



**PUBLIC HEARING:
APPLICATION FOR WAIVER OF
ELECTION REQUIREMENT FOR
TRANSITION TO A BY-TRUSTEE
AREA ELECTION SYSTEM**

San Mateo-Foster City School District, June 28, 2021

Purpose of Tonight's Public Hearing

- On June 10, 2021, the Board adopted a Resolution Stating Intent of Board of Trustees to Transition From At-Large to a By-Trustee Area Election System.
- If the County Committee on School District Organization ultimately approves the District's request to change the method of electing trustees, Education Code section 5020 requires the County Committee's resolution of approval to be submitted to the electorate for its approval.
- An election to approve the change in voting methods will result in a significant cost to the District, and Education Code sections 33050-33053 authorize the State Board of Education to waive this voter approval requirement, which could reduce the cost and expedite the timeline for implementation of the by-trustee area elections.

Waiver Process in a Nut-Shell

- Consult with Advisory Committees/School Site Councils
- Consult with Bargaining Units
- Public hearing and Board vote on waiver request
- Submittal of waiver request to State Board of Education

PLEASE NOTE**

- THE WAIVER DOES NOT ELIMINATE THE PUBLIC'S RIGHT TO VOTE FOR SCHOOL BOARD MEMBERS! YOUR RIGHT TO VOTE FOR SCHOOL BOARD MEMBERS WILL NOT BE ELIMINATED.
- If the measure were to go on the ballot for voter approval - there would be two options to vote: 1) Yes to transitioning to By-Trustee Area elections, or 2) No to transitioning to By-Trustee Area elections.
- If the measure were to fail, the District would not be shielded from potential litigation pursuant to the California Voting Rights Act.

What Happens if SBE Approves the Waiver

- Once the waiver is approved by the State Board of Education, the District can conduct subsequent elections for the Board of Education as by-trustee area elections.

Recap: Why Waive the Election Requirement?

- Allows transition to CVRA-compliant election process to be effective for the 2022 election, avoiding potential claims under CVRA
- Avoid costs associated with elections
- Avoid uncertainty as to outcome of election to approve change in election method
- It may be viewed as incompatible with civil rights to ask majority to decide whether minority voting rights should be protected

Goal of Tonight's Public Hearing:

To Solicit Input From the Public and District Stakeholders Regarding the Submission of an Application to Waive the Election Requirement as Part of the Transition to By-Trustee Area Elections