

**NATOMAS UNIFIED SCHOOL DISTRICT**

**Resolution No. 21-03**

IN THE MATTER OF: Initiate a Transition to a By-Trustee Area Election System  
Commencing with the 2022 Governing Board Election

The following RESOLUTION was duly passed by the Board of Trustees of the Natomas Unified School District, at a regular meeting held on the 20<sup>th</sup> of January 2021, by the following roll call vote:

Jag Bains \_\_\_\_\_  
Micah Grant \_\_\_\_\_  
Ericka Harden \_\_\_\_\_  
Susan Heredia \_\_\_\_\_  
Lisa Kaplan \_\_\_\_\_

Signed and approved by me after its passage:

\_\_\_\_\_  
Susan Heredia, President

Attest:

\_\_\_\_\_  
Ericka Harden, Clerk

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**WHEREAS**, California Education Code sections 5019 and 5030 authorize the Sacramento County Committee on School District Organization (“County Committee”), upon application of a school district’s Governing Board, to change the method of election of governing board members in a school district under its jurisdiction;

**WHEREAS**, the California Voting Rights Act (“CVRA”) disfavors the use of an “at-large” election system for governing board members of a school district if the “at-large” election system may impair the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election;

**WHEREAS**, board members of the Natomas Unified School District (“District”) are currently elected using on “at-large” election system (i.e., election system in which registered voters of the entire jurisdiction elect candidates to the Governing Board);

**WHEREAS**, the Board desires to promote meaningful voter involvement in the election of Board members and increase the ability of candidates to seek elected office;

**WHEREAS**, it is the considered view of the Board that the public interest will be better served by election of its board members using a “by-trustee area” election system (i.e., elections in which one candidate residing in each trustee area is elected by only the registered voters in that particular trustee area);

**WHEREAS**, the boundaries for trustee areas in a by-trustee area election system are established based on population counts and demographics from the most recent United States' census; and

**WHEREAS**, the United States' census count occurs every ten (10) years with the last census count occurring in 2010 ("2010 Census") and the next census count scheduled to take place on April 1, 2020 ("2020 Census"), with the results to be made available to state and local agencies on or after March, 2021;

**WHEREAS**, due to the Coronavirus pandemic the results of the 2020 Census will be delayed and are not expected to be released until on or after July 1, 2021;

**WHEREAS**, if the District transitioned to by-trustee area elections prior to the release of the 2020 Census, the trustee areas would be established based on the 2010 Census, which (1) may not fairly and accurately reflect the current voter population distribution and demographics of the District, and (2) would require the District to incur additional, duplicative costs to adjust the trustee areas based on the 2020 Census as required by Education Code Section 5019.5;

**WHEREAS**, further due to the Coronavirus pandemic Governor Newsom issued Executive Orders N-34-20 and N-38-20 which toll the public hearing requirements and safe harbor provisions of the CVRA while social distancing measures remain in place;

**WHEREAS**, the adoption of "by-trustee area" elections will not affect the terms of any Board members serving or elected during this transition, each of whom will serve out his or her full term; and

**WHEREAS**, the Board, cognizant of its need to be fiscally responsible, desires to implement this change in the manner of electing board members in a cost effective and efficient manner but with all deliberate speed following release of the 2020 Census data.

**NOW, THEREFORE**, the Board hereby resolves, orders and determines as follows:

1. The above recitals are true and correct;
2. Trustee area boundary lines shall be developed based on the most updated federal decennial census data following its release in 2021 to provide for "by-trustee areas" elections to be implemented in the 2022 and 2024 election cycles;
3. After the availability of the 2020 Census, pursuant to Education Code sections 5019, 5030 and other applicable provisions of law, the Board directs District staff to transmit this resolution to the County Committee so that the County Committee will be on notice of the District's intent, to adopt a change in the method of electing members of the Board from "at-large" elections to "by-trustee area" elections commencing with the 2022 Board elections;
4. Before submitting a final proposal to the County Committee for trustee area maps using the 2020 federal census data, multiple public hearings in accordance with Elections Code section 10010 and other applicable laws shall be scheduled to obtain public input on the draft maps and proposals;

5. The Board shall apply to the County Committee for establishment of trustee areas pursuant to Education Code section 5019 in a timely manner and as soon as feasible to have the 2022 elections for the Board conducted within the new trustee areas;
6. The Superintendent, or designee, is hereby directed to contract with National Demographics Corporation or other reputable demographer as soon as possible following adoption of this resolution to ensure that the District is able to move with all deliberate speed following release of the 2020 census data;
7. The Superintendent, or designee, is hereby directed to prepare additional Board resolutions and documents, as needed, to meet all applicable legal requirements in a timely manner acting with all deliberate speed, and to seek a waiver from the State Board of Education of the election requirement imposed by Education Code section 5020;
8. The Superintendent, or designee, shall consult with legal counsel to take all steps necessary to implement and give effect to this resolution; and
9. The foregoing resolution shall take effect immediately upon its adoption.