

REDLANDS UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 28, 2015-2016

**Resolution Initiating Process of Establishing Trustee Areas
And Elections By Trustee Areas**

WHEREAS, the Redlands Unified School District (District) does not have trustee areas for the members of its Board of Education (Board), and the District currently utilizes an at-large method of election to select Board members; and

WHEREAS, the Board is aware that under State law an at-large method of election may be deemed to impair the ability of some voters to elect candidates of their choice or to influence the outcome of an election and, therefore, may be subject to challenge under the California Voting Rights Act of 2001 (CVRA), California Elections Code §§ 14025, *et seq.*; and

WHEREAS, the Board, based on this awareness, has had an ongoing interest in the issue, and has studied the issue, and has decided to initiate the process of establishing trustee areas and changing the method of electing members of the Board, in order to ensure compliance with the CVRA or, at minimum, avoid the potential for costly litigation under the CVRA; and

WHEREAS, transitioning to a by-trustee area election method is and should be a time consuming process, because the process does and should allow for extensive public input, includes public input and the involvement of the San Bernardino County Committee on School District Organization, as well as potentially seeking and obtaining a waiver of the requirement for an election from the State Board of Education, rendering it infeasible to complete a transition in time for the November, 2016 election; and

WHEREAS, Education Code section 5020 requires that a County Committee's resolution approving a change in the method of electing Governing Board members be submitted to the electorate for its approval at the school district's next regular election, the Board intends to seek a waiver of the voter approval requirement as permitted by law. Education Code sections 33050-33053 authorize the State Board of Education to waive this voter approval requirement, which could reduce the costs and risks associated with a school district's transition to a by trustee area election system; and

WHEREAS, the Board intends to initiate a very deliberate, careful, and public process for establishing trustee areas, and for changing the method of electing members of the Board, to take effect commencing with the November, 2018 election.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby finds the foregoing recitals to be true and correct; and

BE IT FURTHER RESOLVED that the Board directs the Superintendent or her designee to immediately initiate the legal and regulatory process to establish trustee areas within the District, as provided in Education Code section 5019, in sufficient time for trustee areas to be established for the November, 2018 election of members of the Board; and

BE IT FURTHER RESOLVED that the Board directs use of the following Federal Voting Right Act permissible criteria for the development of trustee areas:

- Each Trustee Area shall contain a nearly equal number of inhabitants
- Each Trustee Area shall be drawn to comply with the Federal Voting Rights Act
- Each Trustee Area shall be contiguous, as much as possible
- Trustee boundaries shall respect communities of interest, as much as possible.
- Trustee boundaries shall follow man-made and natural geographic features, as much as possible

BE IT FURTHER RESOLVED that the Board may use additional criteria so long as they do not violate the Federal Voting Rights Act, and as such recognizing that Redlands Unified School District serves the cities of Redlands, Highland, Loma Linda, San Bernardino and the communities of Forest Falls, and Mentone, as well as unincorporated areas of the County, the Board desires members to serve the *entire district* rather than specific regions; therefore, to accomplish this goal, the Board directs the following additional criteria to be used:

- Each Trustee Area shall include portions of at least two cities or communities
- Each Trustee Area should contain portions of two High School attendance boundaries
- Each Trustee Area must contain multiple school sites (physical location) within its boundaries
- Each Trustee Area must contain multiple elementary or middle school attendance boundaries within its boundaries

BE IT FURTHER RESOLVED that the Board directs the Superintendent or her designee to immediately initiate the legal and regulatory process of changing the method of electing members of the Board, from the current at-large system whereby each member of the Board is elected by the registered voters of the entire District (Education Code section 5030(a)), to a method which provides that Board members residing in each trustee area will be elected by the registered voters of that particular trustee area (Education Code 5030(b)), in sufficient time for the new method of electing members of the Board to be in place for the November 2018 election; and

BE IT FURTHER AND FINALLY RESOLVED that the Superintendent or her designee is authorized and directed to initiate the legal and regulatory process to seek a waiver, from the State Board of Education, of the requirements of Education Code section 5020 and related statutes, so that action of the San Bernardino County Committee on School District Organization establishing trustee election areas and adopting one of the alternative methods of electing Board members specified in Education Code section

5030 does not constitute an order of election, and that trustee area elections will therefore be commenced effective with the November 2018 election.

The foregoing resolution was passed and adopted by the Governing Board of the Redlands Unified School District on May 24, 2016.

GOVERNING BOARD OF THE
REDLANDS UNIFIED SCHOOL DISTRICT

Ayes: 5
Noes: 0
Abstain: 0
Absent: 0

Patty S. Joloha
N. E. Hiller
Donna West
Ron McPeck
Paul Warner