

NATOMAS UNIFIED SCHOOL DISTRICT

Resolution No. 21-44

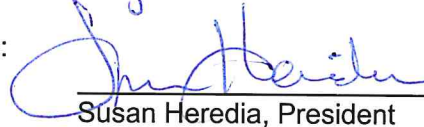
IN THE MATTER OF: The Board of Trustees Initiating a Proposal to the Sacramento County Committee on School District Organization for the Adoption of By-Trustee-Area Elections

The following RESOLUTION was duly passed by the Board of Trustees of the Natomas Unified School District, at a regular meeting held on the 17th day of November 2021, by the following roll call vote:

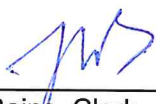
Jag Bains
Micah Grant
Ericka Harden
Susan Heredia
Lisa Kaplan

aye
aye
aye
aye
aye

Signed and approved by me after its passage:


Susan Heredia, President

Attest:


Jag Bains, Clerk

WHEREAS, the Board of Trustees ("Board") of the Natomas Unified School District ("District") is elected under an "at-large" election system where trustees are elected by voters of the entire District;

WHEREAS, on January 20, 2021, the Board adopted Resolution No. 21-03 (attached hereto as Exhibit No. 1), signaling its intent to transition to "by-trustee-area" elections, where each trustee must reside within the designated trustee-area boundary and is elected only by the voters in that trustee-area;

WHEREAS, Cooperative Strategies ("Demographer") was retained to prepare several by-trustee-area election system map options for the Board and public's consideration;

WHEREAS, on July 14, 2021, the District launched a survey to the Natomas community to gather initial input on the proposed transition;

WHEREAS, on July 21, 2021, legal counsel representing the Board of Trustees presented a proposed timeline for the transition to by-trustee-area elections;

WHEREAS, on July 26, 2021, the District launched a second community survey to gather input about the possibility of the District seeking a waiver of the election requirement for implementing the by-trustee-area elections from the State Board of Education;

WHEREAS, pursuant to Elections Code section 10010, subdivision (a)(1), the Board held public hearings on August 4, 2021, and September 1, 2021 (which was continued to September 14, 2021), to consider community input and comment regarding the potential composition of trustee-areas prior to draft maps being drawn;

WHEREAS, on August 9 the district launched a dedicated webpage and a dedicated email address specific to the transition to by-trustee area elections, both of which have been widely communicated through various platforms;

WHEREAS, from August 5, 2021, to August 31, 2021, the District met with key stakeholders, including the California School Employees Association, Natomas Teachers Association, District English Learner Advisory Committee ("DELAC"), Community Advisory Council ("CAC"), Superintendent's Parent Advisory Council, Natomas Chamber of Commerce, and the Natomas Schools Foundation;

WHEREAS, on September 23, 2021, the District launched a third community survey to gather additional input prior to the map hearings;

WHEREAS, on October 13, 2021, the District presented information on stakeholder engagement, highlighting how Natomas Unified had gone above and beyond with stakeholder engagement efforts, and also provided an update on census data at a regular Board meeting;

WHEREAS, during the week of October 18, 2021, the District published population density maps;

WHEREAS, pursuant to Elections Code section 10010, subdivision (a)(2), the Board published draft trustee-area map scenarios on October 20, 2021, and November 1, 2021, and held public hearings on October 27, 2021, and November 8, 2021, to gather public input on the proposed trustee-area map scenarios and sequence of elections;

WHEREAS, the District utilized a fourth and final survey in English, Spanish and Punjabi that resulted in 653 responses regarding draft maps, elements of the draft maps and potential election sequences;

WHEREAS, the District communicated these draft map scenarios were available for viewing through multiple platforms, including but not limited to: announcements on the main district webpage and dedicated webpage for the transition to by-trustee area elections, direct emails and phone calls home to families, community newsletters, and making the content available in multiple languages;

WHEREAS, the administration shared publicly that the estimated total number of potential engagements was over 59,000 households and/or stakeholders as of October 25, 2021;

WHEREAS, the Board has considered various map scenarios and election sequencing schedules identified as Map Scenario A, Map Scenario B, Map Scenario C, Map Scenario D, Map Scenario E, and Map Scenario F;

WHEREAS, the District held a special board meeting solely focusing on the by-trustee area transition on November 8, 2021 at Natomas High School in south Natomas;

WHEREAS, on November 8, 2021, the Board directed staff to consider Map Scenario C, Map Scenario E, and Map Scenario F for final consideration on November 17, 2021;

WHEREAS, Education Code sections 5019 and 5030 authorize the Sacramento County Committee on School District Organization ("County Committee"), upon application from a school district's governing board, to change the method of election in a school district under its jurisdiction;

WHEREAS, Senate Bill 442 (2021) amends Education Code section 5020 as of January 1, 2022, to allow school districts to transition to by-trustee-area elections upon approval by the county committee, without the need to seek voter approval or a waiver of the election requirement from the State Board of Education;

NOW THEREFORE BE IT RESOLVED, the Board of Trustees hereby resolves as follows:

The above recitals are correct and true.

1. The Board hereby approves and recommends the adoption of by-trustee-area elections, and the adoption of the trustee-area map identified as **Map Scenario F** set forth in Exhibit No. 2.
2. The Board hereby proposes that each of the trustee areas identified in Exhibit No. 2 be assigned for election in 2022 or in 2024, as set forth in the election sequencing in Exhibit No. 2.
3. The Superintendent or designee is hereby authorized and directed to send a copy of this Resolution to the County Committee, and to work with the County Committee and the County Election's Office to conduct all legally required hearings and other acts necessary so that by-trustee-area elections can be implemented in the election cycles scheduled in 2022 and 2024.

Exhibits 1 and 2.

NATOMAS UNIFIED SCHOOL DISTRICT

Resolution No. 21-03

IN THE MATTER OF: Initiate a Transition to a By-Trustee Area Election System
Commencing with the 2022 Governing Board Election

The following RESOLUTION was duly passed by the Board of Trustees of the Natomas Unified School District, at a regular meeting held on the 20th of January 2021, by the following roll call vote:

Jag Bains	<u>aye</u>
Micah Grant	<u>aye</u>
Ericka Harden	<u>aye</u>
Susan Heredia	<u>aye</u>
Lisa Kaplan	<u>aye</u>

Signed and approved by me after its passage:



Susan Heredia, President

Attest:



Ericka Harden, Clerk

WHEREAS, California Education Code sections 5019 and 5030 authorize the Sacramento County Committee on School District Organization ("County Committee"), upon application of a school district's Governing Board, to change the method of election of governing board members in a school district under its jurisdiction;

WHEREAS, the California Voting Rights Act ("CVRA") disfavors the use of an "at-large" election system for governing board members of a school district if the "at-large" election system may impair the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election;

WHEREAS, board members of the Natomas Unified School District ("District") are currently elected using on "at-large" election system (i.e., election system in which registered voters of the entire jurisdiction elect candidates to the Governing Board);

WHEREAS, the Board desires to promote meaningful voter involvement in the election of Board members and increase the ability of candidates to seek elected office;

WHEREAS, it is the considered view of the Board that the public interest will be better served by election of its board members using a "by-trustee area" election system (i.e., elections in which one candidate residing in each trustee area is elected by only the registered voters in that particular trustee area);

WHEREAS, the boundaries for trustee areas in a by-trustee area election system are established based on population counts and demographics from the most recent United States' census; and

WHEREAS, the United States' census count occurs every ten (10) years with the last census count occurring in 2010 ("2010 Census") and the next census count scheduled to take place on April 1, 2020 ("2020 Census"), with the results to be made available to state and local agencies on or after March, 2021;

WHEREAS, due to the Coronavirus pandemic the results of the 2020 Census will be delayed and are not expected to be released until on or after July 1, 2021;

WHEREAS, if the District transitioned to by-trustee area elections prior to the release of the 2020 Census, the trustee areas would be established based on the 2010 Census, which (1) may not fairly and accurately reflect the current voter population distribution and demographics of the District, and (2) would require the District to incur additional, duplicative costs to adjust the trustee areas based on the 2020 Census as required by Education Code Section 5019.5;

WHEREAS, further due to the Coronavirus pandemic Governor Newsom issued Executive Orders N-34-20 and N-38-20 which toll the public hearing requirements and safe harbor provisions of the CVRA while social distancing measures remain in place;

WHEREAS, the adoption of "by-trustee area" elections will not affect the terms of any Board members serving or elected during this transition, each of whom will serve out his or her full term; and

WHEREAS, the Board, cognizant of its need to be fiscally responsible, desires to implement this change in the manner of electing board members in a cost effective and efficient manner but with all deliberate speed following release of the 2020 Census data.

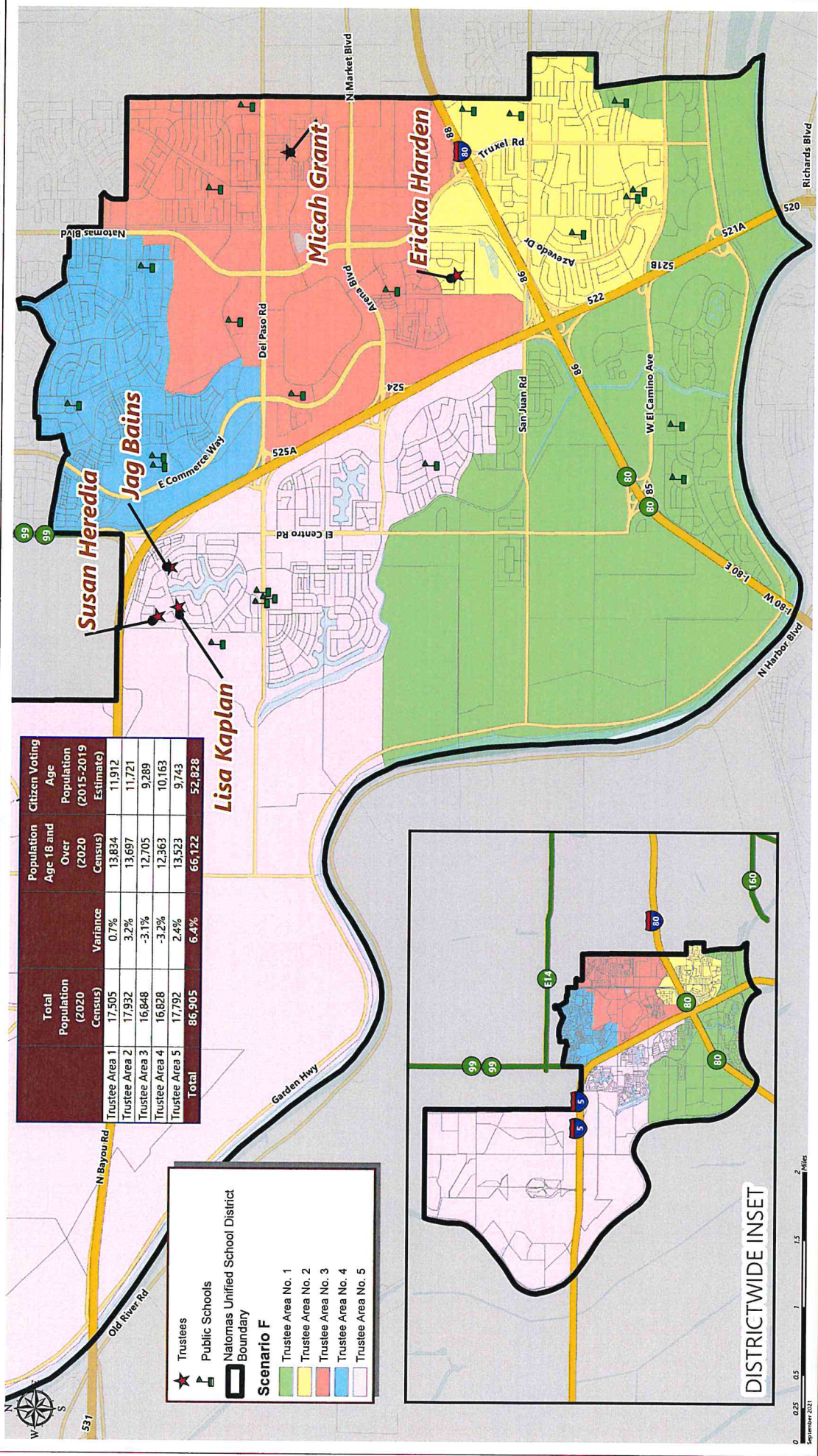
NOW, THEREFORE, the Board hereby resolves, orders and determines as follows:

1. The above recitals are true and correct;
2. Trustee area boundary lines shall be developed based on the most updated federal decennial census data following its release in 2021 to provide for "by-trustee areas" elections to be implemented in the 2022 and 2024 election cycles;
3. After the availability of the 2020 Census, pursuant to Education Code sections 5019, 5030 and other applicable provisions of law, the Board directs District staff to transmit this resolution to the County Committee so that the County Committee will be on notice of the District's intent, to adopt a change in the method of electing members of the Board from "at-large" elections to "by-trustee area" elections commencing with the 2022 Board elections;
4. Before submitting a final proposal to the County Committee for trustee area maps using the 2020 federal census data, multiple public hearings in accordance with Elections Code section 10010 and other applicable laws shall be scheduled to obtain public input on the draft maps and proposals;

5. The Board shall apply to the County Committee for establishment of trustee areas pursuant to Education Code section 5019 in a timely manner and as soon as feasible to have the 2022 elections for the Board conducted within the new trustee areas;
6. The Superintendent, or designee, is hereby directed to contract with National Demographics Corporation or other reputable demographer as soon as possible following adoption of this resolution to ensure that the District is able to move with all deliberate speed following release of the 2020 census data;
7. The Superintendent, or designee, is hereby directed to prepare additional Board resolutions and documents, as needed, to meet all applicable legal requirements in a timely manner acting with all deliberate speed, and to seek a waiver from the State Board of Education of the election requirement imposed by Education Code section 5020;
8. The Superintendent, or designee, shall consult with legal counsel to take all steps necessary to implement and give effect to this resolution; and
9. The foregoing resolution shall take effect immediately upon its adoption.

NATOMAS UNIFIED SCHOOL DISTRICT

CONCEPTUAL TRUSTEE AREAS - SCENARIO F



Scenario Map F

Area 1	Area 2	Area 3	Area 4	Area 5
Vacant	Harden (2024)	Grant (2024)	Vacant	Heredia (2024) Bains (2022) Kaplan (2022)

Sequencing

2022 election (2 trustee areas needed)

- Trustee Area 1
- Trustee Area 4

2024 election (3 trustee areas needed)

- Trustee Area 2
- Trustee Area 3
- Trustee Area 5