



Santa Barbara County Education Office

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Susan C. Salcido, Superintendent of Schools

RESOLUTION No. 5

Approving the Proposal for the Establishment of Trustee Areas for GOLETA UNION SCHOOL DISTRICT

WHEREAS, the Board of Education (“Board”) of the GOLETA UNION SCHOOL DISTRICT] (“District”) is currently elected “at-large,” meaning that each Board Member is elected by voters of the entire District;

WHEREAS, California Elections Code, Division 14, Chapter 1.5 (“California Voting Rights Act of 2001”), section 14027 states, “An at-large method of election may not be imposed or applied in a manner that impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome an election, as a result of the dilution or the abridgment of the rights of voters who are members of a protected class, as defined pursuant to Section 14026.”;

WHEREAS, on January 9, 2019, the Board adopted Resolution 2019-01 attached hereto as Exhibit A, declaring its intent to transition from at-large elections to by-trustee area elections where each trustee must reside within a designated trustee area boundary, and is elected only by the voters of that trustee area;

WHEREAS, the District retained Fagen Friedman & Fulfroost LLP and Cooperative Strategies to prepare several by-trustee area election system map options for consideration by the Board and public;

WHEREAS, pursuant to California Elections Code section 10010(a)(1), on September 21, 2021 and September 22, 2021, the Board held public hearings to receive public input regarding the boundaries of potential trustee areas;

WHEREAS, pursuant to California Elections Code section 10010(a)(2), on November 3, 2021, the Board published draft trustee area maps and held hearings on November 10, 2021, December 6, 2021, and December 15, 2021, to gather public input on the proposed trustee area scenarios;

WHEREAS, on December 15, 2021, the Goleta Union School District Board adopted a resolution approving a proposal to establish trustee areas and sequence of elections, attached hereto as Exhibit B;

WHEREAS, pursuant to California Education Code sections 5019, 5020, and 5030, the Santa Barbara County Committee on School District Organization is authorized to change the method of election for members of the governing board for school districts within its jurisdiction;

WHEREAS, due to the ongoing State of Emergency caused by the COVID-19 pandemic and the social distancing measures recommended by state and local health officials, pursuant to AB 361 (California Government Code section 54953), the Santa Barbara County Committee on School District Organization has been conducting its meetings via remote video teleconferencing, which it authorized most recently via Resolution No. 2022-03-CC, adopted on January 10, 2022;

WHEREAS, pursuant to California Education Code section 5019(c)(2), on January 31, 2022, the Santa Barbara County Committee on School District Organization called and conducted a hearing in the district via remote teleconferencing on the Goleta Union School District's trustee area proposal;

WHEREAS, pursuant to California Education Code section 5020(a)(2), the Santa Barbara County Committee on School District Organization is authorized to approve a proposal to establish trustee areas and to elect governing board members using district-based elections, as defined in subdivision (b) of Section 14026 of the Elections Code, without being required to submit the resolution to the electors of the district for approval.

WHEREAS, pursuant to California Education Code section 5020(a)(2), a resolution by the Santa Barbara County Committee on School District Organization approving a district's trustee area proposal takes effect upon adoption and shall govern all elections for governing board members occurring at least 125 days after the adoption of the resolution.

NOW THEREFORE, BE IT RESOLVED, that the Santa Barbara County Committee on School District Organization:

1. Approves the proposed map submitted with Resolution 2021-26 to establish trustee areas and to elect governing board members using district-based elections, attached as Exhibit B, previously adopted by the Goleta Union School District Board of Education on December 15, 2021,
2. Declares that this change in method of electing members of the governing body is being made in furtherance of the purposes of the California Voting Rights Act of 2001.

PASSED AND ADOPTED by the Santa Barbara County Committee on School District Organization on **January 31, 2022**, by the following vote:

AYES: 11

NOES: none

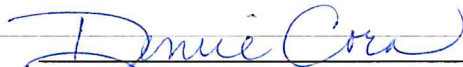
ABSENT: none

ABSTAIN:none

STATE OF CALIFORNIA

COUNTY OF SANTA BARBARA

I, Denice Cora, Secretary of the Santa Barbara County Committee on School District Organization, do hereby certify that the foregoing is a full and correct copy of a resolution duly passed and adopted by said Committee at a regularly called and conducted meeting held on said date:


Secretary of the Santa Barbara County
Committee on School District Organization

**RESOLUTION OF THE GOVERNING BOARD
OF THE GOLETA UNION SCHOOL DISTRICT
Resolution No. 2019-01**

**Resolution to Initiate a Transition to a By-Trustee Area Election System Commencing
with the 2022 Governing Board Election and Statement of Intent to Seek a Waiver of the
Election Requirement from the State Board of Education**

WHEREAS, the Goleta Union School District Board of Education (“Board”) is keenly aware of the importance of maintaining a fair election system;

WHEREAS, the Board has always strived to listen to all voices in the community and represent all of our community;

WHEREAS, California Education Code sections 5019(a) & (c)(1) and 5030 authorizes the Santa Barbara 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 (Elections Code §§ 14025 *et seq.*) (“CVRA”) prohibits the use of an “at-large” election system for governing board members of a school district if the “at-large” elections 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, Governing Board (“Board”) Members of the Goleta Union School District (“District”) are currently elected using an “at-large” election system (i.e., election system in which registered voters of the entire jurisdiction elect candidates to the governing board);

WHEREAS, it is considered the view of the Board that starting with the 2022 Board elections, and with the benefit of then-updated federal decennial Census data released in 2021, the public interest may 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, although Education Code section 5020 requires that a County Committee’s resolution approving a change in the method of electing governing board members be submitted to the electorate for its approval at the school district's next regular election following the District's formal adoption of the new election system, the Board intends to seek a waiver of the voter approval requirement as permitted by law. Education Code sections 33050-33053 authorize the State Board of Education to waive this voter approval requirement, which could reduce the costs and risks associated with a school district’s transition to a “by-trustee area” election system;

WHEREAS, the Board finds it is appropriate to seek a waiver of the election requirement in Education Code section 5020, and portions of sections 5019, 5021, and 5030, to ensure the timely implementation of the “by-trustee area” election system commencing with the 2022

Governing Board election, to reduce costs for the District associated with placing an item on the ballot and to reduce any potential legal liability or financial risk to the District under the CVRA;

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 for fiscal responsibility, desires to implement this change in the manner of electing Board members in a cost effective and efficient manner.

NOW, THEREFORE, the Governing Board of the Goleta Union School District does hereby resolve, order and determine as follows:

1. The above recitals are true and correct.
 2. The Board hereby determines that the 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 commencing in 2022.
 3. By this resolution, and pursuant to Education Code sections 5019(a) and 5030, the Board directs District staff, when timely, to transmit this resolution to the Santa Barbara County Committee on School District Organization to apply to have the County Committee adopt a change in the method of electing members of the board from “at-large” elections [Education Code section 5030(a)] to “by-trustee area” elections [Education Code section 5030(b)] commencing with the 2022 Board elections.
 4. Before submitting a final proposal to the County Committee for a trustee area plan using the federal Census data, multiple public hearings in accordance with Elections Code section 10010 shall be scheduled to obtain public input on the draft proposals prepared.
 5. The Board shall apply to the County Committee for establishment of trustee areas pursuant to Education Code section 5019(a) in a timely manner to have the 2022 elections for the Board conducted within the new trustee areas.
 6. The Superintendent, or her designee, shall send a copy of this resolution to the County Committee for action in accordance with law.
 7. The Superintendent, or her designee, is hereby directed to prepare an additional Board resolution, and implement the applicable legal requirements in a timely manner, to seek a waiver from the State Board of Education of the election requirement imposed by Education Code section 5020.
 8. The Superintendent, or her designee, shall consult with legal counsel to resolve all legal issues necessary to give effect to this resolution.
 9. The foregoing resolution shall take effect immediately upon its adoption.
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PASSED AND ADOPTED by the Board on January 9, 2019, at a duly noticed meeting by the following vote:

AYES: 5

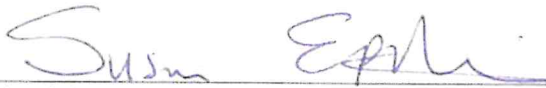
NOES: 0

ABSTAIN: 0

ABSENT: 0

I, Susan Epstein, Clerk of the Governing Board of the Goleta Union School District, HEREBY CERTIFY that the foregoing Resolution was duly introduced, passed and adopted by the Board at a meeting thereof held on January 9, 2019, by a vote of 5 to 0.

IN WITNESS THEREOF, I have hereto set my hand this 9th day of January, 2019.



Clerk of the Governing Board

**RESOLUTION OF THE GOVERNING BOARD
OF THE GOLETA UNION SCHOOL DISTRICT**

Resolution No. 2021-26

A RESOLUTION APPROVING AND ADOPTING A FINAL TRUSTEE AREA PLAN FOR THE DISTRICT'S TRANSITION TO A BY-TRUSTEE AREA ELECTION SYSTEM; A PLAN OF ELECTION FROM THOSE AREAS; AND RECOMMENDING THAT THE SANTA BARBARA COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION APPROVE THE DISTRICT'S ESTABLISHMENT OF A BY-TRUSTEE AREA ELECTION SYSTEM AND ADOPTED TRUSTEE VOTING AREA PLAN

A. On January 9, 2019, the Goleta Union School District Governing Board ("Board") passed Resolution #2019-01 initiating the process for the Goleta Union School District ("District") to transition from an "at-large" election system to a "by-trustee area" election system commencing with the 2022 Board elections.

B. In approving Resolution #2019-01, the Board expressed its view that a transition to a by-trustee area election system will reduce the District's risk of costly litigation, especially since a successful plaintiff under the California Voting Rights Act (Elections Code §14025 *et seq.*) ("CVRA") is entitled to reasonable attorneys' fees and experts' fees, creating great financial risk to any jurisdiction sued.

C. The District utilized the services of Cooperative Strategies ("Consultant") to prepare proposed trustee area boundary plans for consideration by the District, Board, and community. The Consultant has extensive experience working with school districts and local jurisdictions regarding electoral demographics, taking into consideration the CVRA, the Federal Voting Rights Act, and related election system choices.

D. All of the proposed trustee area boundary plans prepared by Consultant were drawn with all applicable laws and regulations in mind, including the CVRA and federal election law.

E. The District conducted public hearings at Board meetings on September 1, 2021 and September 22, 2021 to solicit feedback in advance of map preparation. Following the creation of draft map options, which were available and advertised on the District's website, the District conducted public hearings at Board meetings on November 10, 2021, December 6, 2021, and today, December 15, 2021.

F. With thoughtful consideration of all public input received on the draft trustee area plans and applicable state and federal legal criteria, the Board desires to adopt the trustee area plan and demographic information described as the "Trustee Plan" **Scenario Two** (attached hereto as Exhibit "A") as the final trustee area plan establishing the boundaries for the new trustee areas, and to request timely approval from the County Committee of the trustee area plan and the District's transition to a by-trustee area election system commencing with the 2022 Governing Board election.

G. In order to complete the transition to by-trustee area elections in a timely and cost effective manner, and to ensure 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 sought and obtained a waiver of certain portions of the Education Code from the State Board of Education.

NOW, THEREFORE, the Governing Board of Goleta Union School District does hereby resolve, order and determine as follows:

1. The above recitals are true and correct.
2. The Board hereby adopts the trustee area plan and demographic information described as the Scenario Number Two Map Option" (attached hereto as Exhibit "A") as the final trustee area map for the District's transition to a by-trustee area election system commencing with the 2022 Governing Board election.
3. That the District will hold by-trustee area elections in three areas (areas 1, 3 and 5) at its November 2022 election, assuming timely approval by the Santa Barbara County Committee. The District will hold by-trustee area elections in two areas (areas 2 and 4) at its November 2024 election.
4. That by this resolution and contingent upon the approval by the County Committee of the District's change to a by-trustee area election system, the Board hereby applies to the County Committee to timely approve the Board's adopted trustee area plan for implementation commencing with the 2022 Governing Board election, or at the earliest possible election, as conditioned upon approval of the Education Code waiver request submitted to the State Board of Education. In the alternative, SB 442 permits the County Committee to approve of the District's transition without an election or waiver.
5. The Board hereby authorizes and directs District staff to transmit this resolution, the final trustee area plan adopted, and any additional required documentation to the County Committee and to take any other necessary action to effectuate the purposes of this resolution and complete the District's transition to a by-trustee area election system for the 2022 Governing Board elections.
6. The foregoing resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board on December 15, 2021, at a duly noticed meeting by the following vote:

AYES: 5

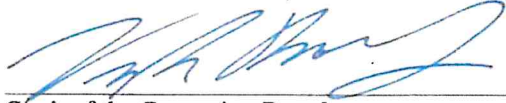
NOES: 0

ABSTAIN: 0

ABSENT: 0

I, Vicki Ben-Yaacov, Clerk of the Governing Board of the Goleta Union School District, HEREBY CERTIFY that the foregoing Resolution was duly introduced, passed and adopted by the Board at a meeting thereof held on December 15, 2021, by a vote of 5 to 0.

IN WITNESS THEREOF, I have hereto set my hand this 15th day of December, 2021.



Clerk of the Governing Board

GOLETA UNION SCHOOL DISTRICT

CONCEPTUAL TRUSTEE AREAS - SCENARIO 2

