February 20, 2009

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

FROM: Daniel G. Villanueva, Secretary County Committee

SUBJECT: Cancellation of the March 4, 2009, Regular Meeting of the County Committee

The regular meeting of the County Committee scheduled for Wednesday, March 4, 2009, has been CANCELLED. The next regular meeting is scheduled for Wednesday, April 1, 2009, at 9:30 a.m.

The following is an update of relevant information as of February 18, 2009:

Correspondence

• A January 21, 2009, letter from the Madera Unified School District (USD) Superintendent, Mr. John Stafford. (Attachment 1)

Newspaper Articles

• An October 6, 2008, article from the Latino Journal-"At-large voting in school districts impacts Hispanics adversely." (Attachment 2)

• A January 10, 2009, article from the Los Angeles Times-"Irony in Madera." (Attachment 3)

• A January 30, 2009, article from the Fresno Bee-"Excessive legal fees will hurt students in Madera Unified." (Attachment 4)

Additional Correspondence

• A January 2009 Agenda for the California State Board of Education. (Attachment 5)

• A January 28, 2009, Notice to Subject/Interested Agencies from the Local Agency Formation Commission concerning the City of Santa Clarita Annexation No. 2009-04 (Hasley Hills/Valencia Commerce Center). (Attachment 6)
Legislative Review

Attached is a review of pending legislation related to school district organization. (Attachment 7)

School District Organization Proposals

Updated versions of the following two documents are provided for your information:

- “Summary of Los Angeles Unified School District Reorganization Proposals.” (Attachment 8)
- “Summary of Los Angeles County School District Reorganization Proposals (excluding those affecting the Los Angeles Unified School District).” (Attachment 9)

Please call me at (562) 922-6144 if you have any questions or concerns.

DGV/AD:mb
Attachments
DESCRIPTION OF BILL

This bill would transfer final authority for review of certain school district organization petitions from the State Board of Education (SBE) to County Committees on School District Organization (County Committees). Currently, petitions related to unifications or the creation of new school districts are eligible for final review by the SBE. Thus, the SBE is designated as the lead agency for review and regulatory purposes. If this bill is passed, County Committees would be the final authorities for such petitions, as they currently are for school district organization petitions involving transfers of territory and changes in district governance structures, provided specified conditions are met. This change would designate County Committees as the lead agencies for all school district organization issues.

 POTENTIAL IMPACT OF BILL ON LOS ANGELES COUNTY COMMITTEE, SCHOOL DISTRICT ORGANIZATION PROCESS AND/OR LOS ANGELES COUNTY SCHOOL DISTRICTS

Under current law, the SBE is the lead agency for school district organization petitions involving unifications or the creation of new school districts. The County Committee serves as the lead agency for petitions involving transfers of territory and changes in governance structures. Because of the volume of petition activity in Los Angeles County each year, this change would most likely increase the number of petitions for which the County Committee serves as the lead agency.

This change would also eliminate petitioners’ ability to have the decisions of the County Committee reviewed by the SBE. If petitioners (individuals, agencies, school districts or other civic entities) want to challenge a County Committee decision, they would need to seek recourse in the court system.

If this legislation is approved, the Los Angeles County Committee would be designated as the lead agency for all school district organization petitions and thus the lead agency for matters pertaining to the California Environmental Quality Act (CEQA). The CEQA review process, which can sometimes require extensive environmental impact review (and lead to responsibility for the costs associated therewith), has become a complex component of the review process for school district organization petitions. If environmental review is required, the lead agency is responsible for the costs. Currently, for petitions involving unification and the creation of new districts, the SBE is the lead agency, and thus responsible for any environmental review costs. If this bill is approved, the Los Angeles County Committee and the Los Angeles County Office of Education, would be responsible for all potential environmental review costs associated with the school district organization process.

The Los Angeles County Committee is currently developing practice templates designed to bring a measure of uniform application of CEQA review standards to the school district organization petition process. However, their process will not be a complete barrier to unpredictable costs associated with CEQA review.
RECOMMENDED POSITION
Staff recommends the following position:

☐ Watch Bill should be monitored by County Committee staff, but no action should be taken at this time.
☐ Approve The County Committee supports the bill’s concept, but will not actively work for passage.
☐ Support The County Committee actively supports the bill.
☐ Oppose The County Committee actively opposes the bill.
☐ Disapprove The County Committee disapproves of the bill’s concept, but will not actively oppose passage.

AMENDMENTS REQUIRED
If staff’s recommended position is based on the need for amendments to the bill language, suggested alternative language is attached.

CORRESPONDENCE REQUIRED
If staff’s recommended position is based on the need for correspondence to the bill’s author, the Governor or other governmental officials, a draft of suggested language is attached.

Please direct all comments to Daniel Villanueva, Secretary to the County Committee, at (562) 922-6144.
Summary of Los Angeles Unified School District Reorganization Proposals

March 2009

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 February 18, 2009.

PROPOSAL TO TRANSFER CERTAIN TERRITORY FROM THE COMPTON USD TO THE LOS ANGELES USD

On May 1, 2007, the Los Angeles County Office of Education received a request to review a draft petition proposing the transfer of certain territory from the Compton USD to the Los Angeles USD. The territory is the portion of the City of Carson that is currently part of the Compton USD. The request was submitted by Ms. Linda Mann, Senior Analyst in the Office of the City Manager, City of Carson. Staff reviewed issues pertaining to the petition with Ms. Mann and she said she will submit a finalized version for review in the near future. When a petition is submitted, staff will forward it to the Office of the Los Angeles County Counsel to review its sufficiency.

Status: Final petition submission pending.

Status Date: June 26, 2007

OTHER INQUIRIES REGARDING REORGANIZATION (within the last six months)

Formation Proposals/Last Activity Date

None

Transfer of Territory Proposals/Last Activity Date

None

* Indicates update from previous summary.
Summary of Los Angeles County School District Reorganization Proposals
(excluding those affecting the Los Angeles Unified School District)

March 2009

The following is a summary of school district reorganization proposals (exclusive of those affecting the Los Angeles Unified School District [USD]) that were at various stages in the school district reorganization process as of February 18, 2009.

FORMATION—WISEBURN USD (CURRENTLY LIES WITHIN THE BOUNDARIES OF THE CENTINELA VALLEY UNION HIGH SD)

On May 16, 2001, the Los Angeles County Office of Education (LACOE) received a request from the Citizens for a Wiseburn Unified School District organization to prepare a petition (25 percent of the registered voters) proposing to form a Wiseburn USD from existing territory of the Wiseburn SD. The proposed formation territory currently lies within the boundaries of the Centinela Valley Union High SD. The petition was provided to the chief petitioners on June 20, 2001.

On November 9, 2001, the chief petitioners submitted a signed petition to the Los Angeles County Superintendent of Schools (County Superintendent) to determine if the petition was sufficient and signed as required by law pursuant to Education Code (EC) §35700(a). In accordance with EC §35704, the County Superintendent found the petition to be sufficient and signed as required by law on December 4, 2001. On December 5, 2001, the petition was presented to the Los Angeles County Committee on School District Organization (County Committee) at its regular meeting and transmitted to the State Board of Education (SBE). Pursuant to EC §35705, a public hearing was conducted within the Wiseburn SD and Centinela Valley Union High SD on January 23, 2002, at Richard Henry Dana Middle School in the Wiseburn SD.

At its regular meeting on March 6, 2002, the County Committee was presented with a preliminary feasibility report concerning this proposal. The final feasibility report was presented to the County Committee at its regular meeting on May 1, 2002. At that meeting, the County Committee recommended approval and took action to recommend approval of the proposal to the SBE to form a Wiseburn USD from the existing boundaries of the Wiseburn SD within the Centinela Valley Union High SD. The County Committee further recommended that the election area be the entire Centinela Valley Union High SD.

The County Committee’s plans and recommendations were transmitted to the SBE and the California Department of Education (CDE) on June 18, 2002. On June 19, 2003, the CDE requested additional statistical information from the impacted districts and notified LACOE staff that the petition would be heard in November 2003.

* Indicates update from previous summary.
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On September 2, 2003, the CDE notified LACOE that the petition hearing before the SBE would be delayed until January 7-8, 2004. The CDE cited budget constraints and staff cutbacks as reasons for the hearing delay. On December 1, 2003, the CDE notified LACOE of a second delay for the petition hearing before the SBE, postponing it until March 10-11, 2004. The CDE cited current state fiscal circumstances as the reason for the further delay. On January 21, 2004, the CDE notified LACOE of a third delay for the petition hearing before the SBE, postponing it until May 12-13, 2004. On April 16, 2004, the CDE notified LACOE that the petition hearing would be held on May 13, 2004.

On April 27, 2004, LACOE received a copy of the CDE’s final feasibility study. On April 29, 2004, LACOE received notice from the CDE that the petition hearing had been delayed indefinitely at the request of the Wiseburn SD. Subsequently, the Wiseburn SD requested that the SBE hear the petition, along with its request for two waivers. A hearing was scheduled for July 7, 2004. On July 7, 2004, staff was notified by the CDE that the Wiseburn SD had once again withdrawn its petition for consideration before the SBE.

On August 31, 2004, staff received notice that Ms. Karen Steentofte, Chief Counsel for the SBE, recommended that certain waivers submitted with the Wiseburn USD petition could be determined by the SBE at the time of the hearing. Subsequently, the CDE rescheduled the petition to be heard before the SBE on September 9, 2004.

On September 9, 2004, staff attended the SBE hearing. CDE staff recommended that the SBE adopt the proposal approving the petition to form a Wiseburn USD and to set the election area as the area of the Wiseburn SD only on the condition that the property owners within the Wiseburn SD retain current levels of responsibility for repayment of existing bonded indebtedness of the Centinela Valley Union High SD upon successful formation of a Wiseburn USD. The SBE voted unanimously to approve the proposal and established that territory within the Wiseburn SD be the area of election. Statutory requirements provide that, following approval by the SBE, an election shall be called on the next available regular election date (March 8, 2005) in the territory determined by the SBE.

On October 19, 2004, at the direction of the SBE, the County Superintendent forwarded an order for special election to the Los Angeles County Registrar-Recorder/County Clerk’s (Registrar-Recorder) office, to be held in conjunction with the March 8, 2005, regular election. A ballot measure to approve or disapprove the formation of a Wiseburn USD and to elect a governing board will be placed before the electorate. The election will be held within the boundaries of the proposed Wiseburn USD. Should the electorate approve the proposal, the new district could become effective July 1, 2006.

On November 1, 2004, staff received a copy of a lawsuit filed by the Centinela Valley Union High SD against the SBE, seeking to vacate approval of Wiseburn SD’s petition to unify based on lack of compliance with the California Environmental Quality Act (CEQA) regulations. On November 18, 2004, staff received a copy of a second lawsuit filed in this matter, citing flaws in the legality of the SBE’s decisions and naming additional parties, including the County Committee as defendants. The Centinela Valley Union High SD, Wiseburn SD, and SBE began negotiations to delay the election in order to revisit the issues underlying the petition and subsequent lawsuits. The SBE requested that the County Superintendent delay the election to

* Indicates update from previous summary.
allow for this negotiation process to run its course. Staff consulted with the Office of the Los Angeles County Counsel (County Counsel) and was advised that neither the County Superintendent nor the SBE could order a delay of the election.

On Friday, December 10, 2004, in the case of Centinela Valley Union High SD (Petitioners) vs. the SBE, the Los Angeles Superior Court issued a preliminary injunction barring the conduct of the election regarding the formation of the Wiseburn USD on March 8, 2005. The Petitioners also contacted the court and requested that the Motion for Preliminary Injunction (Injunction) scheduled for December 13, 2004, vs. the County Committee and County Superintendent, be taken off the calendar. The Petitioners will consult with the court’s clerk to re-schedule. This was done because the Petitioners received the Injunction that day. A hearing on the motion was scheduled for March 30, 2005. Staff received notice from County Counsel that both the County Committee and the County Superintendent were dropped as parties to the lawsuit in which they were named.

On January 6, 2005, County Counsel met with the County Committee in closed session to discuss the lawsuit. Later at the same meeting, Dr. Don Brann, Superintendent of Wiseburn SD, appeared before the County Committee to inform them that the SBE would withdraw its approval of the petition, pending a negotiation with petitioners and attorneys for Centinela Valley Union High SD. On January 13, 2005, the CDE withdrew its approval of the Wiseburn USD petition and its request that an election be ordered. Staff at the CDE have informed us that they intend to redo the review process related to CEQA and to return the petition to the SBE for action (not to the County Committee).

On March 13, 2007, the California Department of General Services issued a Notice of Preparation of an Environmental Impact Report (EIR), under CEQA. The CDE held a CEQA scoping hearing on March 28, 2007, within the Wiseburn SD. Staff attended this meeting. A comment period was set by the SBE for March 13, 2007, to April 12, 2007. On April 24, 2007, staff was notified by the SBE that the CEQA comment period had been extended to May 15, 2007, due to a request made at the scoping hearing.

On July 7, 2008, staff received a copy of the draft EIR from Terry A. Hayes Associates LLC, on behalf of the CDE. A comment period for the draft EIR was opened from July 7, 2008, to August 21, 2008. A public hearing was held on July 22, 2008. Staff will keep the County Committee apprised of any additional developments.

Status: Petition under review by the SBE; draft EIR comment period concluded.

Status Date: August 18, 2008

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

On September 9, 2004, staff received a request for petition from a community group in Malibu. The group proposes to form a Malibu USD from territory currently within the Santa Monica-Malibu USD and in unincorporated portions of Los Angeles County. A final petition was

* Indicates update from previous summary.
approved by County Counsel and returned to petitioners for circulation to gather signatures from within the petition area.

On February 1, 2008, staff received a letter dated January 22, 2008, requesting that Ms. Sandy Thacker and Mr. Tom Sorce be removed from the petition process as chief petitioners, and that Ms. Colleen Baum and Dr. Laura Rosenthal be added as the new chief petitioners with Mr. Mitch Clarfield. Staff revised the petition to reflect the change and it was sent to the chief petitioners to continue the circulation process.

Status: Petition currently in circulation.

Status Date: February 21, 2008

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

On April 17, 2007, LACOE received a request for a petition from chief petitioners Mr. Steve Lamb and Mr. Justin Chapman, two 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. Staff reviewed the request and forwarded a draft petition to County Counsel on April 20, 2007, for a legal compliance review regarding format and content. Staff received notification on April 26, 2007, from County Counsel that the draft petition was legally sufficient regarding format and content.

The petition was mailed to the chief petitioners on April 30, 2007, for circulation within the petition area. Please note that this is a different petition from the one previously requested in March 2006 to form an Altadena USD. This petition retains the same petition area (as identified in the previous petition and refined in a map developed by the Registrar-Recorder and rationale) as the one submitted previously, but it was submitted by a different group of petitioners. Regarding this petition area, the Registrar-Recorder has previously estimated that approximately 7,000 valid signatures will be necessary in order to meet the criteria set forth in EC §35700(a).

Upon receipt of the signed petitions, staff will forward them to the Registrar-Recorder for signature verification. If the petitions contain a sufficient number of valid signatures, staff will present the petition to the County Committee and commence a feasibility study.

Status: Petition in circulation.

Status Date: May 11, 2007

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

On February 15, 2007, Ms. Dayna Kruger, chief petitioner, requested a petition to form a La Mirada USD, from territory currently within the Norwalk–La Mirada USD, pursuant to EC §35700(a). With her request, the chief petitioner submitted a territory description and map

* Indicates update from previous summary.
that were not sufficient. Staff conferred with her and advised her to consult with the Registrar-Recorder to determine with specificity which territory was within or outside the proposed petition area. On March 13, 2007, the chief petitioner submitted an amended petition with a new description and map. This petition was deemed sufficient by County Counsel and forwarded to the chief petitioner for circulation on March 20, 2007.

Status: Petition in circulation.

Status Date: March 20, 2007

PROPOSED INCREASE IN THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN, THE ESTABLISHMENT OF TRUSTEE AREAS, AND THE REQUIREMENT OF TRUSTEE AREA VOTING WITHIN THE MOUNT SAN ANTONIO COMMUNITY COLLEGE DISTRICT (CCD)

On December 7, 2006, LACOE received a request for a petition pursuant to EC §5019(a) and (c) to increase the number of trustees from five to seven, to establish trustee areas, and to require trustee area voting, within the Mount San Antonio CCD. 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 January 11, 2007, County Counsel notified staff that the petition was sufficient. On January 17, 2007, the petition was forwarded to the chief petitioner for circulation.

Please note that this is an additional petition, separate from other petitions requested by Mr. Mendoza, although it requests the same changes within the Mount San Antonio CCD (the addition of two governing board members and the creation of trustee areas with trustee area voting).

Status: Petition in circulation.

Status Date: January 17, 2007

PROPOSED INCREASE IN THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN WITHIN THE POMONA USD, RETAINING THE AT-LARGE VOTING METHOD

On December 7, 2006, LACOE received a request for a petition pursuant to EC §5019(a) and (c) to increase the number of trustees from five to seven within the Pomona USD, retaining the at-large voting method. The request was submitted by chief petitioner Mr. Mendoza. The petition was forwarded to County Counsel to determine its legal compliance regarding format and content. On January 11, 2007, County Counsel deemed the petition sufficient. Staff returned the petition to the chief petitioner on January 17, 2007, for circulation.

Please note that this is an additional petition, separate from other petitions requested by Mr. Mendoza, some of which request the addition of two governing board members and some of which request the creation of trustee areas.

Status: Petition in circulation.

* Indicates update from previous summary.
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Status Date: January 17, 2007

PROPOSED INCREASE IN THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN,
THE ESTABLISHMENT OF TRUSTEE AREAS, AND THE REQUIREMENT OF
TRUSTEE AREA VOTING WITHIN THE MOUNT SAN ANTONIO CCD

On September 20, 2006, LACOE received a request for a petition pursuant to EC §5019(a) and
(c) to increase the number of trustees from five to seven, to establish trustee areas, and to require
trustee area voting, within the Mount San Antonio CCD. The request was submitted by chief
petitioner Mr. Mendoza. The petition was forwarded to County Counsel to determine its legal
compliance regarding format and content. On September 29, 2006, County Counsel notified
staff that the petition was sufficient. On October 2, 2006, the petition was forwarded to the chief
petitioner for circulation.

Please note that this is a separate petition, distinct from the other petitions requested by
Mr. Mendoza, although it requests the same changes within the Mount San Antonio CCD (the
addition of two governing board members and the creation of trustee areas with trustee area
voting).

Status: Petition in circulation.

Status Date: October 2, 2006

PROPOSED INCREASE IN THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN
AND THE ESTABLISHMENT OF TRUSTEE AREAS WITHIN THE POMONA USD

On March 21, 2006, LACOE received a request for a petition pursuant to EC §5020 and §5030 to
increase the number of trustees from five to seven and to establish trustee areas within the
Pomona USD. The request was submitted by chief petitioner Mr. Mendoza. The petition was
forwarded to County Counsel to determine its legal compliance regarding format and content.
On March 23, 2006, County Counsel deemed the petition sufficient. Staff returned the petition to
the chief petitioner on April 11, 2006, for circulation.

Please note that this is a separate petition, distinct from the other petitions requested by
Mr. Mendoza, and requests some of the same changes within the Pomona USD (the addition of
two governing board members and the creation of trustee areas). It was submitted under
EC §5020 and §5030 and requires valid signatures from ten percent of the registered voters
within the petition area (approximately 6,000 signatures in the case of the Pomona USD). If
valid and certified by the County Committee, this petition would trigger a ballot initiative
(as opposed to a reference report and vote by the County Committee).

Status: Petition in circulation.

Status Date: April 11, 2006

* Indicates update from previous summary.
PROPOSED INCREASE IN THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN, THE ESTABLISHMENT OF TRUSTEE AREAS, AND THE REQUIREMENT OF TRUSTEE AREA VOTING WITHIN THE MOUNT SAN ANTONIO CCD

On March 21, 2006, LACOE received a request for a petition pursuant to EC §5019(a) and (c) to increase the number of trustees from five to seven, to establish trustee areas, and to require trustee area voting, within the Mount San Antonio CCD. The request was submitted by chief petitioner Mr. Mendoza. The petition was forwarded to County Counsel to determine its legal compliance regarding format and content. On March 23, 2006, County Counsel notified staff that the petition was sufficient. On March 28, 2006, the petition was forwarded to the chief petitioner for circulation.

Status: Petition in circulation.

Status Date: April 11, 2006

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 that 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 will need to collect approximately 7,000 valid signatures in order to meet the criteria set forth in EC §35700(a).

Upon receipt of the signed petitions, staff will forward them to the Registrar-Recorder for signature verification. If the petitions contain a sufficient number of valid signatures, staff will present the petition to the County Committee and commence a feasibility study.

* Indicates update from previous summary.
Status: Petition in circulation.

Status Date: March 21, 2006

PROPOSED INCREASE IN THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN WITHIN THE MOUNT SAN ANTONIO CCD

Status: Petition in circulation.

Status Date: July 21, 2003

PROPOSED INCREASE IN THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN WITHIN THE POMONA USD

Status: Petition in circulation.

Status Date: June 16, 2003

PROPOSAL TO INCREASE THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN, TO ESTABLISH TRUSTEE AREAS, AND TO REQUIRE THAT EACH GOVERNING BOARD MEMBER RESIDE IN AND BE ELECTED BY THE REGISTERED VOTERS OF EACH PARTICULAR TRUSTEE AREA WITHIN THE MOUNT SAN ANTONIO CCD

Status: Petition in circulation.

Status Date: August 20, 2001

OTHER INQUIRIES REGARDING REORGANIZATION (within the last six months)

Unification Proposals/Last Activity Date

None

Transfer of Territory Proposals/Last Activity Date

Alhambra USD/San Gabriel USD—November 2008

Formation Proposals/Last Activity Date

None

* Indicates update from previous summary.