

Resolution 21-15

**San Mateo County Board of Education
State of California**

A Resolution of the San Mateo County Board of Education to Initiate a Transition to By-Trustee Area Elections Commencing with the 2022 Board of Trustees Election

RECITALS

Whereas, Board members of the San Mateo County Board of Education (“Board”) are currently elected “at-large,” meaning that candidates are required to reside within given areas of the county and the voters of the entire county elect the candidates to the Board; and

Whereas, Board members are elected in even-numbered years and serve staggered, four-year terms, such that the next election for three Board members is scheduled for November 2022, with the remaining four Board members scheduled for election in November 2024; and

Whereas, under the California Voting Rights Act (Elec. Code, § 14025, *et seq.*) (“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)); and

Whereas, a “by-trustee area” election, wherein one candidate residing in each trustee area is elected by only the registered voters in that particular trustee area, ensures compliance with the CVRA; and

Whereas, at its regular meeting on September 21, 2016, the Board received a report from its legal counsel regarding the CVRA and discussed the process to change its electoral system; and

Whereas, at its September 21, 2016 meeting, the Board requested a resolution be brought forward at a future Board meeting to transition to a “by-trustee area” election system; and

Whereas, section 10010 of the California Elections Code sets forth a process whereby a public agency may change from an at-large electoral system to a by-trustee area electoral system; and

Whereas, section 10010 of the California Elections Code requires that, before drawing a draft map or maps of the proposed boundaries of trustee districts, the public agency shall hold at least two public hearings over a period of no more than thirty days at which the public is invited to provide input regarding the composition of the trustee districts; and

Whereas, section 10010 of the California Elections Code also requires that, after a draft map or maps of proposed boundaries of trustee districts are drawn, the local agency must hold at least two additional hearings over a period of no more than 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 election of Board members; and

Whereas, California Education Code section 1000 authorizes the County Board of Supervisors to prescribe the manner of selection of the County Board of Education in chartered counties, such as San Mateo County; and

Whereas, the Board recognizes the importance of fair and accessible elections, and greatly values the opinions and voices of all members of its communities; and

Whereas, the Board hereby states its intent to move to a by-trustee area electoral system and desires to give staff direction to take all necessary and appropriate actions to move the Board to by-trustee area elections of Board members, beginning with the 2022 Board election;

Now, Therefore, Be It Resolved by the San Mateo County Board of Education as follows:

1. The foregoing recitals and findings are true and correct.
2. The Board hereby directs staff, working in collaboration with appropriate consultants, to take all necessary and appropriate actions to move the Board to by-trustee area election of Board Members, to be implemented in the 2022 and 2024 Board elections, including, but not limited to those actions and hearings required under section 10010 of the California Elections Code.
3. The Board directs staff to transmit this resolution to the San Mateo County Board of Supervisors so that it will be on notice of the Board'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. Upon completion of the actions and public hearing requirements set forth in section 10010 of the California Elections Code and described in this Resolution, staff is directed to return to this Board, for the Board's consideration and action, with at least one draft map of trustee areas to implement a system of by-trustee elections for the Board, beginning with the 2022 Board election.

Passed and Adopted this 17th day of March 2021, by the San Mateo County Board of Education.



SAN MATEO COUNTY BOARD OF EDUCATION

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