



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Request by Loomis Union Elementary School District to waive <i>Education Code (EC) Section 5017(a)</i> (curtailment of current 4 year term of some board members due to "redrawn trustee area map") and <i>EC Section 5021(b)</i> (curtailment of current guarantee for board members to complete terms after a "redrawn trustee area map") Waiver Number: 78-3-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

This recommendation for approval is conditional upon the Placer County Committee on School District Organization and voters in the Loomis and Penryn elementary school districts approving a proposal (initiated by both districts) to transfer the entire territory of Penryn Elementary School District (ESD) to Loomis Union ESD.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In June 2000, the State Board of Education (SBE) approved a request from the Mountain View and Whisman elementary school districts (in Santa Clara County) to allow election of a new governing board upon the transfer of the Whisman ESD to Mountain View ESD. In granting this request, the SBE waived portions of *EC Section 5017* to allow the terms of office of current board members to be terminated by the election of the new governing board.

SUMMARY OF KEY ISSUES

The Loomis and Penryn elementary school districts have submitted a proposal to the Placer County Committee on School District Organization to transfer the entire territory of Penryn ESD to Loomis ESD. Placer County Committee approval of this proposal will place the issue before the voters in the Loomis and Penryn elementary school districts at the November 2004 election. Under current law, if voters approve the proposal, the governing board of the expanded district will be the current governing board of Loomis Union ESD.

One provision of the proposal is to establish trustee areas for elections of governing board members in the expanded district. Approval of the waiver request will allow voters to elect a new governing board by trustee area (one that is representative of the total expanded district) at the same time that they approve the proposal to merge the two districts. With the waiver, the new board will be seated at the same time the merger of the districts is effective (7/1/05).

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Authority for Waiver: *Education Code (EC) Section 33050*

Bargaining unit(s) consulted on date(s): 2/25/04, 2/26/04

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Name of bargaining unit/representative(s): CSEA-Ken Stewart, LTA-Bill Scott

Public hearing identified by (choose one or more):

posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): 3/4/04

Local board approval date(s): 3/4/04

Advisory committee(s) consulted: Does not apply

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: Does not apply

Period of request: 5/13/04 to 12/31/04

FISCAL ANALYSIS (AS APPROPRIATE)

There will be no significant cost to the district or the state due to approval of a waiver that allows election of a new governing board.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.