

**SAN JOAQUIN COUNTY BOARD OF EDUCATION
COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
GAYLORD A. NELSON EDUCATION CENTER / BOARD ROOM
2901 ARCH-AIRPORT ROAD / STOCKTON, CA
FEBRUARY 19, 2014 / 1:00 P.M.
REGULAR MEETING
MINUTES**

PRESENT: David Sorgent, President; Jill Fritchen, Vice-President; Anthony Gutierrez, Committee member; Janet Dyk, Committee member; Mick Founts, Secretary.

ABSENT: Mark Thiel, Committee member.

OTHERS PRESENT: Bill Draa, Ripon Unified School District Superintendent; Kit Oase, Ripon Unified School District Governing Board member; Janai Stanton, Recorder.

I. CALL TO ORDER:

President Sorgent called the meeting to order at 2:05 p.m.

II. COMMENTS: There were no comments from the audience.

III. ACTION ITEMS:

1. Minutes: On a motion from Janet Dyk, second by Anthony Gutierrez, the County Committee is requested to approve the minutes from the December 18, 2013 meeting as presented.

AYES: Sorgent, Fritchen, Gutierrez, Dyk

NOES: None

ABSTAIN: None

IV. ITEMS SCHEDULED FOR INFORMATION:

2. Ripon Unified School District Waiver Update: Kit Oase, Ripon Unified Governing Board member, addressed the Board regarding the status of the Ripon Unified School District waiver application. He said the issue is tentatively scheduled on the State Board of Education meeting agenda for March 13, 2014 in the afternoon. He said he is pleased to be able to come back to the County Committee again to share where the Ripon Governing Board is in terms of the waiver and to provide an update regarding where they have gone during the last 2.5 years.

He said the Ripon Board picked this up as formal action in October of 2011 and that they felt very strongly that the one person, one vote doctrine is important to society. Mr. Oase said they embraced the project with that in mind and is the reason why they decided to move ahead. He explained the demographics of the district indicating Ripon is a school district with a little over 17,000 residents and 3,000 of those residents are students enrolled in the Ripon Unified School District. He said there are private schools and also charter schools within the school district.

The Governing Board set up and held four public meetings and had numerous articles in local newspapers including Manteca Bulletin, Ripon Record, and Modesto Bee. Mr. Oase explained that at those meetings, realignment of boundaries was discussed but they also looked at the method of electing board members, recognizing that by law at large, at large by nominating areas, and by trustee areas were permissible. There was discussion regarding the advantages and disadvantages, and there was a collective feeling that people were happy with having elections at large, but, he added, families are allowed to move around geographically because Ripon is an open enrollment school district. He explained that the Governing Board took into consideration the appropriate criteria and court decisions and tried to equalize the population between areas, considered neighborhoods of interest, and set a goal to have at least one school in each of the five areas. Growth corridors were also considered since the population had grown by 4,000 between census years.

Mr. Oase explained that through the process the Board made sure there was information on the website, there were articles in the newspaper, that every effort was made to collect feedback. He indicated these efforts might not have been pointed out enough during earlier presentations to the County Committee. He said there was some concern that some folks weren't properly notified, so the Board went back to employee groups, DELAC, and ELAC. He shared that the unions took no stance and that DELAC and ELAC indicated they wanted the election system to remain as it is.

Mr. Oase said that as the Board moved forward they felt it was important to have the consent of the governed to make important decisions and that when it comes to making a major decision such as moving from nominating areas to trustee areas, the Board believed the decision should come from a vote of the people. He said that the Board believes in the simple principle of a person's right to vote.

He noted that the County Committee has three possible decisions; to move ahead with the waiver, go to the meeting in Sacramento to present whatever arguments and information they choose to help the State Board of Education make a decision, or take this new information and say let's go ahead and withdraw the waiver and approve the original plan as submitted in February of 2012, or say let's go ahead and pull the waiver and let the people vote.

Mr. Oase noted that he had talked with the Registrar of Voters about that process. The Registrar had indicated it is impossible to get that vote on the June 2014 ballot, and that if it goes to a vote of the people, it will go on the November ballot. He said that it is the hope of the Ripon Governing Board that the County Committee makes a decision that is good for the community and the people. He reiterated that not one person at any of the hearings came out and said to change the method of the election and there were no letters to the editor requesting a change.

In closing, Mr. Oase shared that the Ripon Unified Governing Board reserves the right to make decisions that are in the best interest of students and the community and it is not their intent to usurp the responsibilities of the County Committee but in light of new information, the Ripon Board feels strongly that people have the right to vote. The Board went through a process and feel strongly about their decision. He thanked the County Committee for their time.

Bill Draa, Superintendent of the Ripon Unified School District, said he had been in contact with Larry Shirey at the California Department of Education who gave him a distinct directive to get this resolved at the local level. He feels that if we can get this decision made at this level everyone will be better served. He said the first thing he did as Superintendent was to get this information out to DELAC and ELAC last fall. He claimed he is realistic and knows there is a threat of a lawsuit, but emphasized that the Board wants the local community to vote. With that said, Mr. Draa indicated there is no guarantee how that vote will come out. The Board has a strong feeling about how it could come out but do not feel like they are the Teflon group against a lawsuit. He said that he hoped that the outcome of the Madera County Office of Education case would have clarified the concerns of the County Committee regarding their implication in any type of lawsuit. Mr. Draa asked the County Committee to withdraw the waiver and allow folks to vote, and if there is an imminent lawsuit the Ripon Governing Board will do what is best for students.

Committee member Dyk asked about the warning regarding the responsibility of paying for the election. Mr. Oase said the Ripon Board felt they had done their homework in studying the issue and when the County Committee made the decision to apply for a waiver, it warranted a vote of the people and since the County Committee initiated that action, the County Committee should pay at least for part of that election. He added that recently during the review of the Manteca Unified School District Governing Board action in terms of method of election, the County Committee approved that request. Committee member Fritchman agreed and said that was the initial request of the Manteca Governing Board, not that they were not open to changing the method of election.

Dr. Founts added that the County Committee on School District Organization has no budget and he does not support paying for the election in the Ripon Unified School District. It is the decision of the Ripon Governing Board to take this stance and they should make the call for election.

Mr. Oase added that if it comes down to it and there is an election the Ripon Governing Board is committed to spending the money. It is their opinion that since they came to County Committee with a valid method of election and the County Committee chose to change it, it is their opinion that the County Committee has some obligation to pay for the election as well.

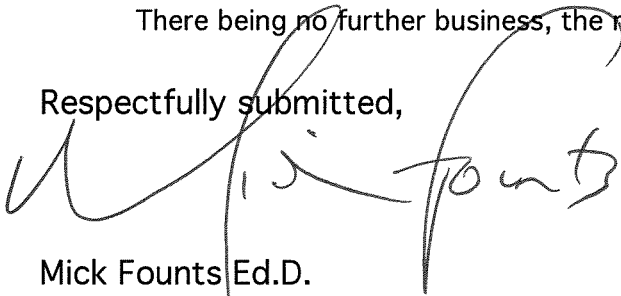
Ms. Fritchen said that she thinks that some people listened to Committee member Thiel about being sued and that was the basis of the vote by the County Committee and that they did not realize that the school district could take full responsibility for their action if the people vote. She added that if the people of the Ripon community make the decision, then the County Committee has nothing to do with it.

Mr. Oase said that representatives from Ripon Unified School District would be going to the State Board of Education meeting to present what was presented here today.

V. ADJOURNMENT:

There being no further business, the meeting was adjourned at 2:40 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mick Founts". The signature is written in a cursive style with a large, sweeping initial "M".

Mick Founts Ed.D.
Secretary to the County Committee /
Superintendent of Schools