

City of Malibu

23825 Stuart Ranch Road • Malibu, California • 90265-4861
Phone (310) 456-2489 • Fax (310) 456-3356 • www.malibucity.org

August 31, 2017

Sent via Email to [Deegan Allison@laoe.edu](mailto:Deegan_Allison@laoe.edu)

Dr. Allison Deegan
Regionalized Business Services Coordinator
Los Angeles County Office of Education
Committee on School District Organization
9300 Imperial Highway
Downey, CA 90242

RE: Petition for Unification of a Malibu Unified School District

Dear Dr. Deegan:

At its Regular meeting on September 15, 2015, the Malibu City Council adopted Resolution No. 15-60 authorizing transmission of the petition for unification of a Malibu Unified School District.

As the petition was not filed with the County Office of Education at that time, a copy of the City Council's resolution is included with this letter in order to begin the process for unification. The City Council and the Malibu community are eager to move this process forward as quickly and expediently as possible, so please advise what additional information or documentation is required.

We appreciate your assistance in this very important matter. If you have any questions, please contact me at (310) 456-2489 ext. 226 or RFeldman@malibucity.org.

Sincerely,

Reva Feldman
City Manager

Attachment: City of Malibu Resolution No. 15-60

Cc: Mayor Peak and Honorable Members of the Malibu City Council

RESOLUTION NO. 15-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU
AUTHORIZING TRANSMISSION OF THE PETITION FOR UNIFICATION OF
A MALIBU UNIFIED SCHOOL DISTRICT TO THE LOS ANGELES COUNTY
SUPERINTENDENT OF SCHOOLS

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

- A. The City of Malibu and the unincorporated area surrounding the City of Malibu (collectively, Greater Malibu), is currently within the territory of the Santa Monica Malibu Unified School District (SMMUSD).
- B. Greater Malibu, and specifically the City of Malibu, has developed significantly since Greater Malibu was organized as part of SMMUSD.
- C. Under current law, the organization of SMMUSD, including both Santa Monica and Greater Malibu, would not be permissible as California Education Code Section 35543, enacted in 1980, provides that "a school district shall not be formed or reorganized to include territory which is separated from other portions of the territory of the district by the territory of one or more other school districts." Greater Malibu is separated from Santa Monica by the Los Angeles Unified School District.
- D. The City of Malibu was incorporated in 1991 and Greater Malibu, despite significant population growth, strives to maintain its rural character, while Santa Monica has developed into a densely-populated, urban community. As those distinct communities have developed, children residing in Greater Malibu have, since 1992, attended public schools from kindergarten through 12th grade entirely within the City of Malibu.
- E. The city centers of Malibu and Santa Monica are separated by several miles, and Santa Monica and Malibu have become distinct communities.
- F. For several years, concerned residents and community groups within Greater Malibu have expressed the desire to organize a separate Malibu school district.
- G. SMMUSD's central office is located in Santa Monica, a significant distance from even the closest portions of Greater Malibu.
- H. Residents of Malibu have expressed concern and frustration that they are not adequately represented by the SMMUSD governing board due to its at-large system of election, and that their concerns about the policies and practices of SMMUSD go largely unaddressed. At-large elections have been known to have this effect where there is a minority community distinct from the overall community, regardless of whether the minority community is a racial/ethnic minority, socio-economic minority, geographic minority, or any other minority community with interests distinct from those of the majority.
- I. The City of Santa Monica adopted a city charter in 1947 that requires its city council and the governing board of SMMUSD to be elected at-large, and that charter provision prevents SMMUSD from adopting district-based elections.

J. The principle civic group that has advocated for the organization of a Malibu Unified School District, Advocates for Malibu Public Schools (AMPS), has worked cooperatively with SMMUSD staff to investigate the feasibility and desirability of organizing a Malibu Unified School District from the existing territory of SMMUSD, and in that effort retained the services of WestEd to prepare a report on the feasibility and desirability of the contemplated unification using data in a large part generated by SMMUSD.

K. The comprehensive report of WestEd, completed on July 16, 2015, confirms that unification of a Malibu Unified School District is both feasible and desirable.

L. The nine criteria for unification of a school district set forth in California Education Code Section 35753 are all satisfied by the contemplated organization of a Malibu Unified School District.

M. The unification of a Malibu Unified School District from the existing territory of SMMUSD will benefit all children in Santa Monica, as well as Greater Malibu, as each of the two resulting school districts will:

- Be better suited to utilize the unique resources, and address the particular needs, of their respective communities
- Have more funds for educating each student than the existing SMMUSD, pursuant to the State's school funding formulas
- Be capable of implementing the distinct educational philosophies of their respective communities
- Continue to promote sound educational performance with no disruption to educational programs
- Not result in a significant increase in school housing costs or otherwise have an adverse effect on the fiscal status of any district

N. Organization of a Malibu Unified School District enables all residents of Greater Malibu to have representation on their local school board through the adoption of by-trustee-area elections.

O. Unification of a school district may be initiated by a resolution of a city council that has jurisdiction over at least a portion of the affected area, pursuant to California Education Code Section 35721(c).

SECTION 2. The City Council does authorize transmission of the petition for unification of a Malibu Unified School District to the Los Angeles County Superintendent of Schools.


SECTION 3. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, and ADOPTED this 16th day of September 2015.



JOHN SIBERT, Mayor

ATTEST:



HEATHER GLASER, Acting City Clerk
(seal)


APPROVED AS TO FORM:



CHRISTI HOGIN, City Attorney

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 15-60 was passed and adopted by the City Council of the City of Malibu at the regular meeting thereof held on the 16th day of September 2015 by the following vote:

AYES:	5	Councilmembers:	House, La Monte, Peak, Rosenthal, Sibert
NOES:	0		
ABSTAIN:	0		
ABSENT:	0		



HEATHER GLASER, Acting City Clerk
(seal)

PREFACE

Most people see school districts as stable or even permanent governmental entities. School district boundaries, however, do change. Territory is transferred from one school district to another, districts are divided or combined with their neighbors, and some districts are terminated. This handbook describes how these changes come about.

This handbook was originally developed in 1993, and revised in 1997, through the joint efforts of the California State Board of Education, the California County Superintendents Educational Services Association, the Fiscal Crisis and Management Assistance Team, and the California Department of Education (CDE). Since 1998, portions of the handbook are updated by the CDE with input from school district organization staff from county offices of education across the state. The handbook is intended as a resource for county committees on school district organization, school district governing boards and administrators, and interested members of the public.

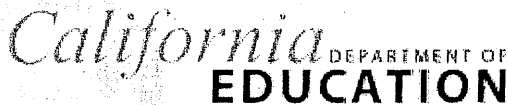
Any comments or suggestions regarding the content of this handbook should be sent to:

School Fiscal Services Division
Charter Apportionments and District Reorganization
California Department of Education
1430 N Street, Suite 3800
Sacramento, CA 95814

NOTES:

The guidance in this handbook is not binding on local educational agencies or other entities. Except for statutes, regulations, and court decisions that are referenced herein, the handbook is exemplary, and compliance with it is not mandatory (see California *Education Code* Section 33308.5).

Permission is hereby granted to county offices of education and school districts (and their agents) to reproduce portions of this publication for educational purposes only and not for resale. The source of the material should be acknowledged. Please see the California Department of Education copyright statement at <http://www.cde.ca.gov/re/di/cr/>.



[Home](#) / [Resources](#) / [Laws & Regulations](#) / [District Organization](#)

District Organization

Reference for procedures and responsibilities for all parties involved in the school district organization process.

[Chapter 1](#) | [Chapter 2](#) | [Chapter 3](#) | [Chapter 4](#) | [Chapter 5](#) | [Chapter 6](#) | [Chapter 7](#) | [Chapter 8](#) | [Chapter 9](#) | [Chapter 10](#) | [Chapter 11](#) | [Chapter 12](#) | [Appendixes](#)

Handbook users frequently want to access specific chapters rather than the entire publication. This Web site is designed to allow selection, reading, and downloading of individual chapters as Microsoft Word (DOC) documents. To identify the chapter containing the specific items of interest, click on a chapter number below to upload that chapter in DOC format, or scroll down for more information about each chapter.

The guidance in this handbook is not binding on local educational agencies or other entities. Except for statutes, regulations, and court decisions that are referenced herein, the handbook is exemplary, and compliance with it is not mandatory (see *California Education Code* Section 33308.5).

Permission is hereby granted to county offices of education and school districts (and their agents) to reproduce portions of this publication for educational purposes only and not for resale. The source of the material should be acknowledged. Please see the California Department of Education [copyright statement](#).

A tool is available to assist LEAs with calculating blended LCFF funding rates for reorganizing school districts. To request a copy of the instructions and Excel file please contact pase@cde.ca.gov.

Preface

[Handbook Description](#) (DOC)

Most people see school districts as stable or even permanent governmental entities. School district boundaries, however, do change. Territory is transferred from one school district to another, districts are divided or combined with their neighbors, and some districts are terminated. This handbook describes how these changes come about.

Chapter 1

[Introduction](#) (DOC)

This chapter lists the source documents, laws, and regulations that are the foundation for the other chapters in this handbook. There are also definitions of common terms used throughout the document. The last section in the chapter discusses the process by which certain functions listed as the responsibilities of the county board of supervisors may have been transferred to the county superintendent of schools.

[back to top](#)

Chapter 2

History of School District Organization in California (DOC)

This chapter will be useful to community members, school district administrators, and county committees on school district organization alike to know the history of the changes in school district organization. The chapter discusses the various methods used over the years by the Legislature to attempt consolidation and overall reduction in the number of school districts.

[back to top](#)

Chapter 3

Organization and Responsibilities of the County Committee (DOC)

The county committee on school district organization has a major role in the review and approval of proposals to change school district organization in the county. This chapter discusses how the members are selected, how committees should function, and how they are financed. In 32 counties in the state, the functions of the county committee on school district organization have been transferred to the county board of education. A list of counties in both categories can be found at the end of this chapter.

This chapter will be of greatest help to county committee members and to county superintendents of schools. They can use this chapter to aid them in calling elections and meetings for the county committees.

[back to top](#)

Chapter 4

Roles and Responsibilities of the State Board of Education and the California Department of Education (DOC)

This chapter discusses the authority and responsibilities of the State Board of Education in school district organization and the assistance and support provided to the State Board by the California Department of Education. The chapter distinguishes between the roles of the county committee on school district organization and of the State Board. Petitioners and county committee members alike will find it useful in understanding what happens to school district organization proposals after the county committee has acted.

[back to top](#)

Chapter 5

Reorganization of School Districts in California (DOC)

This chapter describes step by step the process of forming or abolishing school districts, consolidating school districts, transferring territory from one district to another, and unifying school districts. Anyone involved in school district organization, from petitioners to members of the State Board of Education, will find this chapter useful in understanding legal requirements. The complete process is outlined, including:

- The 25 percent petition process
- The 10 percent petition process
- The guidelines and rules followed by the State Clearinghouse in the Governor's Office of Planning and Research in administering the California Environmental Quality Act (CEQA) and regulations.

Following each chart, the major requirements of reorganization proposals and the review and approval process are discussed in detail. Section A provides a concise overview of the procedures used in reorganizing school districts. At the end of the chapter are checklists to aid county office staff and county committees in tracking required tasks associated with district reorganization.

[back to top](#)

Chapter 6

Legal Criteria Governing Reorganization Proposals (DOC)

This chapter discusses the requirements of *EC* Section 35753 in detail and how the State Board of Education would apply the criteria of Section 35753. Any school district reorganization proposal presented to the county committee and State Board of Education must meet those requirements. Both the State Board of Education and county committees on school district organization are required to evaluate a reorganization proposal and make determinations that the criteria are substantially met. The chapter will be of particular value to members of county committees to assist them in understanding the legal criteria governing reorganization proposals.

Upon receiving the plans and recommendations for a proposal from the county committee, the State Board of Education must hold public hearings on all petitions other than those involving transfer of territory. (*EC* 35752)

The State Board of Education also may review a petition for any reorganization (including a territory transfer) upon an appeal by the chief petitioners of the affected school districts. Appeals of decisions made by county committees to the State Board of Education are allowed under the provisions of *EC* sections 35710.5 and 35711.

The State Board may approve proposals for the reorganization of districts if the board has determined, with respect to the proposal and the resulting districts, that all the minimum conditions under *EC* 35753 are substantially met. These conditions, the statutes and regulations governing the conditions, and guidelines to evaluate the conditions are listed below. (*EC* 35753)

[back to top](#)

Chapter 7

Public Hearings and Election Procedures (DOC)

This chapter lists the requirements for elections and public hearings as they pertain to school district organization, presents the calendar for elections, and discusses setting the area in which to conduct the elections. The area of election has been the subject of several significant court decisions, making this chapter of particular value to legal counsel involved in school district organization proposals. County committee members and petitioners for school district organization change will also find the information useful.

[back to top](#)

Chapter 8

School District Formation Guidelines (DOC)

This chapter provides information for newly elected governing boards, administrators, other staff, and constituents. A management plan encompassing the interim and operational periods should be prepared as a foundation for the formation of a school district.

Section A, "The Interim Period," provides guidelines on tasks to be accomplished in the time span between the date of the successful election and July 1 of the following year, the date on which the new district becomes fully operational for all purposes. During this interim period the new district is organized administratively, and significant policy and planning decisions must be made. Major components are defined and included in a formal written management plan. Table 8.1 is a worksheet listing tasks to be accomplished during the interim period.

Section B, "The Design Period," uses the management plan to define how the district will operate day to day. Table 8.2 is a worksheet listing tasks to be accomplished during the design period.

Section C, "The Implementation Period," discusses the school systems implementation master plan, which specifically identifies all systems supporting the school district. This plan serves as a blueprint to give direction to the incoming operations team and as a reference for the governing board, providing accountability to the community. Table 8.3 lists major tasks to be accomplished during the implementation period.

Sections of this chapter contain lists of issues to be considered by a new governing board when a new school district is established. They are not necessarily applicable to all new districts and should not be considered exhaustive lists. Each governing board of a new district needs to address issues relevant to that specific district. As with other areas of school district organization, guidance from experts (including legal counsel) familiar with local issues should be sought.

[back to top](#)

Chapter 9

The Effects of School District Organization (DOC)

This chapter lists the various effects of a school district organization change on a school district and its employees, property, funds, obligations, bonded indebtedness, and revenue limit. This information is valuable to diverse groups during the processing of a school district organization proposal. An understanding of the legal requirements will be useful to petitioners, electors, and county committees when considering whether a school district organization proposal should be recommended for approval. New governing board members also will find this chapter useful because these requirements must be implemented once the school district organization proposal has been approved and a majority of the voters in the district have voted in favor of the proposal.

[back to top](#)

Chapter 10

Other Functions of the County Committee (DOC)

County committees on school district organization have additional responsibilities in processing proposals regarding the structure, membership, and areas of representation of members of school district governing boards. These requirements are unique to county committees and constitute a major portion of their workload. This chapter is particularly important for committee members.

[back to top](#)

Chapter 11

The Appeals Process (DOC)

Chapter 11 provides a brief summary of the appeals process related to transfers of territory from one school district to another. The issues that may be appealed, the timeline, the steps the appellant must follow, and the options available to the State Board of Education are presented. This chapter will be particularly useful to individual petitioners or school districts contemplating the filing of appeals with the State Board of Education.

[back to top](#)

Chapter 12

Procedures for Reorganizing Community College Districts (DOC)

The legal requirements for district reorganization that apply to community college districts are discussed in this chapter. Procedures affecting community colleges are included in this handbook because county committees on school district organization have responsibilities affecting the community college districts. Legal requirements covering postsecondary education may be found in *EC*, Division 7, "Community Colleges," Section 70900 et seq. Specific information on community college district reorganization or formation is covered in Part 46, chapters 1 through 5, Section 74000 et seq. (see also Section G in this chapter). Otherwise, the functions performed by the State Board of Education for school districts serving kindergarten through grade twelve are performed for community college districts by the Board of Governors of the California Community Colleges. The legal requirements affecting community college districts are published here for the convenience of the county committees on school district organization.

[back to top](#)

Appendixes

Appendix A: (DOC)

State Board of Education Regulations and Criteria Regarding School District Organization

Appendix B: (DOC)

Sample Bylaws of the County Committee on School District Organization

Appendix C: (DOC)

Reorganization of Districts under the Jurisdiction of Different Counties

Appendix D: (DOC)

State Board of Equalization Change of Jurisdictional Boundary

Appendix E: (DOC)

Sample Petition for Transfer of Territory

Appendix F: (DOC)

Sample Notice of Preparation of Draft Negative Declaration/Mitigated Negative Declaration

Appendix G: (DOC)

Environmental Checklist Form

Appendix H: (DOC)

California Environmental Quality Act Forms

Appendix I: (DOC)

California Environmental Quality Act (CEQA) Filing Fee No Effect Determination Form

Appendix J: (DOC)

Guidelines for Public Hearing Agenda

Appendix K: (DOC)

Suggested Procedures for a Public Hearing Conducted by the County Committee on School District Organization

Appendix L: (DOC)

Sample Initial Agenda for the Governing Board of a New School District

Appendix M: (DOC)

Handbook for Conducting Racial And Ethnic Studies in School Districts

[back to top](#)

Questions: Principal Apportionment Section | pase@cde.ca.gov | 916-324-4541

Last Reviewed: Friday, March 24, 2017

B. Process: Quick-Reference Chart 5.4

UNIFICATION INITIATED BY 10% PETITION OR LOCAL AGENCY
(See Flowchart D)

1. Initiation of Proposals for Unification (*EC 35720, EC 35721*)
 - a. Petition signed by at least 10 percent of the registered voters of the entire school district; or,
 - b. Petition signed by at least 5 percent of the registered voters to reorganize a district with over 200,000 ADA into two or more districts; or,
 - c. Resolution approved by a majority of the members of a city council, county board of supervisors, governing body of a special district, or local agency formation commission.
2. Preliminary Hearing (*EC 35721*)
 - a. Following the hearing, the county committee must grant or deny the petition.
 - b. If the petition is granted, the county committee must adopt tentative plans and recommendations and hold one or more public hearings.
3. Public Hearing (*EC 35720.5, 35721*). The county committee is required to hold a public hearing in the area proposed for reorganization. The public hearing should be held no later than 60 days after adopting a tentative recommendation.
4. Notice of Hearing (*EC 35705, 35705.5, 35720.5*). The county committee shall send a notice to the governing board of each school district involved and to the chief petitioners as appropriate at least ten days prior to the hearing. The notice must contain information about the time, place, and purpose of the hearing. The notice of the public hearing must be either:
 - a. Posted at three public places in the school districts involved and at every school in each school district involved, or
 - b. Published in a newspaper of general circulation published within the school district, or, if there is no such newspaper, then in any newspaper of general circulation that is regularly circulated in the district.

A description of any additions and amendments to the petition be made available to the public and to the governing boards affected by the petition at least ten days before the public hearing. The county committee may add to the petition any of the appropriate provisions specified in *Education Code* sections 35730 through 35738.

5. Notice to Local Agency Formation Commission (*EC* 35721.5).

Before initiating proceedings to consider any reorganization plan, the county committee on school district organization shall provide written notice of the proposed action to the local agency formation commission for the affected area.

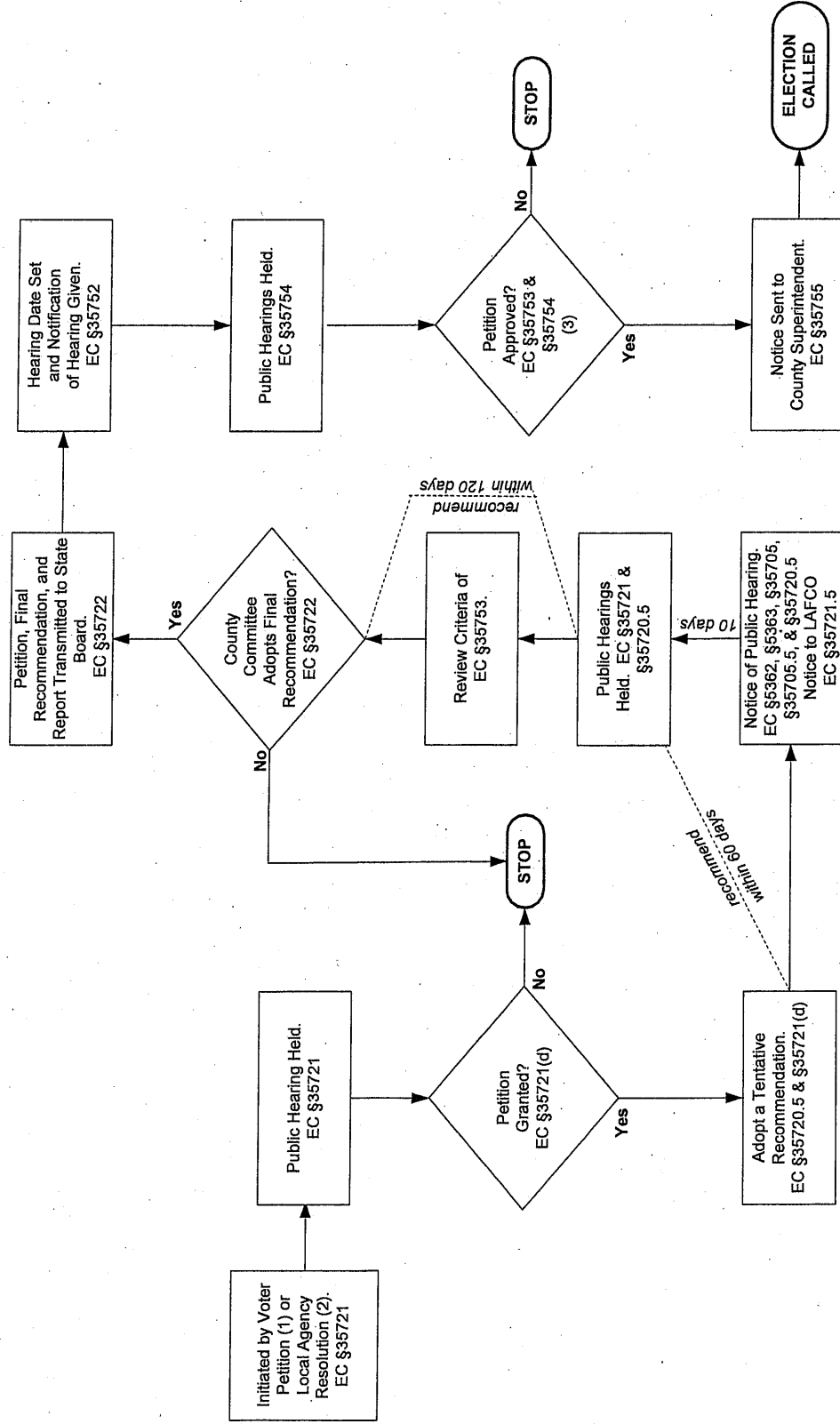
6. County Committee Study of the Unification (*EC* 35706, 35709, 35710, 35722). The county committee study must determine the impact of the unification on the conditions listed in *Education Code* Section 35753.

7. Approval Process (*EC* 35722, 35752 through 35755)

- a. Within 120 days of the first public hearing, the county committee shall make a final recommendation to approve or disapprove the petition.
- b. The county committee may make a recommendation regarding the area of election.
- c. The county committee transmits petition, reports and recommendations to the State Board of Education.
- d. The State Board of Education complies with the requirements of CEQA.
- e. The State Board of Education holds required public hearings.
- f. The State Board of Education approves or disapproves the petition.
- g. If approval is given and an election is required, the county superintendent calls an election in an area determined by the State Board of Education.

Flowchart D

UNIFICATION INITIATED BY 10% PETITION OR LOCAL AGENCY



- (1) A petition to reorganize a district shall be signed by at least 10 percent of the registered voters of the entire district. EC §35721(a). In districts with over 200,000 ADA, a petition to reorganize a district into two or more districts may be signed by 5% of the registered voters. EC §35721(b).
- (2) The city council, county board of supervisors, governing body of a special district, or LAFCO may initiate a proposal to reorganize a district. EC §35721(c)
- (3) The SBE, as lead agency for CEQA, must comply with provisions of CEQA before approving a unification if it determines that the unification is a project under CEQA.

B. Process: Quick-Reference Chart 5.5

**COUNTY COMMITTEE PLANS AND RECOMMENDATIONS
FOR REORGANIZATION
(See Flowchart E)**

1. Proposal formulated under the direction of SBE (*EC 35720*)
2. Public Hearing (*EC 35720.5, 35721*). The county committee is required to hold a public hearing in the area proposed for reorganization. The public hearing should be held no later than 60 days after adopting a tentative recommendation.
3. Notice of Hearing (*EC 35705, 35705.5, 35720.5*). The county committee shall send a notice to the governing board of each school district involved and to the chief petitioners as appropriate at least ten days prior to the hearing. The notice must contain information about the time, place, and purpose of the hearing. The notice of the public hearing must be either:
 - a. Posted at three public places in the school districts involved and at every school in each school district involved, or
 - b. Published in a newspaper of general circulation published within the school district, or, if there is no such newspaper, then in any newspaper of general circulation that is regularly circulated in the district.

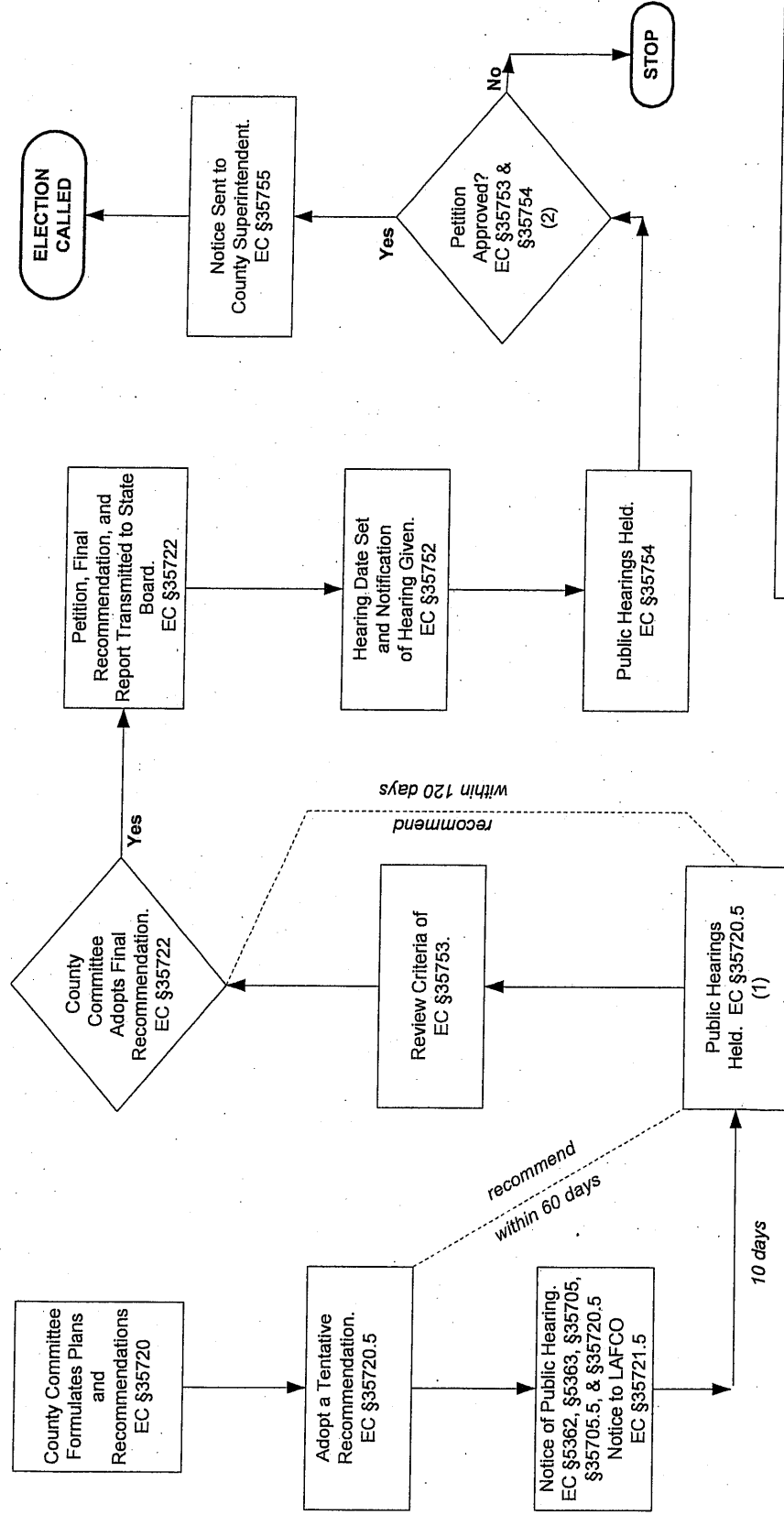
A description of any additions and amendments to the petition must be made available to the public and to the governing boards affected by the reorganization at least ten days before the public hearing. The county committee may add to the petition any of the appropriate provisions specified in *Education Code* sections 35730 through 35738.

4. Notice to Local Agency Formation Commission (*EC 35721.5*).

Before initiating proceedings to consider any reorganization plan, the county committee on school district organization shall provide written notice of the proposed action to the local agency formation commission for the affected area.
5. County Committee Study of the Reorganization (*EC 35706, 35709, 35710, 35722*). The county committee study must determine the impact of the reorganization on the conditions listed in *Education Code* Section 35753.

6. Approval Process (EC 35722, 35752 through 35755)
- a. Within 120 days of the first public hearing, the county committee should make a final recommendation to approve or disapprove the plan or petition.
 - b. The county committee may make a recommendation regarding the area of election, if required.
 - c. The county committee transmits reports and recommendations to the State Board of Education.
 - d. The State Board of Education complies with the requirements of CEQA.
 - e. The State Board of Education holds required public hearings.
 - f. The State Board of Education approves or disapproves the plan or petition.
 - g. If approval is given and an election is required, the county superintendent calls an election in an area determined by the State Board of Education.

COUNTY COMMITTEE PLANS AND RECOMMENDATIONS



(1) Public hearing must be held at least 30 days prior to submission of final recommendation to State Board of Education.
 (2) The SBE, as lead agency for CEQA, must comply with provisions of CEQA before approving a unification if it determines that the unification is a project under CEQA.

B. Process: Quick-Reference Chart 5.6

UNIFICATION APPROVED
BY THE COUNTY COMMITTEE
(See Flowchart F)

1. Proposals Eligible for Approval by County Committee
 - a. Petitions for unification under *EC* 35700 (see Quick Reference Chart 5.3, step 1); or
 - b. Tentative recommendation adopted by the county committee pursuant to *EC* 35721 (see Quick Reference Chart 5.4, step 2[b]).
2. Conditions Required for Approval by County Committee (*EC* 35710[b])
 - a. County superintendent grants approval authority to the county committee.
 - b. The governing board of each affected school district consents to the petition.
 - c. The secretary of the county committee enters into an agreement for all affected districts to share costs of complying with the California Environmental Quality Act.
3. Public Hearings (*EC* 35705, 35705.5). A public hearing in each affected district must be held by the county committee within 60 days of receipt of a valid petition.
 - a. Notice of the public hearing shall be given at least ten days in advance of the hearing.
 - b. County committee may add to the petition any of the appropriate provisions specified in *EC* sections 35730 through 35738.
4. Notice to Local Agency Formation Commission (*EC* 35700.5, 35721.5). Before initiating proceedings to consider any reorganization plan, the county committee on school district organization shall provide written notice of the proposed action to the LAFCO for the affected area.
5. CEQA Review (*Public Resources Code* sections 21000 through 21177). The county committee must determine the impact that the reorganization may have on the environment prior to approving the unification.

6. County Committee Study of the Unification (*EC 35753*). The county committee study must determine the impact of the unification on the conditions listed in *Education Code* Section 35753.
7. Approval Process (*EC 35710*)
 - a. If the conditions of *Education Code* Section 35710 are met, the county committee may approve or disapprove the unification within 120 days of the first public hearing or within 120 days of CEQA compliance if CEQA is required.
 - b. If the county committee disapproves the unification, the petition is transmitted to the State Board of Education pursuant to *Education Code* Section 35707(a) and heard by the State Board of Education pursuant to *Education Code* Section 35708. The approval process then follows steps 6(d) through 6(g) of Quick-Reference Chart 5.3. In such cases, the State Board of Education becomes the lead agency for purposes of CEQA.
 - c. If the county committee approves the unification, the county superintendent must call an election in an area determined by the county committee.
8. An action by the county committee approving a petition for unification may be appealed to the State Board of Education by the chief petitioners or one or more affected school districts. (*EC 35710.5*)
 - a. Appellants, except for affected school districts, shall file with the county committee a notice of appeal within five days after the final action of the county committee.
 - b. Affected school districts shall file a notice of appeal within 30 days after the final action of the county committee.
 - c. Within 15 days after filing the notice of appeal, appellants shall file a statement of reasons and factual evidence.
 - d. Within 15 days of receipt of the statement of reasons and factual evidence, the county committee shall send to the State Board of Education the statement and the complete administrative record of the county committee proceedings.
9. Any person questioning the finding of the county committee that the proposed reorganization will not adversely affect the racial or ethnic integration of the schools of the districts affected may appeal a decision based on that finding to the State Board of Education within 30 days after the final action of the county committee. (*EC 35711*)

UNIFICATION APPROVED BY COUNTY COMMITTEE

