

**RESOLUTION OF THE GOVERNING BOARD
OF THE ELK GROVE UNIFIED SCHOOL DISTRICT
Resolution No. 72, 2020-21**

**Resolution Authorizing the District to Seek a Waiver from the State Board of Education
Regarding Electorate Approval of the Proposed Change from At-Large to By-Trustee
Board Elections**

WHEREAS, board members of the Elk Grove Unified School District (“District”) are currently elected using a hybrid version of an “at-large” election system in which registered voters of the entire jurisdiction elect candidates to the Governing Board, but board members reside in defined trustee areas;

WHEREAS, on May 4, 2021, the Board adopted Resolution No. 67, 2020-21, redeclaring its intent to transition to a by-trustee area election system, where each trustee must reside within a designated trustee area boundary, and is elected only by the voters in that trustee area;

WHEREAS, pursuant to Elections Code section 10010(a)(1), the Board held two public hearings (May 4, 2021 and May 18, 2021) to gather public input regarding potential trustee area boundaries;

WHEREAS, the District, with assistance from a demographer, will hold a minimum of two additional public hearings to seek public input on the proposed trustee area maps and on the proposed sequence of elections;

WHEREAS, the District will hold an additional public hearing before adopting a trustee-area map and submitting it to the Sacramento County Committee on School District Organization (“County Committee”) for consideration;

WHEREAS, Education Code sections 5019 and 5030 authorize the County Committee, upon application of the District Board, to change the method of election of the Board from at-large to by-trustee area;

WHEREAS, if the County Committee approves this request to change the method of electing Board members, Education Code section 5020 requires the County Committee’s resolution of approval to be submitted to the electorate for its approval;

WHEREAS, the District would have to incur a monetary cost to hold an election to approve the change in voting methods;

WHEREAS, Education Code sections 33050-33053 authorize the State Board of Education to waive this voter approval requirement, which could eliminate this election cost, and expedite the timeline for implementation of the by-trustee area elections;

WHEREAS, in light of the above, the Board wishes to request that the State Board of Education waive the election requirement set forth in the Education Code;

WHEREAS, on May 18, 2021, the Board held a public hearing on the proposed waiver application to solicit input from the public and the District’s stakeholders;

WHEREAS, the District properly posted a timely notice of the public hearing in a newspaper of general circulation, and at various sites within the District; and

WHEREAS, the District complied with the notice and consulting requirements set forth in Education Code sections 33050, *et seq.*

NOW, THEREFORE, the Board hereby resolves, orders and determines as follows:

1. The above recitals are true and correct; and
2. The Board hereby authorizes the Superintendent/designee to seek a full waiver of Education Code section 5020, and partial waivers of Education Code sections 5019, 5021, and 5030 to effectuate the District’s goal of moving to a by-trustee area elections system without electorate approval; and
3. The District Superintendent/designee is hereby authorized and directed to take any other actions necessary to effectuate the purposes of this resolution.

PASSED AND ADOPTED by the Board on May 18, 2021, at a duly noticed meeting and public hearing by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

I, Dr. Crystal Martinez-Alire, Clerk of the Board of Trustees of the Elk Grove Unified School District, HEREBY CERTIFY that the foregoing Resolution was duly introduced, passed and adopted by the Board at a lawfully called meeting held on May 18, 2021, by a vote of ____ to ____.

Dr. Crystal Martinez-Alire, Clerk, Board of Trustees
Elk Grove Unified School District