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CUSD parents say they've collected 62,000 signatures in recall drive

The CUSD Recall Committee has collected enough signatures to force a recall election of two Capistrano Unified school board members, organizers say.

By SCOTT MARTINDALE

SAN JUAN CAPISTRANO – A parents group on Tuesday announced it has collected about 62,000 signatures – 50 percent more than required – to recall two Capistrano Unified school board members named in an Orange County District Attorney’s Office report on illegal school board activities.

The CUSD Recall Committee, which is working to remove trustees Sheila Benecke and Marlene Draper, said during a press conference outside district headquarters that it would conclude its five-month petition drive Friday.

“We know with certainty that there are more than enough signatures in these boxes to certify this recall,” said committee member Tony Beall, a Rancho Santa Margarita city councilman, motioning to eight large boxes filled with the recall petitions.

The committee needs 40,986 signatures – 20,493 per trustee – to qualify for an election that could oust Benecke and Draper. The signatures are due to the Orange County Registrar of Voters office Jan. 29.

Benecke and Draper, described as the “worst offenders” on the school board, have allowed “a culture of corruption to infect our school district” and “grossly mismanaged” district finances, according to the CUSD Recall Committee.

Benecke and Draper have denied all of the allegations and say they have no intention of resigning. They were elected to do a job that they will see to completion, they say. Their terms expire in November; Draper says she will not run for reelection.

“I think it’s very sad that the recall group would want to waste precious tax dollars to hold a special recall election just months before the regularly scheduled November election,” Draper said. “We are facing a huge deficit from the state of California, and now is the time for all of us to provide the best education possible for children.”

The CUSD Recall Committee said it would give Benecke and Draper until noon Friday to resign, which would eliminate the need for the recall election.

In October, the Orange County District Attorney's Office determined the seven-member board had repeatedly violated California open-meeting laws by discussing key district issues during private, all-day Saturday meetings in 2005, including cost overruns associated with construction of a \$38 million administration building.

The four school board members from that time period who are still in office – including Benecke and Draper – voted to accept the district attorney's findings and to "commit to cease such violations in the future," according to the Oct. 22 resolution.

CUSD Recall Committee members say they've worked diligently to ensure their recall election will be certified this time. In 2005, Capistrano Unified parents tried to recall all seven Capistrano Unified school board members.

Although parents collected about 25,000 signatures per trustee – about 25 percent more than the required 20,000 – the Registrar of Voters office tossed out about 7,000 signatures because the petition signers had not filled in the address information themselves. The disqualified signatures cost the parents the recall election.

At Tuesday's press conference, organizers said they scrutinized election law and consulted with four attorneys who are members of the recall committee. They also said they cross-checked each petition with the Registrar of Voters' database to ensure the signer was a registered voter. The process took "hundreds of thousands" of volunteer hours and the help of a core group of about 40 parent volunteers.

Benecke and Draper reaffirmed Tuesday they would not give into recall organizers by resigning.

"It's a personal attack from people who are demanding that we vote the way this small group wants us to vote," Benecke said. "We won't respond to their every bid and demand."

Benecke and Draper said that despite the political uproar, they are proud of the high levels of student achievement and the district's ability to meet growing population demands through new school construction.

A recall election could cost the district anywhere from \$288,000 to \$784,000, depending on whether the election stands alone or coincides with a general election, according to the Registrar of Voters.

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