

RESOLUTION NO. 03-12-20-32

**BOARD OF EDUCATION OF THE
FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT**

**Resolution Regarding Waiver of Election Pertaining to District-Based Board Member
Elections**

WHEREAS, the Board of Education (District Board) has commenced the process of transitioning to district-based elections, in full compliance with all appropriate procedures and policies provided by 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 within ninety (90) days of this Resolution's passage.

WHEREAS, once draft re-districting map or maps and the proposed sequence of elections, if applicable, have been approved by the District Board, such approval to be effected by a duly enacted Resolution, the Superintendent or designee shall cause such Resolution to be transmitted to the County Committee on School District Reorganization (County Committee) for hearing and consideration pursuant to Education Code section 5019.

WHEREAS, pursuant to Education Code sections 5019, 5020, 5021, and 5030, following County Committee approval of the District Board adopted trustee area maps, law requires that an election request be submitted to the county elections office seeking voter approval of the rearrangement of trustee areas, such trustee areas to be effective for the next district election occurring at least 120 days after the approval of the voters.

WHEREAS, notwithstanding the above, Education Code section 33050 allows the District Board of Education to request a General Waiver of the above-mentioned Education Code Sections, and associated election, which, upon approval by the California Board of Education (State Board) would cause the new trustee areas to be implemented at the first regular district elections occurring at least 120 days following submission of the General Waiver to the county elections office.

WHEREAS, the District Superintendent and/or her designees have:

- a. Consulted with all collective bargaining units of the District, made every effort to include them as participants in the waiver process, and has communicated to the Board the collective bargaining units' position regarding the waiver in the General Waiver Request.
- b. Consulted with all committees and councils with an interest in the General Waiver Request and has communicated to the Board the position of such groups regarding the waiver in the General Waiver Request.
- c. Distributed a notice specifically inviting public testimony regarding the General Waiver Request, said notice having been published in a newspaper of general

circulation and include the date, time, location, and subject of the hearing on the instant Resolution.

- d. Caused a public hearing to be held as indicated in such notice on the General Waiver Request, allowing the Board to now and herein act by this Resolution to approve the General Waiver Request.

NOW THEREFORE, the Governing Board of the Folsom Cordova Unified School District hereby resolves as follows:

- 1. The Superintendent or designee is hereby authorized and directed to:
 - a. Prepare a "General Waiver Request" to be submitted to the State Board of Education pursuant to Education Code sections 33050, et seq. to waive portions of Education Code sections 5019, 5020, 5021, and 5030 (which would otherwise require an election to approve the transition from "at-large" elections to "district-based" elections); and
 - b. Perform other actions necessary to effectuate this Resolution.

APPROVED AND ADOPTED by the Governing Board of the Folsom Cordova Unified School District, this 12th day of March 2020, by the following vote:

AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0

Signed and approved by me after its passage.

Attest: David Reid
David Reid, Clerk

Chris Clark
Chris Clark, President