

**RESOLUTION OF THE GOVERNING BOARD
OF THE BONSALL UNIFIED SCHOOL DISTRICT
Resolution No. 18-10-02**

**Resolution to Initiate a Transition to a By-Trustee Area Election System Commencing
with the 2020 Governing Board Election and Statement of Intent to Seek a Waiver of the
Election Requirement from the State Board of Education**

WHEREAS, the Bonsall Unified 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 San Diego 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 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 Bonsall Unified 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, in September 2018, the Board received a letter from a law firm asserting that the Board’s at-large board member electoral system violates the CVRA and threatening litigation if the Board declines to voluntarily change to a district-based election system for electing board members;

WHEREAS, although the letter was not accompanied by any evidence to support the claim of a CVRA violation, the Board has directed staff to initiate the process to establish “by-trustee areas” elections to avoid costs associated with defending a lawsuit based on the CVRA even if that lawsuit were to reach a settlement in a timely manner;

WHEREAS, there is inadequate time for the District to complete the required transition process, obtain community input, and work with the County and State to implement a change to by-trustee area elections in advance of the November 2018 general election;

WHEREAS, it is considered the view of the Board that starting with the 2020 Board elections, and with the benefit of federal Census data, 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);