

ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION  
MINUTES  
Special Meeting and Public Hearing  
February 7, 2018

1. CALL TO ORDER ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

The Special Meeting and Public Hearing of the Orange County Committee on School District Organization was called to order by Chairperson Sheila Benecke at 6:05 p.m., February 7, 2018 in the Roderick H. MacMillian Board Room of the Newport-Mesa Unified School District, 2985-A Bear Street, Costa Mesa, California, 92626.

2. FLAG SALUTE The Pledge of Allegiance was led by Judy Franco.

3. ROLL CALL
- Present:*
- |                             |                           |
|-----------------------------|---------------------------|
| Sheila Benecke, Chairperson | Francine Scinto           |
| Marilyn Buchi               | Robert Singer             |
| Meg Cutuli                  | Josephine "Joey" Van Camp |
| Karin Freeman               | Virginia Wilson           |
| Kathryn Moffat              |                           |
| Jo-Ann Purcell              |                           |

*Absent:*  
Suzie Swartz

4. ADOPTION OF AGENDA Motion by Karin Freeman, seconded by Meg Cutuli, and carried by a unanimous vote of all members present to adopt the agenda as presented.

5. ACCEPTANCE OF MINUTES Motion by Karin Freeman, seconded by Marilyn Buchi, and approved by a 8-0 vote with Jo-Ann Purcell and Joey Van Camp abstaining, to approve the County Committee minutes of the January 31, 2018 meeting.

Chairperson Benecke explained the process for public comment.

6. NEW BUSINESS

A. County Committee Staff Report on the Newport-Mesa Unified School District's Request to Approve and Establish Trustee Areas from which Newport-Mesa Unified School District Governing Board Members will be elected in a By-Trustee Area Election Process

Mr. Lombardo reported that the purpose of the meeting is to conduct a public hearing within the Newport-Mesa Unified School District regarding the proposal to establish trustee areas and change the method of election to a by-trustee area election process. At the conclusion of the public hearing, the County Committee must either approve or disapprove the District's proposal.

Mr. Lombardo explained that should the County Committee approve the District's proposal to establish trustee areas and change the method of election, and the State Board of Education grants a waiver of the election requirements, as requested by the District, the District would forgo the required election, and move forward with the by-trustee area method of election at the next general election for governing board members in November of 2018.

Mr. Lombardo indicated that the Education Code does not provide specific criteria to apply in determining whether to approve or disapprove the District's proposal to establish trustee areas, resulting in broad discretion by the County Committee. The role of the County Committee is to approve or disapprove the District's proposed by-trustee area map and the change to a by-trustee area election process. The County Committee cannot make changes to the District's proposed plan.

#### B. Public Hearing

Chairperson Benecke explained the format of the hearing as set forth in the County Committee Bylaws.

Chairperson Benecke opened the public hearing at 6:12 p.m.

District representatives present for the public hearing included: Mr. Russell Lee-Sung, Deputy Superintendent and Chief Academic Officer for Newport-Mesa Unified School District; Frederick Navarro, Ed.D, District Superintendent; Vicki Snell, Board President; Karen Yelsey, District Trustee; Judy Franco, District Trustee; Timothy Holcomb, Assistant Superintendent, Chief Operating Officer; Spencer Covert, Attorney, Parker & Covert LLP; and Bruce Terry, Senior Director, DecisionInsite.

Mr. Lee-Sung began the District's presentation explaining how, since formation of the Newport-Mesa Unified School District, the seven members of the Board of Education were elected "at-large" but were required to reside within a specific trustee area. Mr. Lee-Sung also explained how the District was involved in litigation under the California Voting Rights Act due to its at-large method of election. In order to resolve the litigation, the District committed to conduct board member elections through a by-trustee area election system and no longer use an at-large method of election. Mr. Lee-Sung explained the process used to establish new trustee areas and ensure at least one majority-minority trustee area continues.

Mr. Lee-Sung explained the District's public outreach efforts, which included the following: information posted on the District's website, two informational meetings with translators in March 2017 held on the west and east sides of the District, notices published in English and Spanish and distributed through the District-wide PTA council, DELAC committee and the parent advisory council. Additionally, notification of the three public hearings held in

September and October 2017 were also published in La Opinion Newspaper, distributed at all schools, using either email or “all call,” and emailed to the District’s certificated and classified employees. The District offered bus transportation services from the Rea Elementary School on the west side to the September 28, 2017 public hearing at Costa Mesa High School.

Mr. Lee-Sung explained the stakeholder groups consulted and the process for preparing the draft trustee area maps. Additionally, Mr. Lee-Sung explained how Map G contained a majority Latino area, the key considerations for approval process of Map G by the Board, and the Board action to seek a waiver from the State Board of Education on the election approval procedures under the Education Code. Lastly, Mr. Lee-Sung explained the Board approved sequence of trustee area elections.

Eight members of the public filled out comment cards. One speaker spoke in favor of Map G and seven speakers spoke against the adopted map. The District representatives spoke in rebuttal. There were five speakers for public rebuttal comments. One speaker spoke in favor of Map G and four speakers spoke against the adopted map. Public comments were concerned about the transparency of the adoption process and the accuracy of the data used by the demographers.

Chairperson Benecke closed the public hearing at 7:04 p.m.

#### C. Questions/Discussion from County Committee Members

Dr. Navarro, Mr. Holcombe, Mr. Terry, Ms. Snell, Ms. Yelsey, Ms. Franco, and Mr. Covert answered questions from the County Committee members regarding: the litigation that initiated the change to by-trustee area method of election; number of trustee areas that intersect with each high school attendance area; whether the board members typically participate in events that occur in schools outside of their trustee area; the Hispanic population percentages in the majority-minority trustee area; legal requirement to utilize voter population and census data from 2010; accuracy of the data presented by the demographers; and, the process for community input and public comment. They also responded to questions regarding the differences in Map B and adopted Map G. The Committee Members had an extensive discussion regarding the concern around the “balkanization” of certain schools if the attendance area did not intersect with more than one trustee area and the typical low turnout of community members when school attendance areas are not at issue or impacted.

#### D. Vote to Approve/Disapprove the Proposal of the Newport-Mesa Unified School District

Chairperson Benecke asked for a motion. Meg Cutuli moved to adopt a resolution approving the proposal of the Newport-Mesa Unified School District establishing the map "G" and changing the method of election to a by-trustee area election process, and that this action shall not be deemed to constitute an order of election if the State Board of Education grants the District's waiver request. The motion was seconded by Francine Scinto. There was a roll call vote and the motion was approved by a 9-1 vote with Kathryn Moffat opposing.

7. PRESENTATIONS FROM THE PUBLIC

None

8. NEXT MEETING

Chairperson Benecke reported that the next County Committee will most likely be held in Westminster School District. However, a date has not been determined.

9. ADJOURNMENT:

There being no further business Chairperson Benecke requested to adjourn the meeting. The motion was moved by Virginia Wilson, seconded by Karin Freeman and unanimously approved. The meeting was adjourned at 8:04 p.m.

All documents submitted to the County Committee prior to, during and subsequent to this public hearing have been posted on the County Committee's website at <http://www.ocde.us/CCSDO/Pages/Meeting-Agendas.aspx> and are available for viewing and/or downloading.