

**RESOLUTION NO. BR-1920-041**

**BOARD OF EDUCATION OF THE  
YUBA CITY UNIFIED SCHOOL DISTRICT**

**Resolution Outlining Intention to Transition to Trustee Area Elections**

---

**WHEREAS**, the Board of Education (“Board”) of the Yuba City Unified School District (“District”) is elected in a so-called “hybrid” system, wherein Board members reside within separate trustee areas, but are elected “at-large,” meaning that each Board member is elected by voters of the entire District;

**WHEREAS**, Board members are elected in even-numbered years and serve staggered, four-year terms;

**WHEREAS**, under the California Voting Rights Act (“CVRA”), at-large elections are impermissible if they result in racially polarized voting. Racially polarized voting is defined as “voting in which there is a difference [...] in the choice of candidates or other electoral choices that are preferred by voters in a protected class, and in the choice of candidates and electoral choices that are preferred by voters in the rest of the electorate.” (Elec. Code, § 14026, subd. (e));

**WHEREAS**, the District understands the importance of fair and accessible elections, and greatly values the opinions and voices of all members of the District’s community;

**WHEREAS**, the Board has concluded that it is in the public interest to begin the process to transition from at-large to trustee area (also called “district-based) elections;

**WHEREAS**, California Education Code sections 5019 and 5030 authorize the Sutter County Committee on School District Organization (“County Committee”), upon application of the Governing Board of any school district situated within the jurisdiction of the County Committee, to change the method of election of Govern Board members;

**WHEREAS**, the United States decennial (10 year) census, last held in 2010 and reoccurring in 2020, with census results scheduled to be released in March 2021, will yield substantial demographic data that is likely to significantly impact on the manner in which the boundaries of individual trustee areas will be reconfigured, in a by-trustee area election system;

**WHEREAS**, the Board believes that it will conserve financial resources for the planned transition to trustee-area elections to be promptly commenced following the March 2021 release of 2020 census results for the Yuba City Unified School District region; and

**WHEREAS**, notwithstanding a process for completing re-districting after the release of the census results, trustee areas can be finalized and elections take place for vacant trustee seats in the November 2022 and November 2024 elections. Based on the time required to complete all steps in the re-districting process, awaiting 2020 census results will not result in delay in effectuating a transition to by-trustee area elections.



**NOW THEREFORE**, the Governing Board of the Yuba City Unified School District hereby resolves as follows:

1. The above recitals are correct and true.
2. The District shall commence the process of transitioning to trustee area elections, in full compliance with all appropriate procedures and policies provided in law, including but not limited to Education Code sections 5019, 5030, and 33050, et seq., and Elections Code sections 10010 and 14025, et seq., with the intention of completing the process following the release of the U.S. decennial census for 2020.
3. To facilitate this transition, upon release of such 2020 census results, projected for March 2021, the Superintendent or designee shall:
  - a. Cause to be held at least two (2) public hearings of this Board over a period of no more than thirty (30) days, at which the public is invited to provide input regarding the composition of the trustee areas. Before these hearings, the Superintendent or designee may conduct outreach to the public, including to non-English-speaking communities, to explain the districting process and to encourage public participation.
  - b. Thereafter, cause to be drawn draft district maps of the proposed boundaries of the trustee areas.
  - c. Thereafter, cause those draft trustee area maps of the proposed boundaries of the trustee areas to be published and made available for release, and, if members of the Board of the District will be elected in their trustee areas at different times to provide for staggered terms of office, the potential sequence of the elections.
  - d. Thereafter, cause to be held at least two additional hearings of this Board over a period of no more than forty-five (45) days, at which the public is invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections, if applicable. The first version of a draft map shall be published at least seven (7) days before consideration at a hearing. If a draft map is revised at or following a hearing, it shall be published and made available to the public for at least seven (7) days before being adopted.
  - e. Thereafter, once the draft map or maps and the proposed sequence of elections, if applicable, have been approved by this Board, such approval to be effected by a duly enacted Resolution of this Board, the Superintendent or designee shall cause such Resolution to be transmitted to the County Committee for hearing and consideration pursuant to Section 5019 of the Education Code.



4. Concurrent with the performance of the items resolved in Sections 2.a through 2.d above, and in preparation for the Board considering, at the same meeting at which the draft map is adopted described in 2.d above, a proposed "General Waiver Request" to be submitted to the State Board of Education pursuant to Sections 33050 et seq. of the Education Code to waive portions of sections 5019, 5020, 5021, and 5030 of the Education Code (which would otherwise require an election to approve the transition from "at-large" elections to "trustee area" elections), the Superintendent or designee shall:
  - a. Consult with all collective bargaining units of the District, make every effort to include them as a participant in the waiver process, and note the collective bargaining units' position regarding the waiver in the General Waiver Request.
  - b. Consult with all committees and councils with an interest in the General Waiver Request and note the position of such groups regarding the waiver in the District's General Waiver Request.
  - c. Distribute a notice specifically inviting public testimony regarding the General Waiver Request, said notice to be published in a newspaper of general circulation and include the date, time, location, and subject of the hearing.
  - d. Cause a public hearing to be held as indicated in such notice on the General Waiver Request, after which time the Board can act by Resolution to approve the General Waiver Request.
5. The Superintendent or designee is directed to engage a demographer, legal counsel, and any other consultant deemed required to assist in the development of proposed trustee area election map.
6. The Superintendent or designee is hereby authorized and directed to take any other actions necessary to effectuate this Resolution.

APPROVED AND ADOPTED by the Governing Board of the Yuba City Unified School District, this 10th day of March 2020, by the following vote:

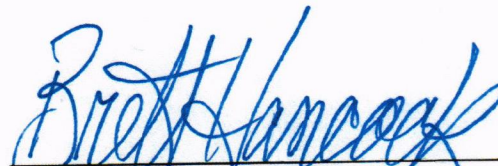
AYES: 6

NOES: 0

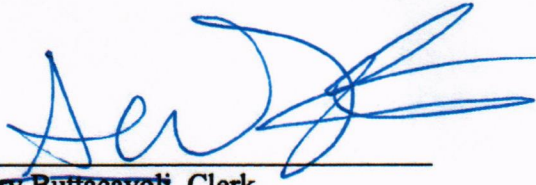
ABSENT: 1 *Bottacavoli*

ABSTAIN: 0

Signed and approved by me after its passage.

  
Brett Hancock, President

Attest:



Mary Buttacavoli, Clerk

