California Department of Education
School District Organization Handbook
September 2019

# APPENDIX C

# REORGANIZATION OF DISTRICTS UNDER THE JURISDICTION OF DIFFERENT COUNTIES

NOTES:

The guidance in this handbook is not binding on local educational agencies or other entities. Except for statutes, regulations, and court decisions that are referenced herein, the handbook is exemplary, and compliance with it is not mandatory (see California *Education Code* Section 33308.5).

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## REORGANIZATION OF DISTRICTS UNDER THE JURISDICTION OF DIFFERENT COUNTIES

In any reorganization action which involves territory in two or more counties under the jurisdiction of different county superintendents of schools, the requiring proceedings must take place in both counties, except for the following (*EC* 35520):

1. The sufficiency of any petition shall be determined jointly by the respective county superintendents. (*EC* 35521)
2. Elections will be handled separately, but the particulars of the elections are to be established by joint action. (*EC* 35522)
3. Public hearings may be conducted in each county or jointly in either county as it appears most convenient and practical. Any action regarding the reorganization may be taken at or following a joint hearing. If separate hearings are held, action may be taken only after findings of the hearings in each county have been transmitted to the other counties. (*EC* 35523, 35524)

When a county committee selects an area for study for possible recommendations for a reorganization which includes territory of one or more school districts under the jurisdiction of another county, the county committee shall so notify the members of the county committee of such other county. Thereafter, the members of the county committee of such other county shall be notified by mail of each public hearing or meeting of the other county committee at least 10 days prior to the day of such hearing or meeting. (*EC* 35723)

If plans and recommendations adopted by a county committee propose changes in the boundaries or status of school districts under the jurisdiction of the superintendent of any adjacent county, the county committee of each such adjacent county shall be requested in writing to concur with the plans and recommendations. The following procedures then apply:

1. If the county committee of an adjacent county so concurs, the concurrence shall accompany the recommendations transmitted to the State Board of Education (SBE).
2. If the county committee of an adjacent county fails to respond to the request for concurrence within 90 days of the date of the request, such failure shall be deemed to be a concurrence with the plans and recommendations.
3. If a county committee of adjacent county does not concur with the plans and recommendations, it shall so notify the other county committee in writing and accompany the notification with plans and recommendations for the reorganization of school districts of its county, including territory that would be affected by the plans and recommendations of the other county committee. After 60 days from the notification of nonconcurrence, if the county committees are still unable to agree upon plans and recommendations for reorganization of the territory, either county committee may submit plans and recommendations to the SBE, and the SBE may approve or reject the plans, in the same manner as other plans and recommendations. (*EC* 35724)