

RESOLUTION NO. LCCSDO 1516-01

RESOLUTION OF THE LAKE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION APPROVING THE PROPOSED UNIFICATION OF UPPER LAKE UNION HIGH SCHOOL DISTRICT AND UPPER LAKE UNION ELEMETARY SCHOOL DISTRICT AND CALLING FOR AN ELECTION THEREON

WHEREAS, on June 5, 2015 and on June 11, 2015, the Lake County Superintendent of Schools received board resolutions (hereafter referred to as “the petitions”) from Upper Lake Union Elementary School District and Upper Lake Union High School District respectively, for the creation of a new K-12 school district. Copies of said resolutions are appended to this document as Exhibit A.

WHEREAS, Upper Lake High’s other feeder district, Lucerne Elementary, has adopted a resolution indicating its desire to be excluded from the unification as permitted by California Education Code § 35542, subd. (b), a copy of which is attached as Exhibit B; and

WHEREAS, if its exclusion is approved by the State Board of Education (SBE) and the unification is approved, Lucerne will continue to operate as independent feeder district to the new unified district; and

WHEREAS, as required by Education Code § 35704, Brock Falkenberg, Lake County Superintendent of Schools, reviewed the petitions and found them to be sufficient and signed as required by law. On June 17, 2015 Superintendent Falkenberg sent the petitions to the members of the Lake County Committee on School District Organization (Lake County Committee). On June 24, 2015 public hearings, as required by Education Code § 35705, were held in Lucerne, CA and Upper Lake, CA respectively, at which staff prepared a description of the petitions addressing the nine topics specified in Education Code § 35705.5 (the minutes of the public hearings are attached as Exhibit C); and

WHEREAS, under the authority granted by Education Code § 35710, subd. (b), Supt. Falkenberg has elected to grant approval authority for this unification to the Lake County Committee, for which he is secretary as provided in § 4012, and this Committee has chosen to accept that authority; and

WHEREAS, Education Code § 35706 requires that, within 120 days of the first public hearing on the petitions, the Lake County Committee approve or disapprove the petitions:

NOW, THEREFORE, BE IT RESOLVED, that the Lake County Committee does hereby approve the unification of the Upper Lake High School District and the Upper Lake Elementary District, finding as follows:

(1) That the reorganized districts will be adequate in terms of number of pupils enrolled, based on the discretion provided to the County Committee by § 35753, subd. (b) as stated below;

(2) That the districts are each organized on the basis of a substantial community identity;

(3) That the proposal will result in an equitable division of property and facilities of the original district or districts;

(4) That the reorganization of the districts will preserve each affected district's ability to educate students in an integrated environment and will not promote racial or ethnic discrimination or segregation;

(5) That any increase in costs to the state as a result of the proposed reorganization will be insignificant and otherwise incidental to the reorganization;

(6) That the proposed reorganization will continue to promote sound education performance and will not significantly disrupt the educational programs in the districts affected by the proposed reorganization;

(7) That any increase in school facilities costs as a result of the proposed reorganization will be insignificant and otherwise incidental to the reorganization;

(8) That the proposed reorganization is primarily designed for purposes other than to significantly increase property values; and

(9) That the proposed reorganization will continue to promote sound fiscal management and not cause a substantial negative effect on the fiscal status of the proposed district or any existing district affected by the proposed reorganization.

BE IT FURTHER RESOLVED, that as to the first required finding, that the

reorganized district will be adequate in terms of number of pupils enrolled determines, it is not practical or possible to apply the criteria of this subdivision literally, and that the circumstances with respect to the proposal provides an exceptional situation sufficient to justify approval of the proposals, as permitted under Education Code § 35753, subd. (b), so that the County Committee finds that the reorganized district will be adequate with an enrollment estimated 835.

BE IT FURTHER RESOLVED, that, barring a waiver of the provisions of Education Code §§ 35722 and 35710.51, and any other applicable statutes, by the California State Board of Education, this resolution approving that unification shall constitute an order of election;

BE IT FURTHER RESOLVED, that the Lake County Committee on School District Organization calls for an election to be held on June 7, 2016 and requests the Lake County Board of Supervisors consolidate that election with other elections held that same day;

BE IT FURTHER RESOLVED, that the question placed before the voters read as follows:

“For unification of the Upper Lake High Union School District and the Upper Lake Union Elementary School District into the Upper Lake Unified School District **YES**

“For unification of the Upper Lake High School District and the Upper Lake Elementary School District into the Upper Lake Unified School District **NO**”

BE IT FURTHER RESOLVED, that the Clerk of the Lake County Committee on School District Organization is directed to transmit a certified copy of this resolution forthwith to the Lake County Board of Supervisors, and the Lake County Clerk, Division of the Registrar of Voters.

The foregoing Resolution was introduced by Committee Member _____, seconded by Committee Member _____, and carried this 21st day of October, 2015, by the following roll call vote:

David Browning:	Aye_____	Nay_____	Abstain_____	Absent_____
Mark Cooper:	Aye_____	Nay_____	Abstain_____	Absent_____
Patricia Hicks:	Aye_____	Nay_____	Abstain_____	Absent_____
Madelene Lyon:	Aye_____	Nay_____	Abstain_____	Absent_____
George Ryder:	Aye_____	Nay_____	Abstain_____	Absent_____

WHEREUPON, the Chair declared the Resolution No. LCCSDO1516-01 passed and adopted and, **SO ORDERED**.

LAKE COUNTY COMMITTEE ON
SCHOOL DISTRICT ORGANIZATION

CHAIR

ATTEST:

Clerk of the Committee