

**BEFORE THE GOVERNING BOARD OF THE  
EL TEJON UNIFIED SCHOOL DISTRICT**

In the Matter of the District's Election System in re the California and Federal Voting Rights Acts.

RESOLUTION NO. 12-07

A Resolution by the Governing Board to Maintain the At-Large Election System

**RECITALS**

1. California Education Code sections 5019(a) & (c)(l) and 5030 authorize the Kern County Committee on School District Organization ("County Committee"), upon application of a school district's governing board, to change the method of election in a school district under its jurisdiction; and
2. Members of the Board of Trustees of the El Tejon Unified School District ("School District" or "District") are currently elected in "at-large" elections, i.e., elections in which "each governing board member [is] elected by the registered voters of the entire school district" [Education Code section 5030(a)]; and
3. No one has demanded that the District change its method of election; and
4. The Board of Trustees passed Resolution No. 11-01 on August 11, 2010 expressing that it would be prudent to review its current trustee election system in light of the California Voting Rights Act (the "Act"), and to determine if any changes are required in the current system so as to comply with the Act; and
5. Resolution No. 11-01 was adopted when the federal 2010 Census was still underway; and
6. Data from the 2010 Census has since become available for review in connection with the question of whether changes to the election system are desirable; and
7. Data from the 2010 Census shows that the current total population of the District is 8,427, an increase of 1,707 persons over the 2000 Census. In terms of racial/ ethnic/ language minority groups within the District, Hispanic residents represent the largest group, at 16.5 percent of the total population. Asian residents accounted for 1.9 percent of total population, Indian (Native American) residents 1.7 percent and Black/African American

residents 1.0 percent. Data from the Special Tabulation and American Community Survey and registration and voter turnout data indicate that Hispanic citizens in 2010 accounted for 6.5 – 6.6 percent of the citizen voting age population, and that residents with Spanish surnames accounted for 6.6 percent of registered voters and 5.6 percent of voter turnout; and

8. It is not currently possible to create a trustee area with a majority or even a plurality of Hispanic citizen voting age population in the District based upon the demographic information reviewed by the Board; and

9. The Board of Trustees believes that the at-large election system promotes a consideration of the welfare of all residents and schools in the District; whereas a “by-trustee area” election system can lead to a focus on only the constituents and schools within a trustee’s residence area, which can limit a school board’s ability to maintain a broader policy perspective and interfere with a willingness to cooperate to achieve common goals, all of which can impact student well-being and achievement; and

10. The Board of Trustees is concerned that in a by-trustee area election system, there will be a difference in the influence wielded by voters in different trustee areas based upon the voter registration rates in each trustee area; and

11. The Board of Trustees is concerned that voters in a by-trustee area election system would only have the opportunity to express electoral choices once every four years, in contrast to the at-large system under which elections are held District-wide every two years; and

12. After a review of the data, the Board of Trustees believes that a change to a “by trustee area” election system at this time will not significantly increase the opportunity for Hispanic and other minority voters to elect their chosen candidates and may in fact dilute Hispanic voting strength and influence given that Hispanic residents are dispersed throughout the District because minority candidates would no longer be able to draw support on a District-wide basis; and

13. The Board of Trustees does not believe that the size of the District presents an obstacle for candidates to run for school board seats; and

14. The Board held a duly noticed public hearing on the question of maintaining the current at-large election system on February 8, 2012; and

15. In light of the information received to date, the Board of Trustees believes that a change in election system would not be beneficial for the District or its students at this time, and would not provide minority voters in the District with a significantly improved opportunity to elect candidates of their choice; and

16. The Board of Trustees believes it is important for the Board to monitor developments in terms of demographics and electoral history in the District to determine whether a change in electoral systems may be warranted at some future date,

NOW, THEREFORE, BE IT RESOLVED as follows:

A. The above recitals are true and correct.

B. The Board of Trustees shall continue to use an at-large election system until such time as it determines in the future that a change in election systems is warranted.

C. The Superintendent is directed to monitor updated demographic data, including but not limited to the 2020 Census, and to report to the Board any data which may indicate the need to consider a change in the electoral system.

D. The Superintendent shall consult with legal counsel to resolve all legal issues necessary to give effect to this Resolution.

THE FOREGOING RESOLUTION was adopted upon motion by Trustee \_\_\_\_\_, seconded by Trustee \_\_\_\_\_, at a regular meeting held on February 8, 2012, by the following vote:

AYES:

NOES:

ABSENT:

DATED: February 8, 2012

\_\_\_\_\_  
President, Board of Trustees  
El Tejon Unified School District

**CERTIFICATION**

I, Ken Hurst, Clerk to the Board of Trustees of the El Tejon Unified School District, certify that the foregoing Resolution was regularly introduced, passed, and adopted by the Board of Trustees at its meeting held on February 8, 2012.

DATED: \_\_\_\_\_, 2012

\_\_\_\_\_  
Clerk, Board of Trustees  
El Tejon Unified School District