



## **RESOLUTION NO. 2017/18-002**

### **Resolution To Initiate a Transition To a By-Trustee Area Election System Commencing With the 2018 Governing Board Election and Statement Of Intent To Seek a Waiver of the Election Requirement From the State Board of Education**

WHEREAS, the Santa Rosa City Schools' Board of Education ("Board") is keenly aware of the importance of maintaining a fair election system;

WHEREAS, the Board has always strived to listen to all voices in the community and represent all of our community;

WHEREAS, the Board reaffirms our mission to educate all of our students and provide a safe and welcoming learning environment for students, teachers, and staff;

WHEREAS, California Education Code sections 5019(a) & (c)(1) and 5030 authorizes the Sonoma County Committee on School District Organization ("County Committee"), upon application of a school district's governing board, to change the method of election of governing board members in a school district under its jurisdiction;

WHEREAS, the California Voting Rights Act (Elections Code §§ 14025 *et seq.*) ("CVRA") prohibits the use of an "at-large" election system for governing board members of a school district if the "at-large" elections impair the ability of a protected class to elect candidates of its choice, or its ability to influence the outcome of an election;

WHEREAS, Governing Board ("Board") Members of the Santa Rosa City Schools ("District") are currently elected using an "at-large" election system (i.e., election system in which registered voters of the entire jurisdiction elect candidates to the governing board);

WHEREAS, the Board has spent substantial time and expended significant efforts in researching, investigating and analyzing the CVRA and the transition to a "by-trustee area" election system;

WHEREAS, the Board based on its own investigation and analysis hereby directs staff to initiate the process to establish "by-trustee area;"

WHEREAS, the Board recognizes the importance of utilizing and analyzing the most up-to-date demographic data as permissible by law during this transition process;

WHEREAS, although Education Code section 5020 requires that a County Committee's resolution approving a change in the method of electing governing board members be submitted to the electorate for its approval at the school district's next regular election, the Board intends to

seek a waiver of the voter approval requirement as permitted by law. Education Code sections 33050-33053 authorize the State Board of Education to waive this voter approval requirement, which could reduce the costs and risks associated with a school district's transition to a "by-trustee area" election system;

WHEREAS, the Board finds it is appropriate to seek a waiver of the election requirement in Education Code section 5020, and portions of sections 5019, 5021, and 5030, to ensure the timely implementation of the "by-trustee area" election system commencing with the 2018 Governing Board election, to reduce costs for the District associated with placing an item on the ballot and to reduce any potential legal liability or financial risk to the District under the CVRA;

WHEREAS, the adoption of "by-trustee area" elections will not affect the terms of any sitting Board members, each of whom will serve out his or her current term; and

WHEREAS, the Board has retained legal counsel and a specialized demographer to assist the District to develop draft proposals for a "by trustee-area" based electoral system following receipt of community input and feedback;

WHEREAS, the Board, cognizant of its reduced operating revenues and need for fiscal responsibility, desires to implement this change in the manner of electing Board members in the most cost effective and efficient manner.

NOW, THEREFORE, the Governing Board of the Santa Rosa City Schools does hereby resolve, order and determine as follows:

1. The above recitals are true and correct.
2. The Board hereby determines that the trustee area boundary lines shall be developed based on the most up-to-date data as permissible by law to provide for "by-trustee area" elections commencing in 2018.
4. Staff is directed to publish all relevant materials to this process, including: relevant maps, information, notices, agendas, other materials regarding "by-trustee area" elections, and to establish means of communication to answer questions from the public.
5. The Board intends to comply with the timelines required pursuant to Elections Code section 10010, which includes 5 public hearings.
6. By this resolution, and pursuant to Education Code sections 5019(a) and 5030, the Board directs District staff to transmit this resolution to the Sonoma County Committee on School District Organization to apply to have the County Committee adopt a change in the method of electing members of the board from "at-large" elections [Education Code section 5030(a)] to "by-trustee area" elections [Education Code section 5030(b)] commencing with the 2018 Board elections.
7. The Board shall apply to the County Committee for establishment of trustee areas pursuant to Education Code section 5019(a) in a timely manner to have the 2018 elections for the Board conducted within the new trustee areas.

8. The Superintendent, or her designee, shall send a copy of this resolution to the County Committee for action in accordance with law.

9. The Superintendent, or her designee, is hereby directed to prepare an additional Board resolution, and implement the applicable legal requirements in a timely manner, to seek a waiver from the State Board of Education of the election requirement imposed by Education Code section 5020.

10. The Superintendent, or her designee, shall consult with legal counsel to resolve all legal issues necessary to give effect to this resolution.

11. The foregoing resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board on August 9, 2017, at a duly noticed meeting by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

I, Laurie Fong, Clerk of the Governing Board of the Santa Rosa City Schools, HEREBY CERTIFY that the foregoing Resolution was duly introduced, passed and adopted by the Board at a meeting thereof held on August 9, 2017.

IN WITNESS THEREOF, I have hereto set my hand this \_\_\_\_ day of \_\_\_\_\_, 2017.

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Clerk of the Governing Board  
Santa Rosa City Schools