

LAKE COUNTY BOARD OF EDUCATION  
1152 South Main Street  
Lakeport, CA 95453

## LAKE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

APRIL 24, 2015

### MINUTES

The meeting of the Lake County Committee on School District Organization was called to order at 8:30 a.m. at the Taylor Observatory, 5725 Oak Hills Lane, Kelseyville, CA on Friday, April 24 2015, by Board President Pat Hicks. Board Members Cooper and Ryder were present. Also present were Brock Falkenberg, County Superintendent of Schools and LCOE staff member Janice Bailey.

#### I APPROVAL OF AGENDA

It was moved by Mr. Ryder, seconded by Dr. Cooper, to approve the Agenda of the Committee on School District Organization of April 24, 2015.

Absent Browning; Aye Cooper; Aye Hicks; Absent Lyon; Aye Ryder  
Motion Carried 3-0

#### II PUBLIC INPUT – There was no public input.

#### III APPROVAL OF MINUTES

It was moved by Dr. Cooper, seconded by Mr. Ryder to approve the Minutes of the Committee on School District Organization on April 15, 2015.

Absent Browning; Aye Cooper; Aye Hicks; Absent Lyon; Aye Ryder  
Motion Carried 3-0

#### IV ACTION & DISCUSSION

##### A. APPROVAL OF BYLAWS FOR THE LAKE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

Mr. Falkenberg reported that upon conversation with Larry Shirey, the Committee on School District Organization would allow a member of a community college district to be part of the Committee. It was then requested by Mrs. Hicks to strike the words “or employee of a community college district” from the bylaws (*Terms of Office* – page 1).

It was moved by Dr. Cooper, seconded by Mr. Ryder to approve the Bylaws for the Lake County Committee on School District Organization, as amended.

Absent Browning; Aye Cooper; Aye Hicks; Absent Lyon; Aye Ryder  
Motion Carried 3-0

## **VI FUTURE BUSINESS**

The Upper Lake School Districts will put the consolidated issue before their boards for a vote during the last week of June. The Superintendent of Schools then has 30 days to review the paperwork. The documentation is then turned over to the County Committee who will have 60 days for review.

## **VII ADJOURNMENT**

The Lake County Committee on School District Organization adjourned at 8:41 a.m.

*Submitted by,*

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**BROCK FALKENBERG**  
Secretary to the Board  
Lake County Superintendent of Schools

Consideration of items not appearing on the posted agenda, if necessary, requires the following action prior to consideration: 1) A determination by a majority vote of the Board that an emergency situation exists (as defined in Section 54956.9 of the Brown Act); or 2) A determination by a two-thirds vote of the legislative body or, if less than two-thirds of the members that are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the Board subsequent to the agenda being posted.

**REQUEST FOR DISABILITY-RELATED MODIFICATION OR ACCOMMODATION:** *A request for a disability-related modification or accommodation necessary to participate in the Board meeting should be made in writing to our office at least 48 hours prior to the meeting.*

**BYLAWS OF THE LAKE COUNTY COMMITTEE  
ON SCHOOL DISTRICT ORGANIZATION**

**ROLE OF THE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION**

***Purpose, Powers, Duties***

The Lake County Committee on School District Organization shall conduct hearings on petitions to reorganize school districts and shall either approve, disapprove or make recommendations to the State Board of Education regarding such petitions; and the Committee shall formulate plans and recommendations for the organization or reorganization of school districts in the county or any portion thereof including, if appropriate, a portion of one or more adjacent counties. The Committee exists under the authority of the California Constitution and acts of the legislature of the State of California and the regulations of the California State Board of Education.

Reference:     *E.C. 35700 et seq.*  
                  *E.C. 35720 et seq.*

**ORGANIZATION**

***Membership - Terms of Office***

The Lake County Board of Education serves as the County Committee on School District Organization. No employee of the office of the County Office of Education or employee of a school district may be a member of the County Committee.

***Term of Membership***

The term of each member of the Committee shall begin upon election to the County Board of Education or upon appointment, as appropriate, and shall be for four years.

***Vacancies in Membership***

Vacancies created by the expiration of the term of office of a member or by the early resignation of a member shall be filled by appointment or election according to the Bylaws of the County Board of Education.

***Compensation***

The members of the county committee shall serve without compensation. However, they shall receive reimbursement for any actual and necessary travel expenses incurred in the performance of their duties. These travel expenses shall be paid out of the County School Service Fund.

***Officers and Auxiliary Personnel***

The Chairperson and Vice Chairperson shall act as the President and Vice President of Committee on School Organization.

***Vacancies in Office***

If the office of President is vacated for any reason, the Vice President shall become President for the remainder of the year. If the office of Vice- President is vacated for any reason, the vacancy shall be filled by appointment by the Board of Education.

***Secretary***

The county superintendent of schools shall serve as secretary to the Committee.

***Attorney***

The office of the County Counsel shall provide legal services for the County Committee, except that other counsel may be employed as needed. Reference: E.C. 4011 Legal Services

***Temporary Special Committees***

The President may appoint such temporary and special committees as deemed necessary or advisable and the President shall be, ex officio, a member of each committee. The duties of the special committee shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

***Travel Reimbursement***

All expenses will be recorded on the Lake County Travel Expense Claim form. Claims may be submitted at any time.

***Liability Insurance***

Liability coverage shall be provided to protect against personal liability of the members of the Committee while acting in the scope of office as required by law.

Reference: E.C. 35208  
E.G. 35214

**MEETINGS**

Meetings of the County Committee may be called by the Superintendent, President or by a quorum of the committee.

Reference: E.C. 4013

***Quorum***

A majority of the members of the County Committee shall constitute a quorum. Reference: E.G. 4014

***Motion Carried***

If a quorum is duly assembled, affirmative votes by a majority of the Committee members present are required to approve any action item under consideration unless otherwise provided by law.

***Abstentions***

Abstentions shall be counted in determining the needed majority, but they shall not count as either an affirmative or a negative vote. The affirmative vote of the majority rule prevails in all cases.

***Construction of Agenda***

The county superintendent, as secretary to the County Committee, shall prepare an agenda for each meeting. Any committee member may call the superintendent and request an item to be placed on the agenda.

### ***Posting of Agenda***

At least 72 hours prior to the time of the meeting, the items to be included on the agenda will be posted in a place readily available to the public. Items to be included on the agenda of a public hearing shall be posted at least 10 days prior to the time of the public hearing.

Reference: E.C. 35705 (*Government Code 54954.2[a]*)

### **MEETING CONDUCT**

Meetings of the County Committee shall be conducted by the President in a manner consistent with the adopted bylaws of the Committee.

All Committee meetings shall commence at the stated time and shall be guided by an agenda that will have been prepared and delivered in advance to all committee members and other designated persons.

The conduct of meetings shall, to the fullest possible extent, enable members of the Committee (1) to consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems, and (2) to receive, consider, and take any needed action with respect to the organization of school districts.

### ***Individuals/Groups Addressing the Committee***

Provisions for permitting an individual or group to address the Committee concerning any subject that lies within its jurisdiction shall be as follows:

1. During a hearing, the Committee will receive oral and/or written arguments regarding the subject under consideration.
2. The Committee will not entertain a repetition of arguments previously presented by the same or another speaker. However, the Committee will consider new facts relating to arguments previously submitted.
3. The Committee President will, at the appropriate time, call upon the members of the audience who have submitted a "Request To Speak" form. These forms are available to all members of the audience.
4. The person addressing the Committee may be required to show a reasonable basis of interest in the subject of the hearing, such as being a legal resident of the school district(s) affected by the subject under discussion or being a representative of an organization having legitimate interest in the subject under discussion, or having other bona fide individual interest in the proceedings.
5. The person addressing the Committee shall state his/her name and place of residence.
6. The person speaking shall address all comments and questions to the President, not to individual committee members.
7. At the discretion of the President, time may be allotted to persons wishing to address the Committee; the President will endeavor to allot equal time to persons having opposing views.

8. Remarks or charges by any person addressing the Committee which reflect adversely upon the character or motives of any person are out of order.
9. Conduct by a participant declared out of order shall be grounds for termination of that person's privilege of addressing the Committee.

***Parliamentary Procedure***

*Robert's Rules of Order* shall govern the parliamentary procedure when procedures are questioned; otherwise, an informal, expedient procedure will be followed.

Reference: *Robert's Rules of Order*

***Suspension of Bylaws***

Bylaws shall be subject to suspension for a specified purpose and limited time by vote of members of the Board.

Reference: *Robert's Rules of Order*

***Actions by the Committee***

No action shall be taken except in a posted meeting of the Committee.

No action will be taken unless the subject acted upon was listed in the agenda published for that meeting, or as specifically authorized by law.

The Committee shall adopt resolutions when it is required by law or when the Committee intends to publish a status position of the Committee.

All actions taken by the Committee shall be clearly identified in the minutes of the Committee meeting.

***Minutes***

The county superintendent, as secretary to the Committee, shall keep minutes of all meetings of the Committee. Copies of the proceedings shall be made for distribution to the Committee members with the agenda for the next meeting. The official minutes of the Committee meetings shall be kept in a reasonably secure place.

***Recording of Votes***

Motions or resolutions shall be recorded as having passed or failed. Individual votes will be recorded only if the action was not unanimous or if requested by any Committee member.

***Maintaining the Minutes***

The Committee minutes shall be maintained as outlined below:

1. Content - Committee Procedure
  - a. The date, place, and type of each meeting or public hearing
  - b. Members present and members absent by name
  - c. Call to order and pledge of allegiance to the flag
  - f. Date and place of next meeting
  - g. Adjournment of the meeting

2. Content- County Committee Actions
  - a. Approval or amended approval of the minutes of preceding meetings
  - b. Information as to each subject of the Committee's deliberation
  - c. Information as to each subject including the roll call record of the vote on motion if non-unanimous or by request
  - d. A record of all important correspondence
  - e. A record of the county superintendent's reports to the Committee
  - f. A record of all consultants' reports to the Committee

### **CODE OF ETHICS**

#### ***Committee Responsibility to the Community***

A County Committee member should honor the high responsibility which committee membership demands by:

- Thinking always in terms of "students first";
- Representing at all times the entire school community;
- Recognizing responsibility as a county official to seek the improvement of education throughout the county;
- Winning the community's confidence that all is being done in the best interest of school children.