

MARIN COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
Special and Annual Organizational Meeting – 1015 7th Street, Novato, 94945
Wednesday, November 20, 2019
6:00 p.m.

A G E N D A

The special meeting of the Marin County Committee on School District Organization (CCSDO) will be held on **Wednesday, November 20, 2019, 6:00 p.m.**, in the Board Room at the Novato Unified School District Office, 1015 7th Street, Novato, 94945.

- | | |
|--|-------------|
| 1. Call to Order | Ms. O'Brien |
| 2. Attendance/Introductions | Ms. O'Brien |
| 2a. Committee Members by Roll Call | Ms. Mares |
| 3. Administer Oath of Office | Ms. Mares |
| Elected CCSDO Members | |
| • Karen Crockett, Supervisorial District #1 | |
| • Elizabeth Robbins, Supervisorial District #2 | |
| • Robin Moses, Supervisorial District #3 | |

ACTION ITEMS

- | | |
|--|-------------|
| 4. Consider Approval and Adoption of Agenda | Ms. O'Brien |
| 5. Consider Approval of Minutes, CCSDO Meeting of October 21, 2019 | Ms. O'Brien |
| 6. Election of Officers | |
| The County Committee will elect the Chairperson | Ms. O'Brien |
| and Vice-Chairperson | |

PUBLIC HEARING—Establish Novato Unified School District Trustee Area Elections

- | | |
|---|-----------|
| 7. Informational Items | Ms. Mares |
| 7a. Novato Unified Presentation 15 minutes | |
| 7b. Informational Memo | |
| 7c. Proposal and Resolutions | |
| • Novato Unified Proposal Letter | |
| • Novato Unified Timeline Memo | |
| • Novato Unified Resolution Proposal No. 24-2018-2019 | |
| • Novato Unified Resolution Proposal No. 19-2019/2020 | |
| • Novato Unified Resolution Proposal No. 20/2019-2020 | |
| • Exhibit A: Trustee Area Boundary Map and Demographics | |

7d. Education Code Sections

- Education Code Section 5019(c)(2)
- Education Code Section 5020
- Education Code Section 5021
- Education Code Section 5030

8. Consider Approval of the Marin CCSDO Resolution No: 002-2019
Establishing Trustee Areas and Alternate Method of Election for
Novato Unified School District

Ms. O'Brien

OTHER ITEMS

9. LAFCO Notices Received

Ms. Mares

10. Report of County Committee Members

Ms. O'Brien

11. Report of Secretary Designee of County Committee

Ms. Mares

ADJOURNMENT

Ms. O'Brien

MARIN COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
310 Nova Albion Way, San Rafael, CA 94903

MARIN COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
Special Meeting
October 21, 2019
5:30 p.m.

Meeting Minutes

The Special Meeting of the Marin County Committee on School District Organization (CCSDO) was held on October 21, 2019 at 5:30 p.m., in the Board Room at the San Rafael City Schools District Office, 310 Nova Albion Way, San Rafael, CA 94903.

1. Call to Order

Ms. O'Brien

Chairperson O'Brien called the meeting to order at 5:30 p.m. The meeting was held in the Board Room at the San Rafael City Schools District Office, San Rafael.

Chairperson O'Brien stated that the primary purpose of meeting is to hold a Special Meeting of the Marin County Committee on School District Organization.

Chairperson O'Brien asked if there was anyone wishing to address the county committee on items not listed on the agenda. No one wished to address the county committee at this time.

2. Attendance/Introductions

Ms. O'Brien

a. Committee Member Roll Call

Ms. Mares

Committee Member	Present Y/N
Stephanie O'Brien, Chairperson	Y
Stuart Tanenberg, Vice Chairperson	Y
Debbie Butler	Y
Elizabeth Robbins	N
Jennifer Treppa	Y
Jim Lino	Y
Karen Crockett	Y
Kathy Ohm	N
Raoul Wertz	N
Richard Sloan	Y
Robin Moses	N

A roll call vote indicated that a quorum was present.

Members of the county committee introduced themselves.

District Representatives: Jim Hogeboom, Superintendent, San Rafael City Schools
Christina Perrino, Communications Director, San Rafael City Schools
William Tunick, Attorney at Law, Dannis Wolvier Kelley

Staff members present: Terena Mares, Secretary Designee
Sally Chacon, Recorder
Gavin Pugsley, Recorder

ACTION ITEMS

3. Approval and Adoption of Agenda Ms. O'Brien

M/s Tanenberg / Lino approval of Agenda as submitted.

Motion carried/failed: Aye 6 No 0 Abstain 1 Absent 4

4. Approval of Minutes, CCSDO Meeting of August 22, 2019 Ms. O'Brien

M/s Treppa / Tanenberg approval of the Meeting Minutes, August 22, 2019.

Motion carried/failed: Aye 6 No 0 Abstain 0 Absent 5

PUBLIC HEARING – San Rafael City Schools Trustee Area Elections

Chairperson O'Brien opened the public hearing on the San Rafael City Schools Trustee Area Elections.

5. Informational Items Ms. Mares

Secretary Designee Ms. Mares provided an overview of the informational memo included in the agenda materials summarizing the background for San Rafael City Schools District to seek changing its method of election from at large to trustee areas, demographics of the San Rafael City Schools District, the role of the County Committee, and next steps.

In addition, the County Committee received the following informational materials:

5b. San Rafael City Schools Proposal and Resolutions

- San Rafael City Schools Proposal Letter
- San Rafael City Schools Resolution Proposal No. 1920-1
- San Rafael City Schools Resolution Proposal No. 1920-3
- Exhibit A: Trustee Area Boundary Map and Demographics

5c. Education Code Sections

- Education Code Section 5019(c)(2)
- Education Code Section 5020
- Education Code Section 5021
- Education Code Section 5030

As part of the informational materials, San Rafael City Schools shared a presentation with the County Committee on how the Trustee Areas and By-Area method of elections were established.

Chairperson O'Brien opened the floor for additional discussion of the resolution from the County Committee.

County Committee thanked the San Rafael City Schools District for a very informative presentation.

Chairperson O'Brien closed the public hearing on the San Rafael City Schools Trustee Area Elections.

6. Approval of the Marin CCSDO Resolution No: 001-2019 Establishing Trustee Areas and Alternate Method of Election for the San Rafael City Schools Ms. O'Brien

M/s Lino / Tanenberg approval of the Marin CCSDO Resolution No: 001-2019 Establishing Trustee Areas and Alternate Method of Election for the San Rafael City Schools

Motion carried/failed: Aye 7 No 0 Abstain 0 Absent 4

OTHER ITEMS

Ms. Mares

7. Annual Organizational Meeting / Reschedule of the CCSDO Novato Unified School District Public Hearing

Secretary Designee Ms. Mares stated that the Annual Organizational Meeting of the Marin County Committee on School District Organization will be scheduled to coincide with the reschedule of the County Committee Novato Unified School District Public Hearing.

ADJOURNMENT

Ms. O'Brien

M/s Crockett / Tanenberg to adjourn the meeting at 6:08 p.m.

Motion carried/failed: Aye 7 No 0 Abstain 0 Absent 4

Date: November 15, 2019

To: Marin County Committee for School District Organization

From: Terena Mares, Deputy Superintendent

Subject: Novato Unified Proposal for Trustee Area Elections and Alternate Method of Election

Background

The California Voting Rights Act of 2001 (CVRA) was signed into law in 2002. The CVRA prohibits the use of “at large” elections where their use impairs the ability of a protected class to elect candidates of its choice, or its ability to influence the outcome of elections. Novato Unified seeks to change its method of election from at large to trustee areas.

Novato Unified

The Novato Unified School District (NUSD) provides for the education of 7,600 students.

There are seven elementary schools and one K-8 school. There is also one K-8 charter school operating under NUSD.

Along with two middle schools and two high schools, NUSD also has an Education Center housing a continuation high school (Marin Oaks), an independent study student program (NOVA) serving grades K-12, and a community day school (Nexus) currently serving 7th and 8th grade students.

In 2019, the district formed a committee charged with advising the Novato Unified to seek approval of a change to trustee area elections, beginning with the November 2020 election.

Role of the County Committee

Education Code 5019 empowers the County Committee to establish trustee areas as part of its duties.

Education Code 5030 states “whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members”. Novato Unified Resolution # 1920-3 proposes one member residing in each trustee area be elected by the registered voters of that particular trustee area.

Education Code 5020 states the resolution of the County Committee approving a proposal to establish trustee areas, to adopt one of the alternative methods of electing governing board members shall constitute an order of election.

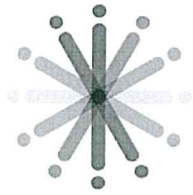
Education Code 33050 allows a governing board of a school district to request the State Board of Education waive all or part of any section of the Education Code. Novato Unified is seeking such a

waiver of the election process from the State Board of Education for Education Code sections 5019, 5020, 5021, and 5030.

County Committee Next Steps

Staff has therefore prepared a DRAFT resolution for the County Committee (Resolution #002-2019) for consideration, which details the specific elements of the proposal from the Novato Unified. There are two components to the Novato Unified proposal, which are outlined in two separate District Resolutions.

- Resolution #24-2018-2019; Resolution initiating process of establishing trustee areas and elections by-trustee areas.
- Resolution # 19-2019/2020; Proposal to select Alternate Method of Election: change from at large to trustee areas
- Resolution # 20/2019-2020; State Board of Education Waiver of election to avoid the cost, expense, uncertainty, and potential liability inherent in conducting a districtwide vote on the issue.



NOVATO
UNIFIED
SCHOOL
DISTRICT

Kris Cosca, EdD
Superintendent

1015 7th St
Novato, CA 94945

T: (415) 493-4211
www.nusd.org

November 18, 2019

Terena Mares
Deputy Superintendent
Marin County Office of Education
1111 Las Gallinas Avenue
San Rafael, CA 94903
tmares@marinschools.org

Re: Novato Unified School District's Proposal for By-Trustee Area Elections

Dear Ms. Mares:

I write to you in your capacity as staff to the Marin County Committee on School District Organization ("County Committee") on behalf of Novato Unified School District ("District"). The District hereby submits its proposal pursuant to Education Code section 5019 to establish trustee areas and by-trustee area elections for the District's Board of Trustees ("Board").

At its November 5, 2019 meeting, the Board adopted Resolution 19-2019/2020 (attached). Adoption of the Resolution followed a series of five public hearings held in compliance with Elections Code section 10010. These hearings were held on May 7, 2019, May 21, 2019, September 3, 2019, October 15, 2019, and November 5, 2019. Additionally, the District hosted two community forums on September 10, 2019. The draft boundary maps considered by the Board and information about the process was also posted on the District's website (<https://nusd.org/district-elections/>).

Resolution 19-2019/2020 adopted the trustee area boundary map for the District attached to the Resolution. Through the Resolution, the Board "request[ed] that the County Committee approve the establishment of trustee areas boundaries...pursuant to Education Code section 5019 and establish by-trustee area elections for election of members of the Board pursuant to Education Code section 5030, subdivision (b)." The Resolution also directed "the superintendent and/or his designee...to take all necessary steps to: ...submit this resolution to County Committee pursuant to Education Code section 5019."

Accordingly, pursuant to subdivisions (a) and (c)(1) of Education Code section 5019, I submit Resolution 19-2019/2020 to the County Committee as the Board's formal proposal for establishment of by-trustee area elections and the specifically identified trustee area boundaries.

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I would appreciate if you could confirm receipt of this submittal and advise as to the timeline for the County Committee's consideration of the proposal.

Please contact me if you require any addition information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kris Cosca", is written over the word "Sincerely,".

Kris Cosca
Superintendent

cc: Debbie Butler, President
Board of Trustees

Attachment

CCSDO Agenda Item #7C

Novato Unified Timeline Memo

Please note that this item has been revised from its original version.

The specific modification is listed below and highlighted in the document.

Revision:

Public Hearing #5 was held on November 5, 2019, where the final map 7a and election sequencing were discussed. Map 7a was approved for adoption with Sequencing Option 3 as the preferred option for the election cycle.



Kris Cosca, EdD
Superintendent

1015 7th St
Novato, CA 94945

T: (415) 493-4211
www.nusd.org

Memo

To: Marin County Committee on School District Organization

From: Kris Cosca, Superintendent, Novato Unified School District

Cc: Debbie Butler, President, Board of Trustees, Novato Unified School District

Date: November 18, 2019

Re: By-Trustee Area Elections Background

At a special meeting of the Board of Trustees on March 21, 2019, the Board adopted Resolution # #24-2018-2019 to begin the process of moving from at-large elections to district elections for the 2020 election cycle. Since that time, the district selected Cooperative Strategies as the demographer to help NUSD design new district trustee areas.

At the May 7, 2019, board meeting, Cory Burbach, Cooperative Strategies, presented the process, including suggestions for the criteria that should be used to design the new trustee areas.

Public Hearing #1 was also held on May 7, 2019, to get input into the design, as well as to hear public comment about the pros and cons of having seven or five trustee areas. Some background information was provided for the board, including an updated timeline as well as the map the City of Novato voted unanimously to move forward the previous week.

Public Hearing #2 was held on May 21, 2019, to get input into the design, as well as to hear public comment about the pros and cons of having seven or five trustee areas. At this meeting, the Trustees took action and voted to retain seven trustees and to move forward on developing seven trustee areas.

Public Hearing #3 was held on September 3, 2019, to get input regarding the composition of trustee areas maps, which include elementary school boundaries. At this meeting, the Trustees provided feedback for the proposed maps and requested revisions to the maps.

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Two Public Input Sessions were held at the District Office on September 10, 2019 in the afternoon and in the evening. Community members provided input at both sessions to Trustees and Larry Ferchaw, demographer, of Cooperative Strategies.

New maps were created as a result of Public Hearing #3 and the Public Input Sessions based on community and Trustee input. These include maps 4a, 4b, 5, 6, and 7.

At the Regular Board meeting on October 1, 2019, Trustees decided to remove maps 1-4, 5, and 6 from consideration. Additional modifications were made to map 7 based on community and Trustee input which resulted in map 7a being created.

Public Hearing #4 was held on October 15, 2019, at the Regular Board meeting. Trustees decided to remove maps 4a, 4b, and 7 from consideration.

Public Hearing #5 was held on November 5, 2019, where the final map 7a and election sequencing were discussed. Map 7a was approved for adoption with Sequencing Option 3 as the preferred option for the election cycle.

The suggested considerations from Cooperative Strategies for the design of the trustee areas include:

- Each area shall contain nearly equal numbers of inhabitants
- Each area will be drawn to comply with the Federal Voting Rights Act
- Each area will be compact and contiguous, as much as possible
- Each area will respect communities of interest, as much as possible
- Each area will follow man-made and natural geographic features as much as possible.
- The Trustees agreed with these considerations and told the demographer to not consider incumbents' residences as a criterion in the drawing of trustee areas.

Trustees also discussed additional considerations. Options to consider included:

- Having more than one school in a given area
- Not separating neighborhoods
- Having majority minority areas where possible

Funding Source/Cost

The estimate for the total cost of moving to district elections is approximately \$50,000. The main components of this cost would be the demographer and the legal consultation costs.

**NOVATO UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 24 - 2018-2019
RESOLUTION INITIATING PROCESS OF ESTABLISHING TRUSTEE AREAS AND
ELECTIONS BY-TRUSTEE AREAS**

WHEREAS, the Novato Unified School District ("District") currently uses an at-large system of electing the members of its Board of Education; and

WHEREAS, the Board is aware that under state law an at-large method of election may be deemed to impair the ability of some voters to elect candidates of their choice or to influence the outcome of elections and, therefore, may be subject to challenge under the California Voting Rights Act of 2001, California Elections Code § 14025, et seq. ("CVRA"); and

WHEREAS, the District has decided to initiate the process of establishing trustee areas and changing the method of electing members of the Board, in order to ensure compliance with the CVRA or, at minimum, avoid the potential for costly litigation under the CVRA; and

WHEREAS, Board intends to initiate a very deliberate, careful, and public process for establishing trustee areas, and for changing the method of electing members of the Board, to take effect commencing with the November, 2020 election.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby finds the foregoing recitals to be true and correct; and

BE IT FURTHER RESOLVED that the Board directs the Superintendent or his designee to immediately initiate the legal and regulatory process to establish trustee areas within the District, as provided in Education Code section 5019, in sufficient time for trustee areas to be established for the November, 2020 election of members of the Board; and

BE IT FURTHER RESOLVED that the Board directs the Superintendent or his designee to collaborate with a demographer, to prepare draft by-trustee area map scenarios for review and input by the Board and members of the public at upcoming meetings; and

BE IT FURTHER RESOLVED that the Board directs the Superintendent or his designee to initiate the legal and regulatory process of changing the method of electing members of the Board, from the current at-large system whereby each member of the Board is elected by the registered voters of the entire District (Education Code section 5030(a)), to a method which provides that Board members residing in each trustee area will be elected by the registered voters of that particular trustee area (Education Code 5030(b)), in sufficient time for the new method of electing members of the Board to be in place for the November, 2020 election; and

BE IT FURTHER RESOLVED that the Board directs the Superintendent or his designee to initiate processes for establishing trustee areas and changing the method of electing members of the Board that are inclusive, thoughtful, and public, providing for and encouraging significant input on the issues the Board and Marin County Committee on School District Organization will address from all interested citizens and interest groups; and

BE IT FURTHER AND FINALLY RESOLVED that the Superintendent or his designee is authorized to initiate the legal and regulatory process to seek a waiver from the State Board of Education, of the requirements of Education Code section 5020 and related statutes, so that action of the Marin County Committee on School District Organization establishing trustee election areas and adopting one of the alternative methods of electing Board members specified in Education Code section 5030 does not constitute an order of election.

ADOPTED, SIGNED AND APPROVED this 21st day of March, 2019.
Delul Buh

President, Board of
Novato Unified School District
Trustees

CERTIFICATION

I Tom Coope Clerk of the Board of Trustees of the Novato Unified School District, do hereby certify that the foregoing Resolution was adopted by the Board of Trustees of said District at a meeting of said Board held on the 21st day of March, 2019, and that it was so adopted by the following vote:

AYES: 5
NOES: 0
ABSTAIN:
ABSENT: 2

Education
Clerk, Board of
Novato Unified School District

**RESOLUTION NO. 19-2019/2020
OF THE
NOVATO UNIFIED SCHOOL DISTRICT**

**RECOMMENDING THAT THE MARIN COUNTY COMMITTEE ON SCHOOL
DISTRICT ORGANIZATION APPROVE AND ESTABLISH TRUSTEE AREAS FROM
WHICH THE NOVATO UNIFIED SCHOOL DISTRICT TRUSTEES WILL BE
ELECTED IN A BY-TRUSTEE AREA ELECTION PROCESS**

WHEREAS, The Novato Unified School District (“District”) currently uses an at-large system of electing members of its Board of Trustees; and

WHEREAS, At-large electoral systems such as the Districts are subject to challenge under the California Voting Rights Act of 2001, codified at sections 14025 - 14032 of the California Elections Code (“CVRA”); and

WHEREAS, By-trustee area electoral systems are not vulnerable to challenge under the CVRA; and

WHEREAS, In a by-trustee area system of election, candidates for the District’s Board of Trustees (the “Board”) must reside within a specific geographic subarea of the District called a “trustee area” and candidates are elected only by the voters of that trustee area; and

WHEREAS, One method of transitioning from an at-large electoral system to a by-trustee area electoral system is for the school district board of Trustees to petition the local county committee on school district organization by resolution to initiate the transition under California Education Code section 5019(c)(1); and

WHEREAS, the Marin County Committee on School District Organization (“Committee”) has indicated that it will initiate this process on behalf of the District at the District’s request, and will consider any recommendation on specific trustee areas made by the District; and

WHEREAS, District held two public hearings on May 7, 2019 and May 21, 2019 to receive public input on drafting trustee area map plans (“Plans”) and thereafter, District consultants created eight (8) draft map plans that were circulated for public review at community forums held September 10, 2019, and October 1, 2019; and online on the District’s website; and

WHEREAS, Pursuant to Elections Code section 10010, the District held properly noticed public hearings regarding the proposed trustee area plans on October 15, 2019 and November 5, 2019; and

WHEREAS, the Board has considered all public input and comment on the Plans; and

WHEREAS, the Board has adopted Plan 7A and hereby recommends Plan 7A to the Committee for its consideration based upon the findings, analysis and recommendations contained in the report attached hereto and incorporated herein as Exhibit "A"; and

NOW THEREFORE, be it resolved by the Board of Trustees of the Novato Unified School District as follows:

1. That the above recitals are true and correct.
2. That the Board has adopted Plan 7A and recommends Plan 7A to the Committee for consideration and adoption.
3. That the Superintendent and/or his designee take all actions necessary to notify the Committee of the Board's determination forthwith and provide whatever assistance may be required by the Committee to complete the process.

ADOPTED, SIGNED AND APPROVED this 5th day of November, 2019.



President of the Board of Trustees for the
Novato Unified School District

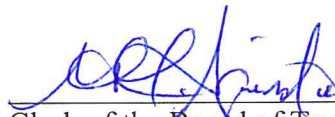
I, Maria Aguila, Clerk of the Board of Trustees of the Novato Unified School District, do hereby certify that the foregoing Resolution was adopted by the Board of Trustees of said District at a meeting of said Board held on the 5th day of November, 2019, and that it was so adopted by the following vote:

AYES: 7

NOES: 0

ABSTAIN: _____

ABSENT: _____



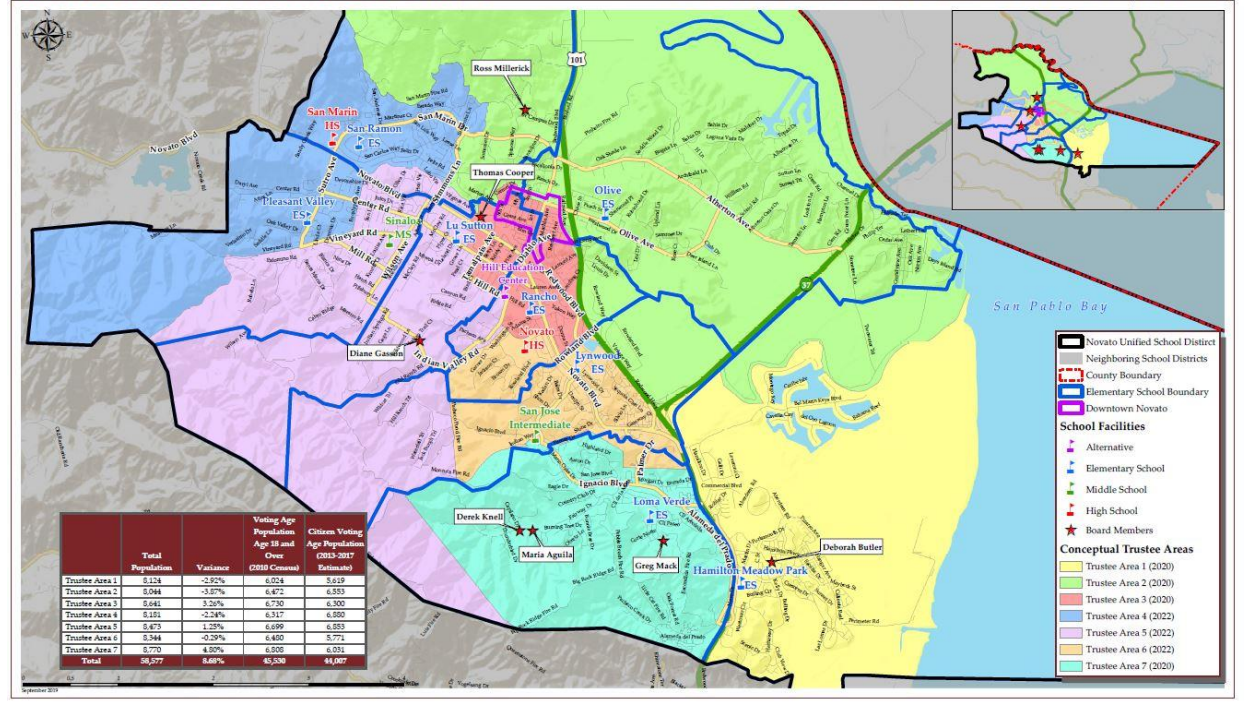
Clerk of the Board of Trustees of the
Novato Unified School District

EXHIBIT "A"

APPROVED TRUSTEE AREA MAP

NOVATO UNIFIED SCHOOL DISTRICT

CONCEPTUAL TRUSTEE AREA - SCENARIO 7A (GRIGGY)



NOVATO UNIFIED SCHOOL DISTRICT

CONCEPTUAL TRUSTEE AREAS - SCENARIO 7A (GRIGGY)

Total Population (2010 Census)								
	Trustee Area 1	Trustee Area 2	Trustee Area 3	Trustee Area 4	Trustee Area 5	Trustee Area 6	Trustee Area 7	Variance
Population	8,124	8,044	8,641	8,181	8,473	8,344	8,770	
Population Variance	-244	-324	273	-187	105	-24	402	
	-2.92%	-3.87%	3.26%	-2.24%	1.25%	-0.29%	4.80%	8.68%
Hispanic/Latino	1,635	1,030	2,911	859	1,069	2,083	2,101	
	20.13%	12.80%	33.69%	10.50%	12.62%	24.96%	23.96%	
White	5,207	6,127	4,527	6,524	6,568	5,157	5,594	
	64.09%	76.17%	52.39%	79.75%	77.52%	61.80%	63.79%	
Black/ African American	313	82	309	123	113	248	178	
	3.85%	1.02%	3.58%	1.50%	1.33%	2.97%	2.03%	
American Indian/ Alaska Native	23	15	16	18	24	12	12	
	0.28%	0.19%	0.19%	0.22%	0.28%	0.14%	0.14%	
Asian	612	561	584	397	414	534	514	
	7.53%	6.97%	6.76%	4.85%	4.89%	6.40%	5.86%	
Native Hawaiian/ Other Pacific Islander	10	6	34	10	17	13	20	
	0.12%	0.07%	0.39%	0.12%	0.20%	0.16%	0.23%	
Other	31	16	25	13	26	35	49	
	0.38%	0.20%	0.29%	0.16%	0.31%	0.42%	0.56%	
Two or More Races	293	207	235	237	242	262	302	
	3.61%	2.57%	2.72%	2.90%	2.86%	3.14%	3.44%	

Population 18 and Over (2010 Census)								
	Trustee Area 1	Trustee Area 2	Trustee Area 3	Trustee Area 4	Trustee Area 5	Trustee Area 6	Trustee Area 7	
Population	6,024	6,472	6,730	6,317	6,699	6,480	6,808	
Population Variance	-480	-32	226	-187	195	-24	304	
	-7.38%	-0.50%	3.47%	-2.88%	2.99%	-0.37%	4.67%	
Hispanic/Latino	993	680	1,994	592	706	1,383	1,400	
	16.48%	10.51%	29.63%	9.37%	10.54%	21.34%	20.56%	
White	4,172	5,107	3,819	5,165	5,368	4,306	4,625	
	69.26%	78.91%	56.75%	81.76%	80.13%	66.45%	67.93%	
Black/ African American	219	67	246	107	93	177	131	
	3.64%	1.04%	3.66%	1.69%	1.39%	2.73%	1.92%	
American Indian/ Alaska Native	18	13	15	17	17	11	9	
	0.30%	0.20%	0.22%	0.27%	0.25%	0.17%	0.13%	
Asian	464	473	484	320	355	437	428	
	7.70%	7.31%	7.19%	5.07%	5.30%	6.74%	6.29%	
Native Hawaiian/ Other Pacific Islander	7	6	27	10	17	10	14	
	0.12%	0.09%	0.40%	0.16%	0.25%	0.15%	0.21%	
Other	16	14	10	6	15	23	29	
	0.27%	0.22%	0.15%	0.09%	0.22%	0.35%	0.43%	
Two or More Races	135	112	135	100	128	133	172	
	2.24%	1.73%	2.01%	1.58%	1.91%	2.05%	2.53%	

Citizens by Voting Age Population Estimate (2013-2017)								
	Trustee Area 1	Trustee Area 2	Trustee Area 3	Trustee Area 4	Trustee Area 5	Trustee Area 6	Trustee Area 7	
Population	5,619	6,553	6,300	6,880	6,853	5,771	6,031	
Population Variance	-668	266	13	593	566	-516	-256	
	-10.62%	4.24%	0.21%	9.44%	9.01%	-8.20%	-4.07%	
Hispanic/Latino	580	607	1,119	608	414	663	587	
	10.32%	9.26%	17.76%	8.84%	6.04%	11.49%	9.73%	
White	3,949	5,484	4,297	5,615	5,878	4,335	4,591	
	70.28%	83.69%	68.21%	81.61%	85.77%	75.12%	76.12%	
Black/ African American	320	13	289	64	45	155	168	
	5.69%	0.20%	4.59%	0.93%	0.66%	2.69%	2.79%	
American Indian/ Alaska Native	10	0	47	0	3	23	55	
	0.18%	0.00%	0.75%	0.00%	0.04%	0.40%	0.91%	
Asian	580	378	329	386	333	397	468	
	10.32%	5.77%	5.22%	5.61%	4.86%	6.88%	7.76%	
Native Hawaiian/ Other Pacific Islander	0	0	10	10	0	0	15	
	0.00%	0.00%	0.16%	0.15%	0.00%	0.00%	0.25%	
Other	0	0	0	0	0	1	2	
	0.00%	0.00%	0.00%	0.00%	0.00%	0.02%	0.03%	
Two or More Races	180	71	209	197	180	198	147	
	3.20%	1.08%	3.32%	2.86%	2.63%	3.43%	2.44%	

**RESOLUTION NO. 20/2019-2020
OF THE
NOVATO UNIFIED SCHOOL DISTRICT**

**AUTHORIZING REQUEST FOR WAIVER OF THE REQUIREMENT THAT THE
ESTABLISHMENT OF TRUSTEE AREAS AND ADOPTION OF A “BY-TRUSTEE
AREA” ELECTION PROCESS BE SUBMITTED TO THE ELECTORS
AS SET FORTH IN EDUCATION CODE SECTIONS 5019, 5020, 5021 AND 5030**

WHEREAS, the Novato Unified School District (“District”) currently uses an at-large system of electing its governing board members; and

WHEREAS, at-large electoral systems such as the District’s are subject to challenge under the California Voting Rights Act of 2001, codified at sections 14025–14032 of the California Elections Code (“CVRA”); and

WHEREAS, “by-trustee area” electoral systems are not vulnerable to challenge under the CVRA; and

WHEREAS, in a by-trustee area system of election, candidates for the District’s governing board (the “Board”) must reside within a specific geographic subarea of the District called a “trustee area” and candidates are elected only by the voters of that trustee area; and

WHEREAS, one method of transitioning from an at-large electoral system to a by-trustee area electoral system is for the school district board of trustees to petition the local county committee on school district organization by resolution to initiate the transition under California Education Code section 5019(c)(1); and

WHEREAS, the District has adopted a by-trustee area election map and its governing board has voted to change from an at-large election method to a by-trustee area election method; and

WHEREAS, under the provisions of Education Code section 5020 and related sections, the establishment of trustee areas and adoption of a by-trustee area election process must be put to a vote by the electors of the District; and

WHEREAS, to avoid the cost, expense and uncertainty inherent in conducting a districtwide vote on the issue, the District is seeking a waiver of this election requirement from the State Board of Education; and

WHEREAS, in order to complete the transition in a timely manner and to guarantee that the new by-trustee area process will be in place in time to elect new governing board members at the Board’s next regularly-scheduled election, the District must obtain a waiver of the election process of Education Code sections 5019, 5020, 5021 and 5030 from the State Board of Education; and

WHEREAS, Education Code section 33050 *et seq.* allows the governing board of a school district to request the State Board of Education to waive all or part of any section of the Education Code or any regulation adopted by the State Board of Education that implements a provision of the Education Code, subject to certain exceptions; and

WHEREAS, Education Code section 5020 and related sections are not listed as exceptions in Education Code section 33050 *et seq.* and can thus be waived; and

WHEREAS, to obtain a waiver, the District must comply with Education Code and California Department of Education and State Board of Education regulations; and

WHEREAS, the District must consult with all collective bargaining units; and

WHEREAS, the District must consult with any advisory and other committees or councils with an interest in the waiver; and

WHEREAS, the District must conduct a properly noticed public hearing, at which time the public may testify on the merits of obtaining a waiver from the State Board of Education; and

WHEREAS, the District must submit a complete General Waiver Request form to the California Department of Education; and

NOW THEREFORE, be it resolved by the Board of Trustees of the Novato Unified School District as follows:

1. That the above recitals are true and correct.
2. That the Board hereby declares the Board's intention to seek a waiver of Education Code section 5020 and portions of related sections pertaining to the requirement that the establishment of trustee areas and adoption of a by-trustee area election process must be put to a vote by the electors of the District.
3. That the District has consulted all collective bargaining units, made every effort to include them as a participant in the waiver process and shall note the collective bargaining units' position regarding the waiver in the District's General Waiver Request.
4. That the District has consulted all committees and councils with an interest in the waiver, and shall note the position of such groups regarding the waiver in the District's General Waiver Request.
5. That the District distributed a notice specifically inviting public testimony regarding the waiver, and said notice was printed in a newspaper of general circulation and included the date, time, location and subject of the hearing and posted such notices at every school site in the District and in more than three other public locations in the District.
6. That on November 5, 2019, the District conducted a properly noticed public hearing held during a board meeting at which time the public was able to testify on the waiver proposal.
7. That the District's Superintendent and/or his designee, is authorized and directed to submit a General Waiver Request to the California Department of Education, seeking a waiver of the requirement that the establishment of trustee areas and adoption of a by-trustee area election process must be put to a vote by the electors of the District under Education Code section 5020

and related sections in order to insure the timely adoption of the District's trustee areas and the District's transition from its current at-large electoral process to a by-trustee area electoral process.

ADOPTED, SIGNED AND APPROVED this 5th day of November, 2019.



President of the Board of Trustees for the
Novato Unified School District

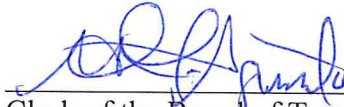
I, Maria Aguila, Clerk of the Board of Trustees of the Novato Unified School District, do hereby certify that the foregoing Resolution was adopted by the Board of Trustees of said District at a meeting of said Board held on the 5th day of November, 2019, and that it was so adopted by the following vote:

AYES: 7

NOES: 0

ABSTAIN: _____

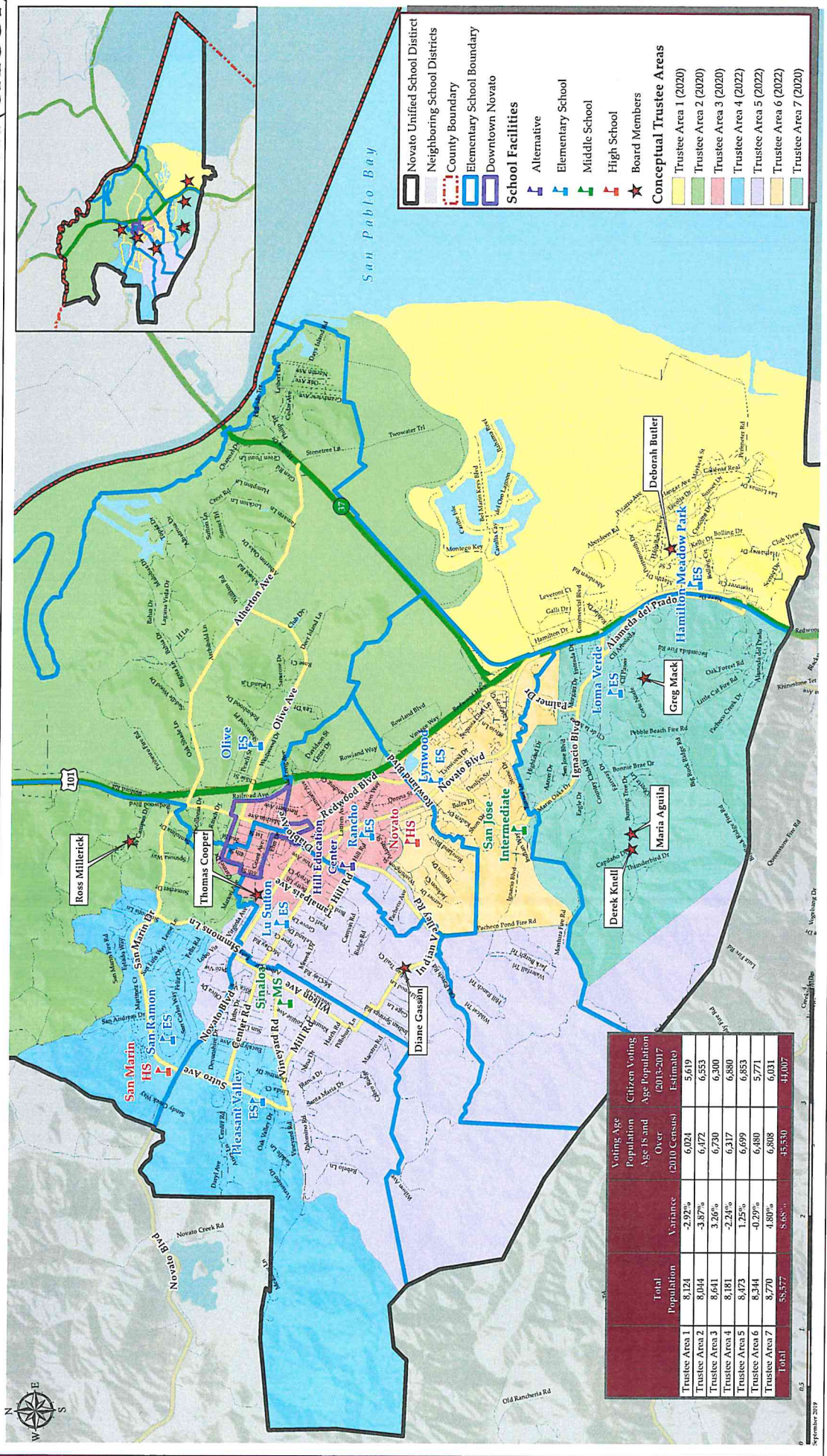
ABSENT: _____



Clerk of the Board of Trustees of the
Novato Unified School District

NOVATO UNIFIED SCHOOL DISTRICT

CONCEPTUAL TRUSTEE AREA - SCENARIO 7A (GRIGGY)



NOVATO UNIFIED SCHOOL DISTRICT
CONCEPTUAL TRUSTEE AREAS - SCENARIO 7A (GRIGGY)

Total Population (2010 Census)								
	Trustee Area 1	Trustee Area 2	Trustee Area 3	Trustee Area 4	Trustee Area 5	Trustee Area 6	Trustee Area 7	Variance
Population	8,124	8,044	8,641	8,181	8,473	8,344	8,770	
Population Variance	-244	-324	273	-187	105	-24	402	
	-2.92%	-3.87%	3.26%	-2.24%	1.25%	-0.29%	4.80%	8.68%
Hispanic/Latino	1,635	1,030	2,911	859	1,069	2,083	2,101	
	20.13%	12.80%	33.69%	10.50%	12.62%	24.96%	23.96%	
White	5,207	6,127	4,527	6,524	6,568	5,157	5,594	
	64.09%	76.17%	52.39%	79.75%	77.52%	61.80%	63.79%	
Black/ African American	313	82	309	123	113	248	178	
	3.85%	1.02%	3.58%	1.50%	1.33%	2.97%	2.03%	
American Indian/ Alaska Native	23	15	16	18	24	12	12	
	0.28%	0.19%	0.19%	0.22%	0.28%	0.14%	0.14%	
Asian	612	561	584	397	414	534	514	
	7.53%	6.97%	6.76%	4.85%	4.89%	6.40%	5.86%	
Native Hawaiian/ Other Pacific Islander	10	6	34	10	17	13	20	
	0.12%	0.07%	0.39%	0.12%	0.20%	0.16%	0.23%	
Other	31	16	25	13	26	35	49	
	0.38%	0.20%	0.29%	0.16%	0.31%	0.42%	0.56%	
Two or More Races	293	207	235	237	242	262	302	
	3.61%	2.57%	2.72%	2.90%	2.86%	3.14%	3.44%	

Population 18 and Over (2010 Census)							
	Trustee Area 1	Trustee Area 2	Trustee Area 3	Trustee Area 4	Trustee Area 5	Trustee Area 6	Trustee Area 7
Population	6,024	6,472	6,730	6,317	6,699	6,480	6,808
Population Variance	-480	-32	226	-187	195	-24	304
	-7.38%	-0.50%	3.47%	-2.88%	2.99%	-0.37%	4.67%
Hispanic/Latino	993	680	1,994	592	706	1,383	1,400
	16.48%	10.51%	29.63%	9.37%	10.54%	21.34%	20.56%
White	4,172	5,107	3,819	5,165	5,368	4,306	4,625
	69.26%	78.91%	56.75%	81.76%	80.13%	66.45%	67.93%
Black/ African American	219	67	246	107	93	177	131
	3.64%	1.04%	3.66%	1.69%	1.39%	2.73%	1.92%
American Indian/ Alaska Native	18	13	15	17	17	11	9
	0.30%	0.20%	0.22%	0.27%	0.25%	0.17%	0.13%
Asian	464	473	484	320	355	437	428
	7.70%	7.31%	7.19%	5.07%	5.30%	6.74%	6.29%
Native Hawaiian/ Other Pacific Islander	7	6	27	10	17	10	14
	0.12%	0.09%	0.40%	0.16%	0.25%	0.15%	0.21%
Other	16	14	10	6	15	23	29
	0.27%	0.22%	0.15%	0.09%	0.22%	0.35%	0.43%
Two or More Races	135	112	135	100	128	133	172
	2.24%	1.73%	2.01%	1.58%	1.91%	2.05%	2.53%

Citizens by Voting Age Population Estimate (2013-2017)							
	Trustee Area 1	Trustee Area 2	Trustee Area 3	Trustee Area 4	Trustee Area 5	Trustee Area 6	Trustee Area 7
Population	5,619	6,553	6,300	6,880	6,853	5,771	6,031
Population Variance	-668	266	13	593	566	-516	-256
	-10.62%	4.24%	0.21%	9.44%	9.01%	-8.20%	-4.07%
Hispanic/Latino	580	607	1,119	608	414	663	587
	10.32%	9.26%	17.76%	8.84%	6.04%	11.49%	9.73%
White	3,949	5,484	4,297	5,615	5,878	4,335	4,591
	70.28%	83.69%	68.21%	81.61%	85.77%	75.12%	76.12%
Black/ African American	320	13	289	64	45	155	168
	5.69%	0.20%	4.59%	0.93%	0.66%	2.69%	2.79%
American Indian/ Alaska Native	10	0	47	0	3	23	55
	0.18%	0.00%	0.75%	0.00%	0.04%	0.40%	0.91%
Asian	580	378	329	386	333	397	468
	10.32%	5.77%	5.22%	5.61%	4.86%	6.88%	7.76%
Native Hawaiian/ Other Pacific Islander	0	0	10	10	0	0	15
	0.00%	0.00%	0.16%	0.15%	0.00%	0.00%	0.25%
Other	0	0	0	0	0	1	2
	0.00%	0.00%	0.00%	0.00%	0.00%	0.02%	0.03%
Two or More Races	180	71	209	197	180	198	147
	3.20%	1.08%	3.32%	2.86%	2.63%	3.43%	2.44%

In addition to selecting a map for use in it's by-area elections, the Novato Unified School District Board of Trustee will also select the sequencing of elections in each of the seven (7) areas.

For Scenario 4A, the next elections for each seat would be sequenced as follows:

Trustee Area	Sequencing
Area 1	2020
Area 2	2020
Area 3	2020
Area 4	2022
Area 5	2022
Area 6	2022
Area 7	2020

For Scenarios 4B, 7 and 7A, the following sequencing of the elections are possible options for the Board to select:

Trustee Area	Sequencing Option 1	Sequencing Option 2	Sequencing Option 3
Area 1	2020	2020	2020
Area 2	2020	2020	2020
Area 3	2020	2020	2020
Area 4	2020	2022	2022
Area 5	2022	2022	2022
Area 6	2022	2020	2022
Area 7	2022	2022	2020

EDUCATION CODE - EDC

TITLE 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32500]

(Title 1 enacted by Stats. 1976, Ch. 1010.)

DIVISION 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32500]

(Division 1 enacted by Stats. 1976, Ch. 1010.)

PART 4. ELECTIONS [5000 - 5442]

(Part 4 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 1. Election of School District Board Members [5000 - 5095]

(Chapter 1 enacted by Stats. 1976, Ch. 1010.)

ARTICLE 1. Elections [5000 - 5033]

(Article 1 enacted by Stats. 1976, Ch. 1010.)

5019.

(a) (1) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven from five, or decrease from seven to five, the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(2) For any school district whose average daily attendance during the preceding year was less than 300, the county committee on school district organization may decrease from five to three the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization, and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

(d) If the county committee on school district organization approves pursuant to subdivision (a) the rearrangement of the boundaries of trustee areas for a particular district, then the rearrangement of the trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.

(Amended by Stats. 2015, Ch. 116, Sec. 1. (AB 331) Effective January 1, 2016.)

EDUCATION CODE - EDC

TITLE 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32500]

(Title 1 enacted by Stats. 1976, Ch. 1010.)

DIVISION 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32500]

(Division 1 enacted by Stats. 1976, Ch. 1010.)

PART 4. ELECTIONS [5000 - 5442]

(Part 4 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 1. Election of School District Board Members [5000 - 5095]

(Chapter 1 enacted by Stats. 1976, Ch. 1010.)

ARTICLE 1. Elections [5000 - 5033]

(Article 1 enacted by Stats. 1976, Ch. 1010.)

5020.

(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.

(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.

(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly

scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:

“For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District—Yes” and “For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District—No.”

“For increasing the number of members of the governing board of ____ (insert name) School District from five to seven—Yes” and “For increasing the number of members of the governing board of ____ (insert name) School District from five to seven—No.”

“For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five—Yes” and “For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five—No.”

“For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District—Yes” and “For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District—No.”

“For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area—Yes” and “For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area—No.”

“For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District—Yes” and “For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District—No.”

“For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District—Yes” and “For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District—No.”

If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.

(Amended by Stats. 2006, Ch. 730, Sec. 3. Effective January 1, 2007.)

EDUCATION CODE - EDC

TITLE 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32500]

(Title 1 enacted by Stats. 1976, Ch. 1010.)

DIVISION 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32500]

(Division 1 enacted by Stats. 1976, Ch. 1010.)

PART 4. ELECTIONS [5000 - 5442]

(Part 4 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 1. Election of School District Board Members [5000 - 5095]

(Chapter 1 enacted by Stats. 1976, Ch. 1010.)

ARTICLE 1. Elections [5000 - 5033]

(Article 1 enacted by Stats. 1976, Ch. 1010.)

5021.

(a) If a proposal for the establishment of trustee areas formulated under Sections 5019 and 5020 is approved by a majority of the voters voting at the election, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established at such election which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by a majority of the voters voting on the measure, or by the county committee on school district organization when no election is required, and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved by a majority of the voters voting at the election, the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

(Amended by Stats. 1980, Ch. 1287, Sec. 4. Effective September 30, 1980.)

EDUCATION CODE - EDC

TITLE 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32500]

(Title 1 enacted by Stats. 1976, Ch. 1010.)

DIVISION 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32500]

(Division 1 enacted by Stats. 1976, Ch. 1010.)

PART 4. ELECTIONS [5000 - 5442]

(Part 4 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 1. Election of School District Board Members [5000 - 5095]

(Chapter 1 enacted by Stats. 1976, Ch. 1010.)

ARTICLE 1. Elections [5000 - 5033]

(Article 1 enacted by Stats. 1976, Ch. 1010.)

5030.

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 and 5020, respectively, may at any time recommend one of the following alternate methods of electing governing board members:

- (a) That each member of the governing board be elected by the registered voters of the entire district.
- (b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.
- (c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

In counties with a population of less than 25,000, the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

(Amended by Stats. 1992, Ch. 350, Sec. 3. Effective January 1, 1993.)

MARIN COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
RESOLUTION NO: 002-2019
Establishing Trustee Areas and Alternate Method of Election for the Novato Unified

WHEREAS, per California Education code 5019(a)1, the county committee on school district organization ("County Committee") may establish trustee areas, including adopting alternate methods of election specified in California Education code 5030; and

WHEREAS, on November 5, 2019, Novato Unified ("District") passed Resolution No. 19-2019/2020, which serves as a proposal to the County Committee to establish by trustee area elections; and

WHEREAS, pursuant to Elections Code section 10010, the District held six public hearings on potential trustee area boundary maps and hosted three community forums on the process for establishing trustee areas; and

WHEREAS, District Resolution No. 19-2019/2020, shall serve as the District's proposal to the County Committee to establish the described trustee area boundary map and election sequence for election of members of the District board of education; and

WHEREAS, California Education Code 5030 provides that any affected incumbent member shall serve out their term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the County Committee; and

WHEREAS, Resolution No. 19-2019/2020 serves as a proposal to the County Committee that each board member shall continue to serve out their terms; and

WHEREAS, California Education Code 5020 provides that the resolution of the County Committee approving a proposal to establish trustee areas shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board; and

WHEREAS, California Education Code 5020 provides that to adopt one of the alternative methods of electing governing board members specified in Section 5030, shall constitute an order of election; and

WHEREAS, California Education Code 33050 allows the governing board of a school district to request the State Board of Education ("SBE") waive all or part of any section of the Education Code; and

WHEREAS, the County Committee acknowledges the District's desire to avoid the cost, expense, uncertainty, and potential liability inherent in conducting a districtwide vote on the issue; and

WHEREAS, District Resolution No. 20/2019-2020 seeks a waiver from the SBE of the election process specified in California Education Code sections 5019, 5020, 5021 and 5030; and

WHEREAS, on November 5, 2019, the District conducted a separate public hearing allowing the public to testify on the waiver proposal.

NOW, THEREFORE, BE IT RESOLVED the County Committee moves to approve the District's proposal for the establishment of the trustee area boundaries indicated on "Map 7A" (Exhibit A) and pending approval of a waiver from the SBE, establish by trustee area elections per Education Code section 5030 as follows:

- That the trustee areas from which Board members shall be elected in November 2020, and every four years thereafter, are areas 1, 2, 3, 7.
- That the trustee areas from which Board members shall be elected in November 2022, and every four years thereafter, are areas 4, 5, 6.

BE IT FURTHER RESOLVED that the Marin County Committee on School District Organization passed this resolution at a public hearing held on the 20th day of November, 2019 by the following vote:

AYES:

NOES:

ABSENT:

Stephanie O'Brien, Chairperson,
Marin County Committee on School
District Organization

ATTEST:

MARY JANE BURKE
Marin County Superintendent of Schools

Terena Mares, Secretary Designee,
Marin County Committee on School District Organization

LAFCO NOTICES LOG				
Date Received/Date Form	Topic	Legal Review	Date executed form sent to LAFCO	Due Date
October 31, 2019	Reorganization of Murray Park Sewer Maintenance District to Ross Valley Sanitary District (#1344)	Based on that review it is my opinion that this proposed consolidation of two relatively small sanitation districts will have no material impact on school district organization in Marin County.	In Process	Wednesday, November 27, 2019