

MARIN COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

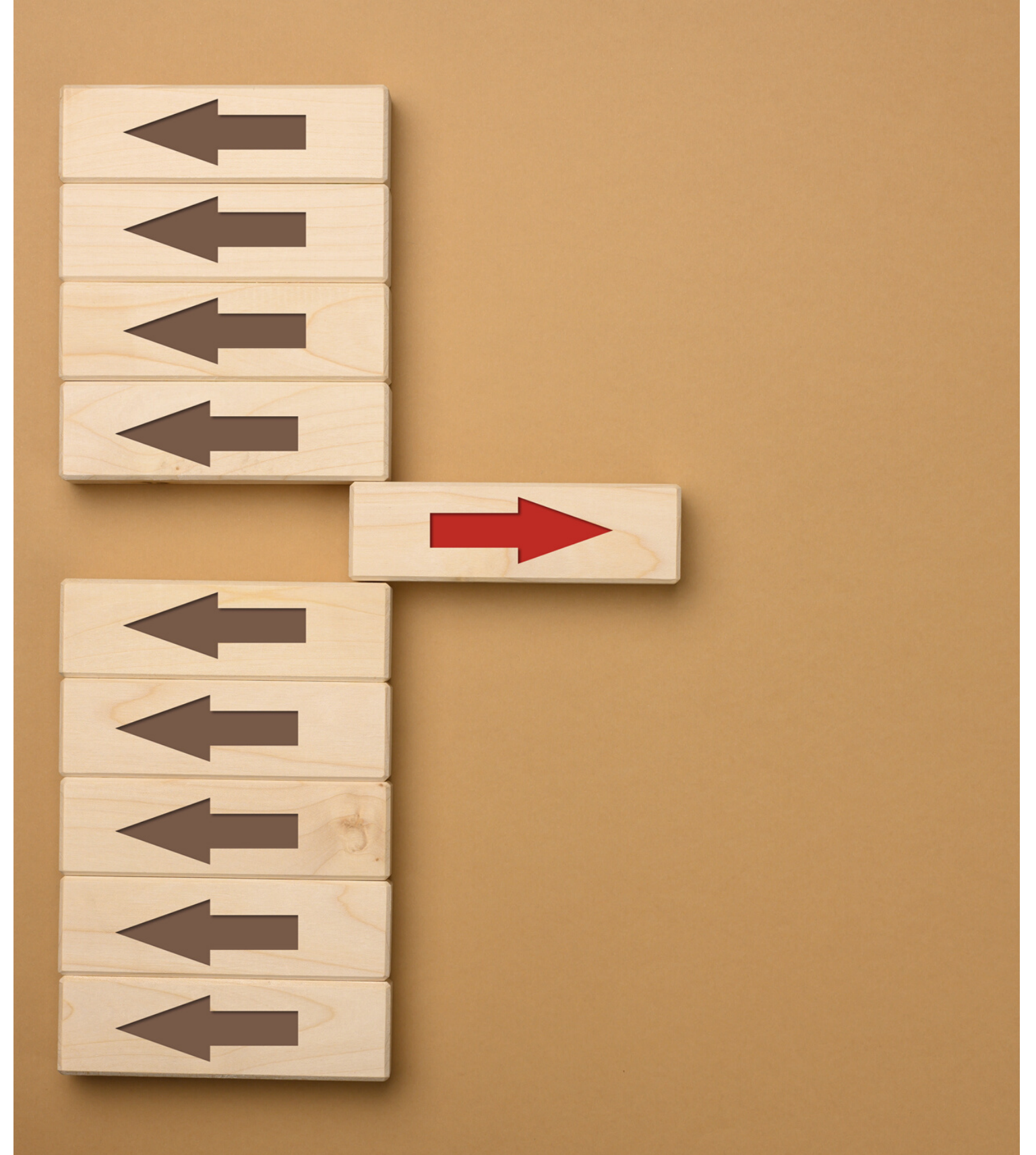
REGULAR MEETING AND
ANNUAL ORGANIZATIONAL MEETING

NOVEMBER 7, 2022

TERRITORY TRANSFER PETITION

STATUTORY PROCESS

CCSDO ANNUAL MEETING
NOVEMBER 7, 2022





AGENDA

DEFINITION OF A TERRITORY TRANSFER

TERRITORY TRANSFER PETITION PATHS

TERRITORY TRANSFER ROLES

PETITION AMENDMENTS

CRITERIA FOR APPROVING A PETITION

STATE BOARD OF EDUCATION

TERRITORY TRANSFER ELECTIONS

QUESTIONS

DEFINITION OF A TERRITORY TRANSFER

An "action to reorganize districts" (Education Code Section 35111) means either of the following:

- An action to form a new school district
- An action to transfer territory, including the transfer of all or part of an existing school district to another existing school district.

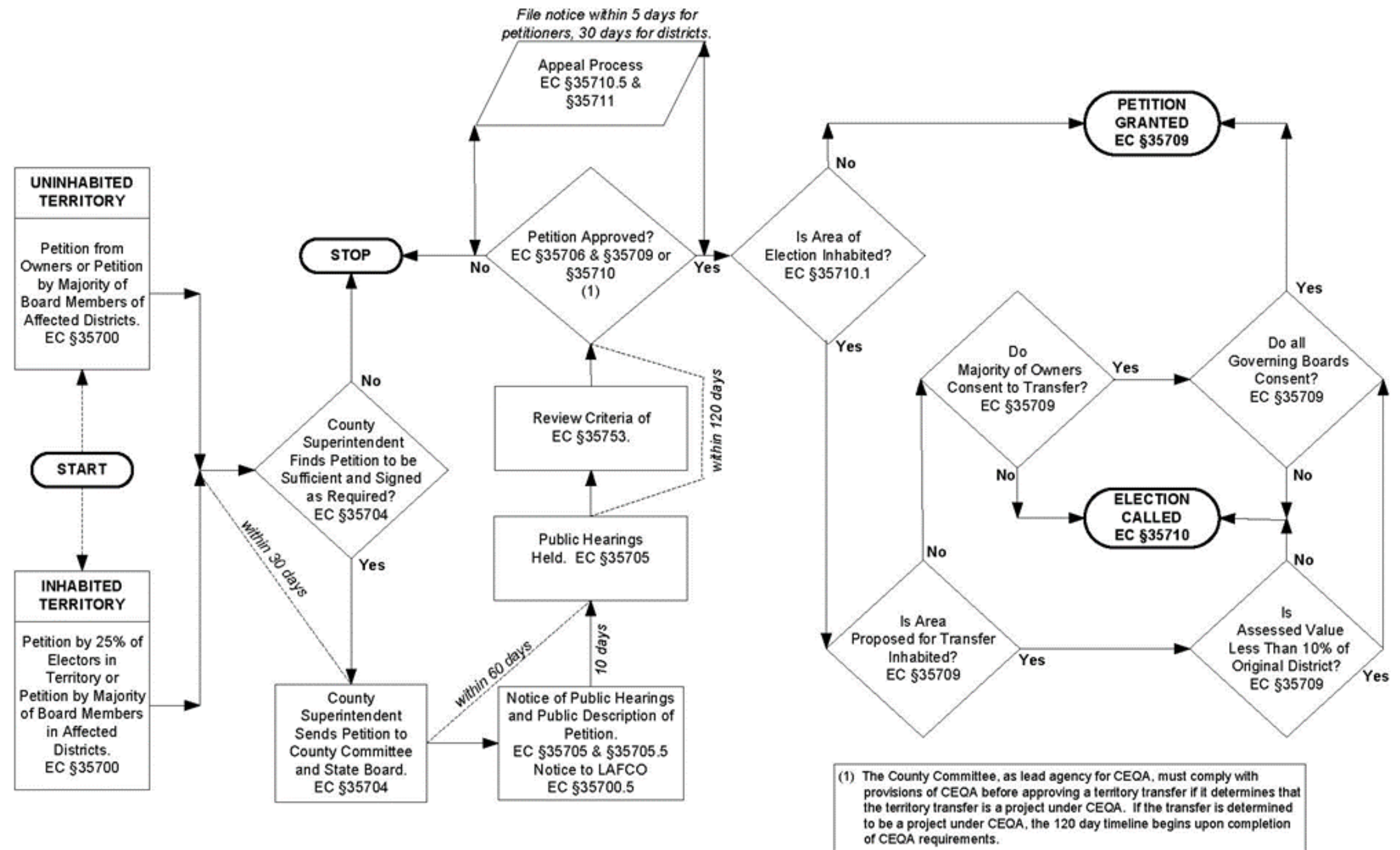


TERRITORY TRANSFER PETITION PATHS

BY OWNERS OF INHABITED TERRITORY, A 25% PETITION, OR DISTRICT GOVERNING BOARDS

A majority of the members of the governing boards of the affected districts *OR* 25% of registered voters in the inhabited territory must sign and submit a petition to the County Committee on School District Organization (CCSDO) for consideration.

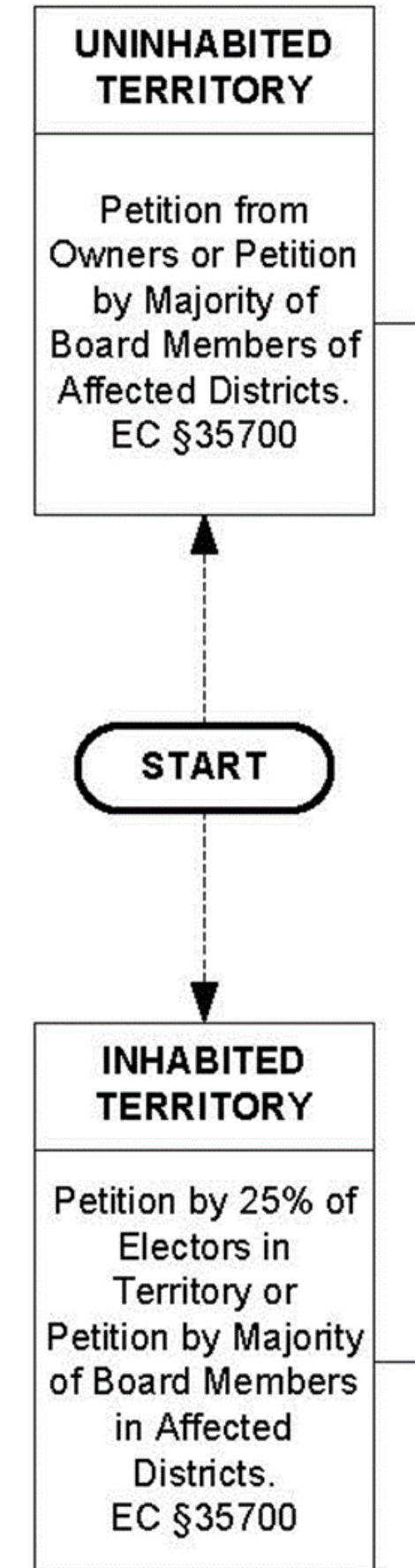
Flowchart A



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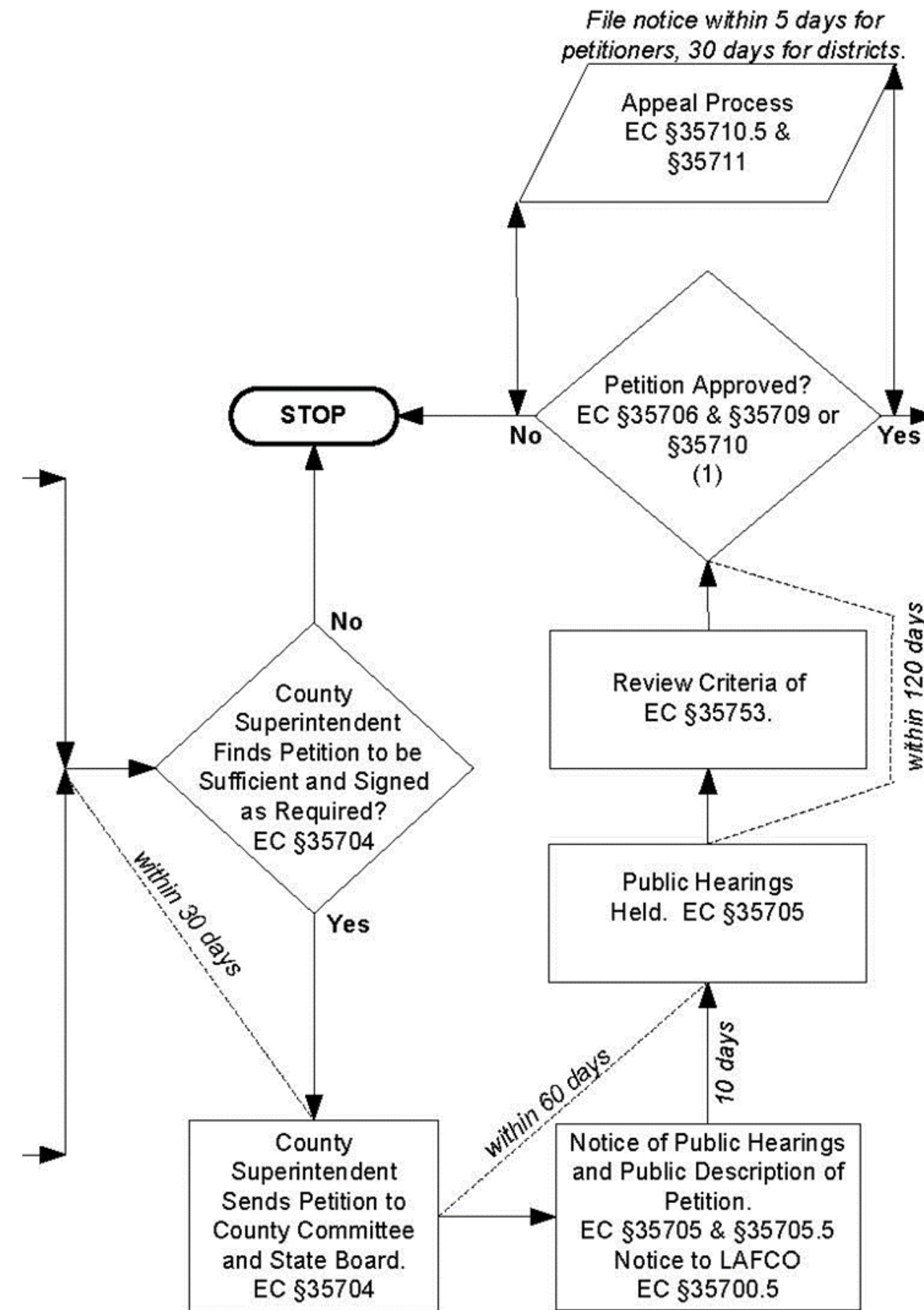
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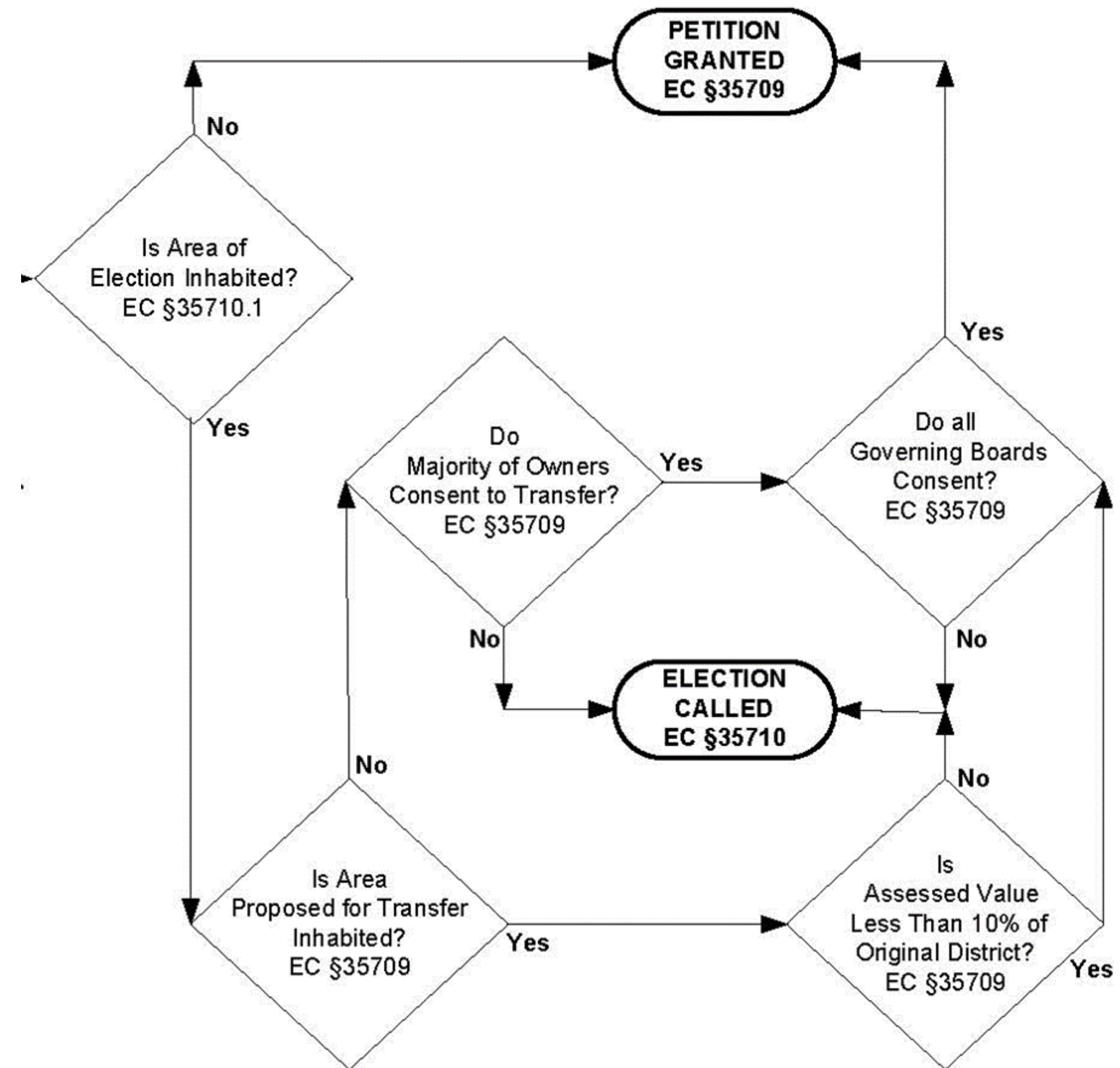
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OTHER TERRITORY TRANSFER PETITION PATHS

- By 10% Petition of Local Agency
- Petition signed by at least 10 percent of the registered voters of the entire school district



TERRITORY TRANSFER ROLES

THE COUNTY
SUPERINTENDENT OF
SCHOOLS



1

Receive the territory transfer petition from the petitioners

2

Finds petition to be sufficient and signed as required by law

3

Within 30-days, notify the county committee and State Board of Education

TERRITORY TRANSFER ROLES

THE COUNTY COMMITTEE
ON SCHOOL DISTRICT
ORGANIZATION



1

Receive the territory transfer petition from the County Superintendent of Schools

2

Within 60-days, hold a public hearing in each affected district

3

Notify the Local Agency Formation Commission (LAFCO)

4

Within 120-days, determine the nine conditions are substantially met (Ed Code 35753)

5

May approve or disapprove the petition (Ed Code 35722)

6

If the petition is approved, the county committee shall notify the county superintendent of schools, who shall call an election in the territory of the affected districts, as determined by the county committee

CRITERIA FOR APPROVING A TERRITORY TRANSFER



Education Code 35753

The county committee may approve proposals for the reorganization of school districts, if it has determined, with respect to the proposal and the resulting school districts, that all of the following nine conditions are substantially met.

- 1 The reorganized districts will be adequate in terms of number of pupils enrolled.
- 2 The school districts are each organized on the basis of a substantial community identity.
- 3 The proposal will result in an equitable division of property and facilities of the original district or districts.
- 4 The reorganization of the school districts will preserve each affected district's ability to educate pupils in an integrated environment and will not promote racial or ethnic discrimination or segregation.
- 5 Any increase in costs to the state as a result of the proposed reorganization will be insignificant and otherwise incidental to the reorganization

CRITERIA FOR APPROVING A TERRITORY TRANSFER

Education Code 35753

The county committee may approve proposals for the reorganization of school districts, if it has determined, with respect to the proposal and the resulting school districts, that all of the following nine conditions are substantially met.

- 6 The proposed reorganization will continue to promote sound education performance and will not significantly disrupt the educational programs in the affected districts.
- 7 Any increase in school facilities costs as a result of the proposed reorganization will be insignificant and otherwise incidental to the reorganization
- 8 The proposed reorganization is primarily designed for purposes other than to significantly increase property values
- 9 The proposed reorganization will continue to promote sound fiscal management and not cause a substantial negative effect on the fiscal status of the affected district.

STATE BOARD OF EDUCATION

Education Code 35722

- The county committee's approval may be appealed to the state board for noncompliance by either
 - The chief petitioners or one or more of the affected school districts
 - A person questioning the finding that the action will not adversely affect the racial or ethnic integration of the affected schools
- Appeal shall be made to the state board within 30 days



TERRITORY TRANSFER ELECTIONS

IF ANY OF THE FOLLOWING
CONDITIONS EXIST,
THE PETITION MAY BE
APPROVED WITHOUT AN
ELECTION (ED CODE 35709):

1

The territory is uninhabited*, the majority of the owners of the territory consent to the transfer, and the governing boards of all affected school districts consent to the transfer.

2

The territory is inhabited; the territory is less than 10% of the assessed valuation of the original district from which the territory is being transferred, and the governing boards of all affected districts consent to the transfer.

For all other territory transfers, if the county committee approves the transfer, the county superintendent must call an election in an area determined by the county committee.

* *Uninhabited* is defined as a territory in which fewer than 12 persons are registered to vote.

TERRITORY TRANSFER ELECTIONS

FOR ALL OTHER
APPROVED PETITIONS
(EDUCATION CODE 35709):

The county superintendent of schools shall call an election in the territory of the affected districts, as determined by the county committee, to be conducted at the next election of any kind, in accordance with Elections Code (Section 1002 and 4000)

TERRITORY TRANSFER ELECTIONS

AVERAGE DAILY
ATTENDANCE 900 OR LESS
(EDUCATION CODE 35756.5)

If the transfer is opposed by the governing boards of one or more of the districts affected with an average daily attendance of 900 or less, the territory in which the election is held shall include the entire territory of the districts opposing the transfer.

Each district with an average daily attendance of 900 or less which is included in an election because of the objection of its governing board to the transfer shall bear the additional cost of holding the election in that portion of its territory not otherwise included in the election.

When a majority of the votes cast in the school district opposing the transfer and a majority of the votes cast in the entire territory in which the election is held are in favor of the reorganization, the proposal carries.

QUESTIONS?

