

ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION  
MINUTES  
Special Meeting and Public Hearing  
January 29, 2020

1. CALL TO ORDER

ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

The Special Meeting and Public Hearing of the Orange County Committee on School District Organization was called to order by Chairperson Sheila Benecke at 6:05 p.m., January 29, 2020 in the Civic Cultural Center Board/Council Chambers, Level 1, Number One Civic Center Circle, Brea, California, 92821.

2. FLAG SALUTE

The Pledge of Allegiance was led by Jo-Ann Purcell.

3. ROLL CALL

*Present:*

Sheila Benecke, Chairperson	Jo-Ann Purcell
Marilyn Buchi	Francine Scinto
Meg Cutuli	Suzie Swartz
Karin Freeman	Josephine "Joey" Van Camp
Kathryn Moffat	

*Absent:*

Robert Singer, Ph.D.	Virginia Wilson
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4. ACCEPTANCE OF MINUTES

Motion by Meg Cutuli, seconded by Karin Freeman, and approved by a unanimous vote of all members present to approve the County Committee minutes of the November 13, 2019 meeting.

5. ADOPTION OF AGENDA

Motion by Karin Freeman, seconded by Suzie Swartz, and carried by a unanimous vote of all members present to adopt the agenda as presented.

6. NEW BUSINESS

A. Staff Report

Mr. Lombardo reported that the purpose of the meeting is to conduct a public hearing within the Brea Olinda Unified School District regarding the proposal to establish trustee areas and change the method of election to a by-trustee area election process. At the conclusion of the public hearing, the County Committee must either approve or disapprove the District's proposal.

Mr. Lombardo explained that should the County Committee approve the District's proposal to establish trustee areas and change the method of election to a by-trustee area election process, and the State Board of Education grants a waiver of the election requirements, as requested by the District, the District would forgo the required election, and move forward with the by-trustee area method of election at the next general election for governing board members in November of 2020.

Mr. Lombardo indicated that the Education Code does not provide specific criteria to apply in determining whether to approve or disapprove the District's proposal to establish trustee areas, resulting in broad discretion by the County Committee. The role of the County Committee is to approve or disapprove the District's proposed by-trustee area map and the change to a by-trustee area election process. The County Committee cannot make changes to the District's proposed plan.

## B. Public Hearing

Chairperson Benecke noted that no members of the public were present for public comment. The public hearing was opened at 6:09 p.m.

Chairperson Benecke asked the representatives of the Brea Olinda Unified School District to come forward and begin their presentation.

District representatives present for the public hearing included: Dr. Brad Mason, Brea Olinda Unified School District Superintendent and Larry Ferchaw, Partner at Cooperative Strategies LLC.

Dr. Mason began the presentation describing the number of students and schools in the school district. He explained that the district received a letter from Shenkman and Associates demanding the transition from at-large method of election to the by-area method of election in the last school year that would have caused the public hearings to occur during summer break. Their attorneys, Atkinson, Andelson, Loya, Ruud and Romo were able to get an extension until fall to allow for community input. Dr. Mason also reported that the district submitted their waiver to the California Department of Education. Dr. Mason then introduced Larry Ferchaw, who was the demographer for this process.

Mr. Ferchaw explained the District's demographics from the 2010 census data and the boundaries of the cities and county in regards to the district. He further explained how they look at citizen voting age population, primarily focusing on two protected classes: the Hispanic/Latino and Asian population.

Mr. Ferchaw explained the district's trustee area process timeline and the considerations taken in the process. He further explained the four conceptual trustee scenarios that were considered at the public hearings. Mr. Ferchaw then described the outreach and communication effort utilized to obtain community input. He then explained the map from Scenario 1, which was approved by the Brea Olinda Unified School District board on November 18, 2019. Additionally, Mr. Ferchaw explained that although they were not able to obtain a majority Latino area or a majority Asian area in citizen voting age population, they do create areas of increased interest in the spirit of the California Voters Rights Act, to allow protected classes to influence the

election. Mr. Ferchaw and Dr. Mason both indicated that they anticipated the results from the 2020 Census would impact their trustee boundaries because there was substantial growth in certain areas of the school district.

The public hearing was closed at 6:25 p.m.

C. Questions/Discussion from County Committee Members

Ms. Suzie Swartz asked if there were two high schools and one junior high in the district. Dr. Mason answered that they have one comprehensive high school, one small continuation high school, and one junior high school. Ms. Swartz mentioned that the junior and high schools draw from all over the district, so every trustee is in the attendance boundary.

Ms. Karin Freeman asked about Country Hills Elementary School and Olinda Elementary boundaries being split. Dr. Mason answered that elementary schools fall into more than one trustee area. Ms. Freeman asked about the green area Scenario #3. Dr. Mason answered that Scenario #1 and Scenario #3 have slight differences but the board did not select Scenario #3. Ms. Freeman asked about the demographics of protected classes in the Proposed Trustee Areas of Scenario 1. Mr. Ferchaw explained that Proposed Trustee Area 1 has a total non-white voter majority population combining protected classes.

Chairperson Benecke noted that even though no members of the public were in attendance, the public hearing was held.

Ms. Kathy Moffat asked if the school district thought about how the boundaries will be adjusted after the 2020 census. Dr. Mason answered that the school district anticipates that the boundaries being considered will likely only be used for the November 2020 elections. Ms. Moffat asked if the school district attempted to communicate with the author of the demand letter to delay the transition until after the 2020 census. Dr. Mason answered that the author's position was if there is enough time to complete the transition to by-trustee area elections before the November 2020 election, then the school district needs to move forward.

Ms. Francine Scinto asked about protected classes on their board and whether the school district considered challenging the demand letter. Dr. Mason responded that there is currently a Hispanic person on their board but noted that they did have a Hispanic person run in the past who was not elected. Due to legal costs and the likelihood of prevailing, the school district decided to move forward with the transition to by-area trustee method of election.

Ms. Suzie Swartz commented that she appreciated their time and effort. She shared that Saddleback Unified School District also received a demand letter

and that even though they have a protected class board member, the school district would also be moving forward with transitioning to a by-area method of election.

Ms. Meg Cutuli shared that Los Alamitos Unified School District also has received a demand letter and had the difficult task of drawing maps to avoid having a school attendance area be represented by a single trustee.

Ms. Marilyn Buchi asked about the difference between total population versus voting age population. Mr. Ferchaw explained that the school district looked at both factors in designing and choosing the proposed map.

D. Vote to Approve/Disapprove the Proposal of the Brea Olinda Unified School District

Chairperson Benecke asked for a motion. Suzie Swartz moved to adopt a resolution approving the proposal of the Brea Olinda Unified School District establishing the map "1" and changing the method of election to a by-trustee area election process, and that this action shall not be deemed to constitute an order of election if the State Board of Education grants the District's waiver request. The motion was seconded by Meg Cutuli. There was a roll call vote and the motion was approved 9-0.

7. PRESENTATIONS FROM THE PUBLIC

None

8. NEXT MEETING

Chairperson Benecke reported that the next County Committee will be held on Wednesday, February 5, 2020 at the Saddleback Valley Unified School District at 6:00 p.m.

9. ADJOURNMENT:

There being no further business Chairperson Benecke requested to adjourn the meeting. The motion was moved by Karin Freeman, seconded by Meg Cutuli and unanimously approved. The meeting was adjourned at 6:47 p.m.