

**CAMPBELL UNION SCHOOL DISTRICT
RESOLUTION # 2019-20-10**

**INTENT TO TRANSITION FROM AT-LARGE TO BY-TRUSTEE AREA BOARD
ELECTIONS**

WHEREAS, the Board of Trustees (“Board”) of the Campbell Union School District (“District”) is elected “at-large,” meaning that each trustee is elected by voters of the entire District;

WHEREAS, trustees are elected in even-numbered years and serve staggered, four-year terms, such that the next election for two trustees is scheduled for November 2020, with the remaining three trustees scheduled for election in November 2022;

WHEREAS, under the California Voting Rights Act (Elec. Code, § 14025, *et seq.*) (“CVRA”), at-large elections are impermissible if they result in racially polarized voting. Racially polarized voting is defined as “voting in which there is a difference . . . in the choice of candidates or other electoral choices that are preferred by voters in a protected class, and in the choice of candidates and electoral choices that are preferred by voters in the rest of the electorate” (Elec. Code, § 14026, subd. (e));

WHEREAS, to minimize the potential for impermissible racially polarized voting, and further to limit the possibility of litigation against the public agency under the CVRA, many public agencies in California conduct “by trustee-area” elections, where each trustee must reside within the designated trustee area boundary, and is elected only by the voters in that trustee area;

WHEREAS, the Board understands the importance of fair and accessible elections, and greatly values the opinions and voices of all members of the District’s community;

WHEREAS, while the Board does not believe that its current form of elections violate the CVRA, it does believe that it is in the public interest to begin the process to transition from at-large to trustee-area elections;

WHEREAS, in 2016 the California Legislature amended Elections Code section 10010 to provide an updated process for school districts to transition from at-large to by-trustee area elections;

WHEREAS, pursuant to Elections Code section 10010, subdivision (a)(1), the Board will hold a minimum of two public hearings to seek public input regarding the composition of the trustee areas prior to developing proposed trustee-area boundary maps;

WHEREAS, the Board will hold a minimum of two additional public hearings to seek public input on the proposed trustee-area maps developed with assistance from a demographer and on the proposed sequence of elections (Elec. Code, § 10010, subd. (a)(2));

WHEREAS, the Board will hold an additional public hearing before adopting a trustee-area map and submitting it to the Santa Clara 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 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 trustees, Education Code section 5020 requires the County Committee’s resolution of approval to be submitted to the electorate for its approval; and

WHEREAS, in the alternative, the District may seek a waiver of this voter approval requirement from the State Board of Education, pursuant to Education Code sections 33050-33053.

THEREFORE, the Board of Trustees of the Campbell Union School District hereby resolves as follows:

1. The above recitals are correct and true.
2. This Resolution is passed and adopted pursuant to Elections Code section 10010, subd. (e)(3)(A).
3. The District shall commence the process of transition to by-trustee area elections, in full compliance with all appropriate procedures and policies provided in law, including but not limited to Education Code sections 5019, 5030, and 33050, *et seq.*, and Elections Code sections 10010 and 14025, *et seq.*, with the intention of completing the process within 90 days of this Resolution’s passage.
4. Staff is directed to engage a demographer, legal counsel, and any other consultant deemed required to assist in the development of proposed by-trustee area boundaries.
5. The District Superintendent/designee are hereby authorized and directed to take any other actions necessary to effectuate the purposes of this resolution.

PASSED AND ADOPTED by the Board of Trustees of the Campbell Union School District, at a regular meeting of the Board of Trustees held September 19, 2019, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed and adopted by the members of the Board of Trustees of the Campbell Union School District, at a public meeting of said Board held on September 19, 2019.

Pablo A. Beltran, Clerk of the Board

Shelly Viramontez, Ed.D. Superintendent