

Senate Bill No. 699

CHAPTER 412

An act to add Section 35730.1 to the Education Code, relating to school district reorganization.

[Approved by Governor August 10, 1995. Filed with
Secretary of State August 11, 1995.]

LEGISLATIVE COUNSEL'S DIGEST

SB 699, Hayden. School district reorganization.

(1) Under existing law, school district reorganization may be initiated by voters, property owners, or members of the governing board of a school district, as specified.

This bill would require, in any reorganization of a school district with more than 500,000 pupils in average daily attendance, that the reorganization meet specified conditions, thereby imposing a state-mandated local program.

(2) The bill would provide that it would become operative only if AB 107 of the 1995-96 Regular Session of the Legislature is enacted and contains specified provisions.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) In a democratic society, communities, parents, and pupils are entitled to public school districts that are scaled to promote and maximize public access and participation.

(b) Despite the commendable efforts of dedicated teachers, administrators, classified employees, volunteers, and parents, one of California's school districts is too large and overly centralized to effectively promote that participation and access.



(c) The Los Angeles Unified School District is charged with educating 640,000 pupils in 855 facilities spread out across 708 square miles spanning three telephone area codes. By far California's largest school district, the Los Angeles Unified School District is over twice as big as the state's next largest.

(d) The annual budget of the Los Angeles Unified School District, which is 3.8 billion dollars, exceeds the annual budgets of 16 state governments.

(e) There are 55,000 employees who work for the Los Angeles Unified School District.

(f) In a district of that geographical and bureaucratic immensity, parents face unacceptable burdens in trying to influence their school district as to the education of their children.

(g) Under current state law, it is impossible for citizens to petition their government to create more manageable school districts without being subject to the veto of the very governmental agency they would seek to change.

(h) A procedure that allows the people who live within the boundaries of the Los Angeles Unified School District access to the ballot to exercise their right to vote on the reorganization of their school district is desirable.

(i) Should the district be reorganized, protections of pupil rights embodied in laws that currently apply to the Los Angeles Unified School District should be maintained by each of the newly formed school districts.

SEC. 2. Section 35730.1 is added to the Education Code, to read:

35730.1. Any reorganization of a school district with more than 500,000 pupils in average daily attendance shall require that each new district created meets the following conditions:

(a) Socioeconomic diversity.

(b) Geographical compactness.

(c) Equity of resource distribution.

(d) Compliance with *Crawford v. Board of Education*, 17 Cal. 3d 280, and the terms of the consent decree in *Rodriguez v. Los Angeles Unified School District*, Consent Decree No. C-611358.

(e) Preservation of the policies used by magnet schools, charter schools, site-based management initiatives, and the LEARN program as those policies already exist in practice or pursuant to law.

(f) Compliance with the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).

(g) Compliance with the federal Voting Rights Act of 1965 (42 U.S.C. Sec. 1971), as amended.

(h) The formation of the new school districts does not result in the diminution of minority protections.

(i) The maintenance of the conditions of all collective bargaining agreements until their expirations.



(j) Recognition of the existing retiree health, dental, and vision care benefits.

SEC. 3. This act shall become operative only if Assembly Bill 107 of the 1995–96 Regular Session of the Legislature is enacted and contains provisions relating to the percentage of qualified electors necessary to sign a petition to reorganize a school district. If Assembly Bill 107 is not enacted or as enacted does not contain those provisions, this act shall not become operative.

SEC. 4. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

