March 21, 2019

TO: Members of the Los Angeles County Committee on School District Organization (County Committee)

FROM: Keith D. Crafton, Secretary

SUBJECT: Cancellation of the April 3, 2019, Meeting of the County Committee

The regular meeting of the County Committee scheduled for Wednesday, April 3, 2019, has been CANCELLED. The next regular meeting of the County Committee is scheduled for Wednesday, May 1, 2019, at 9:30 a.m.

The following is an update of relevant information and activities as of March 20, 2019.

**Staff Activities**

Staff is guiding districts who are in the early stages of their trustee area and trustee area voting proposals related to the CVRA.

Staff has continued to post articles on the website, many of which include recent developments related to CVRA.

Staff is assisting districts who are preparing to submit petitions related to school district organization.

**School District Organizational Proposals**

- “Summary of Los Angeles Unified School District Re-organization Proposals.” (Attachment 1)

- “Summary of Los Angeles Unified School District Re-organization Proposals.” (excluding those affecting the Los Angeles Unified School District) (Attachment 2)

If you have questions, please call me at (562) 922-6131.

KDC/AD/EH:ah

Attachments
Summary of Los Angeles Unified School District Reorganization Proposals

April 2019

The following is a summary of school district reorganization proposals affecting the Los Angeles Unified School District (USD) that were at various stages in the school district organization process as of March 20, 2019.

**RECENT INQUIRIES REGARDING REORGANIZATION (within the last two years)**

**Formation Proposals/Last Activity Date**

- Inner City USD / January 2016

**Transfer of Territory Proposals/Last Activity Date**

- None
Summary of Los Angeles County School District Reorganization Proposals (Excluding those affecting the Los Angeles Unified School District)

April 2019

The following is a summary of school district reorganization proposals [exclusive of those affecting the Los Angeles Unified School District (USD)] that are at various stages in the school district reorganization process as of March 20, 2019.

PETITION TO TRANSFER TERRITORIES BETWEEN THE SULPHUR SPRINGS UNION SD AND THE SAUGUS UNION SD

On March 6, 2019, the Sulphur Springs Union School District (SD) submitted their final board resolution as part of a series of resolutions spanning the past eleven years, culminating in the formal introduction of a petition to transfer (exchange) certain parcels between Sulphur Springs Union SD and Saugus Union SD. Public hearings will be scheduled in each district, both of which are within the William S. Hart Union High School District (HSD), and staff will commence a feasibility study on the petition.

Status: Public hearings to be scheduled
*Status Date: March 20, 2019

WHITTIER UNION HIGH SCHOOL DISTRICT (HSD) PETITION TO IMPLEMENT TRUSTEE AREAS AND TRUSTEE AREA VOTING

On February 20, 2019, the Whittier Union HSD submitted a petition to implement trustee areas and trustee area voting within the district. The petition, in the form of a board resolution and an adopted trustee area map, was presented to the County Committee at its March 6, 2019 regular meeting. A public hearing will be scheduled in the district and staff will commence a feasibility study on the petition.

Status: Public hearing to be scheduled
*Status Date: March 20, 2019
FORMATION—MALIBU USD (CURRENTLY LIES WITHIN THE BOUNDARIES OF THE SANTA MONICA-MALIBU USD)

On September 1, 2017, LACOE received a petition in the form of a 2015 resolution from the City of Malibu to form a separate Malibu USD from territory within the boundaries of the existing Santa Monica-Malibu USD. The petition was introduced at the November 1, 2017 regular County Committee meeting, and at least one public hearing will be scheduled. After this local agency petition was introduced, however, the City of Malibu sent a letter requesting that the County Committee postpone the scheduling of its preliminary hearing to allow the stakeholders more time to discuss further options and details regarding the petition. On February 28, 2018, however, the City of Malibu apprised the committee of their interest in pursuing the preliminary public hearing. Then, in April 2018, the City resolved to further investigate options before asking the County Committee to proceed. At its May 2, 2018 regular meeting, the County Committee voted to delay scheduling the preliminary public hearing until after getting an update on negotiations at its regularly scheduled meeting on September 5, 2018. On September 5, 2018, representatives from the City of Malibu and the Santa Monica-Malibu USD apprised the County Committee of their negotiations, and again at the March 6, 2019 meeting.

Status: Preliminary public hearing to be scheduled, pending negotiations
*Status Date: March 20, 2019

PETITION TO TRANSFER TERRITORY FROM THE GLENDALE UNIFIED SCHOOL DISTRICT (USD) TO THE LA CANADA USD

On November 23, 2015, LACOE received a request for a petition pursuant to EC §35700, to transfer certain territory from the Glendale USD to the La Canada USD. The request was submitted by chief petitioners Ms. Nalini Lasiewicz, Mr. Thomas G. Smith, and Mr. Nick P. Karapetian. The petition was forwarded to County Counsel to determine its legal compliance regarding format and content. On January 13, 2016, County Counsel deemed the petition sufficient. Staff returned the petition to the chief petitioners on January 15, 2016.

On June 29, 2016, the chief petitioners submitted signed petitions for review. On June 30, 2016, staff conveyed the signed petitions to the Registrar-Recorder for signature verification. On July 18, 2016, staff received notice from the Registrar-Recorder that there were sufficient signatures to move the petition forward. Chief Petitioner Smith subsequently resigned from his role.

The petition was presented to the County Committee on September 7, 2016. The County Committee held two public hearings (October 26, 2016, in the La Canada USD, and November 2, 2016, in the Glendale USD). In mid-February, 2017, the two districts resumed negotiations in an attempt to find amicable solutions, but as of mid-April, were not able to resolve issues.
A feasibility study was presented to the County Committee at the May 3, 2017 meeting, after which the Committee gave a preliminary approval to the proposal.

In the fall 2017, staff concluded the Request For Proposal (RFP) process, evaluated vendors, and selected an environmental consultant, for whom a contract was agreed upon. The environmental analysis concluded with the report’s comment period spanning August 30 – September 18, 2018. The California Environmental Quality Act (CEQA) Public Hearing convened on October 3, 2018, at the County Committee’s regular scheduled meeting.

The County Committee continues to review the petition. On February 20, 2019, they received a request from Dr. Kelly King, Interim Superintendent of the Glendale USD, to delay final review so that she may become familiar with the relevant issues following her recent appointment. In February 2019, staff received a request from the chief petitioners that the final review of the petition not take place at the April 3, 2019 meeting because that date falls during spring break and may impact participation by the public. Staff provided an update at the March 6, 2019 regular meeting of the County Committee, and has since then continued to receive additional materials on the petition.

*Status: County Committee conducting further review of petition and materials
Status Date: March 20, 2019

PETITION TO TRANSFER TERRITORY FROM THE CENTINELA VALLEY UNION HIGH SCHOOL DISTRICT (HSD) AND LAWNDALE SD TO THE WISEBURN USD

On May 15, 2014, LACOE received a request for a petition pursuant to EC §35700, to transfer territory from the Centinela Valley Union HSD and the Lawndale SD to the Wiseburn USD. The request was submitted by chief petitioners Ms. Shavonda Webber-Christmas and Mr. Bill Magoon. The petition was forwarded to County Counsel to determine its legal compliance regarding format and content. On June 20, 2014, County Counsel deemed the petition sufficient. Staff returned the petition to the chief petitioners on June 23, 2014.

On October 15, 2014, the chief petitioners submitted signed petitions for review. On October 15, 2014, staff conveyed the signed petitions to the Registrar-Recorder for signature verification. On November 6, 2014, staff received notice from the Registrar-Recorder there were insufficient signatures to move the petition forward. Staff notified the chief petitioners, who elected to gather additional signatures. On December 4, 2014, the chief petitioners submitted additional signatures, which were submitted to the Registrar-Recorder on December 5, 2014 for signature verification. On December 22, 2014, the Registrar Recorder notified staff that the additional signatures were validated, and the petition had sufficient signatures to move forward.
The petition was presented to the County Committee on January 7, 2015. Two public hearings were held March 2, 2015, one in each of the affected districts. A feasibility study was presented on July 8, 2015, at which time the County Committee preliminarily approved the transfer, pending further collection and review of additional fiscal data, and an environmental review. Supplemental requests for information were sent to the affected districts and to the chief petitioners, with replies received from all parties. The supplemental information, and the results of a CEQA consultant’s review of the petition’s environmental impact was presented to the County Committee on May 4, 2016. Additional information brought forward on May 4, 2016, resulted in additional questions and further information gathering, after which the proposal was reexamined at the County Committee meeting on September 7, 2016. At that meeting, the proposal’s preliminary approval was affirmed, and the petition area was selected to be the voting area.

On October 5, 2016, the Lawndale SD filed a Notice of Appeal with the County Committee, and on October 18, 2016, submitted their rationale and evidence for the appeal of the County Committee’s decision. Staff has forwarded the administrative record and oral recordings of the proceedings to the California Department of Education, who will prepare the matter to go before the California State Board of Education at a future meeting.

Status: Future ballot measure preparations suspended until appeal process concludes
Status Date: November 18, 2016

FORMATION—MALIBU USD (CURRENTLY LIES WITHIN THE BOUNDARIES OF THE SANTA MONICA-MALIBU USD)

On July 23, 2015, LACOE received a request for a petition from chief petitioner Mr. Seth Jacobson, a community member who is a Malibu resident. Mr. Jacobson, along with two other chief petitioners, wants to form a separate Malibu USD from territory within the boundaries of the existing Santa Monica-Malibu USD. Prior to the submission of any signed petitions related to this request, the City of Malibu submitted its own petition to form a Malibu USD, which was discussed earlier in this update document.

Staff reviewed the request and forwarded a draft petition to County Counsel on July 27, 2015, for a legal compliance review regarding format and content. We received notification on July 30, 2015, from County Counsel informing us that the draft petition was legally acceptable. The petition was mailed to the chief petitioner on July 31, 2015, for circulation within the petition area. Staff is informed that signatures have been gathered, but not yet presented for signature verification, as the petitioners negotiate with the district. A joint committee appointed by both the district and the City of Malibu has released a study addressing the implications of this petition. Staff is reviewing this study.

Status: Petitioners in negotiation.
Status Date: March 18, 2016
PETITION TO INCREASE THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN WITHIN THE POMONA USD

On April 8, 2015, LACOE received a request for a petition pursuant to EC §5020 to increase the number of trustees from five to seven within the Pomona USD. The request was submitted by chief petitioner Mr. John Mendoza. The petition was forwarded to County Counsel to determine its legal compliance regarding format and content. On April 27, 2015, County Counsel deemed the petition sufficient. Staff returned the petition to the chief petitioner on April 29, 2015, for circulation.

This is a separate petition, distinct from the other petitions requested by Mr. Mendoza, and requests some of the same changes within the Pomona Unified School District (the addition of two governing board members). It was submitted under EC §5020(c) and, based on the number of registered voters in the Pomona USD, requires valid signatures from at least 10% of the registered voters within the petition area. If valid and certified by the County Committee, this petition would trigger a vote within the district, before which the County Committee may hold one or more public hearings on the proposal.

Status: Petitioner is gathering signatures.
Status Date: May 26, 2015

FORMATION—ALTADENA USD (CURRENTLY LIES WITHIN THE BOUNDARIES OF THE PASADENA USD)

On January 17, 2006, LACOE received a request for a petition from chief petitioners Ms. Maurice Morse, Ms. Shirlee Smith, and Mr. Bruce Wasson, three community members who are residents of the area known as Altadena. The chief petitioners want to form an Altadena USD from territory within the boundaries of the Pasadena USD. The petition request was returned to the chief petitioners on January 20, 2006, because it lacked an adequate description of the area pursuant to EC §35700.3.

On February 10, 2006, LACOE received a revised request for a petition. Staff reviewed the request and forwarded a draft petition to County Counsel on February 22, 2006, for a legal compliance review regarding format and content. We received notification on March 6, 2006, from County Counsel informing us that the draft petition was legally acceptable.

On March 7, 2006, staff forwarded the draft petition to the Registrar-Recorder for verification that the description of the proposed boundaries of the Altadena USD was sufficiently clear (so registered voters residing within the proposed petition area could be identified with specificity). The Registrar-Recorder confirmed that the description was sufficient on March 10, 2006.
The petition was mailed to the chief petitioners on March 14, 2006, for circulation within the petition area. The Registrar-Recorder estimated the chief petitioners must collect approximately 7,000 valid signatures to meet the criteria set forth in EC §35700(a).

On September 23, 2010, chief petitioners delivered signed petitions to LACOE. Staff submitted the petitions to the Registrar-Recorder on September 27, 2010, for signature verification. On October 22, 2010, the Registrar-Recorder notified staff there were insufficient valid signatures (less than the required 25 percent of the registered voters within the petition area). Staff notified the chief petitioners of the insufficiency, and at Mr. Wasson's request, returned the petitions to the Registrar-Recorder for a signature audit. Staff also advised the chief petitioner regarding the collection of additional signatures. Upon notification by the Registrar-Recorder of a sufficient number of valid signatures, staff will present the petition to the County Committee at the next regular meeting.

On January 4, 2011, staff conferred with a representative from the Registrar-Recorder's office, who informed us that no audit of petition signatures had been done yet, and they clarified the cost of signature verification. On February 15 and March 1, 2011, staff contacted the Registrar-Recorder and were informed that the signature audit had still not been done. On May 12, 2011, staff from the Registrar-Recorder's office advised LACOE that an audit of the petition's signatures was underway. On November 28, 2011, the chief petitioner Mr. Wasson notified LACOE of the death of one of the co-chief petitioners, Ms. Morse. Mr. Wasson stated that another chief petitioner would not be named.

In August of 2014, staff confirmed that petitioner is still interested in collecting additional signatures.

**Status:** Petition insufficient; chief petitioners may gather additional signatures.

**Status Date:** December 5, 2011

**FORMATION—MALIBU USD (CURRENTLY LIES WITHIN THE BOUNDARIES OF THE SANTA MONICA-MALIBU USD)**

**Status:** Petition in circulation.

**Status Date:** February 21, 2008

**FORMATION—LA MIRADA USD (CURRENTLY LIES WITHIN THE BOUNDARIES OF THE NORWALK – LA MIRADA USD)**

**Status:** Petition in circulation.

**Status Date:** March 20, 2007
Unification Proposals/Last Activity Date

- None

Transfer of Territory Proposals/Last Activity Date

- Azusa USD to Glendora USD/October 2016

Formation Proposals/Last Activity Date

- Malibu USD (Santa Monica-Malibu USD)/April 2018

Trustee Areas and Governing Board Size/Last Activity Date

- East Whittier City SD / March 2019
- El Monte City SD / August 2017
- El Monte Union HSD / March 2016
- Little Lake City SD / March 2019
- Los Nietos SD / March 2019
- South Whittier SD / March 2019
- Torrance USD / July 2018
- Walnut USD / May 2016

* = indicates activity since last meeting

This document was prepared by staff to the County Committee
The following 4-page document was received from Chief Petitioner Nick Karapetian and La Canada resident Scott Tracy on 03-06-19
Petitioners Comments – GUSD/LCUSD Transfer
March 6, 2019 County Committee Meeting - Public Comment Period

SETTING CEQA & PETITION ON MAY 2019 AGENDA
by Nick Karapetian
Co-Chief Petitioner for the GUSD/LCUSD transfer petition under your consideration

Good morning everyone. I am Nick Karapetian, one of the Chief Petitioners and a parent of 8th graders who have attended both School Districts.

First, we wanted to make you aware that on February 8th we made a formal request to staff to review and revisit the process for deliberating and voting on the nine Conditions which were discussed with this Committee during the November 2018 Study Session. We are waiting a reply on our request.

However, we are here today on behalf of the over 700 petitioners, to request that presentations and deliberation on our Petition be scheduled for May 2019. As you know, the preliminary vote was in May 2017, the CEQA public hearing in Oct 2018 and later this year we’ll be approaching the 3 year mark of when this petition was introduced to this Committee. La Canada Unified and the petitioners have requested not to be on the April agenda because that meeting would fall directly in the middle of Spring Break, meaning many of the key district officials and parent stakeholders will be unavailable to attend. Therefore, before moving into the summer months which would cause hardship to all sides to attend these meetings, we respectfully request that a decision be made today, if possible, to set us on the May agenda. That would provide some certainty as to the timing of this important decision and allow appropriate time for both districts and the public to plan accordingly.

Many of you are already well versed on this petition while to a few of you, much of this is new. Prior to the date we appear on the agenda, we ask that you read our 43 page Brief dated January 9, 2019 which addresses and responds to GUSD’s binder you all received in September 2018. We also ask that you take a close look at the information Petitioners provided on CEQA and our summary document presented during the November 2018 study session.

*If it pleases the committee and makes your review easier, we are happy to provide a flash drive with all the proponents presented documents... organized and easily searchable.*

RECEIVED
MAR 06 2019
BUSINESS ADVISORY SERVICES
As many of you have heard on multiple occasions, and will do so again at a future meeting, our community is extremely passionate about our children’s education and have sought this solution for over 50 years. Sagebrush students are unlike their LCUSD and GUSD counterparts who fully benefit from the educational enrichment benefits of the social and community capital... the greater sense and well-being of full engagement and involvement in one’s own community... being part of the Village.

Moreover, the educational needs and concerns we have more closely align with the LCAP goals of La Canada Unified rather than GUSD. **Evidence of that is the fact that since this petition process began... more than 50% of the students from the territory have sought out permits to attend those schools and leave GUSD.**

In addition, a Territory Transfer would address the following needs and concerns:

- An appreciably safer environment during emergencies due to multiple access paths to schools.
- An enhancement of public civic engagement and participation in governance.
- A certainty and stability that parents look for when making critical educational decisions for their children that is not possible with a Permissive Attendance or Permit process.

One point I’d like to make clear is that the Petitioners recognize that with any territory transfer there will be some impacts on the districts involved. With that in mind, we have always sought to address whether those impacts would truly be significantly negative or not......which is what this Committee must ultimately decide. We look forward to once again presenting our support for the Petition to you in the near future.

Lastly, with regard to the CEQA review as I mentioned to this Committee in November 2018, Petitioners believe that the Initial Study was sufficiently comprehensive and no further environmental review is warranted and request the Committee to adopt the findings of the IS/MND as stated.

Thank you for your time and as stated before, it would be greatly appreciated if this Committee could decide today if our petition can be on the May agenda.
FINANCIAL IMPACTS
by Scott Tracy
Former La Canada school board member

Good morning everyone.

I am Scott Tracy, former La Canada school board member speaking on behalf of the Petitioners.

I would like to pick up on Nick’s comments and add that with any territory transfer, it can be reasonably assumed that there would be some negative effect on the district that loses students and territory.

Importantly, with this process, you have a “significant” or “substantial” threshold for your deliberation regarding the “factual” Conditions – those with little nuance.

At the heart of this Petition, there are only two concerns underlying Glendale’s opposition:

- Its loss of revenue related to transferred students and
- Its loss of the Territory’s assessed valuation, which could affect its bonding capacity and ultimately its taxpayers.

LACOE staff identified a third concern – the cost of school facilities to house the transferred students, which has no impact on GUSD. To that point, LCUSD has forcefully asserted that it has the resources and track record to house all Territory students who would transfer. Just last year, La Canada enrolled 181 permit students including 59 Territory students, without incurring any additional facilities costs.

Back to Glendale’s two concerns:

First, it must be stated that its assertion of a $2.7 million revenue loss is grossly exaggerated since:

1. It ignores the fact that 215 Territory students are already enrolled in La Canada schools and
2. It ignores expense savings from no longer educating these students as directed by CDE.

Similarly, its assertion that the loss of Territory AV will have a significant impact on its bonding capacity and have an “enormous” impact on its taxpayers is in conflict with its hugely successful bond issuances in 2016 and again in 2018. If implemented today, the transfer would result in just a $4 to $5 property tax increase to its homeowners. Not enormous and not significant.

As more and more Territory students transfer permissively and Glendale’s AV continues to swell, its reasons to oppose this transfer no longer have merit.
Separately, Glendale continues to assert - there is no compelling educational reason for this transfer. I’ve mentioned previously that you have a new tool to evaluate this issue since the Local Control Funding Formula, known as LCFF, and its related Local Control and Accountability Plan or LCAP were implemented statewide in 2013.

With LCFF and the LCAP, it was the intent of legislators to encourage and promote deep local community involvement and engagement in its public schools requiring intentional local input in each district’s LCAP goal-setting process.

For La Canada, this has led to smaller class sizes, more counselors, and no split classes. Local community input has resulted in La Canada pursuing an on-site independently managed Wellness Center at its 7-12 campus, a new program for students with dyslexia, and creation of exclusive educational programs in coordination with JPL, its largest employer – all of which reflect the local community’s needs and concerns.

Glendale’s LCAP goals - reflecting the needs and concerns of its stakeholders - are different since they reflect a significantly larger and more urban and dynamic community.

Within all the materials you’ve received on this Petition, please remember that there are only two identified concerns standing behind Glendale’s opposition.

I look forward to making a full presentation to this Committee addressing each one.

Thank you for your attention and your diligence.
The following 12-page document was received from Glendale USD’s Interim Superintendent, Dr. King, on 03-06-19
Dear Dr. Deegan:

We would like to bring to your attention Petitioners’ efforts to improperly skew Territory Transfer impacts to GUSD through a multi-year campaign to aggressively get parents to transfer their children to LCUSD through the interdistrict permit process. In 2015, 2016, and 2018, Petitioners, through their UniteLCF! organization, “created an outreach campaign with mailings, flyers, and visits to local preschools so that all new and current Sagebrush families would be advised of the opportunity to apply for permits in order to attend LCUSD public schools in the 2016-17 school year.” (UniteLCF Campaign Updates, p. 3; UniteLCF Update re LCUSD Permit Application Time; UniteLCF About (the UniteLCF! website is operated by Petitioner Nalini Lasiewicz, who serves as Co-Chair of UniteLCF! Community Relations).

Petitioners found their methods highly effective, stating, “Tabling, distributing flyers and informing the neighborhood residents through our mailing list helps over 60 Sagebrush students enroll in LCUSD, compared to only ten the year before.” (UniteLCF Campaign Updates, p. 4.)

In March 2018, former Chief Petitioner Tom Smith emailed Territory residents to facilitate student transfers. (UniteLCF Update re LCUSD Permit Application Time.) In his email, Mr. Smith stated, “Please help spread the word to new residents and neighbors who may not know that this window is the only time of the year Sagebrush families can apply to LCUSD. UniteLCF! is planning to host an informational session pertaining to the process for Sagebrush residents to apply for permits to have their children attend LCUSD schools. We will provide additional information as our plans solidify.” (Ibid.)

Moreover, in the same month, Petitioners distributed a flyer providing instructions on obtaining interdistrict permits, and which stated, in pertinent part:

“Residents of the Sagebrush neighborhood of La Cañada Flintridge (LCF) reside within the Glendale Unified School District (GUSD) boundaries and only have the right to attend GUSD schools. If you would like your child to attend La Cañada Unified schools (LCUSD) in 2018-19 and are currently not attending LCUSD schools, You MUST Submit an Application to LCUSD for a Permit by April 27, 2018 IT’S EASY TO APPLY WHILE MAINTAINING YOUR CHILD’S PLACE AT GUSD... This information was compiled by UniteLCF! We make no claims to represent either district.”

(Petitioners’ LCUSD Permit Flyer, emph. in orig. (Petitioners’ flyer also provided contact information for Petitioner Nick Karapetian’s partner, Stuart McKinney, to whom Territory parents could call with questions regarding interdistrict permits.).)

I am happy to answer any questions you may have regarding this issue and how this is negatively impacting the GUSD. Thank you.

Dr. Kelly King, Interim Superintendent
Educational Services
Glendale Unified School District
(818) 241-3111, ext 1227
Unite La Cañada Flintridge

One City – One School District.

About Us

UniteLCF! is a coalition of residents from across the City of La Cañada Flintridge (LCF) with a common desire to further enhance the cohesiveness of our community. It is our belief that our City, community, schools and families would benefit by all students who reside in LCF being afforded the opportunity to attend schools within the La Cañada Unified School District (LCUSD). We believe that giving all of our students the opportunity to engage in activities, organizations and events that are both school and community-based, will strengthen their engagement, heighten their enjoyment, provide a more-enriching experience and yield greater identification with their community and schools.

Our goal is straightforward; we seek to have the boundary line between the LCUSD and the Glendale Unified School District (GUSD) realigned so that all students residing in the City of LCF can attend the LCUSD schools. Today, it is only in the western-most part of LCF where students are assigned to the GUSD. This “Sagebrush Area” is located generally west of Rosebank Drive to the City’s boundary at Pickens Canyon.

For occasional updates on our campaign, please use the web form to JOIN the mailing list. You can also call or contact:

Tom Smith
Chair
UniteLCF! – One City – One School District
smithtmg@gmail.com (mailto:smithtmg@gmail.com)
(c) 818-397-2981

https://unitelcf.wordpress.com/about-2/
Campbell Updates — Unite La Cañada Flintridge

This is Google's cache of https://unitelcf.wordpress.com/benefits-of-territory-transfer/. It is a snapshot of the page as it appeared on Jan 25, 2019 04:38:10 GMT. The current page could have changed in the meantime. Learn more.

Full version  Text-only version  View source
Tip: To quickly find your search term on this page, press Ctrl+F or ⌘-F (Mac) and use the find bar.

Unite La Cañada Flintridge
One City - One School District.

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School Information for Sagebrush Parents

Letters of Support

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RECENT POSTS
LCUSD gives assurance to Sagebrush families in the event transfer is approved
LACOE Receives Supplemental Filings on Territory Transfer Public Hearing (CEQA) October 3, 2018
Glendale Unified will find out Sagebrush’s fate soon
Public Hearing Oct 3, 2018
Comments due by Sept 18th.

RECENT COMMENTS
Frieda Martirosian on Note to GUSD Board: VOTE! 5/17...

attempt to find amicable solutions, but as of mid-April, were not able to resolve issues.

November 2, 2016: Second Public Hearing before the County Committee. Crescenta Valley High School.

October 27, 2016: First Public Hearing before the County Committee, LCUSD Board of Education office.

September 28, 2016: LACOE staff confirmed the dates of the two Public Hearings. Wed. Oct 26, 6pm (LCUSD Office) and Nov 2, 6:30pm (CV High School)

September 21, 2016: UniteLCF! appeared in Superior Court alongside LA County Counsel in order to oppose the GUSD Ex Parte Application for Temporary Stay.

September 8, 2016: GUSD lawyers file a Lawsuit against the County Registrar-Recorder, the LA County Committee and the chief petitioners of the UniteLCF! citizens group. They seek a stay in the administrative process during which time they will attempt to get a Court Order for the names and addresses of our Petition signers, or Signatory Data as GUSD refers to our neighbors and families. They want to “analyze” this data in order to order to bolster their opposition to the territory transfer.

September 7, 2016: Staff and community representatives of GUSD, LSUSD and UniteLCF! attend a meeting of the Los Angeles County Committee on School District Organization (County Committee) as he petition was presented to the County Committee.

June 29, 2016: After three years of community meetings, researching all the previous territory transfer campaigns and issues pertaining to financial and community impacts to all parties, participating in reports and surveys with multiple consultants, supporting negotiations between the two districts, drafting our Petition and collecting signatures, we hand-delivered our formal Petition to the Los Angeles County Office of Education (LACOE).

May 31, 2016: GUSD Superintendent sent an email to UniteLCF!
stating "the Board’s prevailing point of view aligns with the Capitol Advisor’s report ... which determined that removing Sagebrush residents from the GUSD would have significant impact(s) upon GUSD and LCUSD. Based on the report’s finding, the GUSD Board of Trustees seeks to take no further action on this matter."

May 19, 2016: A UniteLCF! Steering Committee is formed and starts meeting as a group. The purpose of the expanded group was to insure wider community involvement, including stakeholder parents with school-age children, and seek additional support in preparation for the hearings that will be required during a formal Petition process.

May 11, 2016: Chief Petitioners Tom Smith and Nick Karapetian met with Winfred Roberson the new Superintendent at GUSD, offering details on several new negotiation points for his consideration.....points that weren’t considered by the Capitol Advisors group in their consultancy to both districts and the City of LCF. The Superintendent agreed to present our suggestions to the full board for their consideration.

April 20, 2016: A long awaited report from Capitol Advisors was delivered to the contracting parties. For the record, Capitol Advisors did not conduct a feasibility or financial analysis, and did not address the continuing disagreement of the parties regarding the magnitude of claimed monetary impacts.

March-April 2016: For the second year in a row, UniteLCF! Parents Committee created an outreach campaign with mailings, flyers, and visits to local preschools so that all new and current Sagebrush families would be advised of the opportunity to apply for permits in order to attend LCUSD public schools in the 2016-17 school year.

January 25, 2016: Los Angeles County Office of Education approves the final language and map of the transfer area. Office launch for the canvassing is set for Saturday, February 6, 2016.

December 5, 2015: A meeting and holiday reception for UniteLCF! supporters takes place at the home of Rajiv and Divya
Dalal.

**November 23, 2015:** UniteLCF! Petition Committee finalizes and submits our “Petition for Signature Gathering” to the County Office of Education for their review as to its proper form. Once they send us the official voter signature pages, the next active process will begin, including signature gathering, public hearings, an eventual ruling on our petition and eventually a ballot measure.

**October 2015:** GUSD hires two part-time interim Superintendents, Joel Shawn and Marc Minger, both retired superintendents.

**June 2015:** GUSD fills temporary Superintendent slot with retired GUSD administrator, Donald Empey.

**June 5, 2015:** The City of La Cañada Flintridge formally agrees to join LCUSD and GUSD in their contract with Capitol Advisors Group, a firm with experience in territory transfers.

**May 20 2015:** GUSD Superintendent Sheehan and LCUSD Superintendent meet with UniteLCF! committee members to explain the role of the new consultants. At the end of the meeting, Sheehan disclosed that he will be leaving GUSD to take a new job with Covina-Valley United.

**April 30 2015:** Deadline to enroll in LCUSD. UniteLCF compiles and distributes information on applying for the 2015-16 school year, requesting permits and releases. UniteLCF! worked with both districts to update information on their websites in order to answer questions from the community. Tabling, distributing flyers and informing the neighborhood residents through our mailing list helps over 60 Sagebrush students enroll in LCUSD, compared to only ten the year before.

**March/April 2015:** Community outreach through mailings and social media in order to promote Sagebrush residents to vote in the GUSD school board elections. CVTC holds a candidate forum, promoted by UniteLCF!
March 2015: Both districts agree to contract services with Capital Advisors Group in Sacramento, in order to find “a creative solution” for the potential transfer. At previous stages, GUSD and LCUSD have been working with conflicting sets of financial information.

February 25, 2015: GUSD and LCUSD officials met to discuss the negotiations from last fall, where GUSD had outlined an offer to transfer the territory for a price of 23 million dollars. LCUSD had rejected the offer as “untenable.”

February 10, 2015: LCUSD adjusts the district’s transfer process in order to give Sagebrush residents a higher priority in the permit process. The district’s “cap calculation” will no longer include Sagebrush families.

January 10, 2015: LCUSD and GUSD representatives meet to discuss the details of the proposal sent by GUSD in November.

December 10, 2014: Meeting of Sagebrush residents to get a briefing on the UniteLCF! committee efforts. Over 50 attend, along with two La Cañada school board members and two La Cañada city council members in attendance.

November 2014: UniteLCF! forms a Petition Committee, in order to commence work on crafting a formal Petition for the territory transfer should the negotiations between the two districts reach an impasse. This committee will meet regularly throughout the year.

November 4, 2014: GUSD Board authorizes GUSD Administration to Finalize a Territory Transfer Agreement with La Canada Unified School District.

October 8, 2014: GUSD appoints Sagebrush resident Sandra Russell to fill the vacancy on the Board of Education created by the resignation of Mary Boger. Upon being seated on October 21, 2014, it is disclosed that GUSD prohibits Board Member Russell from discussion or voting on issues pertaining to a territory transfer.

September 2014: Sagebrush residents formed an ad-hoc Petition Committee to begin analyzing past legal rulings and interviewing the
key participants from past territory transfer efforts.

**August 26 2014** About 100 parents, alumni, stakeholders on both sides of Pickens Canyon gathered at Mountain Avenue Elementary School to hear a presentation by GUSD Superintendent Sheehan. Billed alternately as a community forum and a Mt Ave parents meeting, Dr. Sheehan gave a presentation on the timeline of events that have occurred since the LCF City Council passed its resolution supporting the transfer in June 2013. Not being an agendized meeting, the 4 board members were precluded from participating in any collective discussions due to Brown Act restrictions but were available for one-on-one discussion after the presentation. LCUSD Board met on the same evening and discussed their wish to meet with GUSD, to sit down jointly in a subcommittee structure to take stock of where the talks are at this time.

**July 2014** GUSD departs from the joint Frequently Asked Questions (FAQ) document previously released in March and updated in May. GUSD posted its new version of the FAQ on its website without notice to the media, LCUSD or the community at large. The document was striped of elements that pertain directly to supporters of the transfer.

**July 2014** UniteLCF! volunteers distributed notices to Sagebrush residents, requesting that they urge the GUSD to move forward and call for an up or down vote by the Board members to give authority to GUSD Superintendent to negotiate a Memo of Understanding with La Canadá Unified School District, to work out details of an agreement to bring back to the GUSD Board for review.

**June 3, 2014** Both GUSD and LCUSD post updated information (FAQs) on the proposed Territory Transfer, having addressed issues brought forward by both communities.

**May 20, 2014** GUSD Board meeting: The True North Research survey drew a record setting 43% responses. The company had only expected 20+, based on a recent city survey with similar demographics and methodology. The company reported overwhelming support among the Sagebrush voters, in support of the territory transfer (85% ‘Definitely support’ and 5% ‘Probably...
support).

**May 10, 2014:** All registered voters in the Territory receive a letter from GUSD inviting their participation in a survey. Members of UniteLCF! undertake an outreach campaign to provide detailed information on the current proposal and distributing door hangers to encourage wide participation in the survey. A new [website](https://unitelef.wordpress.com/benefits-of-territory-transfer/) is launched to provide current and background information on the campaign.

**March 25, 2014:** The GUSD held a Town Hall meeting at CV High School and drew a crowd of 350. Both school district Superintendents discussed the details of the proposed agreement and took comments and questions from the audience. LCUSD sent letters to all Territory residents to announce the meeting.

**August 6, 2013:** The Governing Board of the LCUSD approved a resolution in support of the Territory Transfer of the Subject Area from GUSD to LCUSD, as requested by UniteLCF! This resolution was amended and re-adopted on January 7, 2014 with the new board members seated.

**June 3, 2013:** The City Council of La Cañada Flintridge approved a City Resolution which is both in support of the request from our citizen’s committee (now UniteLCF!) calling for a Territory Transfer of the Subject Area from GUSD to LCUSD.

What we need: We need **residents of the Territory and our supporters** to sign-up to stay involved and updated as we prepare our petition, should we need to submit it and the City Resolution to the County Committee.

Please show your support for UniteLCF!

Join our campaign and mailing list.
Tom Smith
smithtomg@gmail.com
Chair, UniteLCF! – One City – One School District
(c) 818-397-2981

Website: nalini@lasiewicz.com  http://uniteLCF.wordpress.com
--- On Sat, 3/3/18, Tom Smith <smithtomg@gmail.com> wrote:

> From: Tom Smith <smithtomg@gmail.com>
> Subject: UniteLCF! Update - LCUSD Permit Application Time
> To: "<nalinicrossroadsoflearning.com>" <nalinicrossroadsoflearning.com>, "Nick Karapetian" <nick@attorney-network.com>
> Date: Saturday, March 3, 2018, 12:21 PM
> Greetings Neighbors
> and Supporters
> I'm writing to provide you with a few pieces
> of information pertinent to the School District Transfer
> Petition:
> 1. LCUSD Permit Application for 2018 -
> 2019: The window for submitting applications to La
> Canada Unified School District (LCUSD) is HERE!
> > Permit applications will be accepted from March
> > 5 through April 27, 2018. The attached flyer provides
> > additional information on the process for applying for a
> > permit to attend LCUSD schools.
> > Link to LCUSD Application:
> > https://www.lcUSD.net/apps/pag
> > es/index.jsp?uREC_ID620826&
> > type=d&pREC_ID=1094956
> > A total of 164 Sagebrush area students now attend
> > LCUSD schools, a significant uptick from prior years. As in
> > prior years, attendance permits will be approved based on
> > availability of space at the various grade levels.
> > Please help spread the word to new residents and
> > neighbors who may not know that this window is the only
> > time of the year Sagebrush families can apply to
> > LCUSD.
> > UniteLCF! is planning to host an informational session
> > pertaining to the process for Sagebrush residents to apply
> > for permits to have their children attend LCUSD schools. We
> > will provide additional information as our plans
> > solidify.
> > 2. CEQA Review: As reported in earlier updates,
> > the LA County Office of Education (LACOE) determined that a
> > CEQA review was required to evaluate the potential for
> > significant environmental impacts stemming from the proposed
> > territory transfer. The most recent information packet LACOE
> > sent to the County Committee on School District Organization
The following page was received from Glendale USD’s Interim Superintendent, Dr. King, on 03-14-19
The following are two letters (with attachments) received from Chief Petitioners’ counsel, dated 02-08-19 and 03-08-19. Staff is awaiting responses from LACOE’s General Counsel and Los Angeles County Counsel.
February 8, 2019

Via FedEx Overnight and Email
Allison Deegan, Ed.D
Regionalized Business Services Coordinator
Los Angeles County Office of Education
9300 Imperial Highway
Downey, CA 90242

Re: Request for Clarification on the process and procedures to be used by the County Committee on School District Organization when deliberating and voting to approve/deny the Petition for Territory Transfer from the Glendale Unified School District to the La Cañada Unified School District

Dear Dr. Deegan:

I am counsel for the Chief Petitioners ("Petitioners") in a matter currently before the Los Angeles County Committee on School District Organization ("County Committee"), specifically, the "Petition to Transfer Territory from the Glendale Unified School District ("GUSD") to the La Cañada Unified School District "LCUSD" ("Petition").

Allow me to briefly summarize the current status of the Petition:

1. Following a meeting of the County Committee on May 3, 2017, and preliminary approval, the County Committee initiated a CEQA review of the proposed transfer. The review has been completed but the findings have yet to be acted upon by the County Committee;

2. The Petitioners are awaiting notification from the Los Angeles County Office of Education ("LACOE") as to the date their Petition will be on the County Committee agenda for adoption of the CEQA IS/MND\(^1\) findings; and

3. The date on which the Petition will be on the agenda of the County Committee for its vote to either grant or deny final approval of the Petition.

Petitioners recognize and appreciate the work that the County Committee and the staff have done thus far. However, in advance of the County Committee meeting where the final approval of the Petition will be on the agenda, there are a few items that require

\(^1\)California Environment Quality Act Initial Study/Mitigated Negative Declaration
clarification or explanation. By this letter I am seeking the following information and clarification:

1. The process and procedures by which the County Committee will deliberate and make a final vote to either approve or deny the Petition; and

2. A copy of the instructions and/or directions and/or suggestions provided by the California Department of Education ("CDE") to LACOE staff and/or the County Committee that the CDE be provided "a more-articulated record of the Committee's sentiments, Condition by Condition and what is tantamount to a straw vote" (See Attachment 2 "Transcript of Nov. 7, 2018 Study Session).

At the May 3, 2017 meeting of the County Committee there was clear confusion among the County Committee members and Staff as to correct process for their deliberations and subsequent vote. The genesis of the confusion that day focused on the nine Conditions that are required to be considered per California Education Code §35753 when the County Committee is evaluating a territory transfer petition and whether the Committee must make a finding as to each of them that they have been substantially met.

The Petitioners' concern is that although additional dialogue between the County Committee and Staff regarding the confusion has occurred subsequent to the May 3 meeting, the County Committee members as well as the Chief Petitioners may still not be completely clear on the proper procedural process to be followed when the item is next on the agenda.

For your reference, I am enclosing with this letter Attachment 1, "Background and Context." This provides examples of what could be perceived as seemingly conflicting statements made by both Staff and the County Committee members regarding the process used during the initial County Committee deliberations and preliminary approval on May 3, 2017, and to be used during the deliberations and final vote to approve or deny the Petition, whenever that may be placed on the County Committee's agenda for consideration.

Petitioners respectfully request responses to the following questions before the next hearing date of the County Committee where the Petition will or may be discussed. Petitioners are seeking this information in advance so that all parties and stakeholders are fully aware of and understand the procedures that will be followed when the referenced Petition comes before the County Committee for its deliberation and final vote to approve or deny.

1. When the Petition is finally placed on the County Committee agenda for it to render a final decision to approve or deny the Petition, what will be the specific procedural process? While Petitioners welcome any information or insight from the County Committee or Staff, Petitioners seek specific information regarding:

   a. Will the County Committee members deliberate each of the nine Conditions as delineated in California Education Code §35753(a) on a Condition-by-Condition basis?

   b. Following deliberation on each of the nine Conditions, will the County Committee members vote on each separate Condition individually to
collectively determine by majority vote, whether each Condition has been substantially met or not?

c. Following deliberation and vote on each of the nine Conditions, will the County Committee members vote individually on whether the Petition, as a whole, is either granted or denied?

2. Should one of the Conditions fail to be deemed substantially met during the Condition-by-Condition vote, will the process nevertheless proceed until each and all nine Conditions have been deliberated and voted upon by the County Committee? Or will a majority “no” vote on any one Condition end the deliberation process as to the remainder of the Conditions?

3. Should one or more of the nine Conditions fail to be deemed substantially met, by majority vote of the County Committee, does the Petition automatically fail or does the County Committee have the authority to still approve the Petition? If so, what is the source of that authority (Education Code; direction from LACOE or the Department of Education or elsewhere)?

4. Should the County Committee members approve the Petition, will the County Committee at that same hearing make its recommendation as to the proper area or boundaries for voting on the Petition? If not, what is the expected timetable for the announcement (or deliberation and discussion) of the proper voting area?

Petitioners and I thank you in advance for your attention to these important questions, and look forward to a prompt and full response. Should you have any questions, or require clarification of any of these matters, please feel free to contact me.

Very truly yours,

LAW OFFICE OF MARILYN M. SMITH

Marilyn M. Smith

MMS/blm
Enclosures (as noted)
cc: Keith Crafton, Secretary to the County Committee on School District Organization, Los Angeles County Office of Education, 9300 Imperial Highway, Downey, CA 90242; Michelle Cervera, Counsel for the Los Angeles County Committee on School District Organization, 500 W. Temple Street, Room 602, Los Angeles, CA 90012; Larry Shirey, California Department of Education, 1430 N Street, Suite 3800, School Fiscal Services Division, Sacramento, CA 95814-5901
Attachment 1

Background and Context

Re: Request for clarification on the process used by the County Committee on School District Organization (“CC”) when deliberating and voting to approve/deny the Petition for Territory Transfer from the Glendale Unified School District (“GUSD”) to the La Cañada Unified School District (“LCUSD”)

A “study session” was held on Nov. 7, 2018 at the offices of the Los Angeles County Office of Education (“LACOE”). LACOE Staff (“Staff”) and CC members participated in the study session with one of the Chief Petitioners in attendance. At this session Staff sought to explain to the CC members the differences between two apparently different processes used by the CC when deliberating a transfer Petition; one being the process used when the CC members take a preliminary vote (or “straw vote”) on a petition and one used when the CC deliberates and takes a final vote to either approve or deny a petition. Petitioners desire to ensure that they and the CC fully understand the correct process to be followed by the CC when deliberating and taking the final vote on their Petition, so the confusion exhibited in the May 3, 2017 meeting does not reoccur.

It was stated at the May 3, 2017 meeting by then-Chair Ogaz and Keith Crafton, Secretary to the County Committee that, *should any of the nine Conditions be deemed by the CC to not have been substantially met, the Petition fails and must be denied.*

More recently, during the Nov. 7, 2018 study session, it was stated by Staff (Dr. Allison Deegan, LACOE Business Advisory Services), *that the guidance provided on May 3, 2017 was incorrect.*

Accompanying this attachment is a transcript of the CC dialogue during the Nov. 7, 2018 study session in which both Dr. Deegan and Secretary Crafton participated. It appears from the study session dialogue that Dr. Deegan is attempting to clarify for the benefit of the CC members that the process used during the deliberations and vote on May 3, 2017 was a new process, perhaps leading to the confusion at that meeting.

*Comments made regarding the “preliminary” deliberation and vote*

Dr. Deegan explains to the CC members that the new process was being used at the request of the California Department of Education (“CDE”) and State Board of Education (“SBE”) “to provide a more-articulated record of the Committee’s sentiments, Condition by Condition and what is tantamount to a straw vote” in order to provide greater insight on the individual CC members views on each of the nine Conditions. This greater insight was to be provided by the CC members deliberating each Condition and then taking a vote, Condition by Condition, on each of the nine Conditions as to whether that Condition had been substantially met.
Following the Condition by Condition vote the CC members would then take a preliminary vote on the Petition itself, as a whole, and as a prerequisite to taking the next step in the process of having a CEQA(1) review performed (with its attendant cost).

In the case of a preliminary vote to determine if the CC members feel the nine Conditions are sufficiently met to warrant the expense of having a CEQA review performed, the process articulated by Dr. Deegan seems to allow for any of the nine Conditions to fail individually, but that a petition, as a whole, could still be granted preliminary approval, insofar as clearing the way for a CEQA review.

**Comments made regarding the “final” deliberation and vote**

When it comes to the proper process to be used when the CC deliberates on a petition to take a final vote to approve or deny a petition, the process is not so clear. Near the beginning of the study session (See Attachment 2 - Transcript), Dr. Deegan makes reference to “the ten Conditions and any other criteria the State Board may apply” [CA Ed Code §35753(a)] and then states “that these are the State Board of Ed’s criteria....it doesn’t say these are the criteria of the County Committee.” Shortly after that, she states “[w]hen we review whether pieces [??inaudible] of local petitions, like a transfer of territory, the County Committee adopts the State criteria and acts as if the State Board would act, in its local decision.”

So, on the one hand, the guidance to the CC members seems to be that they are not necessarily bound by the same criteria used by the State Board when deliberating petitions for a transfer of school district territory, but on the other hand the guidance indicates that the practice has been that the CC adopts the State Board criteria, without clarifying whether such adoption is mandatory or discretionary. This is not the sole example of where Staff guidance to the CC regarding procedure is less than crystal clear.

The highlighted comments in the provided transcript are intended to point to those portions of the study session dialogue that give rise to Petitioners’ concerns as to whether the CC members have been provided clear and unambiguous guidance as to the correct process to be used when the CC renders its final vote, to approve or deny, the referenced Petition.

In the transcript, the dialogue goes back and forth between the two seemingly different processes used by the CC depending on whether they are taking a preliminary vote on a petition or a final vote on a petition. When certain statements were made, it isn’t clearly specified by either Staff or CC member speakers which of the two processes the comment applied to.

A few examples of this ambiguity include the following:

1. In one of the highlighted points, Chair Wilmer makes the comment: “And I have found myself in that situation in our vote, where one of the criteria I did not think was adequately followed, but I felt the overall petition validated the “yes” vote.”
This would seem to more-correctly apply to a preliminary “straw vote” to clear the CEQA threshold than it would to a final “approve or deny” vote per Ed Code §35753(a).

2. In another, Dr. Deegan comments: “Yes, and that happens, and you’re also charged with weighting it, the way you weight it. You’re not weight-[inaudible] here. That’s why…… if a piece of condition two isn’t met, you stop listening…….it doesn’t work that way. You’re weighting the totality…….”

Likewise, this would seem to more-correctly apply to a preliminary “straw vote” to clear the CEQA threshold than it would to a final “approve or deny” vote per Ed Code §35753(a).

3. Lastly, in an exchange between Chair Wilmer and Dr. Deegan, it’s stated:

Chair Wilmer: “And they’re also presenting to us assuming that if they can get a ‘no’ vote on one Condition that we will toss out the whole petition, and we have to be clear that that’s not necessarily the case”.

Deegan: “Right…”

Chair Wilmer states “……that that’s not necessarily the case.” However, per Ed Code §35753(a), all of the Condition must be met in order for the Petition to be approved which is seemingly contrary to it being “not necessarily the case” that the CC “toss out the whole petition” should one Condition fail.

Fn: (1) California Environmental Quality Act Initial Study/Mitigated Negative Declaration
Transcript of Nov 7, 2018 Study Session of the Los Angeles County Committee on School District Organization (“CC”) and Staff of the Los Angeles County Office of Education (“LACOE”) where Condition review/approval process for Transfer Petitions was discussed

Time: beginning of video/audio file

Speaker: Allison Deegan (“AD”), LACOE Regionalized Business Services Coordinator: [inaudible]....the ten Conditions and any other criteria the State Board may apply. One of the things you can read in this section right out of the code.... is a little confusing is that these are the State Board of Ed’s criteria....it doesn’t say these are the criteria of the County Committee.

But in petition reviews, especially initial petition reviews, of something like territory transfer, the County Committee sits in authority of the State Board of Ed. So, when we review implications of some other matters that are ultimately State decision the County Committee’s vote is advisory and then the State Board of Ed has the final decision.

When we review whether pieces [?? inaudible] of local petitions, like a transfer of territory, the County Committee adopts the State criteria and acts as if the State Board would act, in its local decision.

So, the challenge we were having is in the way this Committee has always operated is to review all the nine Conditions and discuss them one by one and then take that yes or no vote. And we were asked by our friends at the CDE and the SBE to provide a more-articulated record of the Committee’s sentiments, Condition by Condition and what is tantamount to a straw vote.

So, the confusion was, vote by vote...... “no” on that condition then we can’t look anymore and that was incorrect; there ....every point of discussion Condition by Condition is a straw vote until the Committee votes at the end whether to approve the petition or not. And, just like in any matters of deliberation, you can say, “well I don’t agree with that Condition” .....an hour later, after discussing with your ten colleagues, you might have a different opinion and you might think the totality rises to the level...“even though I have concern with this one Condition, I can approve it and you vote to approve”.

Or, even only one Condition is too much for you when you feel it was absolutely not met and you have to vote “no” on that Condition. But as it says here,.... “may approve the proposals, if the Board has determined with respect to the proposal, that all of the following Conditions are substantially met”. So we have three operative words in there....“may”, “all” and “substantial”. “All” is not an operative.... “all” is, all the Conditions need to be met but you get to determine whether they are substantially met and you may approve if you determine all the Conditions are substantially met. The word “may” is in there, not “shall”, so if you determine in your discussion that all the Conditions are substantially met, you still have the option to disapprove the petition. The petition is not approved until the Committee affirmatively approves it.

Speaker ?????: Sounds like a Committee member asks the question: “.....and that goes for all of these?”
Deegan: Right,

Deegan: ...so this is what we’ve always had a culture of. I’m not quite sure how it went off the rails, but this has always been this Committee’s practice, is to discuss Condition by Condition... absent that straw vote Condition by Condition.

The value of the straw vote is it lets everybody clearly see what everybody’s with, but in your discussion, in your, the typical historical collegiality of this Committee, that’s always been clear. Everyone has an opportunity to talk, to weigh in from both historical, local information perspective, from whatever background they bring. So I think as you all ...and I’m not sitting up here.....but it always seemed clear to me that you all had good sense of where everybody was and when you made your final vote, you knew the implication of that, it wasn’t a surprise...“Oh, he voted no and now, now what does that mean?” You all knew where you all were going based on your discussion. So, if the Committee chooses not to take that step and create a more-detailed record in case a petition is appealed, then you can certainly do that......if it’s going to interrupt the flow of how this Committee reviews the Conditions and votes at the end.

County Committee Chair Wilmer: My concern is actually addressed at the end here, “The state Board may approve a proposal for the reorganization of school districts if the Board discerns that it’s not practical or possible to apply the correct criteria.” And I have found myself in that situation in our vote, where one of the criteria I did not think was adequately followed, but I felt the overall petition validated the “yes” vote.

Deegan: Yes, and that happens, and you’re also charged with weighting it, the way you weight it. You’re not weight-[inaudible] here. That’s why...... if a piece of condition two isn’t met, you stop listening......it doesn’t work that way. You’re weighting the totality, and I think the request ... it was an informal request ... but the request by the CDE is not to interrupt your process. It’s just when it comes to them on appeal, we know it’s going to be many years later. We try to recreate that local moment, when you were taking input from the parties, when you were taking input from the public, petitioners, and reacting to it and making your decision. They’re not going to listen to the tape, and even if they did, they don’t know who you are. They don’t know your names, right? That’s part of it.

Part two is: the value of that ... not a Condition by Condition straw vote ... but what we must do now is take a preliminary vote at the end, because of the CEQA process. So, we don’t want to do a CEQA review in a petition that you are preliminarily or ultimately going to vote “no” on. So, if it rises to the level of, “We’ve had our discussion. I’m still not sure, haven’t made up my mind. We’re going to vote preliminarily ‘yes’,” we can do the CEQA study, get more information, come back, and then we vote”, that’s been our more recent process, because we’ve had to have the CEQA study pin there.

In years past, we wouldn’t vote until the CEQA was done. Now the financial burden of doing CEQA is significant, so this is where we’re at now. At a minimum, we have to take a preliminary vote to continue enough to do the CEQA study. Doesn’t bind the committee in any qualitative way on their review of that petition. Review is not- [interrupted by a speaker (possibly Chair Wilmer) asking a question]
Chair Wilmer(?): Does either the Code or the State Board want to know our Committee's position on each Condition?

Keith Crafton, Director, LACOE Business Advisory Services and Secretary to the County Committee: Yes

Deegan: They would prefer it. Just because it contributes to their recreation of what happened here a few years later. That's all. What typically happens is – [AD is asked a question by Chair Wilmer]

Chair Wilmer: So even though you're using the terminology "straw vote", we would still be taking a vote on each condition to inform the State Board?

Deegan: If you choose...if you choose. There's no final vote. Like I said, we haven't done any final vote yet, but I get that that was very difficult for the public to understand, very difficult for them to grasp, and we heard two people present today, and say, "You have a preliminary "yes" vote" as if it means more than... It's not a qualitative preliminary "yes" vote, at least not in my understanding. That's never been our process.

Chair Wilmer: And they're also presenting to us assuming that if they can get a 'no' vote on one Condition that we will toss out the whole petition, and we have to be clear that that's not necessarily the case.

Deegan: Right.......and I think everybody recalls who's been on the committee for a while, most of these Conditions are not deliberative; they are relatively factual. There are few that have nuance or have subjectivity to them and we have to go to great length ... none, none more so than Condition 2. And many of our petitions have turned on a discussion about Condition 2. What is community identity? There's no articulated criteria. There's historical criteria.....there's local criteria, State-wide criteria, but you don't have, "If this, then that"; 1500 kids; or 'yes' or 'no'......you don't have that. And, I've heard most of our discussion around that condition while the Committee went through all of the other conditions. So, you have to weight what rises to that level, lifting you to a "yes" or "no" vote.......and that's always been what we have done.

The CEQA timeline, like I said, it complicates it a little, and I appreciate that the public who doesn't review these petitions every month may didn't grasp in some of the discussions why you were taking that step, but that's going to continue to be the process.

If you want to provide more detail for the State Board of Ed so that your local decision is better represented, you can do that. What typically happens is when a petition is appealed, our colleagues at
the CDE and State Board of Ed. will go through a very similar process that we go through except with two differences: they're doing it two to three years later, and they are not local. So they will rely on us......whenever an appeal happens we have to submit the entire record, so they'll have things at their disposal, but as I said, it's two or three years later. And then in the State Board agenda review of it, maybe some of the parties arrive to make their case again, maybe they don't, maybe they're not there, maybe they don't live in the district anymore. So the state is attempting to be as informed as it would like to be about whatever process happens down the road. So that's where that request came from.

Chair Wilmer: And what I meant by “final” is that personally we go through the conditions one by one and then we're done with that. And now we have to go and vote on the total petition as a whole.....

Deegan: Correct.

Chair Wilmer: and that will basically be our final vote. We're done with that. Now it goes to the State Board-........

Deegan: If someone appeals.

Chair Wilmer: That's what I meant by “final”.

Deegan: Yes. And you can also ... what we've seen in the past as well ... on more than one petition where you’ve had a Condition by Condition discussion and you say, “We need more.” And you've charged us with going back to get additional answers to questions or additional data, and then you'll discuss. When CEQA is in the mix, as you know, our timeline for review is extended, so you have the time that you need. Then I think once we see CEQA materials coming in, once we see thousand-page documents [inaudible 00:09:47] coming in, there's a great benefit to having that additional time to deliberate. So even in the Glendale-La Canada petition that we have currently in flux [inaudible, possibly “in front of us”], you control that timeline.

So it's not about serving the CDE and giving it what it needs, it's determining what you need, and it could be across multiple meetings.....if you could wrap it up in January, I don't know. But your temperature has to be first and foremost to serve the local dialogue......not serve some other dialogue. Just so you know, that's always where you landed and that's always how the discussion we’re in, in my opinion. So that doesn't have to change.

Chair Wilmer: On the state issue, peripherally related to this, we've talked often about the time delay to make this difficult moment and these issues finally come up, when one of our petitions finally comes up
in front of the State Board, whether staff or one member of this committee would actually go up and present our-.....

Deegan: We typically have. It's been a while. [inaudible crosstalk 00:10:52]

Chair Wilmer: That creates some of the information that they may be looking for. I would like to continue that.

Deegan: Usually you're sitting by in case there's a question, but our colleagues at the CDE are exceedingly thoughtful and thorough and we ship them boxes on a regular basis when a petition goes, so they do the best that they can. But, literally, they don't know us and they don't look at it for multiple years. That is a disadvantage in their review.

Chair Wilmer: Any other comments?

Deegan: And one more final thing is.....this type of articulation, just to capture it, can be an issue for your policy discussion.

Secretary Crafton: Before you adjourn, I want to remind the Committee that I'm not sure if they will have a December meeting or a January meeting as our organization meeting, and I'm not sure that we've established your nomination committee to select your Chair and Vice-chair for next year. So, I remind the Committee that that needs to be done, prior to the January meeting.

Secretary Crafton: [brief inaudible cross-talk].......that's why I'm reading it.

Deegan: Yeah, yeah, okay. [inaudible 00:12:02]
Via FedEx Overnight and Email
Allison Deegan, Ed.D
Regionalized Business Services Coordinator
Los Angeles County Office of Education
9300 Imperial Highway
Downey, CA 90242

Re: Request for Clarification on the process and procedures to be used by the County Committee on School District Organization when deliberating and voting to approve/deny the Petition for Territory Transfer from the Glendale Unified School District to the La Cañada Unified School District

Dear Dr. Deegan:

I am following up regarding my letter to you dated February 8, 2019. I have enclosed another copy (without attachments) for your review.

Now that the Petition has been placed on the May agenda, it is very important to obtain the requested information.

I look forward to your response.

Very truly yours,

LAW OFFICE OF MARILYN M. SMITH

Marilyn M. Smith

MMS/blm
Enclosure (as noted)
cc: Keith Crafton, Secretary to the County Committee on School District Organization, Los Angeles County Office of Education, 9300 Imperial Highway, Downey, CA 90242;
    Michelle Cervera, Counsel for the Los Angeles County Committee on School District Organization, 500 W. Temple Street, Room 602, Los Angeles, CA 90012;
    Larry Shirey, California Department of Education, 1430 N Street, Suite 3800, School Fiscal Services Division, Sacramento, CA 95814-5901
February 8, 2019

Via FedEx Overnight and Email
Allison Deegan, Ed.D
Regionalized Business Services Coordinator
Los Angeles County Office of Education
9300 Imperial Highway
Downey, CA 90242

Re: Request for Clarification on the process and procedures to be used by the County Committee on School District Organization when deliberating and voting to approve/deny the Petition for Territory Transfer from the Glendale Unified School District to the La Cañada Unified School District

Dear Dr. Deegan:

I am counsel for the Chief Petitioners ("Petitioners") in a matter currently before the Los Angeles County Committee on School District Organization ("County Committee"), specifically, the "Petition to Transfer Territory from the Glendale Unified School District ("GUSD") to the La Cañada Unified School District "LCUSD" ("Petition").

Allow me to briefly summarize the current status of the Petition:

1. Following a meeting of the County Committee on May 3, 2017, and preliminary approval, the County Committee initiated a CEQA review of the proposed transfer. The review has been completed but the findings have yet to be acted upon by the County Committee;

2. The Petitioners are awaiting notification from the Los Angeles County Office of Education ("LACOE") as to the date their Petition will be on the County Committee agenda for adoption of the CEQA IS/MND\(^1\) findings; and

3. The date on which the Petition will be on the agenda of the County Committee for its vote to either grant or deny final approval of the Petition.

Petitioners recognize and appreciate the work that the County Committee and the staff have done thus far. However, in advance of the County Committee meeting where the final approval of the Petition will be on the agenda, there are a few items that require

\(^1\)California Environment Quality Act Initial Study/Mitigated Negative Declaration
clarification or explanation. By this letter I am seeking the following information and clarification:

1. The process and procedures by which the County Committee will deliberate and make a final vote to either approve or deny the Petition; and

2. A copy of the instructions and/or directions and/or suggestions provided by the California Department of Education ("CDE") to LACOE staff and/or the County Committee that the CDE be provided "a more-articulated record of the Committee's sentiments, Condition by Condition and what is tantamount to a straw vote" (See Attachment 2 "Transcript of Nov. 7, 2018 Study Session).

At the May 3, 2017 meeting of the County Committee there was clear confusion among the County Committee members and Staff as to correct process for their deliberations and subsequent vote. The genesis of the confusion that day focused on the nine Conditions that are required to be considered per California Education Code § 33753 when the County Committee is evaluating a territory transfer petition and whether the Committee must make a finding as to each of them that they have been substantially met.

The Petitioners' concern is that although additional dialogue between the County Committee and Staff regarding the confusion has occurred subsequent to the May 3 meeting, the County Committee members as well as the Chief Petitioners may still not be completely clear on the proper procedural process to be followed when the item is next on the agenda.

For your reference, I am enclosing with this letter Attachment 1, "Background and Context." This provides examples of what could be perceived as seemingly conflicting statements made by both Staff and the County Committee members regarding the process used during the initial County Committee deliberations and preliminary approval on May 3, 2017, and to be used during the deliberations and final vote to approve or deny the Petition, whenever that may be placed on the County Committee's agenda for consideration.

Petitioners respectfully request responses to the following questions before the next hearing date of the County Committee where the Petition will or may be discussed. Petitioners are seeking this information in advance so that all parties and stakeholders are fully aware of and understand the procedures that will be followed when the referenced Petition comes before the County Committee for its deliberation and final vote to approve or deny.

1. When the Petition is finally placed on the County Committee agenda for it to render a final decision to approve or deny the Petition, what will be the specific procedural process? While Petitioners welcome any information or insight from the County Committee or Staff, Petitioners seek specific information regarding:

   a. Will the County Committee members deliberate each of the nine Conditions as delineated in California Education Code § 33753(a) on a Condition-by-Condition basis?

   b. Following deliberation on each of the nine Conditions, will the County Committee members vote on each separate Condition individually to
collectively determine by majority vote, whether each Condition has been substantially met or not?

c. Following deliberation and vote on each of the nine Conditions, will the County Committee members vote individually on whether the Petition, as a whole, is either granted or denied?

2. Should one of the Conditions fail to be deemed substantially met during the Condition-by-Condition vote, will the process nevertheless proceed until each and all nine Conditions have been deliberated and voted upon by the County Committee? Or will a majority "no" vote on any one Condition end the deliberation process as to the remainder of the Conditions?

3. Should one or more of the nine Conditions fail to be deemed substantially met, by majority vote of the County Committee, does the Petition automatically fail or does the County Committee have the authority to still approve the Petition? If so, what is the source of that authority (Education Code; direction from LACOE or the Department of Education or elsewhere)?

4. Should the County Committee members approve the Petition, will the County Committee at that same hearing make its recommendation as to the proper area or boundaries for voting on the Petition? If not, what is the expected timetable for the announcement (or deliberation and discussion) of the proper voting area?

Petitioners and I thank you in advance for your attention to these important questions, and look forward to a prompt and full response. Should you have any questions, or require clarification of any of these matters, please feel free to contact me.

Very truly yours,

LAW OFFICE OF MARILYN M. SMITH

Marilyn M. Smith

MMS/blm
Enclosures (as noted)
cc: Keith Crafton, Secretary to the County Committee on School District Organization, Los Angeles County Office of Education, 9300 Imperial Highway, Downey, CA 90242; Michelle Cervera, Counsel for the Los Angeles County Committee on School District Organization, 500 W. Temple Street, Room 602, Los Angeles, CA 90012; Larry Shirey, California Department of Education, 1430 N Street, Suite 3800, School Fiscal Services Division, Sacramento, CA 95814-5901