

## **FUNDING FOR PROJECTS OF THE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION**

The Education Code describes the responsibilities and authority of the County Committee on School District Organization (County Committee). The County Committee is obligated to undertake tasks that will require expenditures in order for these tasks to be accomplished.

Prior to commencing a project, there shall be a written communication and/or agreement between the County Committee and the party responsible for funding the costs of the project as described above.

To provide an understanding of these tasks and their related expenditures, the Monterey County Board of Education (County Board), the funding agent for the County Committee, has adopted the following policy for County Committee functions:

1. **Decennial Census Adjustment of Trustee Area Boundaries.** The boundaries of the trustee areas shall be adjusted by the governing board of each school district and community college district following each federal decennial census before the first day of March of the year following the year in which the results each decennial census is released. If the governing board fails to adjust the boundaries in a timely manner, the County Committee shall do so before the 30th day of April of the same year.

The governing board of the school district or community college district shall reimburse all reasonable costs incurred by the County Committee in adjusting the boundaries pursuant to this activity. [E.C. 5019.5]

2. **Change in Number of Trustees, Method of Electing Trustees or Trustee Area Boundaries.** Whenever a proposal to initiate a change in trustee numbers, election method or area boundaries is submitted to the County Committee pursuant to E.C. section 5019 by resolution of the governing board of a district or by voter petition, any cost incurred as a result of the change will be borne by the district.
3. **Boundary Changes.** The cost of preparing, developing, and duplicating the maps and legal description as a result of district reorganization or changes in trustee allocation or reassignments shall be borne by the district. [E.C 5019, 5031]

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4. **Landowner Petition.** When a request to reorganize the boundaries of one or more school districts is initiated by landowner petition pursuant to Education Code section 35700(c), the petitioner shall enter into a Memo of Understanding with the County Committee with regard to the payment of related costs that are not allocated by law.
5. **Citizen Petition.** Any request for school district reorganization that is initiated by a Citizen's Petition pursuant to Education Code section 5019, 35700(a), the County Committee's Secretary, the Monterey County Superintendent of Schools (County Superintendent), shall work with the parties affected by the petition on the cost of processing the petition to its conclusion.
6. **CEQA.** When the County Committee is required to comply with the California Environmental Quality Act, the affected districts shall share the cost. [Ed. Code 35710(b)(3), 35710.5].
7. **School District Resolution.** Any request for reorganization initiated by school district or community college district governing board resolution shall be funded by the school district or community college district. [Ed. Code 35700(d)]
8. **County Committee Initiated Action.** A district reorganization or other matters stipulated in EC 5019 that are initiated by the County Committee shall be funded by the County Board, unless otherwise specified by law.
9. **County Superintendent Costs.** Any costs incurred by the County Superintendent in preparing reports pursuant to EC 35735, 35735.1 or 35735.2 may be billed to the affected districts on a proportionate basis. [EC 35735(e)]
10. **Elections.** The cost of the election involving the formation or reorganization of school districts shall be a charge against the general fund of the county. [EC 35759]
11. **Public Hearings.** The rental expense of meeting rooms to conduct public hearings by the County Committee as required by law shall be borne by the affected parties.

The costs of resolving requests before the County Committee shall include all reasonable consultant fees and expenses, legal services, fees and expenses associated with mediation, demographic studies, territorial surveys, election preparation tasks, CEQA, and determining compliance with the state and federal voting rights legislation.

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Costs shall not include the time of the Monterey County Office of Education staff or the County Board.

An involved party responsible for funding a task may request the County Committee to waive the entire or part of the costs. The granting or denial of a waiver of costs shall be in the sole discretion of the County Committee.

*Legal References:*

EDUCATION CODE:

1258	<i>Contracts with county election officials</i>
2600	<i>Correction and relocation of boundaries</i>
5019	<i>Powers of the County Committee</i>
5019.5	<i>Decennial adjustment of trustee area boundaries</i>
5031	<i>Map of school district boundaries</i>
5302	<i>County superintendents' jurisdiction of district elections</i>
5320	<i>Order of election</i>
5321	<i>Petition requesting election</i>
5420	<i>Inclusions in election costs</i>
5426	<i>Election regarding transfer of territory</i>
33051	<i>SBE waiver authority</i>
35160	<i>Authority of governing boards</i>
35700(a)	<i>Voter initiated petition</i>
35700(c)	<i>Landowner initiated petition</i>
35700(d)	<i>Governing board initiated action</i>
35707	<i>Transmittal of petition to state board of education</i>
35709	<i>Petition approval without election</i>
35710(b)	<i>Districts sharing CEQA costs</i>
35710.5	<i>Lead agency for petition</i>
35721(a)	<i>Petition of 10% of electorate</i>
35721(c)	<i>Resolutions by governmental agencies</i>
35735	<i>Computation of ADA</i>
35752	<i>Consideration of petition by SBE</i>
35753	<i>Approval of state board of education</i>
35759	<i>Cost of preparing and distributing arguments and of election</i>

*Federal and California Voting Rights Act*

Adopted: 4/3/91

Revised: 1/93; 01/21/09; 05/21/14