

West Contra Costa Unified School District
Resolution No. 64-1718
INTENT TO TRANSITION FROM AT-LARGE TO TRUSTEE-AREA BOARD
ELECTIONS

WHEREAS, the Board of Education (“Board”) of the West Contra Costa Unified 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 three trustees is scheduled for November 2018, with the remaining two trustees scheduled for election in November 2020;

WHEREAS, on January 22, 2018, the District received correspondence asserting that the District’s current at-large elections violate the California Voting Rights Act (Elec. Code, § 14025, *et seq.*) (“CVRA”), and demanding that the District adopt “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, under the 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, the District understands the importance of fair and accessible elections, and greatly values the opinions and voices of all members of the District’s community;

WHEREAS, the Board has concluded 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 trustee-area elections;

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

WHEREAS, the District 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 retained by the District (Elec. Code, § 10010, subd. (a)(2));

WHEREAS, the District will hold an additional public hearing before adopting a trustee-area map and submitting it to the Contra Costa 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 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;

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; and

WHEREAS, the Board intends to effectuate the change to trustee area elections in time for the November 2018 regularly scheduled Board elections. However, the Board understands that the process is complex, requires the approval of other public agencies, and must be approached with care and careful consideration, and therefore acknowledges that there is a possibility that the trustee-area elections will not be implemented until the November 2020 election.

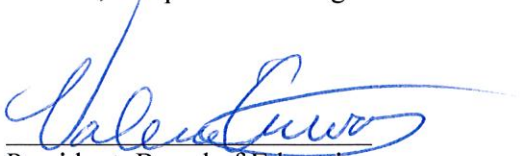
NOW, THEREFORE, BE IT RESOLVED, the Governing Board of the West Contra Costa Unified School District hereby resolves as follows:

1. The above recitals are correct and true.
2. The District shall commence the process of transition to 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.*
3. Staff is directed to engage a demographer, legal counsel, and any other consultant deemed required to assist in the development of proposed trustee-area boundaries.
4. 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 Education of the WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT, at a regular meeting of the Board of Education held on March 21 2018, by the following vote:

Ayes:	<u>4</u>
Noes:	<u>1</u>
Absent:	<u>0</u>
Abstain:	<u>0</u>

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed, and adopted by the members of the Governing Board of the West Contra Costa Unified School District, at a public meeting of said Board held on March 21 2018.



President, Board of Education
West Contra Costa Unified School District



Clerk, Board of Education
West Contra Costa Unified School District