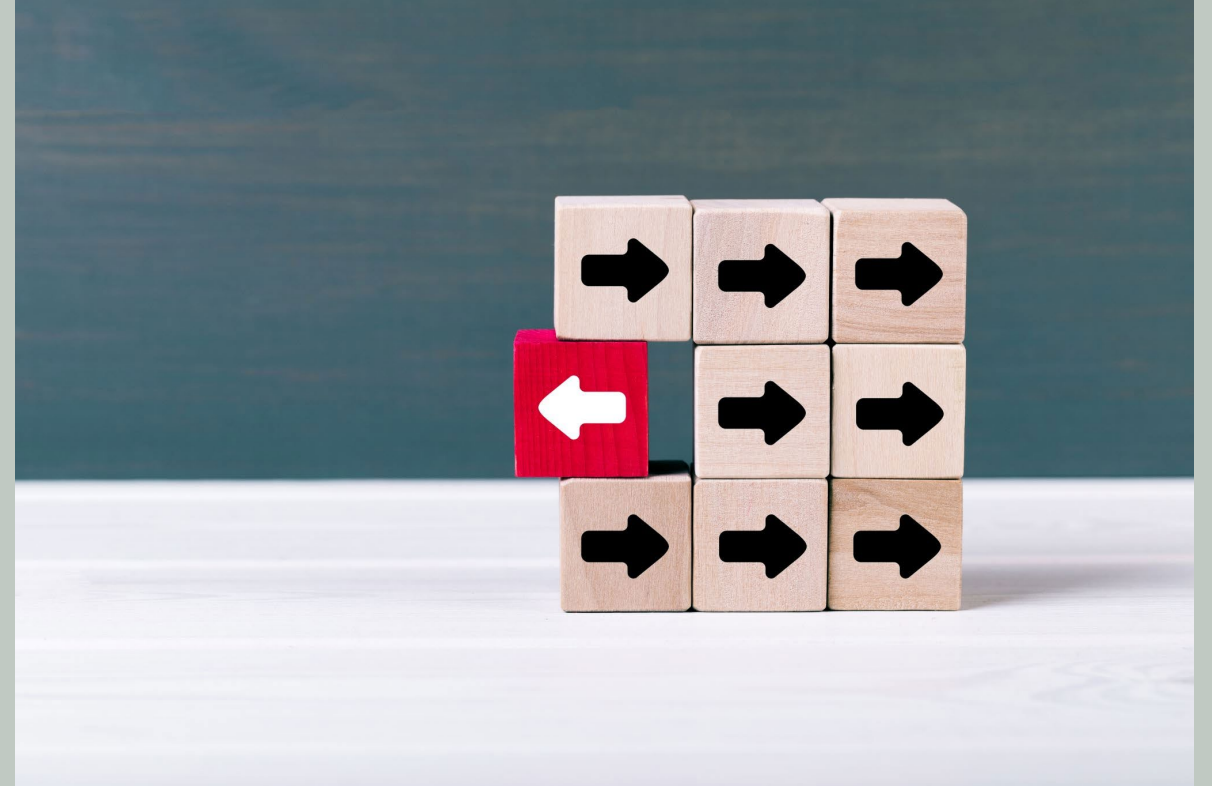

Territory Transfer

Statutory Process



Presented by:

Terena Mares, Senior Deputy Superintendent for the Marin County Office of Education and Secretary Designee for the Marin County Committee on School District Organization (CCSDO)

Jon Lenz, Assistant Superintendent for the Marin County Office of Education

Agenda

- Role of the County Committee for School District Organization
- Options for Initiating a Territory Transfer
 - OPTION 1: by Governing Boards or by 25% of Affected Territory
 - OPTION 2: by 10% of School District of Territory
- The State's Conditions for Territory Transfers
 - Education Code 35753
- Verifying the School District
- Questions

What is the CCSDO?



- The County Committee on School District Organization (CCSDO) is the local initiator, coordinator, analyst, facilitator, and arbitrator for the reorganization of school districts.
- The CCSDO formulates plans, responds to petitions, conducts public hearings, develops and releases information, and analyzes proposals throughout the approval process of a reorganization.
- For petitions for transfers of territory, where state approval is not required, the CCSDO gives final approval or disapproval (EC 35709, 25710) subject only to appeal to the State Board of Education (EC 35710.5, 35711).

What is the CCSDO?



CCSDO COMMITTEE

Committee Member	Supervisory District
Debbie Butler, Chairperson	5
Karen Crockett	1
Robin Moses	3
Stephanie O'Brien	At Large
Kathy Ohm	1
Elizabeth Robbins	2
Jim Lino	4
Richard Sloan	4
Stuart Tanenberg	2
Derek Knell	5
Raoul Wertz, Vice Chairperson	3

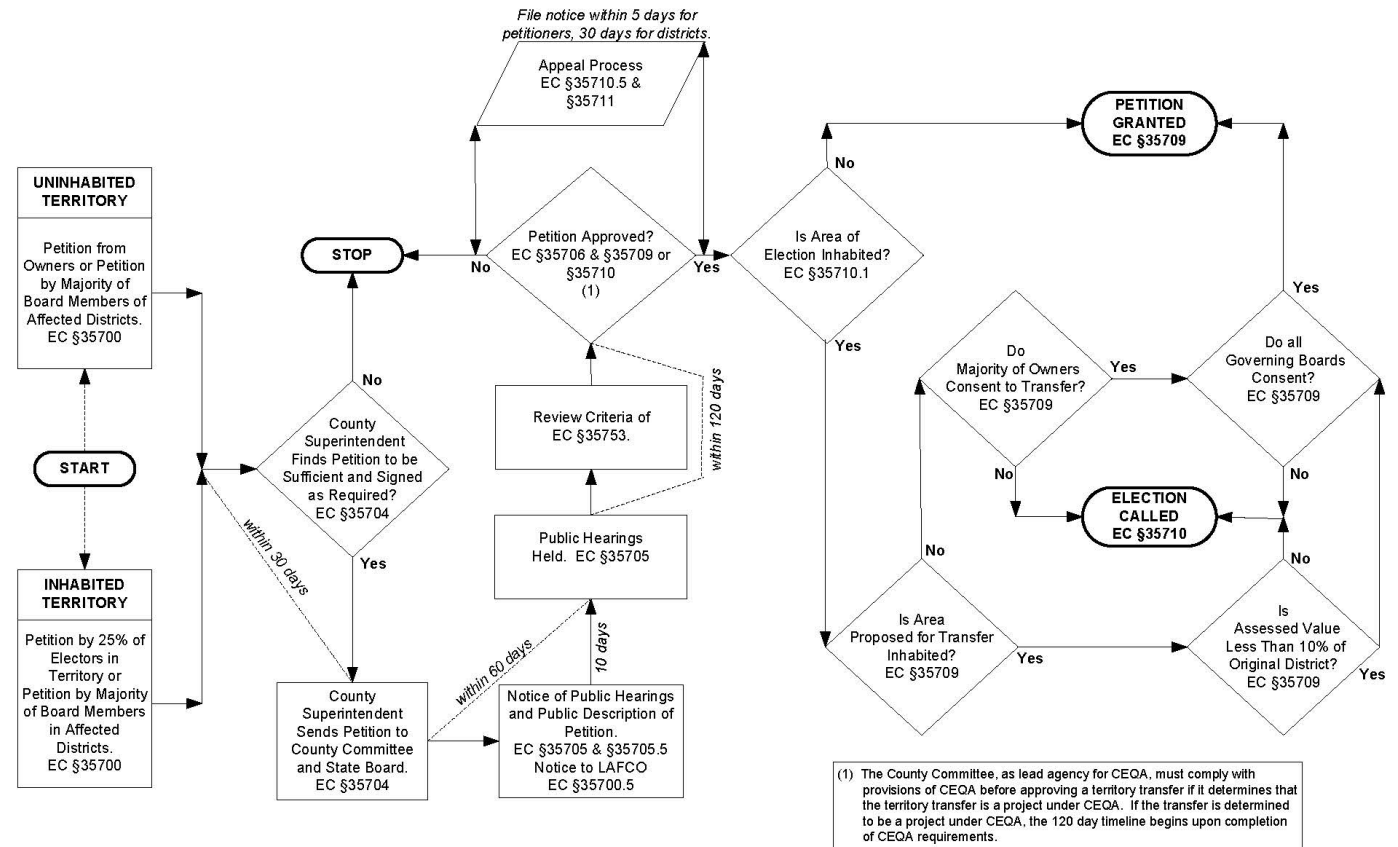
Options for Initiating a Territory Transfer

OPTION 1: BY GOVERNING BOARDS OR BY AFFECTED TERRITORY

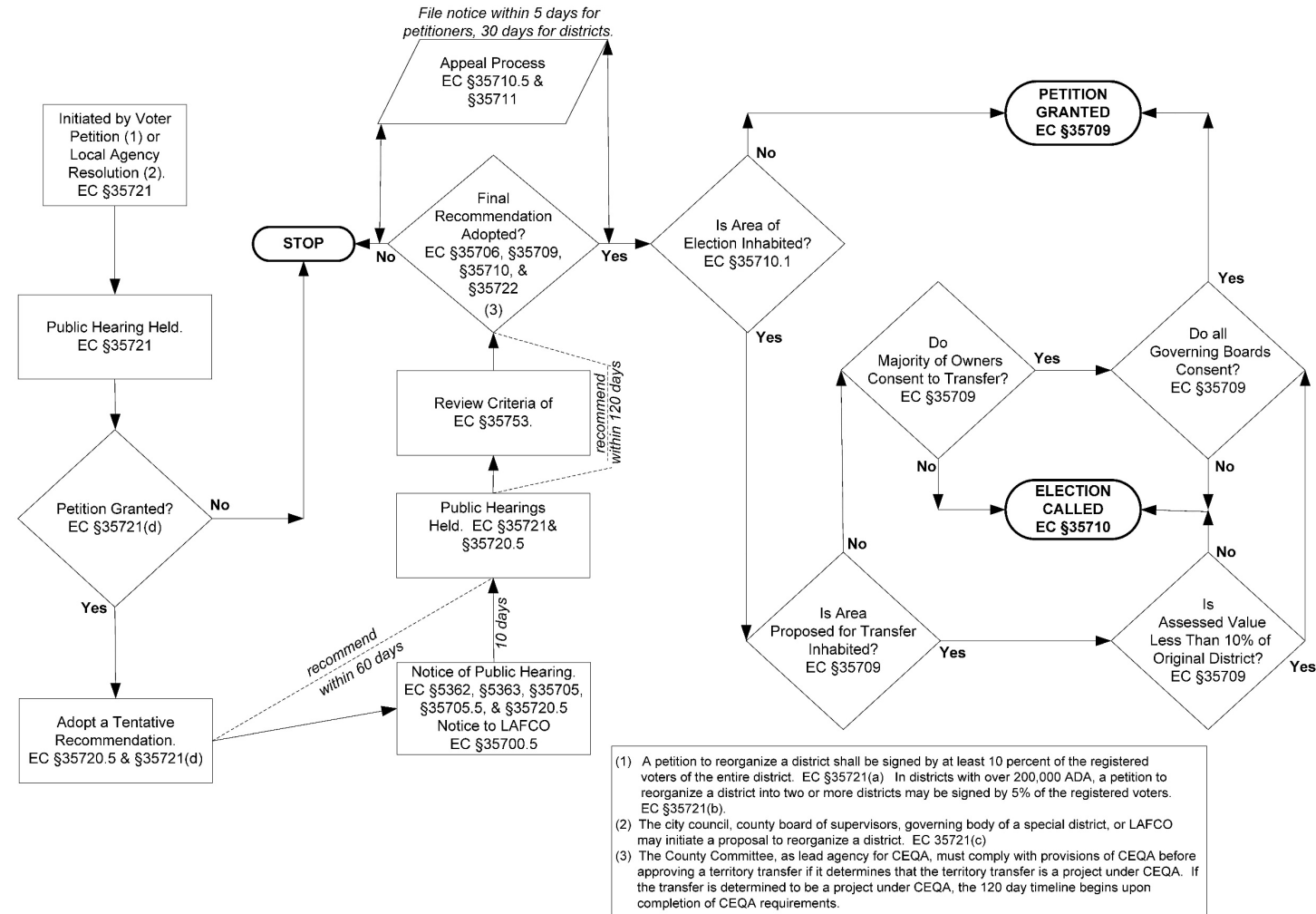
A majority of the members of the governing boards of the affected districts *OR* 25% of registered voters in the inhabited territory must sign and submit a petition to the County Committee on School District Organization (CCSDO) for consideration.

Flowchart A

TERRITORY TRANSFER INITIATED BY OWNERS, 25% PETITION, OR DISTRICT GOVERNING BOARDS



25% of registered voters in the inhabited territory need to sign the petition to advance it the CCSDO for consideration

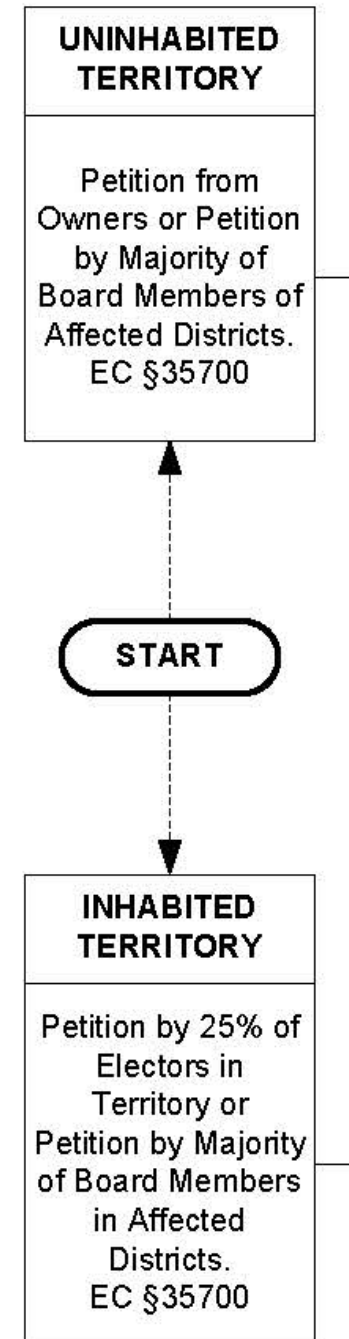


Options for Initiating a Territory Transfer

OPTION 1: BY GOVERNING BOARDS OR BY AFFECTED TERRITORY

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.

6/16/2022



Education Code

35517.

“Uninhabited territory” means territory in which fewer than 12 persons are registered to vote at least 54 days before the time of filing of a petition or adoption of a resolution for a school district boundary change.



Education Code

35704.

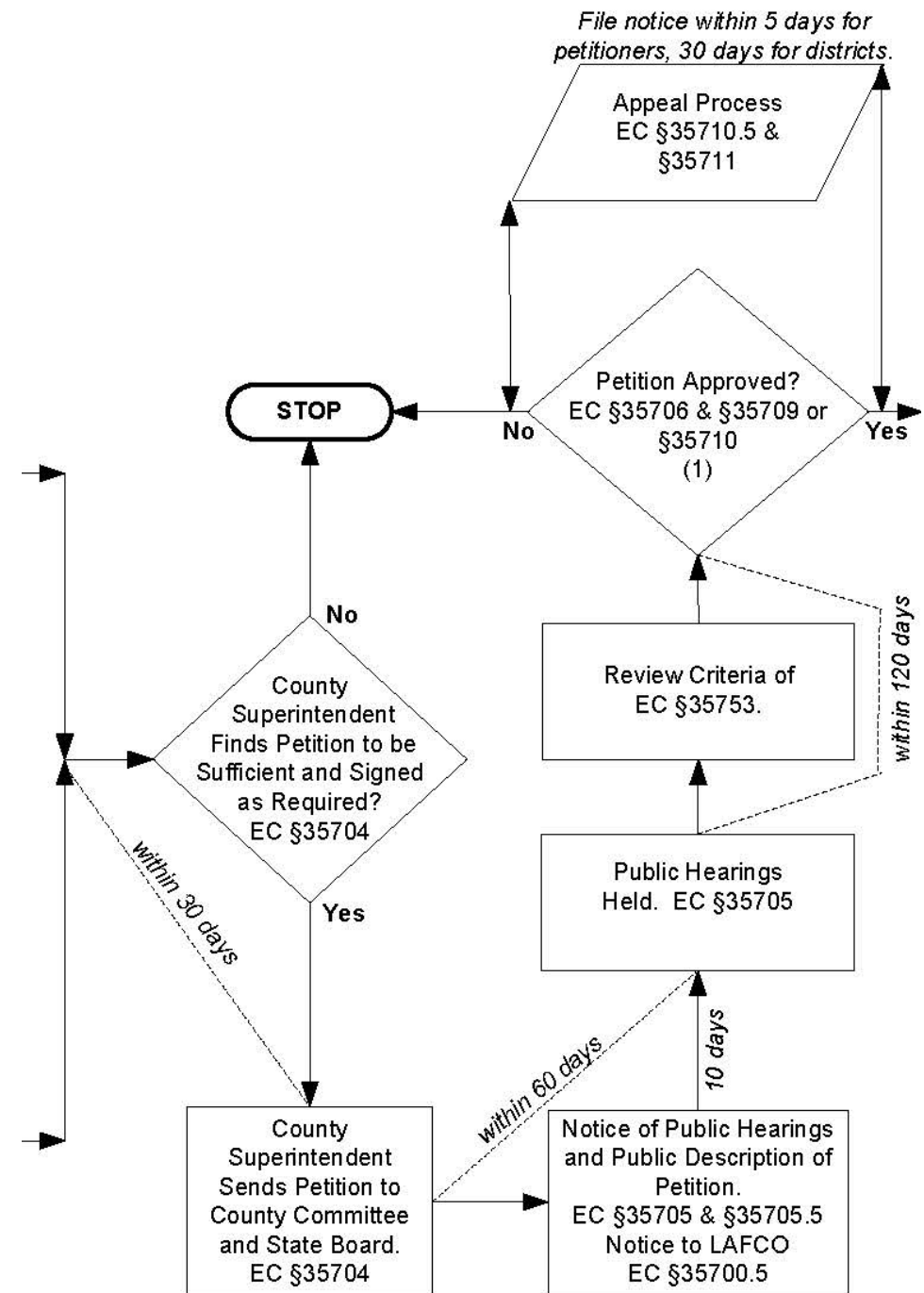
The county superintendent of schools, within 30 days after any petition for reorganization is filed, shall examine the petition and, if he or she finds it to be sufficient and signed as required by law, transmit the petition simultaneously to the county committee and to the State Board of Education.



Options for Initiating a Territory Transfer

OPTION 1: BY GOVERNING BOARDS OR BY AFFECTED TERRITORY

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.



Public Hearings

35705.

A public hearing in each affected district must be held by the county committee within 60 days of receipt of a valid petition.



Education Code 35753

Nine State Board of Education criteria for reorganizing school district boundaries

"(a) The state board may approve proposals for the reorganization of school districts, if the state board has determined, with respect to the proposal and the resulting school districts, that all of the following conditions are substantially met:"

Education Code 35753



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.

Education Code 35753



5. Any increase in costs to the state as a result of the proposed reorganization will be insignificant and otherwise incidental to the reorganization.
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.

Education Code 35753



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.

...and one more:

10. Any other criteria that the state board may, by regulation, prescribe.

Petition Changes

County committee may add to
the petition any of the
appropriate provisions specified
in Education Code sections
35730 through 35738



Approval Process

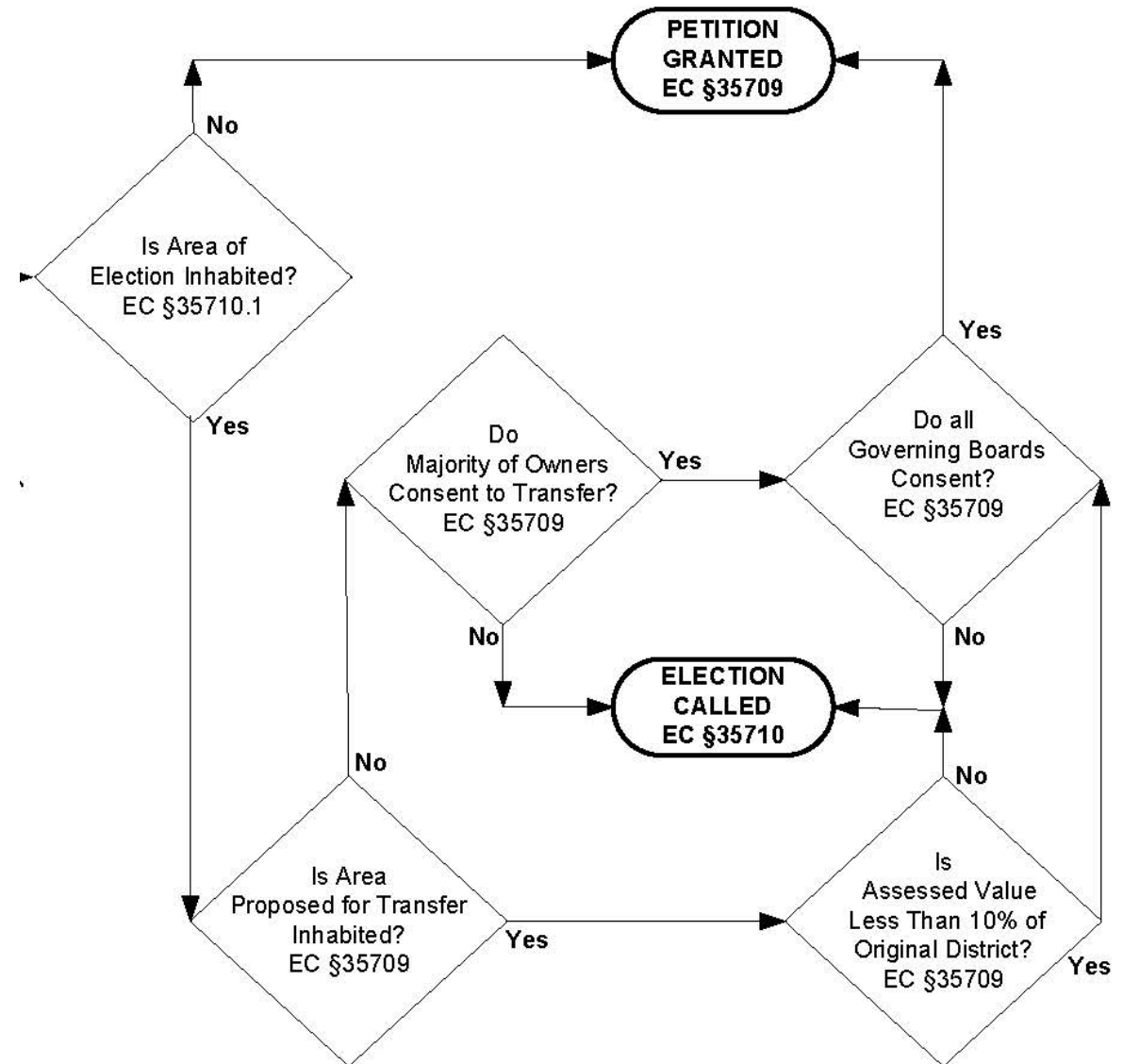


If all the conditions of EC 35753 are substantially met, the county committee may approve or disapprove the petition to transfer territory within 120 days of the first public hearing or within 120 days of complying with CEQA if the county committee determines that the territory transfer is a project under CEQA.

Options for Initiating a Territory Transfer

OPTION 1: BY GOVERNING BOARDS OR BY AFFECTED TERRITORY

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.



Elections Process



EC 35709

If the county committee finds that the conditions of Section 35753 are substantially met, and:

Either:

(1) The petition is to transfer uninhabited territory from one school district to another and the owner of the territory, or a majority of the owners of the territory, and the governing board of each affected district consents to the transfer; or

(2) The petition is to transfer inhabited territory of less than 10 percent of the assessed valuation of the school district from which the territory is being transferred, and the governing board of each affected district consents to the transfer.

Elections Process

EC 35732



- Plans and recommendations may specify the territory in which the election to reorganize the school districts will be held.
- In the absence of such a provision, the election shall be held only in the territory proposed for reorganization.

Appeals

EC 35710.5

- May be appealed to the state board by the chief petitioners or one or more affected school districts.
- Appeal shall be limited to issues of noncompliance.
- If an appeal is made as to the issue of whether the proposed transfer will adversely affect the racial or ethnic integration of the schools of the districts affected, it shall be made pursuant to Section 35711.



Questions on Process

- What can we do to prevent the petition process from happening from happening?
- Is it within Ed code, to move through the petition process with intent to transfer from one district to a choice between two school districts?



Questions on Logistics

- What is the timing of the petition process? When will we know dates and deadlines?
- Who is involved and how, i.e. what role does MCOE, District Supts, School Boards play?
- Why can't MCOE be more directive? Is each District school board the final decision makers?



Questions On Duration

- Is there a way to assure existing families can complete their K-8 education in Reed?
- Can you provide ways to help us maintain our neighborhood community cohesion?



Questions on Petition

- We currently have well over the 25% needed for the petition. If however, enough signatures are ruled invalid to drop below the 25% can we a) remedy any signatures that are ruled incorrect for unclear address or a signature not matching or b) get more signatures to submit a valid petition?
- How can parents participate in the process? When can we engage the district?



Student Sense of Belonging Concerns

- Moving students to a new school and community will effect their sense of belonging, which will be especially hard after the last two pandemic school years.
- Timing Concern: Student was in Cove, will be moved to Reed, but if petition or IDT is approved then the student is moved back to Cove. Concerned about students' wellbeing if forced to change communities multiple times.
- IDTs have behavior contracts, but if students are made to go back to Reed, the kids need to be treated as part of the community - not as a transfer who was granted the privilege to go there contingent on grades/behavior/attendance etc.



Additional
Questions?

