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**BEFORE THE BOARD OF TRUSTEES OF THE
SANTA ANA UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 21/22 – 3416
RESOLUTION INITIATING PROCESS OF ESTABLISHING
TRUSTEE AREAS AND ELECTIONS BY-TRUSTEE AREAS**

WHEREAS, the Santa Ana Unified School District (“District”) is governed by a five member Board of Trustees (“Board”); and

WHEREAS, the District currently uses an at-large system of electing the members of the Board; 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, by-trustee area elections help promote a more democratic form of government by, among other things, helping to emphasize neighborhood representation and making it easier for local candidates to fund and successfully mount campaigns; and

WHEREAS, many school districts and other local agencies in Orange County have recently changed, or are in the process of changing, their elections in light of the CVRA; and

WHEREAS, the Board, based on its awareness of the foregoing, has had an ongoing interest in the issue, and has studied the issue, with the assistance and advice of legal counsel, and has decided to initiate the process of establishing trustee areas and changing the method of electing members of the Board, to ensure compliance with the CVRA or, at minimum, avoid the potential for costly litigation under the CVRA; and

WHEREAS, transitioning to a by-trustee area election method is and should be a time-intensive process, because the process does and should allow for extensive public input as required by Elections Code section 10010, includes the involvement of the Orange County Committee on School District Organization, and may involve seeking and obtaining a waiver of the requirement for an election from the State Board of Education; and

WHEREAS, the 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 2022 election.

NOW, THEREFORE, the Board hereby resolves, determines, and finds the following:

Section 1. The foregoing recitals are true and correct.

Section 2. The Resolution indicates the Board’s intention to transition from at-large to by-trustee area elections under Elections Code section 10010(f)(1).

Section 3. 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

1 Education Code section 5019 and Elections Code section 10010, in sufficient time for
2 trustee areas to be established for the November 2022 election of members of the
3 Board.
4

5 **Section 4.** The Board directs the Superintendent or his designee to initiate the legal and regulatory
6 process of changing the method of electing members of the Board, from the current at-
7 large system whereby each member of the Board is elected by the registered voters of
8 the entire District (Education Code section 5030(a)), to a method which provides that
9 Board members residing in each trustee area will be elected by the registered voters of
10 that particular trustee area (Education Code 5030(b)), in sufficient time for the new
11 method of electing members of the Board to be in place for the November 2022
12 election.
13

14 **Section 5.** The Board directs the Superintendent or his designee to initiate processes for
15 establishing trustee areas and changing the method of electing members of the Board
16 in an inclusive, thoughtful, and public manner, providing for and encouraging
17 significant input on the issues the Board and County Committee on School District
18 Organization will address from all interested citizens and interest groups.
19

20 **Section 6.** The Superintendent or his designee is authorized to initiate the legal and regulatory
21 process to seek a waiver from the State Board of Education, of the requirements of
22 Education Code section 5020 and related statutes, so that action of the Orange County
23 Committee on School District Organization establishing trustee election areas and
24 adopting one of the alternative methods of electing Board members specified in
25 Education Code section 5030 does not constitute an order of election.
26

27 **PASSED AND ADOPTED**, the foregoing resolution was considered, passed, and adopted by
28 this Board at its regular meeting of 10th day of August 2021.
29

30 Upon motion of Member Torres and duly seconded, the foregoing Resolution was
31 adopted by the following vote:
32

33 AYES: Rodriguez, Torres, Alvarez, Amezcua, Palacio
34

35 NOES:
36

37 ABSENT:
38

39 STATE OF CALIFORNIA)
40) ss:
41 COUNTY OF ORANGE)
42
43

44 I, Rigo Rodriguez, President of the Board of Education of the Santa Ana Unified School
45 District of Orange County, California, hereby certify that the above and foregoing Resolution was
46 duly adopted by the said Board at a regular meeting thereof held on the 10th day of August 2021,
47 and passed by a vote of 5-0 of said Board.
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Rigo Rodriguez, Ph.D., President of the Governing Board
Santa Ana Unified School District, State of California

I, Alfonso Alvarez, Clerk of the Board of Education of the Santa Ana Unified School District of Orange County, California, hereby certify that the above and foregoing Resolution was duly adopted by the said Board at a regular meeting thereof held on the 10th day of August 2021, and passed by a vote of 5-0 of said Board.



Alfonso Alvarez, Ed.D., Clerk of the Board of Education
Santa Ana Unified School District, State of California