

**RESOLUTION OF THE GOVERNING BOARD NUMBER 2018-19-04
OF THE RAMONA UNIFIED SCHOOL DISTRICT**

**Resolution to Initiate a Transition to a By-Trustee Area Election System
Commencing with the 2020 Governing Board Election Pursuant to Elections
Code Section 100010**

WHEREAS, the Ramona 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 ensure that the Ramona 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 (“CVRA”) plays in District election systems; and

WHEREAS, members of the Board 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 two Board members is scheduled for 2020, with the remaining three Board members scheduled for election in 2022; and

WHEREAS, the District has been threatened with litigation in the event that the Board does not agree to an election of its Board Members by-trustee area elections, the Board authorizes the District Superintendent to commence the process of dividing the District into five trustee areas, to be implemented in the 2020 election; and

WHEREAS, the Board, as guardians of public funds, believe that there is no other choice but to capitulate to the demand for Board elections to be determined using by-trustee areas; and

WHEREAS, the Board does not believe in its current election structure that there is evidence of polarized voting or minority disenfranchisement. We believe that the proposed change to trustee-areas will result in disenfranchisement and polarization of voters of all demographics.

The Board recognizes its fiduciary responsibility to guard public funds and agrees to this process despite serious reservations on its impact to the district at large; and

WHEREAS, the Board is authorized to change to a by-trustee area election system upon approval of the County Committee on School District Organization (“County Committee”) and the State Board of Education; and

WHEREAS, the data from the federal Census and additional permissible sources will permit trustee areas to be drawn and implemented in the District using the most up-to-date demographic data available; and

WHEREAS, although Education Code section 5020 requires that a County Committee resolution approving a change in the method of electing governing Board members be submitted to the electorate for its approval at the District’s next regular election, the Board finds it is appropriate to seek a waiver of the election requirement in Education Code section 5020, and portions of sections 5019, 5021, and 5030, pursuant to Education Code sections 33050-33053, to ensure the timely implementation of the by-trustee area election system commencing with the year 2020 Board election, in order to reduce costs for the District associated with placing an item on the ballot and to reduce any potential legal liability or financial risk to the District under the CVRA.

WHEREAS, the adoption of “by-trustee area” elections will not affect the terms of any sitting Board members, each of whom will serve out his or her current terms.

NOW THEREFORE, the Governing Board of the Ramona Unified School District does hereby resolve, order and determine as follows:

SECTION 1. All of the above recitals herein contained are true and correct and the Board so finds and determines.

SECTION 2. The Board hereby resolves, pursuant to Elections Code section 10010, to adopt a by-trustee area election system for use in the District’s general election for District Board Members.

SECTION 3. The Board hereby determines that the trustee area boundary lines shall be developed based on federal Census data to provide for by-trustee area elections commencing in 2020.

SECTION 4. By this resolution, and pursuant to Education Code sections 5019, 5030, and other applicable provisions of law, the District's Board hereby applies to the County Committee to adopt a change in the method of electing members of the District's Board from at-large elections to by-trustee area elections, so that the change can be implemented in the election cycles in 2020 and 2022.

SECTION 5. The District's Superintendent and/or her 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. By this resolution, and pursuant to Education Code sections 5019(a) and 5030, the Board directs District staff to transmit this resolution to the San Diego County Committee on School District Organization to apply to have the County Committee adopt a change in the method of electing members of the board from " at-large" elections. The 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 to find that none of the grounds specified in Education Code section 33051, which authorize denial of a waiver exist; and

SECTION 7. If necessary to facilitate the implementation of this Resolution, the District's 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's Superintendent shall advise the District's Board of any such adjustments required in the implementation of the trustee areas.

SECTION 8. The District's Superintendent is authorized to take any and all other necessary actions to give effect to this Resolution.

