

**OCEANSIDE UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 39 (16-17)**

**ESTABLISHING AND IMPLEMENTING TRUSTEE AREA  
DISTRICT ELECTIONS FOR BOARD MEMBERS  
PURSUANT TO ELECTIONS CODE SECTION 10010**

**WHEREAS**, the Oceanside Unified School District Board of Education (“Board”) is uniquely aware of the importance of maintaining a fair election system; and

**WHEREAS**, the Board strives to insure that the Oceanside Unified School District (“District”) election system never results in the dilution of votes and polarized voting patterns; and

**WHEREAS**, the Board is aware of the significant role the California Voting Rights Act of 2001 plays in District election systems; and

**WHEREAS**, members of the Board of the District are currently elected at-large; and

**WHEREAS**, members of the Board are elected in even numbered years to serve staggered four year terms such that the next election for three Board members is scheduled for 2018, with the remaining two board members scheduled for election in 2020; and

**WHEREAS**, on April 28, 2017, based on the belief that the public interest would be better served by election of its governing board members in "by-trustee area" elections, the Board authorized the District Superintendent to commence the process of dividing the District into five trustee areas, to be implemented in the 2018 election; and

**WHEREAS**, the Board is authorized to change to a trustee-area system or by a district based system upon approval of the County Committee on School District Organization and the State Board of Education; and

**WHEREAS**, the Board has determined that it is in the best interest of the District to move from its current at-large electoral system to a trustee-area based election for members of the Board in furtherance of the purposes of California Voting Rights Act; and

**WHEREAS**, District enlisted the services of National Demographics Corporation to prepare several by-trustee area election system map options for the Board's consideration; and

**WHEREAS**, District informed its stakeholders of the District's intention to proceed with a by-trustee area election system and sought to obtain input from stakeholders regarding the proposed map options; and

**WHEREAS**, all public hearings were noticed as follows: posting on the District website at least ten (10) calendar days in advance of the hearing and publication at least ten (10) days in advance of the hearing in the newspaper adjudicated to provide notice within the District's boundaries; and

**WHEREAS**, on May 31, 2016, and June 2, 2017, the Board held public hearings to solicit and provide input regarding the composition of the potential trustee area draft maps, including the demographer's presentation; and

**WHEREAS**, on June 5, 2017, District posted online and made available at the District Office the draft maps; and

**WHEREAS**, on June 10, 2017, (Session 1) and June 10, 2017, (Session 2), the District held Interactive Community Map Drawing Workshops #1 and #2 to review and solicit input regarding the content of the draft maps and the proposed sequence of elections, including the demographer's presentation; and

**WHEREAS**, on June 13, 2017, and June 14, 2017, the Board held public hearings to review and solicit input regarding the content of the draft maps and the proposed sequence of elections; including the demographer's presentation; and

**WHEREAS**, on June 16, 2017, was the deadline for the Community to submit a proposed map; and

**WHEREAS**, on June 19, 2017, proposed maps were posted online and available at the District Office; and

**WHEREAS**, at its meeting on June 26, 2017, the Board voted to divide the District into trustee areas as designated in the map attached hereto as Exhibit A; and

**WHEREAS**, California Education Code sections 5019 and 5030 authorize the San Diego County Committee on School District Reorganization ("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**, if the County Committee approves this request to change the method of electing board members, Education Code section 5020 requires the County Committee's resolution of approval to be submitted to the electorate for its approval; and

**WHEREAS**, an election to approve the change in voting methods will result in a cost to the District, and 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

**WHEREAS**, District requests the State Board of Education to waive California Education Code Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish a by-trustee-area method of election to reduce the potential for litigation and to establish by-trustee-area elections as expeditiously as possible and that none of the grounds specified in Education Code Section 33051, which authorize denial of a waiver exist; and

**WHEREAS**, the District moves to make this transition from an at-large system to a trustee area based system in accordance with Elections Code 10010; and

**WHEREAS**, in determining the final sequence of staggered district elections, the Board will give special consideration to the purposes of the California Voting Rights Act, and will take in to account the preferences expressed by the members of the districts; and

**NOW, THEREFORE**, the Oceanside Unified School District Board of Education does hereby resolve as follows:

**SECTION 1.** All of the above recitals herein contained are true and correct and the District's Board of Education so finds and determines.

**SECTION 2.** The District's Board of Education hereby resolves, pursuant to Elections Code section 10010, to adopt a trustee area based election system for use in the District's General Election for District Board Members.

**SECTION 3.** The District's Board of Education voted to divide the District into trustee areas as designated in the map attached hereto as Exhibit A;

**SECTION 4.** By this resolution, and pursuant to Education Code sections 5019, 5030 and other applicable provisions of law, the District's Board of Education hereby applies to the County Committee to adopt a change in the method of electing members of the District's Board of Trustees from "at-large elections" (California Education Code section 5030(c)) to "by-trustee elections" (California Education Code section 5030(b)) so that the change can be implemented in the election cycles scheduled in 2018 and 2020.

**SECTION 5.** The District Superintendent and his designee are hereby authorized and directed to send a copy of this Resolution to the County Committee and to work with the County Committee and the San Diego County Election's Office to conduct all legally required hearings and other acts necessary to effectuate the intent of this resolution.

**SECTION 6.** District requests the State Board of Education to waive California Education Code Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish a by-trustee-area method of election to reduce the potential for litigation and to establish by-trustee-area elections as expeditiously as possible and that none of the grounds specified in Education Code Section 33051, which authorize denial of a waiver exist; and

**SECTION 7.** The District Superintendent and his designee are hereby authorized and directed to seek a waiver from the State Board of Education of the election requirement imposed by the Education Code;

**SECTION 8.** If necessary to facilitate the implementation of this Resolution, the District Superintendent is authorized to make technical adjustments to the trustee area boundaries that do not substantively affect the populations in the trustee areas, the eligibility of candidates, or the residence of elected officials within any trustee area. The District Superintendent shall advise the District's Board of Education of any such adjustments required in the implementation of the trustee area.

