

Formation of New Community College Districts to Include
Territory of Both Existing Districts and Non-Community
College Territory

EC ~~1991~~ 74160

A new district may be formed to include all or part of the territory of one or more existing community college district(s) and non-community college territory.

1992 74161

An action to form a new district is initiated by filing with the county superintendent of schools of a petition signed by either:

- 25% of the registered electors residing in the territory, or
- a majority of the governing boards of each district which would be a component of the new district.

~~25485.2~~ 74604

No part of a community college district shall be transferred to another community college district unless the transfer is approved by the governing boards of the community college district affected, *or unless the electorate approves.*

1993 74162

74161.4

The County Superintendent:

- examines the petition, and signatures, and if sufficient, *county committee and* transmits petition to BGCCC within 20 days. *County Committee on School Org reviews petition. Co Sup* The executive officer of the BGCCC: *forwards report and recommendation to BGCCC*
- sets the petition for hearing
- at least 30 days prior to the hearing sends notice by registered mail to
 - governing board and district superintendent of each school district whose boundaries would be affected
 - County superintendent and county committee of each county of jurisdiction
 - persons designated as "chief petitioners"

1995 74164

The Board of Governors:

- hears those presenting themselves to speak
- hears findings and recommendations of the Chancellor's staff (see Guidelines: Submission of Proposals and Petitions, Page 1, or "Procedures For Consideration of District Organization Proposals"

7995 (Cont'd)

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- approves or disapproves the proposal
- if approves, determines whether election shall be held
- only in territory or district proposed to be included, or
- in the district(s) from which territory would be removed to form the new district
- notifies county superintendent of its action.

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The County Superintendent:

- calls an election within 20 days on the territory or in the districts, *to be conducted at next regular election*

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re Official Information and Statistics

Approval

All Community College district organization or reorganization proposals, by whatever procedure, will be submitted to the Board of Governors of the California Community Colleges for approval (EC 25454.5). *74160*

California Community Colleges for approval.

A proposal by a county committee on school district organization or other public agency, or a petition for the formation of a new district or the transfer of territory from one district to another will be submitted to the Chancellor.

~~1994~~ 74163
and policy

The Chancellor as executive office of the BGCCC will cause the proposal or petition to be:

- a. Reviewed by the county committee, if such proposal or petition was not initiated by it, with respect to
 1. effect on school district organization in the county
 2. compatibility with county master plan
 3. effect on racial integration in the schools affected by the transfer
 4. other aspects deemed important by the county committee.
- b. Reviewed and analyzed by his staff.
- c. Set for hearing before the Board of Governors at the earliest practicable date.
- d. Transmitted, together with the report and recommendation of the Chancellor to the Board and to such other persons as required by law not later than ten days before the date of the hearing.

Where specifically required, such notice shall be by registered mail at least 30 days prior to the hearing (EC ~~1994, 2196, 2367~~).
74163, 74505, 74642)

1995 74164
and policy

The Board of Governors will:

- a. hear those presenting themselves to speak
- b. hear the report and recommendation of the Chancellor
- c. approve or disapprove the proposal, and
- d. if approve, take such other action as may be allowed or required by law. If disapproves, gives reasons for disapproval and/or nature of additional study deemed necessary
- e. notify agencies concerned.

When the new plans and recommendations are identical with those previously submitted, the county committee, without resubmitting the plans to the Board of Governors, may determine that a second election shall be held within one year of the previous election. The county superintendent of schools shall call and conduct the election.

When the new plans and recommendations are not identical with those previously submitted to the Board, or when they are identical but the county committee does determine that a second election shall be held, the county committee shall transmit the new plans and recommendations to the Board of Governors. If the Board approves the new plans and recommendations, the county superintendent of schools shall call and conduct the election. (EC 3306) 4419

If the same or an essentially identical proposal or petition has been previously considered by the Board, the documents constituting such a resubmission will be accompanied by a written summary of any new factual situations or facts not previously presented. In this case, the Board will entertain arguments not presented earlier and hear expositions of new factual situations and of facts not previously brought to the Board's attention.

Study Meetings

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EC Sections 3209 and 3210 require the county committee to hold two or more study meetings and a public hearing before adopting a final recommendation.

No attempt is made to list all the data needed in the studies. However, the following list covers items generally found relevant:

(a) Educational data

- (1) Average daily attendance.
- (2) Enrollment by grades--current year and projections.
- (3) Facilities now in use and recommended for use by the proposed or reorganized district.
- (4) Effect of proposal on attendance at college locations planned.
- (5) Community service program.

(b) Financial data

- (1) Assessed valuation of present districts and proposed district--current year and projections.
- (2) ~~Revenue base.~~
- (3) School tax rates of present districts, current and projected.
- (4) Sources of funds for current expenditures.
- (5) Current and projected expenditure per unit of average daily attendance.
- (6) Summary of outstanding bonded indebtedness as of July 1 of the current year.
- (7) Bonded debt, schedules of repayment.
- (8) Status of outstanding bonds and the effect of the reorganization on such loans, their repayment, and tax rates.

(c) Maps

- (1) Secondary school and Community Colleges districts in the term.
- (2) Proposed district.
- (3) Communities identified and described.
- (4) Trustee areas if such areas are considered instead of a board elected at large.
- (5) Student distribution in the area.
- (6) Existing transportation routes and changes which the reorganization might affect.

Public Support

Members of the county committee can render great service in helping to enlist support of the voting public for committee proposals. EC 3265 requires that "at least 10 days prior to the election the county committee or committees shall hold one or more public hearings within the area included in a proposal."

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Assistance

The county committee may be assisted with the study by the staff of the county superintendent of schools and every other county officer. The committee may use such advisory committees as it deems necessary. Districts will provide such information as the committee requests (EC 3104). Funds for secretarial and stenographic services may be allowed (EC 3149.1).

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Financing of Committee

All expenses necessary for the county committee on school district organization to comply with the provision of the Code are payable from the county general fund (EC 881). Members of the county committee shall receive actual and necessary travel expenses incurred (EC 3149). 4298

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The County Board of Education will determine a budget showing all the purposes for which the committee will need money, and the amount of money that must be provided by a county tax (EC 20401). The Board of Supervisors will fix a rate for the county tax to produce the amount it determines to be raised for these purposes (EC 20403).

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PROPOSALS

Scope

The committee may propose (1) annexation of all or part of a high school or unified district to a Community College district, (2) the transfer of territory from one college district to another, (3) the formation of a new district which may include all or part of an existing district, as well as non-Community

W 95 Notification of Agencies

A number of agencies are affected by district organization proposals and their notification of certain actions is required by the Education, Elections, and Government Codes. Each agency involved in such proposals should be sure all required notifications are made within the time specified.

Agencies mentioned in the codes are:

EC 1647 4023 54902	1	County Registrar-Recorder
EC 1647 Gov C 54900 4023	2	County Assessor
	3	County Engineer
EC 1647 4023 1647	4 EACH	County Board of Supervisors
	5.	Office of Local Assistance
GC 54903.1	6	State Superintendent of Public Instruction
EC 157, GC 54903.1 1023		Chancellor, California Community College
	7	State Board of Education
		Board of Governors, California Community Colleges
GC 54903.1	8	County Superintendent(s) of Schools
GC 54902	9	State Board of Equalization - Valuation Division
	10	State Allocation Board
EC 1645 4023	11	All school districts affected
EC 28487- 74612	12	County Clerk
(See EC 1647 - Gov Code 54900 et seq)		
EC 1036 72605		When filed with or presented to board of supervisors or county of schools -- shall be -- to each county in which any portion of the district is situated

Gov Code 54902.3 fee charged by \$131 Equalization

SEC STATE? Gov Code 54901: State, Secretary of State