

Santa Barbara Unified School District Board of Education

AGENDA STAFF REPORT

April 16, 2018

ITEM FOR BOARD CONSIDERATION

Consider instituting by-trustee area elections for Board of Education seats by the November 2022 regular election in furtherance of the California Voting Rights Act. District general counsel, Craig Price, will give a presentation on the background and issues.

STAFF RECOMMENDATION

1. Review and discuss
2. Receive public input and consider taking action on the attached draft Resolution at a following meeting

SANTA BARBARA UNIFIED SCHOOL DISTRICT RESOLUTION NO. ____

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

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WHEREAS, California Education Code sections 5019(a) & (c)(l) 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 Santa Barbara Unified 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)]; 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 2022 board elections and with the benefit of the 2020 census data, the public interest may best be served in the future by election of its Board of Education 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, 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 District does not wish to encounter the risk of 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 approval, 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 of electing members of the Board of Education to a by-trustee area system beginning in 2022, following the 2020 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 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 of Education conducted within the new trustee areas.

PASSED AND ADOPTED by the Santa Barbara Unified School District Governing Board of Education, County of Santa Barbara, State of California, this __ day of ____, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

State of California)
) SS
County of Santa Barbara)

I, _____, Clerk of the Board of Trustees of the Santa Barbara Unified School District of Santa Barbara County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said board at a regular meeting thereof by the vote above stated, which resolution is on file and of record in the office of said board.

Clerk of the Board

Date