GOVERNING BOARD OF THE
JEFFERSON SCHOOL DISTRICT
SAN JOAQUIN COUNTY, CALIFORNIA

RESOLUTION NO. 2023-11-01

RESOLUTION TO INITIATE THE PROCESS OF ESTABLISHING TRUSTEE AREAS AND ELECTIONS BY-TRUSTEE AREAS

WHEREAS, The Jefferson School District ("District") currently uses an at-large system of electing its Governing Board ("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 elections and, therefore, may be subject to challenge under the California Voting Rights Act of 2001, California Elections Code §§ 14025, *et seq.* ("CVRA"); and

WHEREAS, the Board, based on this awareness, has had an ongoing interest in the issue, and has independently 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 a time consuming process, which requires public input, the involvement of the San Joaquin County Committee on School District Organization, and the State Board of Education, therefore, the Board intends to complete the process of changing to the by-trustee area election methodology, and hold its initial by-trustee area election of Board members, commencing with the November, 2024 Board 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 his designee to immediately initiate the legal and regulatory process, including the retention of counsel and demographic experts, 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, 2024 election of members of the Board; and

BE IT FURTHER RESOLVED that the Board directs the Superintendent or his 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, 2024 election; and

BE IT FURTHER RESOLVED that the Superintendent or his designee is authorized and directed to initiate the legal and regulatory process of changing the method of electing members

of the Board in a manner that is inclusive, thoughtful, and public, in order to encourage significant participation throughout the process from interested citizens and stakeholder groups; and

BE IT FURTHER RESOLVED that the Superintendent or his 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 Joaquin County Committee on School District Organization establishing trustee area elections and adopting one of the alternative methods of electing Board members specified in Education Code section 5030 does not constitute an order of election so that trustee area elections can commence effective with the November, 2024 election; and

BE IT FURTHER AND FINALLY RESOLVED that the Superintendent is authorized to do all things necessary and proper to accomplish the purposes of this Resolution.

ADOPTED, SIGNED AND APPROVED this ___ day of November, 2023.

_____
President of the Governing Board for the
Jefferson School District

I, _____, Clerk of the Governing Board of the Jefferson School District, do hereby certify that the foregoing Resolution was adopted by the Governing Board of said District at a meeting of said Board held on the ____ day of November, 2023, and that it was so adopted by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

_____
Clerk of the Governing Board of the
Jefferson School District