

SAMPLE "RESOLUTION TO INITIATE A CHANGE OF THE DISTRICT'S ELECTION SYSTEM TO BY-TRUSTEE AREA ELECTIONS FOR THE 2022 GOVERNING BOARD ELECTION"

WHEREAS, California Education Code Sections 5019(a) & (c)(I) and 5030 authorize the Santa Barbara County Committee on School District Organization ("County Committee"), upon application of a school district's governing board, to change the method of election in a school district under its jurisdiction; and

WHEREAS, Members of the Board of Education of the _____ School District ("School District" or "District") are currently elected in "at-large" elections, i.e., elections in which "each governing board member [is] elected by the registered voters of the entire school district" [Education Code Section 5030(a)J]; and

WHEREAS, the at-large system has, over the years, well-served the District, and no one has demanded that the District change its method of election; and

WHEREAS, it is the considered view of the Board of Education that starting with the 20__ board elections and with the benefit of the 2020 census data, the public interest may also be well-served by election of its governing board members in "by-trustee area" elections, i.e., elections in which "one or more members residing in each trustee area [is] elected by the registered voters of that particular trustee area" [Education Code section 5030(b)]; and

WHEREAS, the Board of Education believes that "by-trustee area" elections may best serve residents and empower members of minorities; and

WHEREAS, additionally, "at-large" electoral systems like the one currently used by the district, have been subjected to challenges throughout the State under the California Voting Rights Act (CVRA), Elections Code Sections 14025-14032; and

WHEREAS, the _____ School District does not wish to encounter costly litigation; and

WHEREAS, data from the federal 2020 Census will permit trustee areas to be drawn and implemented using the most up-to-date demographic data available; and

WHEREAS, although Education Code section 5020 requires that a County Committee's resolution approving a change in the method of electing board members be submitted to the electorate for its approval at the district's next regular election, the Board of Education intends to seek a waiver of the voter approval requirement as permitted by law; and

WHEREAS, Education Code Sections 33050-33053 authorize the State Board of Education to waive this voter approval requirement, which could reduce the costs associated with this proposed change in the manner of electing board members; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

A. The Board intends to take all needed and appropriate steps, including through the engagement and participation of District residents, to move from an at-large system electing members of the Board of Education to a by-district system beginning in 20__, following the 2020 Dicennial Census.

B. The Board hereby determines that the trustee area boundary lines shall be developed to provide for elections by trustee areas for its elections in 2022.

C. Before submitting a specific proposal for a trustee area plan using the 2020 census data, public hearings shall be scheduled to obtain public input on such proposals.

D. The Board of Education intends to apply to the Santa Barbara County Committee for establishment of trustee areas pursuant to Education Code Section 5019(a) in a timely manner to have the 2022 elections for the board conducted within the new trustee areas.

PASSED AND ADOPTED at a regular meeting of the Board of Trustees of the _____ School District held on ____, 2018 by the following vote:

AYES: _____ **NOES:** _____ **ABSENT:** _____

Attest: _____
Secretary/President