

**AGENDA OF SPECIAL MEETING AND PUBLIC HEARING
TULARE COUNTY COMMITTEE ON
SCHOOL DISTRICT ORGANIZATION**

Allensworth School District
Allensworth School Board Room – 3320 Young Road, Allensworth, California
May 4, 2016 at 5:30 p.m.

1. Call to order.
2. Pledge of Allegiance.
3. ADA Accommodation Requirement: Persons who are in need of a disability-related modification or accommodation in order to participate in the committee meeting must make a request in writing to the Office of the County Superintendent of Schools: (Physical address: 6200 S. Mooney Blvd., Visalia CA 93277 — Mailing address: PO Box 5091, Visalia CA 93278-5091), Phone: 559-733-6301. A request for accommodation should specify the nature of the modification or accommodation requested, including any necessary auxiliary aids or services required and the name and telephone number of the person making the request. The written request should be made as soon as possible and no later than 2 days before the meeting. The agenda, agenda packet and any written documents distributed to the county committee during a public meeting will be made available in appropriate alternative formats upon request by a person with a disability as required by the Americans with Disability Act.
4. Written documents concerning agenda items are available for public inspection during normal business hours at the Tulare County Office of Education, 6200 S. Mooney Blvd., Visalia California.
5. Public Comment: Members of the public may address the committee on any agenda item, or other items of interest within the subject matter jurisdiction of the committee during the public comment period. Agenda items may also be addressed by the public at the time they are taken up by the committee. The committee is not able to discuss or take action on any item not appearing on the agenda. A reasonable time limit can be imposed on public input for individuals/issues as deemed necessary.
6. Approval of Minutes from November 18, 2015
Exhibit #1
7. The County Committee will review information regarding Allensworth School District's proposed decrease in the membership of its board from five members to three.
Exhibit #2 Allensworth School District Resolution No. 3320-93 – Resolution Regarding Decrease in Board Size
8. Public Hearing to consider Allensworth School District's proposed decrease in the membership of its board from five members to three.
 - a. Conduct the Public Hearing (invite and hear public comment)
 - b. Close the Public Hearing
9. Following the close of the public hearing, the County Committee will consider action to approve the proposed decrease in the membership of its board from five members to three.
Exhibit #3 County Committee Resolution No. 2016-1 – Resolution Approving Allensworth School District's Proposal to Decrease Board Membership
10. Set date, time, and place for the next meeting, if necessary.
11. Adjournment

EXHIBIT 1

**TULARE COUNTY COMMITTEE ON
SCHOOL DISTRICT ORGANIZATION
MINUTES**

The Tulare County Committee on School District Organization met and held its annual organizational meeting on November 18, 2015 at 8:00 p.m. at the Wyndham Visalia (formerly Visalia Holiday Inn), 9000 West Airport Drive, Visalia, California

The County Committee meeting was called to order by Chairman, Joe Hallmeyer at 8:39 p.m.

MEMBERS PRESENT	John Beck, Carl Carlson, Rick Chappell, Mary Helen Espino, Joe Hallmeyer, Mickey Hirni, Melissa Janes, Bob Line, Bob Pugh, and Helen Renteria
MEMBERS ABSENT	Victor Pérez – he declined to seek another term.
COUNTY STAFF	Jim Vidak, Tulare County Superintendent of Schools Shelly DiCenzo, Administrative Legal Assistant
OTHER GUESTS	Craig Wheaton, Superintendent of Visalia Unified School District Lucia Vazquez, Board Member from Visalia Unified School District Desiree Serrano, Associate Attorney with Lozano Smith
DISABILITY-RELATED MODIFICATIONS OR ACCOMMODATION	ADA accommodations have been met.
PUBLIC COMMENTS	Members of the public did not address the Committee on any agenda item, or other item of interest within the subject matter jurisdiction of the committee during the public comment period.
SELECTION OF CHAIRPERSON	Bob Line made a motion to keep Joe Hallmeyer as chairperson for 2016, which was seconded by Mickey Hirni. The motion carried unanimously. Vote: Aye – Beck, Carlson, Chappell, Espino, Hallmeyer, Hirni, Janes, Line, Pugh, and Renteria; No – None; Absent – Pérez
SELECTION OF VICE CHAIRPERSON	For vice chairperson, a motion was made by Mickey Hirni to nominate Melissa Janes. Rick Chappell seconded the motion. The committee voted unanimously to reelect Melissa Janes as vice chairperson. Vote: Aye – Beck, Carlson, Chappell, Espino, Hallmeyer, Hirni, Janes, Line, Pugh, and Renteria; No – None; Absent – Pérez
NEW COMMITTEE MEMBER – DISTRICT 3	Joe Hallmeyer introduced Dr. Robert Aguilar as the new committee member for District 3, elected by the school district representatives.
MINUTES	A motion was made by Mickey Hirni, seconded by Melissa Janes and carried unanimously to approve the minutes of March 18, 2015 (Citrus South Tule School District meeting) as written. Vote: Aye – Beck, Carlson, Chappell, Espino, Hallmeyer, Hirni, Janes, Line, Pugh, and Renteria; No – None; Absent – Pérez

ASSEMBLY BILL 331
OVERVIEW

Desiree Serrano presented Assembly Bill 331 (2015) which amends Education Code section 5019 as potential county committee activity. The amendment authorizes school districts with an ADA of less than 300 students to decrease their board membership from 5 members to 3. This change can be initiated in one of three ways: 1) a petition of the electorate; 2) a resolution of the school district governing board requesting the decrease; or 3) the county committee could pass a resolution to change the board membership from 5 members to 3. If the county committee receives a request for decrease, this would trigger a public hearing of the county committee that would take place within the boundaries of the school district that made the request. The committee would approve or disapprove the request at the end of the public hearing.

There are potentially 6 districts in Tulare County that could be eligible to request a reduction. None of the potential districts have trustee area based elections; they are at-large.

ADJOURN

Mr. Vidak announced that John Caudle retired earlier this year and introduced Dr. Craig Wheaton to the committee as his replacement. Dr. Wheaton will start in February 2016.

As there was no further business, Chairman Hallmeyer adjourned the meeting at 8:48 p.m.

Respectfully submitted,

Jim Vidak, Ex-Officio Secretary
County Committee on School District Organization

EXHIBIT 2

BEFORE THE GOVERNING BOARD OF THE
ALLENSWORTH ELEMENTARY SCHOOL DISTRICT
COUNTY OF TULARE, CALIFORNIA

RESOLUTION NO. 3320-93

Resolution Regarding)	RESOLUTION SUBMITTING DECREASE
Decrease in Board Size)	IN BOARD MEMBERSHIP TO TULARE
)	COUNTY COMMITTEE ON SCHOOL
)	DISTRICT ORGANIZATION

WHEREAS, Education Code section 5019 requires a school board to maintain a membership of three, five, or seven members;

WHEREAS, the Allensworth Elementary School District currently has a five member Board of Trustees;

WHEREAS, one of the five members of the Governing Board ("Board") of the Allensworth Elementary School District ("District") resigned;

WHEREAS, the Board's membership may be reduced to three individuals because its average daily attendance was less than 300 during the preceding year;

WHEREAS, the District has a small population, and the best interests of its students, employees, and community will be served by having a Board of three members;

WHEREAS, after a proposal has been made to decrease the membership of a school district's board, the County Committee on School District Organization ("County Committee") must conduct at least one hearing on the matter in the boundaries of the respective district, and, at the conclusion of the hearing, approve or disapprove the proposal pursuant to Education Code section 5019, subdivision (c)(2);

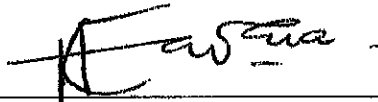
BE IT RESOLVED, that the District proposes that the County Committee adopt a resolution reducing the membership of the Board of the District from five (5) members to three (3).

BE IT FURTHER RESOLVED, that the District Superintendent/designee are hereby authorized and directed to take any other actions necessary to effectuate the purposes of this resolution.

The foregoing Resolution was adopted at a regularly called meeting of the Board of Trustees of the Allensworth Elementary School District on February 2, 2016 by the following vote:

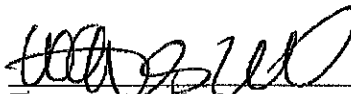
AYES: *Gema TOSCANO, Mary Mary Voyeda Keden*
NOES: *0*
ABSENT:
ABSTAIN:

Dated: February 2, 2016



Trustee, Board of Trustees
Allensworth Elementary School District
Tulare County, California

I, Trustee of the Board of Trustees of the Allensworth School District, do hereby certify that the foregoing Resolution is a true and correct copy of the Resolution that was regularly introduced, passed, and adopted by the Board of Trustees at its meeting on February 2, 2016.



Trustee, Board of Trustees
Allensworth Elementary School District
Tulare County, California

EXHIBIT 3

**BEFORE THE TULARE COUNTY COMMITTEE
ON SCHOOL DISTRICT ORGANIZATION**

May 4, 2016

Resolution Approving Allensworth School
District's Proposal to Decrease Board
Membership

Resolution No. 2016-1

WHEREAS, Education Code section 5019 requires a school board to maintain a membership of three, five, or seven members;

WHEREAS, the Allensworth Elementary School District ("District") currently maintains a five member Governing Board ("Board");

WHEREAS, Board member Kayode Kadara was appointed in lieu of election in 2012 for a four year term ending in 2016;

WHEREAS, Board member Adrian Santiel was appointed to fill a vacant seat in 2014, for a two year term ending in 2016;

WHEREAS, Board member Nancy Nunez was appointed in lieu of election in 2014 for a four year term ending in 2018;

WHEREAS, Board member Goana Toscana was appointed in lieu of election in 2014 for a four year term ending in 2018;

WHEREAS, Board member Melissa Diaz was appointed in lieu of election in 2014 for a four year term ending in 2018;

WHEREAS, the District has a small population, and has historically struggled to fill and maintain its five member board;

WHEREAS, on October 15, 2015 a Board vacancy was created when Board member Melissa Diaz submitted her resignation to the Tulare County Superintendent of Schools ("County Superintendent");

WHEREAS, after diligent efforts, the District was unable to find a single qualified individual interested in filling the vacancy, and therefore the District was unable to make a provisional appointment within the 60 day time allotment (Ed. Code § 5091, subd (a)(1));

WHEREAS, due to the District's inability to make a provisional appointment, the County Superintendent was required by law to order an election with the Tulare County Registrar of Voters-Elections Division to fill the vacancy (Ed. Code § 5091, subd (a)(2));

WHEREAS upon receipt of the order of election, the Tulare County Registrar of Voters-Elections Division scheduled an election for June 7, 2016. No individual filed a declaration of candidacy, and therefore no election will be held (Elec. Code § 10603; Ed. Code § 5326);

WHEREAS, another Board vacancy will be created in the coming months as Board member Adrian Santiel has provided the District with his letter of resignation, and directed the Board and Superintendent to submit the letter of resignation to the County Superintendent at a time that best benefits the District in light of the proposed reduction in Board membership;

WHEREAS, in light of the District's current and historical struggles to fill and maintain its five member Board, on February 2, 2016, the Board determined that it is in the best interests of its students, employees, and community to reduce Board membership to three. The District's Board adopted Resolution No. 3320-93, proposing a reduction in Board members from five to three (Exhibit B);

WHEREAS, Education Code sections 5019 and 5020 authorize the Tulare County Committee on School District Organization ("County Committee") to decrease a school board's membership in a school district under its jurisdiction;

WHEREAS, pursuant to Education Code section 5019, subdivision (a)(2), the Board's membership may be reduced to three members because its average daily attendance was less than 300 during the preceding year;

WHEREAS, should the proposed reduction in Board membership be approved, there will be no staggering issue, as Board member Kayode Kadara's seat will be up for election in 2016 and Board members Nancy Nunez and Goana Toscana's seats will be up for election in 2018;

WHEREAS, in the judgment of the County Committee, the best interests of the District's students, employees, and community will be served by having a Board of three members;

WHEREAS, if the County Committee approves the District's request to reduce the number of Board members, Education Code section 5020 requires the County Committee's resolution of approval to be submitted to the electorate for its approval;

WHEREAS, an election to approve the proposed reduction in Board members will result in a cost to the District;

WHEREAS, Education Code sections 33050-33053 authorize the State Board of Education to waive this voter approval requirement, which could reduce the costs associated with this proposed change in Board size;

WHEREAS, on March 8, 2016, after a public hearing on the matter, the District's Board adopted a Resolution directing the District to seek a full waiver of this election requirement;

WHEREAS, on March 11, 2016, the District submitted the waiver request to the State Board of Education;

WHEREAS, the State Board of Education is expected to hear the waiver request at their regularly scheduled May 11-May 12 board meeting; and

WHEREAS, on May 4, 2016, the County Committee held a public hearing in the Allensworth School District, as prescribed by Education Code section 5019, on the District's proposal to reduce the size of the Board to three members.

THEREFORE, the County Committee hereby finds and resolves as follows:

1. All requirements of law have been met to allow the County Committee to approve or disapprove the District's proposal to decrease the District's Board membership from five to three;
2. The District's proposal is supported by the District's Board without public opposition;
3. The County Committee hereby approves the proposed reduction in the Allensworth School District's Board of Trustees from five members to three members;
4. By operation of law, this Resolution constitutes an order of election, unless the Allensworth School District obtains the State Board of Education waiver (Ed. Code § 5020, subd. (a); Ed. Code § 33050 *et seq.*); and
5. The Tulare County Office of Education Superintendent/designee are hereby authorized and directed to take any other actions necessary to effectuate the purposes of this Resolution.

PASSED AND ADOPTED by the Tulare County Committee on School District Organization on May 4, 2016, and by the following roll call vote:

AYES:	_____
NOES:	_____
ABSTENTIONS:	_____
ABSENT:	_____

I HEREBY CERTIFY that the foregoing Resolution was duly introduced, passed, and adopted at a regularly called and conducted meeting held on said date.

Jim Vidak, Ex-Officio Secretary