County Committee.**

Clerical staff is responsible for administrative details for monthly and special County Committee meetings such as: preparation/organization of meeting room; mailing and posting of agenda; communicating with County Committee members both orally and in writing regarding attendance, mileage, and other accommodations as may be required; and compiling and maintaining accurate documents and correspondence.

	<u>Excellent</u>	<u>Good</u>	<u>Average</u>	<u>Improvement Needed</u>
<b>Clerical Staff Performance</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

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Technical staff is responsible for providing the County Committee with written reports; summaries; flow charts; and legislative information concerning the school district organization process. Technical staff is also responsible for demonstrating awareness and compliance with the Education Code, Brown Act, and County Committee policies.

	<u>Excellent</u>	<u>Good</u>	<u>Average</u>	<u>Improvement Needed</u>
<b>Technical Staff Performance</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

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The Secretary to the County Committee is responsible for coordinating the school district organization process and operations of the County Committee including coordination of regular and special meetings. The Secretary demonstrates awareness and compliance with the Education Code, Brown Act, and County Committee policies and procedures. The Secretary maintains proactive and positive relationships with the public, State, and local agencies.

Excellent    Good    Average    Improvement Needed

Secretary's Performance

Comments:

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**Section III: Goals, Objectives, and Other Comments from the County Committee.**

**Development Plan (Include goals and objectives):**

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**Evaluation Committee's Comments:**

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Signature: \_\_\_\_\_  
(Chairperson)

\_\_\_\_\_  
(Date)



**Secretary's Comments:**

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**Signature:** \_\_\_\_\_ (Secretary) \_\_\_\_\_ (Date)

**Signature:** \_\_\_\_\_ (Director, Division of Business Advisory Services) \_\_\_\_\_ (Date)