



Sacramento County Committee on School District Organization Meeting

Tuesday / June 9, 2020 / 5:30 p.m.

PLEASE NOTE:

Zoom Meeting

<https://scoe.zoom.us/j/99385099944>

Primary Number: 669.900.6833

Secondary Number: 346.248.7799

Meeting ID: 993 8509 9944

10474 Mather Boulevard
P.O. Box 269003
Sacramento, CA 95826-9003
916.228.2410

SACRAMENTO COUNTY COMMITTEE ON SCHOOL DISTRICT ORGRANIZATION
10474 Mather Boulevard
P.O. Box 269003
Sacramento, California 95826-9003

TO: Members, Sacramento County Committee on School District Organization
FROM: David W. Gordon, Secretary
SUBJECT: Agenda – Tuesday, June 9, 2020
Time: 5:30 p.m.

Notice of the Means by Which Members of the Public May Observe the Meeting and Offer Public Comment, Pursuant to Executive Orders N-29-20 and N-33-20, and Government Code section 54953

The Sacramento County Committee on School District Organization will conduct this meeting via Zoom video and/or teleconference, with one or more Board members participating from remote locations via video, telephone, or other electronic means. Voting at this meeting shall be by roll call.

This meeting will be accessible to members of the public via Zoom video and/or teleconference. To view the County Committee Meeting by computer, tablet, or smart phone, go to:
<https://scoe.zoom.us/j/99385099944>

To listen by phone: Primary Number: 669-900-6833 Secondary Number: 346-248-7799
Enter the Meeting ID: 993 8509 9944

Members of the public may submit public comment through a Google form at:
<https://bit.ly/county-committee-6-9-20>. Written comments received before the public comment portion of the June 9, 2020 meeting will be read during the teleconferenced meeting at appropriate times.

Accommodating Individuals with Special Needs

The Sacramento County Committee on School District Organization encourages those with disabilities to participate fully in the public meeting process. If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, contact the Superintendent's Office at (916) 228-2410 or cmiller@scoe.net at least 48 hours before the scheduled County Committee meeting so that we may make every reasonable effort to accommodate you. [*Government Code* § 54953.2; Americans with Disabilities Act of 1990, § 202 (42 U.S.C. § 12132).]

AGENDA

- I. Call to Order and Roll Call
- II. Pledge of Allegiance
- III. Approval of the Minutes of the May 19, 2020 Sacramento County Committee on School District Organization Meeting
- IV. Adoption of Agenda
- V. Visitor Presentations
 - A. General Public

County Committee Meeting Agenda – June 9, 2020 – Page 2

NOTE: Anyone may submit public comments to the County Committee on any item that is within the County Committee's subject matter jurisdiction. However, the County Committee may not take action on any item not on this agenda except as authorized by Government Code section 54954.2. Anyone may also submit public comments to the County Committee in support of or in opposition to any item being presented to the County Committee for consideration.

VI. New Business

- A. Public Hearing and Action on Proposal to Adopt Alternative Method of Electing Governing Board Members in Folsom Cordova Unified School District and Action on Resolution No. CC-20-02

VII. Adjournment

County Committee Agenda Packet

The full County Committee agenda packet, including supporting materials and items distributed less than 72 hours prior to the scheduled meeting, is available on the Sacramento County Office of Education website (www.scoe.net/cocom). For more information, please call (916) 228-2410.

SACRAMENTO COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

Minutes of the Meeting of May 19, 2020

VIA ZOOM/TELECONFERENCE CALL

- I. Call to Order and Roll Call
 - II. Pledge of Allegiance
 - III. Approval of the Minutes of the September 28, 2019 Sacramento County Committee on School District Organization Meeting
 - IV. Adoption of Agenda
 - V. Visitor Presentations
 - A. General Public
 - VI. New Business
 - A. Public Hearing and Action on Proposal to Adopt Alternative Method of Electing Governing Board Members in River Delta Unified School District and Action on Resolution No. CC-20-01
 - VII. Adjournment
-

I. Chair Lefkovitz called the meeting to order at 5:31 p.m. via Zoom/teleconference call in Sacramento, California. Board members present were Joanne Ahola, Al Brown, Heather Davis, Harold Fong, Paul Keefer, Bina Lefkovitz, and Karina Talamantes. Also present were David W. Gordon, Superintendent and Secretary to the Board; Teresa Stinson, General Counsel; RDUSD Superintendent Kathy Wright; RDUSD Board President Alicia Fernandez; other staff and visitors; and Carla Miller, Superintendent/Board Liaison.

II. Committee Member Keefer led the Pledge of Allegiance.

III. Committee Member Talamantes moved to approve the Minutes of the September 28, 2019 Sacramento County Committee on School District Organization Meeting. Committee Member Keefer seconded the motion. Motion carried 5 ayes, 0 noes, 0 absent, 2 abstentions based on the following Roll Call vote:

Ms. Ahola – abstain
Mr. Brown – yes
Ms. Davis – abstain
Mr. Fong – yes
Mr. Keefer – yes
Ms. Lefkovitz – yes
Ms. Talamantes – yes

IV. Committee Member Fong moved and Committee Member Brown seconded adoption of the agenda. Motion carried 7 ayes, 0 noes, 0 absent, 0 abstention based on the following Roll Call vote:

Ms. Ahola – yes
Mr. Brown – yes

Ms. Davis – yes
Mr. Fong – yes
Mr. Keefer – yes
Ms. Lefkovitz – yes
Ms. Talamantes – yes

V.A. There were no requests for visitor presentations from the general public.

VI.A. Chair Lefkovitz announced that the Sacramento County Committee on School District Organization (County Committee) will now hold a public hearing on the River Delta Unified School District (RDUSD) proposal to adopt an alternative method of electing governing board members. Currently, RDUSD governing board members must reside in specific trustee areas but are elected by the registered voters of the entire school district (hybrid/at-large elections). RDUSD proposes to change its election method so that one governing board member residing in each trustee area will be elected by the registered voters in that trustee area (by trustee area elections). This public hearing will provide the opportunity for individuals and constituents to provide public comment and input regarding RDUSD's proposal to change election methods. At the conclusion of the public hearing, the County Committee may approve or deny RDUSD's proposal.

Chair Lefkovitz opened the Public Hearing at 5:38 p.m.

General Counsel, Teresa Stinson, presented/described the item.

Superintendent Kathy Wright of River Delta Unified School District thanked the Board for considering the district's proposal. The RDUSD board engaged in a very deliberate and public process for changing to by-trustee area elections. On May 12, 2020, the California Department of Education approved RDUSD's waiver request.

RDUSD Board President Fernandez stated that in September, when we redistricted, it became apparent that the need and desire to have voting by trustee area was important to provide better representation for each area of the school district. Thank you for considering our proposal.

No Public Comments were submitted.

Chair Lefkovitz closed the Public Hearing at 5:45 p.m.

Committee Member Talamantes moved and Committee Member Brown seconded the motion to approve the River Delta Unified School District's proposal to change to by trustee area elections and to adopt Resolution No. CC-20-01.

Motion carried 7 ayes, 0 noes, 0 absent, 0 abstention based on the following Roll Call vote:

Ms. Ahola – yes
Mr. Brown – yes

Ms. Davis – yes
Mr. Fong – yes
Mr. Keefer – yes
Ms. Lefkovitz – yes
Ms. Talamantes – yes

VII. Committee Member Ahola moved and Committee Member Keefer seconded the motion to adjourn. Motion to adjourn and carried 7 ayes, 0 noes, 0 absent, 0 abstention based on the following Roll Call vote:

Ms. Ahola – yes
Mr. Brown – yes
Ms. Davis – yes
Mr. Fong – yes
Mr. Keefer – yes
Ms. Lefkovitz – yes
Ms. Talamantes – yes

Meeting adjourned at 5:48 p.m.

Respectfully submitted,

David W. Gordon
Secretary to the County Committee

Date approved:

SACRAMENTO COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

10474 Mather Boulevard, P.O. Box 269003
Sacramento, CA 95826-9003

Subject: Public Hearing and Action on Proposal to Adopt Alternative Method of Electing Governing Board Members in Folsom Cordova Unified School District and Action on Resolution No. CC-20-02	Agenda Item No.: VI.A. Enclosures: 79
Reason: Action	From: David W. Gordon Prepared By: Teresa Stinson Board Meeting Date: 06/09/20

BACKGROUND:

The governing board of the Folsom Cordova Unified School District (FCUSD) has adopted and submitted resolutions proposing to change the method of electing governing board members in FCUSD. (Ed. Code, § 5019.) Currently, the five FCUSD board members are elected by the registered voters of the entire school district (“at-large elections”). FCUSD proposes to change its election method so one governing board member residing in each trustee area will be elected by the registered voters who reside in that trustee area (by “trustee area elections”).

FCUSD board members are elected in even-numbered years and serve staggered, four-year terms. The next election for two FCUSD board members is scheduled for November 2020, and the election for the remaining three board members is scheduled for November 2022. FCUSD proposes to maintain the same sequence of elections.

PUBLIC HEARING PROCESS:

Public hearings and outreach regarding FCUSD’s proposed change of election method, trustee area boundary maps, and sequence of elections have been or will be conducted as follows:

- March 12, 2020 – (public hearings) FCUSD held public hearings and adopted resolutions (1) establishing its intention and process for transitioning to “by trustee area” elections, and (2) to seek a waiver from the State Board of Education of the Education Code requirements that proposed election method changes be submitted to school district voters for approval or denial.
- March 23, 2020 (approximately) – FCUSD posted Frequently Asked Questions regarding “by trustee area” elections on the FCUSD website.
- March 26, 2020 (public hearing via audio/video teleconference) – Dr. Douglas Johnson of National Demographics Corporation (demographer) presented to

FCUSD on the process for changing to “by trustee area” elections. FCUSD held public hearing to obtain public input regarding the composition of trustee areas for board member elections before preparing draft boundary maps.

- April 14, 2020 (public hearing via audio/video teleconference) – FCUSD heard demographer presentation and held public hearing to obtain public input regarding the composition of trustee areas for board member elections before preparing draft boundary maps.
- April 23, 2020 (public hearing via audio/video teleconference) – FCUSD heard demographer presentation, reaffirmed its commitment to transition to “by trustee area” elections, and held public hearing to obtain public input regarding the composition of trustee areas for board member elections before preparing draft boundary maps.
- April 28, 2020 (public hearing via audio/video teleconference) – FCUSD heard demographer presentation and held public hearing to obtain public input regarding the composition of trustee areas for board member elections before preparing draft boundary maps.
- April 29, 2020 – FCUSD published four proposed trustee area maps and solicited community input through postings on the FCUSD website.
- May 7, 2020 (public hearing via audio/video teleconference) – State Board of Education approved FCUSD’s request to waive Education Code requirement that proposed election method changes be submitted to school district voters for approval or denial.
- May 7, 2020 (public hearing via audio/video teleconference) – FCUSD heard demographer presentation and held public hearing to consider public input regarding proposed trustee area boundary maps and proposed sequence of elections.
- May 12, 2020 – FCUSD updated its administrative schedule, added a fifth proposed map, and published all proposed trustee area maps on the FCUSD website.
- May 21, 2020 (public hearing via audio/video teleconference) – FCUSD heard demographer presentation and held public hearing to consider public input regarding proposed trustee area boundary maps and proposed sequence of elections; FCUSD board members expressed non-binding preference to focus on draft map 5 for consideration at June 4, 2020 public hearing.
- June 4, 2020 (public hearing via audio/video teleconference) – FCUSD heard demographer presentation, held public hearing, adopted resolution transitioning to “by trustee area” elections, and adopted final proposed trustee area boundaries map 5 and sequence of elections.

- Notices of FCUSD’s public hearings were posted on the FCUSD website and at the district office, published in local news outlets, and emailed to the City of Folsom, City of Rancho Cordova, and Gold Country Media.
- June 9, 2020 (public hearing via audio/video teleconference) – County Committee scheduled to consider and act upon FCUSD’s proposal to change to “by trustee area” elections.

(See Attachments 1, 2, 3) Additional information regarding the FCUSD process, along with interactive copies of the proposed maps are posted on the FCUSD website at <https://www.fcusd.org/domain/5606>.

COUNTY COMMITTEE ROLE:

By law, the Sacramento County Committee on School District Organization (County Committee) must hold a hearing and, at the conclusion, decide whether to approve or disapprove FCUSD’s proposal to change election methods. In the event that the County Committee approves FCUSD’s proposal to change to “by trustee area” elections based upon the trustee area boundaries map 5 and sequence of elections adopted by FCUSD, a proposed resolution is included for consideration.

The State Board of Education has waived the requirement that FCUSD voters approve or deny the proposed change of election method. (Attachment 3) Therefore, the County Committee’s action will be decisive as follows:

1. If the County Committee approves FCUSD’s proposal to change to “by trustee area” elections using the trustee area boundaries map and sequence of the elections adopted by FCUSD, FCUSD will change to by trustee area elections as proposed by FCUSD, beginning with the FCUSD governing board election on November 3, 2020.
2. If the County Committee denies FCUSD’s current proposal to change to by trustee area elections based upon FCUSD’s proposed trustee area boundaries map and/or sequence of elections, FCUSD would need to conduct further public hearing(s) to consider and adopt an alternative map and/or sequence of elections, and submit a revised proposal. In order for “by trustee area” elections to be implemented for FCUSD’s November 2020 election, the County Committee would need to hold a public hearing and act on the revised proposal by July 1, 2020.
3. If the County Committee denies FCUSD’s proposal to change to by trustee area elections and/or does not act on a revised proposal by July 1, 2020, FCUSD’s election method will remain as it is now for the November 2020 election, with governing board members elected by the registered voters of the entire school district (“at-large elections”).

SUPERINTENDENT’S RECOMMENDATION:

The County Superintendent of Schools recommends that the Sacramento County Committee on School District Organization hold a public hearing and decide upon FCUSD’s proposal to change to by trustee area elections.

**SACRAMENTO COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
10474 Mather Boulevard
P.O. Box 269003
Sacramento, CA 95826-9003**

****PLEASE POST****

NOTICE OF PUBLIC HEARING

A public hearing will be held by the Sacramento County Committee on School District Organization (County Committee) to receive public comment and input from the community regarding the Folsom Cordova Unified School District's (FCUSD) proposal to change its method of electing governing board members. Currently, FCUSD governing board members are elected by the registered voters of the entire school district ("at-large elections"). FCUSD proposes to change its election method so that one governing board member residing in each trustee area will be elected by the registered voters in that trustee area ("by trustee area elections"). At the conclusion of the public hearing, the County Committee may take action to approve or disapprove FCUSD's proposal to change election methods, including its proposed trustee area boundaries map and sequence of elections.

The public hearing is scheduled for **Tuesday, June 9, 2020 at 5:30 p.m.**

In compliance with current California Executive Orders and Orders by the Sacramento County Health Officer directing all individuals to stay at home (with limited exceptions not applicable here), and prohibiting all public and private gatherings of any number of people, and Executive Order N-29-20 allowing local legislative bodies to satisfy transparency requirements by holding meetings via teleconference, the County Committee will conduct this hearing via Zoom video and/or teleconference. Members of the public may access the meeting and provide public comment as follows:

Zoom Video Conference: To view the meeting from a computer, tablet, or smart phone, go to: <https://scoe.zoom.us/j/99385099944>

Telephone Conference: To listen by telephone:

Primary Number: (669) 900-6833

Secondary Number: (346) 248-7799

Enter the Meeting ID: 993 8509 9944

Public Comment: Members of the public may submit public comment through a Google form at <https://bit.ly/county-committee-6-9-20>. Written comments received before the public comment portion of the June 9, 2020 meeting will be read during the teleconferenced meeting at appropriate times.

Persons who require reasonable accommodation or modification to observe and/or offer public comment are asked to contact the Superintendent's Office at (916) 228-2410 or cmiller@scoe.net at least 48 hours before the meeting.

Materials subject to the public hearing are available at the Sacramento County Office of Education website at www.scoe.net/cocom. For more information, please call (916) 228-2410.

ATTACHMENT 1
FCUSD Process for Transitioning to "By Trustee Area" Elections

**FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT
TRANSITION TO TRUSTEE AREA BOARD ELECTIONS
UPDATED TENTATIVE ADMINISTRATIVE SCHEDULE
MAY 12, 2020**

DATE	ACTION
March 12, 2020	Governing Board Adopted Resolution of Intent and Resolution Seeking State Board of Education Waiver of Election.
March 13, 2020	District Submitted Election Waiver Request to State Board of Education.
¹ March 26, 2020	Board Held First of Six (6) Public Input Hearings.
April 14, 2020	Board held Second of Six (6) Public Input Hearings.
April 23, 2020	Board Reaffirmed Commitment to Transition to By-Trustee Area Elections.
April 23, 2020	Board Held Third of Six (6) Public Input Hearings.
April 28, 2020	Board Held Fourth of Six (6) Public Input Hearings.
April 29, 2020	District Published Draft Maps .
May 7, 2020	Board Held Fifth of Six (6) Public Input Hearings.
May 7, 2020	State Board of Education Approved Election Waiver Request
May 12, 2020	District Publishes Revisions to Draft Maps (<i>adding fifth draft map</i>).
May 21, 2020	Board Holds Sixth of Six (6) Public Input Hearings.
By May 27, 2020	District Publishes any final revisions to Draft Maps .
June 4, 2020	Board Holds Hearing to Approve Transition to Trustee Area Election, Final Proposed Trustee Areas Map, and Order of Elections.
June 5, 2020	District Submits its Resolution Approving Transition to Trustee Area Elections, Final Proposed Trustee Areas Map, and Order of Elections to Sacramento County Committee on School District Reorganization for Approval.
By June 10, 2020	County Committee Considers and Approves District Proposal to Establish Trustee Areas and Implement By-Trustee Area Voting for Election of Members for the District's Governing Board (<i>anticipated</i>).
June 30, 2020	Deadline to Submit Required Documents to County of Sacramento Voter Registration and Elections Office for November 3, 2020 Election.
November 3, 2020	First Trustee Area-Based Board Election is Held.

¹ Note: This timeline is subject to revision, based on unforeseen factors.

RESOLUTION NO. 03-12-20-31

**BOARD OF EDUCATION OF THE
FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT**

Resolution Establishing Intention to Transition to District-Based Elections

WHEREAS, the Board of Education ("Board") of the Folsom Cordova Unified School District ("District") is elected "at-large," meaning that each Board member is elected by voters of the entire District;

WHEREAS, Board members are elected in even-numbered years and serve staggered, four-year terms, such that the next election for two Board members is scheduled for November 2020, with the remaining three Board members scheduled for election in November 2022;

WHEREAS, under the California Voting Rights Act ("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));

WHEREAS, the District understands the importance of fair and accessible elections, and greatly values the opinions and voices of all members of the District's community;

WHEREAS, the Board has concluded that it is in the public interest to begin the process to transition from at-large to district-based elections;

NOW THEREFORE, the Governing Board of the Folsom Cordova Unified School District hereby resolves as follows:

1. The above recitals are correct and true.
2. The District shall commence the process of transitioning to district-based elections, in full compliance with all appropriate procedures and policies provided in law, including but not limited to Education Code sections 5019, 5030, and 33050, et seq., and Elections Code sections 10010 and 14025, et seq., with the intention of completing the process within ninety (90) days of this Resolution's passage. To facilitate this transition, the Superintendent or designee shall:
 - a. Cause to be held at least two public hearings of this Board over a period of no more than thirty (30) days, at which the public is invited to provide input regarding the composition of the districts. Before these hearings, the Superintendent or designee may conduct outreach to the public, including to non-English-speaking communities, to explain the districting process and to encourage public participation.

- b. Thereafter, cause to be drawn draft district maps of the proposed boundaries of the districts.
 - c. Thereafter, cause those draft district maps of the proposed boundaries of the districts to be published and made available for release, and, if members of the Board of the District will be elected in their districts at different times to provide for staggered terms of office, the potential sequence of the elections.
 - d. Thereafter, cause to be held at least two additional hearings of this Board over a period of not more than forty-five (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 elections, if applicable. The first version of a draft map shall be published at least seven (7) days before consideration at a hearing. If a draft map is revised at or following a hearing, it shall be published and made available to the public for at least seven (7) days before being adopted.
 - e. Thereafter, once the draft map or maps and the proposed sequence of elections, if applicable, have been approved by this Board, such approval to be effected by a duly enacted Resolution of this Board at a public hearing at which the Board votes to approve or defeat an ordinance establishing district-based elections, the Superintendent or designee shall cause such Resolution to be transmitted to the County Committee for hearing and consideration pursuant to Section 5019 of the Education Code.
- 3. The Superintendent or designee is directed to engage a demographer, legal counsel, and any other consultant deemed required to assist in the development of proposed district-based election map.
 - 4. The Superintendent or designee is hereby authorized and directed to take any other actions necessary to effectuate this Resolution.


APPROVED AND ADOPTED by the Governing Board of the Folsom Cordova Unified School District, this 12th day of March 2020, by the following vote:

AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0

Signed and approved by me after its passage.

Attest:


David Reid, Clerk


Chris Clark, President

RESOLUTION NO. 03-12-20-32

**BOARD OF EDUCATION OF THE
FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT**

**Resolution Regarding Waiver of Election Pertaining to District-Based Board Member
Elections**

WHEREAS, the Board of Education (District Board) has commenced the process of transitioning to district-based elections, in full compliance with all appropriate procedures and policies provided by law, including but not limited to Education Code sections 5019, 5030, and 33050, et seq., and Elections Code sections 10010 and 14025, et seq., with the intention of completing the process within ninety (90) days of this Resolution's passage.

WHEREAS, once draft re-districting map or maps and the proposed sequence of elections, if applicable, have been approved by the District Board, such approval to be effected by a duly enacted Resolution, the Superintendent or designee shall cause such Resolution to be transmitted to the County Committee on School District Reorganization (County Committee) for hearing and consideration pursuant to Education Code section 5019.

WHEREAS, pursuant to Education Code sections 5019, 5020, 5021, and 5030, following County Committee approval of the District Board adopted trustee area maps, law requires that an election request be submitted to the county elections office seeking voter approval of the rearrangement of trustee areas, such trustee areas to be effective for the next district election occurring at least 120 days after the approval of the voters.

WHEREAS, notwithstanding the above, Education Code section 33050 allows the District Board of Education to request a General Waiver of the above-mentioned Education Code Sections, and associated election, which, upon approval by the California Board of Education (State Board) would cause the new trustee areas to be implemented at the first regular district elections occurring at least 120 days following submission of the General Waiver to the county elections office.

WHEREAS, the District Superintendent and/or her designees have:

- a. Consulted with all collective bargaining units of the District, made every effort to include them as participants in the waiver process, and has communicated to the Board the collective bargaining units' position regarding the waiver in the General Waiver Request.
- b. Consulted with all committees and councils with an interest in the General Waiver Request and has communicated to the Board the position of such groups regarding the waiver in the General Waiver Request.
- c. Distributed a notice specifically inviting public testimony regarding the General Waiver Request, said notice having been published in a newspaper of general

circulation and include the date, time, location, and subject of the hearing on the instant Resolution.

- d. Caused a public hearing to be held as indicated in such notice on the General Waiver Request, allowing the Board to now and herein act by this Resolution to approve the General Waiver Request.

NOW THEREFORE, the Governing Board of the Folsom Cordova Unified School District hereby resolves as follows:

1. The Superintendent or designee is hereby authorized and directed to:
 - a. Prepare a "General Waiver Request" to be submitted to the State Board of Education pursuant to Education Code sections 33050, et seq. to waive portions of Education Code sections 5019, 5020, 5021, and 5030 (which would otherwise require an election to approve the transition from "at-large" elections to "district-based" elections); and
 - b. Perform other actions necessary to effectuate this Resolution.

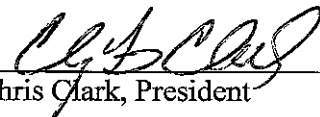
APPROVED AND ADOPTED by the Governing Board of the Folsom Cordova Unified School District, this 12th day of March 2020, by the following vote:

AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0

Signed and approved by me after its passage.

Attest:


David Reid, Clerk


Chris Clark, President

PUBLIC HEARING

(Pursuant to Education Code Section 33050)

FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT TO CONSIDER APPLYING FOR EDUCATION CODE WAIVER

NOTICE IS HEREBY GIVEN that the Board of Education of the Folsom Cordova Unified School District (“District”) intends to consider, pursuant to Education Code section 33050, applying to the State Board of Education for a waiver of portions of Sections 5019, 5020, 5021, and 5030 of the Education Code, which would otherwise require an election to approve a transition from “at-large” elections to “district-based” elections (the “Proposed Action”).

The time and place set for the public hearing is:

- **March 12, 2020 at 6:00 p.m.** (or as soon thereafter as practicable) at the Folsom Cordova Unified School District, Education Services Center, Boardroom, 1965 Birkmont Drive, Rancho Cordova, CA 95742.

Testimony of all interested persons for or against the Proposed Action will be heard. Protests may be made orally or in writing. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made. All written protests shall be filed with the District on or before the time set for the hearing. The District may waive any irregularities in the form or content of any written notice and at the hearing may correct minor defects in the proceedings. Written protests may be withdrawn, in writing, at any time before the conclusion of the hearing.

Posted on: March 6, 2020

Posted at: ESC

District Website

School Sites

Posted on: March 9, 2020

Posted at: Sacramento Bee

NOTICE OF PUBLIC HEARING
(Pursuant to Elections Code Section 10010, subd. (a)(1))

FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT
TO CONSIDER PUBLIC INPUT PRIOR TO DRAWING DRAFT ELECTION
DISTRICT BOUNDARIES

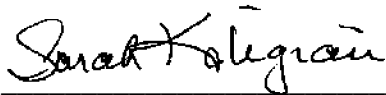
NOTICE IS HEREBY GIVEN that the Board of Education of the Folsom Cordova Unified School District (“District”) intends to hold a public hearing, pursuant to Elections Code Section 10010, subd. (a)(1), at which the public is invited to provide input regarding the composition of districts the District intends to establish for board member elections before drawing a draft map or maps of the proposed boundaries of the districts (the “Proposed Action”).

The time and place set for the public hearing is:

- **March 26, 2020 at 6:00 p.m.** (or as soon thereafter as practicable) at the Folsom Cordova Unified School District, Education Services Center, Boardroom, 1965 Birkmont Drive, Rancho Cordova, CA 95742.
- Participation by live streaming through YouTube. A URL to a Google document for public comments will be forth coming.

Testimony of all interested persons for or against the Proposed Action will be heard. Protests may be made orally or in writing. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made. All written protests shall be filed with the District on or before the time set for the hearing. The District may waive any irregularities in the form or content of any written notice and at the hearing may correct minor defects in the proceedings. Written protests may be withdrawn, in writing, at any time before the conclusion of the hearing.

DATED: March 19, 2020



Dr. Sarah Koligian, Superintendent
Folsom Cordova Unified School District

NOTICE OF PUBLIC HEARING
(Pursuant to Elections Code Section 10010, subd. (a)(1))

FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT
TO CONSIDER PUBLIC INPUT PRIOR TO DRAWING DRAFT ELECTION
DISTRICT BOUNDARIES

NOTICE IS HEREBY GIVEN that the Board of Education of the Folsom Cordova Unified School District (“District”) intends to hold a **SECOND (2ND)** public hearing, pursuant to Elections Code Section 10010, subd. (a)(1), at which the public is invited to provide input regarding the composition of districts the District intends to establish for board member elections before drawing a draft map or maps of the proposed boundaries of the districts (the “Proposed Action”).

The time for the public hearing is:

- **April 14, 2020 at 6:00 p.m.** (or as soon thereafter as practicable).

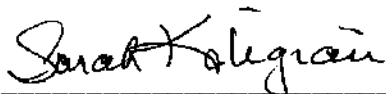
Pursuant to Executive Order No. 29-20, the public may observe the meeting at the following internet address: <https://www.youtube.com/user/folsomcordova>

Pursuant to Executive Order No. 29-20, public comment may be made through the following “Google Document”: <https://bit.ly/FCUSDspecial>

Pursuant to Executive Order No. 29-20, persons who require reasonable accommodation or modification to observe and/or offer public comment are directed to contact Kelly Goldsmith, Executive Assistant to the Superintendent, at 916-294-9001 or KGoldsmi@fcusd.org.

Testimony of all interested persons for or against the Proposed Action will be heard through the public comment means set forth above. Protests may be made in writing. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made. All written protests shall be filed with the District on or before the time set for the hearing. The District may waive any irregularities in the form or content of any written notice and at the hearing may correct minor defects in the proceedings. Written protests may be withdrawn, in writing, at any time before the conclusion of the hearing.

DATED: April 8, 2020



Dr. Sarah Koligian, Superintendent
Folsom Cordova Unified School District

NOTICE OF PUBLIC HEARING
(Pursuant to Elections Code Section 10010, subd. (a)(1))

FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT
TO CONSIDER PUBLIC INPUT PRIOR TO DRAWING DRAFT ELECTION
DISTRICT BOUNDARIES

NOTICE IS HEREBY GIVEN that the Board of Education of the Folsom Cordova Unified School District (“District”) intends to hold a public hearing, pursuant to Elections Code Section 10010, subd. (a)(1), at which the public is invited to provide input regarding the composition of districts the District intends to establish for board member elections before drawing a draft map or maps of the proposed boundaries of the districts (the “Proposed Action”). The time for the public hearing is:

- **April 23, 2020 at 6:00 p.m.** (or as soon thereafter as practicable).

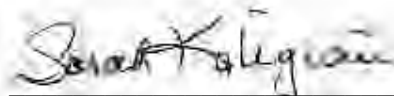
Pursuant to Executive Order No. 29-20, the public may participate in the meeting and provide public comment via Zoom video conference. The link to the meeting will be provided 15 minutes prior the start of the meeting on the District’s website at:

<https://folsomcordova.agendaonline.net/public/>

Pursuant to Executive Order No. 29-20, persons who require reasonable accommodation or modification to observe and/or offer public comment are directed to contact Kelly Goldsmith, Executive Assistant to the Superintendent, at 916-294-9001 or KGoldsmi@fcusd.org.

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DATED: April 17, 2020



Dr. Sarah Koligian, Superintendent
Folsom Cordova Unified School District

NOTICE OF PUBLIC HEARING
(Pursuant to Elections Code Section 10010, subd. (a)(1))

FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT
TO CONSIDER PUBLIC INPUT PRIOR TO DRAWING DRAFT ELECTION
DISTRICT BOUNDARIES

NOTICE IS HEREBY GIVEN that the Board of Education of the Folsom Cordova Unified School District (“District”) intends to hold a public hearing, pursuant to Elections Code Section 10010, subd. (a)(1), at which the public is invited to provide input regarding the composition of districts the District intends to establish for board member elections before drawing a draft map or maps of the proposed boundaries of the districts (the “Proposed Action”). The time for the public hearing is:

- **April 28, 2020 at 6:00 p.m.** (or as soon thereafter as practicable).

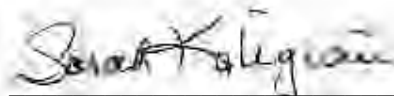
Pursuant to Executive Order No. 29-20, the public may participate in the meeting and provide public comment via Zoom video conference. The link to the meeting will be provided 15 minutes prior the start of the meeting on the District’s website at:

<https://folsomcordova.agendaonline.net/public/>

Pursuant to Executive Order No. 29-20, persons who require reasonable accommodation or modification to observe and/or offer public comment are directed to contact Kelly Goldsmith, Executive Assistant to the Superintendent, at 916-294-9001 or KGoldsmi@fcusd.org.

Testimony of all interested persons for or against the Proposed Action will be heard through the public comment means set forth above. Protests may be made in writing. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made. All written protests shall be filed with the District on or before the time set for the hearing. The District may waive any irregularities in the form or content of any written notice and at the hearing may correct minor defects in the proceedings. Written protests may be withdrawn, in writing, at any time before the conclusion of the hearing.

DATED: April 24, 2020



Dr. Sarah Koligian, Superintendent
Folsom Cordova Unified School District

NOTICE OF PUBLIC HEARING
(Pursuant to Elections Code Section 10010, subd. (a)(2))

FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT
TO CONSIDER PUBLIC INPUT REGARDING DRAFT ELECTION DISTRICT MAP(S)
AND THE PROPOSED SEQUENCE OF ELECTIONS (IF APPLICABLE)

NOTICE IS HEREBY GIVEN that the Board of Education of the Folsom Cordova Unified School District (“District”) intends to hold a public hearing, pursuant to Elections Code section 10010, subd. (a)(2), at which the public is invited to provide input regarding the content of a draft map or maps and the proposed sequence of election, if applicable, for by-district elections (the “Proposed Action”). The time for the public hearing is: **May 7, 2020 at 6:00 p.m.** (or as soon thereafter as practicable).

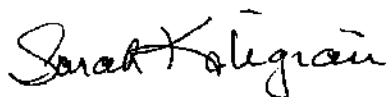
The draft map or maps and the proposed sequence of elections, if applicable, for by-district elections are available on the District’s website at the following internet address: <https://www.fcusd.org/domain/5606>. The draft map or maps and the proposed sequence of elections, if applicable, for by-district elections were published on the District’s website at the foregoing address on or before April 30, 2020 and have and will remain available at that address at all times through the date and time of hearing.

Pursuant to Executive Order No. 29-20, the public may participate in the meeting and provide public comment via Zoom video conference. The link to the meeting will be provided 15 minutes prior the start of the meeting on the District’s website at: <https://www.fcusd.org/domain/5608>. Public comment may also be made on a “Google Document” through the link provided on the District’s website at: <https://www.fcusd.org/domain/5608>.

Pursuant to Executive Order No. 29-20, persons who require reasonable accommodation or modification to observe and/or offer public comment are directed to contact Kelly Goldsmith, Executive Assistant to the Superintendent, at 916-294-9001 or KGoldsmi@fcusd.org.

Testimony of all interested persons for or against the Proposed Action will be heard through the public comment means set forth above. Protests may be made in writing. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made. All written protests shall be filed with the District on or before the time set for the hearing. The District may waive any irregularities in the form or content of any written notice and at the hearing may correct minor defects in the proceedings. Written protests may be withdrawn, in writing, at any time before the conclusion of the hearing.

DATED: April 30, 2020



Dr. Sarah Koligian, Superintendent
Folsom Cordova Unified School District

NOTICE OF PUBLIC HEARING
(Pursuant to Elections Code Section 10010, subd. (a)(2))

FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT
TO CONSIDER PUBLIC INPUT REGARDING DRAFT ELECTION DISTRICT MAP(S)
AND THE PROPOSED SEQUENCE OF ELECTIONS (IF APPLICABLE)

NOTICE IS HEREBY GIVEN that the Board of Education of the Folsom Cordova Unified School District (“District”) intends to hold a public hearing, pursuant to Elections Code section 10010, subd. (a)(2), at which the public is invited to provide input regarding the content of a draft map or maps and the proposed sequence of election, if applicable, for by-district elections (the “Proposed Action”). The time for the public hearing is: **May 21, 2020 at 6:00 p.m.** (or as soon thereafter as practicable).

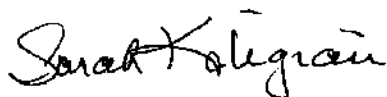
The draft map or maps and the proposed sequence of elections, if applicable, for by-district elections are available on the District’s website at the following internet address: <https://www.fcusd.org/domain/5606>. The draft map or maps and the proposed sequence of elections, if applicable, for by-district elections were published on the District’s website at the foregoing address on or before April 30, 2020 and have and will remain available at that address at all times through the date and time of hearing.

Pursuant to Executive Order No. 29-20, the public may participate in the meeting and provide public comment via Zoom video conference. The link to the meeting will be provided 15 minutes prior the start of the meeting on the District’s website at: <https://www.fcusd.org/domain/5608>. Public comment may also be made on a “Google Document” through the link provided on the District’s website at: <https://www.fcusd.org/domain/5608>.

Pursuant to Executive Order No. 29-20, persons who require reasonable accommodation or modification to observe and/or offer public comment are directed to contact Kelly Goldsmith, Executive Assistant to the Superintendent, at 916-294-9001 or KGoldsmi@fcusd.org.

Testimony of all interested persons for or against the Proposed Action will be heard through the public comment means set forth above. Protests may be made in writing. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made. All written protests shall be filed with the District on or before the time set for the hearing. The District may waive any irregularities in the form or content of any written notice and at the hearing may correct minor defects in the proceedings. Written protests may be withdrawn, in writing, at any time before the conclusion of the hearing.

DATED: May 7, 2020



Dr. Sarah Koligian, Superintendent
Folsom Cordova Unified School District



**CALIFORNIA DEPARTMENT
OF EDUCATION**

TONY THURMOND
STATE SUPERINTENDENT OF
PUBLIC INSTRUCTION

1430 N STREET, SACRAMENTO, CA 95814-5901 • 916-319-0800 • WWW.CDE.CA.GOV

May 13, 2020

Sarah Koligian
Folsom-Cordova Unified
1965 Birkmont Dr.
Rancho Cordova, CA 95742

Dear Dr. Koligian:

This letter serves as the official disposition notice of the waiver request submitted for consideration at the State Board of Education (SBE) meeting on May 7, 2020.

Waiver #: 20-3-2020-W-07

Period Recommended: 1/1/2020 to 12/30/2020

EC Section: Section 5020 and portions of sections 5019, 5021 and 5030 of the *Education Code*

EC Authority: Ed. Code section 33050

Title: Request by **Folsom-Cordova Unified** to waive California *Education Code* Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish a by-trustee-area method of election.

Disposition: Approved

If you have any questions about this waiver request or need further assistance with waiver requests to the SBE, please call the California Department of Education Waiver Office at 916-319-0824.

Sincerely,

A handwritten signature in blue ink that reads "Christine Plumb-Gordon".



Folsom Cordova

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**Transition to
Board Elections
“By-Trustee
Area”**

- Board Elections by Trustee Area
- By-Trustee Area Draft Maps - Districting 2020
- Important Dates and Timeline
- By-Trustee Area FAQs**

What is the CVRA?

The Folsom Cordova Unified School District (FCUSD), like other cities and school districts across the state, is starting the process to change how voters elect Board of Education Members. FCUSD received a letter demanding that School Board elections transition from the current "at-large" election method to a "by-trustee area" election method in order to comply with the CVRA. On March 12, 2020 the FCUSD Board of Education adopted a resolution declaring its intent to transition to a "by-trustee area" election system. If approved, the change would become effective for the November 2020 general election.

How is the CVRA different from the FVRA?

The CVRA was adopted in 2002 and is based upon the Federal Voting Rights Act of 1965 ("FVRA") with some important differences that make "at-large" election systems much more susceptible to legal challenges. For a plaintiff to be successful in a claim of violation under the FVRA relating to "at-large" elections, the plaintiff must show that: 1) a minority group is sufficiently large and geographically compact to form a majority of the eligible voters in a single-member district; 2) there is racially-polarized voting; and 3) there is "white bloc voting" (the term used by the courts reviewing such cases) sufficient usually to prevent minority voters from electing candidates of their choice. If a plaintiff proves these three elements, then the federal court will consider whether, under the "totality of circumstances," the votes of minority voters are diluted by the at-large election system.

The CVRA removes two of these factors. It eliminates what is known as the "geographically compact" FVRA precondition (e.g., can a majority-minority district be drawn) as well as the "totality of the circumstances" or "reasonableness" test. Because the CVRA eliminates some of the elements that a plaintiff must prove, defending a lawsuit brought pursuant to the CVRA is more difficult to defend against than a claim under the FVRA. As a result of the lower threshold for proving a claim under the CVRA, many jurisdictions have voluntarily switched to district-based election systems instead of facing litigation.

What's the difference between “at large” elections and “by-trustee area” elections?

FCUSD currently has an "at-large" election system where voters of the entire school district elect all members of the School Board. A "by-trustee area" election system will carve FCUSD's area of service into "by-trustee areas." Voters in each "by-trustee area" will choose their School Board representative, who must also live in that "by-trustee area."

Why consider the transition to a "by-trustee area" election system now?

The Folsom Cordova Unified School District (FCUSD), like other cities and school districts across the state, is starting the process to change how voters elect Board of Education Members. FCUSD received a letter demanding that School Board elections transition from the current "at-large" election method to a "by-trustee area" election method in order to comply with the CVRA. On March 12, 2020 the FCUSD Board of Education adopted a resolution declaring its intent to transition to a "by-trustee area" election system. If approved, the change would become effective for the November 2020 general election.

How will transitioning to a "by-trustee area" election system affect me?

If approved, registered voters in the school district's boundaries will have the opportunity to vote for a candidate for School Board that lives in their "by-trustee area." Registered voters will not be able to vote for School Board candidates from "by-trustee areas" in which they do not reside.

Will this impact school boundaries?

No, the FCUSD transition from at-large to by-trustee area voting will have no impact on school attendance boundaries.

How many School Board members will be elected?

The number of School Board members will not change and will stay at five. The Board will be considering maps that include five by-trustee areas. The number of by-trustee areas in the map determines the number of Board of Education members elected in the future.

What is a community of interest?

A community of interest is any distinctive area within the school district boundaries that has a definable group of people, unique geography or some other distinguishable feature or characteristic that it would be undesirable to divide in the creation of "by-trustee areas." Some of these may already be clearly established and others may be defined as a result of this process. This distinction requires strong community input to ensure communities of interest are protected in this process.

Does the Public Hearings format allow for questions to be addressed?

The purpose of these public hearings is for community members and the Board to comment on the potential composition of "trustee areas."

In practicality, the Board will open the public hearing and the demographer will briefly explain the process and describe the type of feedback being sought at this stage.

When the presentation concludes, members of the public can approach the podium and comment. At this stage, it is not uncommon to receive questions about the process as opposed to actual feedback. Usually, once draft maps are released to the public there tends to be an uptick in public participation. After these public hearings, the demographer will take that

feedback and prepare legally permissible maps that attempt to take that public feedback into consideration while still balancing population and other factors.

How will written communications be memorialized during the public hearing process?

All written communications will be provided to the Board and will be part of the public record. The Board will consider the public record as part of its determination on the areas to consider and how the final district map will be configured.

What draft maps will be considered by the Board?

The Board will consider one or more draft maps prepared by a professional demographer.

What criteria will be used to select the final map?

The Board will consider a range of factors in selecting the final map including (but not limited to) equal population, communities of interest, compactness, contiguity of the areas, visible boundaries, and respect for voters' wishes and continuity in office.

How will the final map be chosen?

The Board will consider a range of factors when selecting a district map of five geographic areas as part of the transition to a "by-trustee area" election system. These factors include (but are not limited to) equal population, communities of interest, compactness, contiguity of the areas, visible boundaries, and respect for voters' wishes and continuity in office.

How can I help shape the "by-trustee areas"?

The Board is conducting public hearings to receive community feedback on the proposed "by-trustee areas." At least two public hearings will be held before the release of draft maps, and at these hearings residents will be asked to provide input on potential "communities of interest" to follow when shaping draft "by-trustee area" maps. There will be at least two additional public hearings at subsequent School Board meetings. The Board will consider an ordinance establishing "by-trustee area" elections, "by-trustee area" boundaries, and when each "by-trustee areas" election will be held.

How many "by-trustee areas" will be established?

Five separate by-trustee voting areas will be established within the district boundary map.

Why is FCUSD being divided into five "by-trustee areas"?

Pursuant to Education Code section 35012, the default number of trustees for a given school district is five. In certain circumstances, a unified school district may be formed with, or increase its number of trustees to, seven members. Also, elementary school districts with daily attendance of under 300 students are permitted to have as few as three trustees. While there is a process that permits school districts to move from five to seven or from seven to five trustees, the recent and ongoing transition to a "by-trustee area" election system does not impact the number of trustees representing and governing the District. Instead, this transition only alters the method by which trustees are elected. Since FCUSD is governed by a five Trustee Board, the draft map options will each create five "trustee areas."

Will all five Governing Board member seats be open at the District's next general election?

No. The District's November 2018 elections seated three Trustees for four-year terms through 2022. In 2020, the District will have two Governing Board seats up for election during its first "by-trustee area" election.

When will these new "by-trustee area" elections take effect?

If approved, the new "by-trustee area" elections would become effective for the election in November 2020.

What happens if multiple Board members reside within a single "trustee area" on a draft map?

Under all circumstances, all Governing Board members serve out their full terms of office. Specifically, the Education Code contemplated transitions from "at-large" to "by-trustee area" elections in Education Code § 5021(a) which states, in pertinent part, that "[i]f a proposal for the establishment [of trustee area elections] is approved . . . any affected incumbent board member shall serve out his or her term of office..."

While draft map options have yet to be prepared by the District's demographer, it is possible that map options will be drawn with more than one Governing Board member living within a single trustee area. Whether or not such a scenario will exist depends on population density data and the locations of residences of Governing Board members. In such a scenario, if the Governing Board members within a given trustee area have terms that expire simultaneously (i.e. 2022), those members serve their full terms but only one may win re-election from the "trustee area" within which they reside – or a challenger can prevail in that area's 2022 election.

Alternatively, a given trustee area may be home to multiple Governing Board members whose current terms have different expiration dates (i.e., one Governing Board member's term expires in 2020 while another's expires in 2022). In such cases, once the Governing Board member whose term expires in 2020 will term out in December 2020. Since another sitting Governing Board member will still hold office in that trustee area, the member with the expiring term may not run in 2020 for reelection in that "trustee area." He or she is permitted to run in 2022 when that "trustee area" seat is available or may establish residency and become domiciled within a "trustee area" open for election in 2020.

What if there is no candidate in one of the "by-trustee areas"?

There is a limited 25-day window for candidates to file declarations of candidacy with the County Registrar to run for office. This narrow window opens 113 days prior to the election and closes 88 days prior to the election. If no qualified candidate emerges from a "trustee area" up for election, the Board may appoint to fill the vacancy from a resident of that "trustee area."

Unlike ordinary appointments, according to Education Code section 5326, if no candidate has been nominated by 83 days

prior to the election, the Board is authorized to appoint a qualified person to the Board. Such appointment must occur at a Board meeting prior to election day and the appointed member will be "seated" to the Board at the organizational meeting. Unlike, most vacancies, vacancies and appointments due to failure to elect result in the appointee serving "as if elected" – for the full term. (Education Code section 5328.)

The District's Board Bylaw (BB) 9223 Filling Vacancies describes the process for finding qualified candidates to appoint. Specifically, the District is required to advertise in the local media to solicit candidate applications or nominations and a committee consisting of less than a quorum of the Board shall ensure that applicants are eligible for Board membership and announce the names of the eligible candidates. The Board shall interview the candidates at a public meeting, accept oral or written public input, and select the provisional appointee by a majority vote. (BB 9223; see also Education Code section 5328.5.)

Importantly, the appointee must be eligible for office and reside within the specific vacant "trustee area." The appointment must be made at a Board meeting prior to election day. The appointed member will serve as if elected in the general election – for four years.

How does the Governing Board determine the sequence of which "trustee areas" are to hold elections?

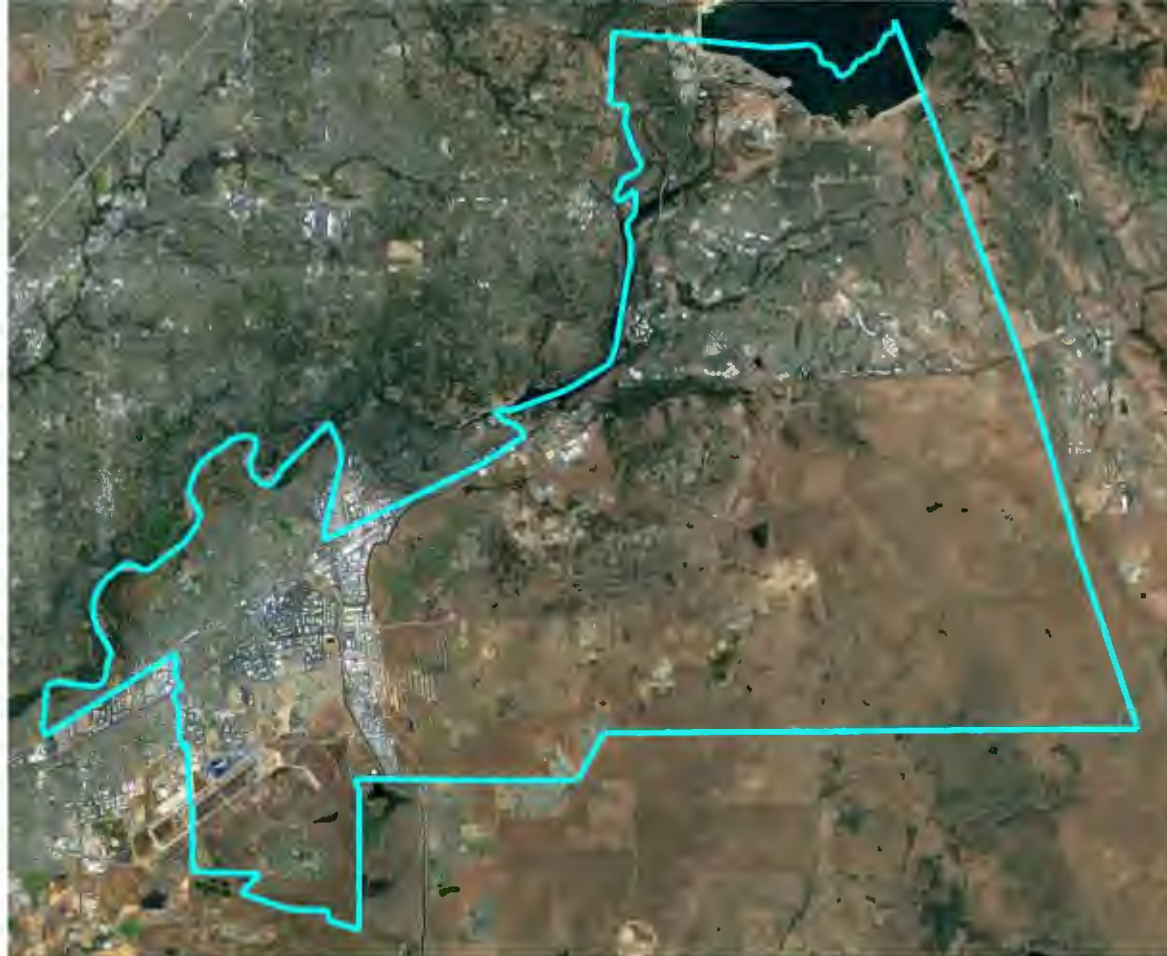
The transition to a "by-trustee area" election system requires the Board to consider election sequencing. Not all Board member seats will be up for election at the same time. For FCUSD, two seats are available in 2020 for election and three seats are available in 2022. When multiple Board members reside in the same "trustee area," at least one created "trustee area" will be vacant of a current Governing Board member at the time a map option is adopted by the District. To determine the sequence of which "trustee areas" are to hold elections next, the Board must follow the guidance of Election Code section 10010(b):

"In determining the final sequence of the district elections conducted in a political subdivision in which members of the governing body will be elected at different times to provide for staggered terms of office, the governing body shall give special consideration to the purpose of the California Voting Rights Act of 2001...and it shall take into account the preferences expressed by members of the districts."

The purpose of the CVRA is to increase the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election. As such, the Board intends to select the trustee areas that have the highest percentages of eligible voters (also known as Citizen Voting Age Population or CVAP) of members of protected classes to be first available to hold elections.

Notwithstanding the Board's preference for election sequencing, Education Code section 5021(a) authorizes the County Committee on School District Organization to "determine by lot the trustee area from which the nomination and vacancy on the governing board shall be made." In other words, the County Committee on School District Organization has the authority to determine the "trustee areas" eligible for the next vacancy by lot.

ATTACHMENT 2
Trustee Area Boundary Maps Considered by FCUSD



Folsom Cordova Unified School District Draft Maps Presentation

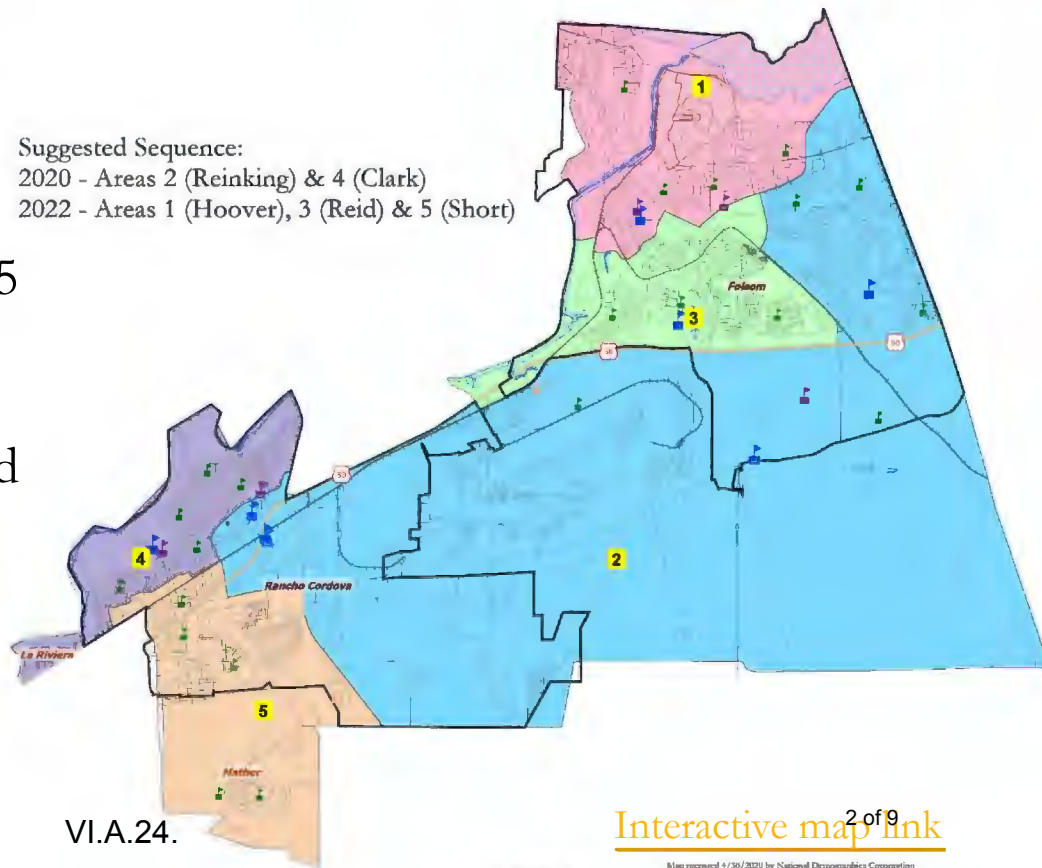
June 4, 2020

VI.A.23.

1 of 9

- ❑ Original Drafts:
 - ❑ NDC Drafts 1 – 4
- ❑ May 7 public hearing
 - ❑ Focus Maps selected and new map requested
 - ❑ New map posted as NDC Draft 5
- ❑ May 21 public hearing
 - ❑ All five board members expressed a preference for Map 5

NDC Draft 5



1. **Questions from the Board**
2. Public Hearing
3. Board Discussion
4. Adopt resolution specifying preferred map and election year sequence
5. Sacramento County Committee on School District Organization will hold a virtual hearing on the map and election year sequence on **June 9, 2020**

4

Draft Maps (if needed)

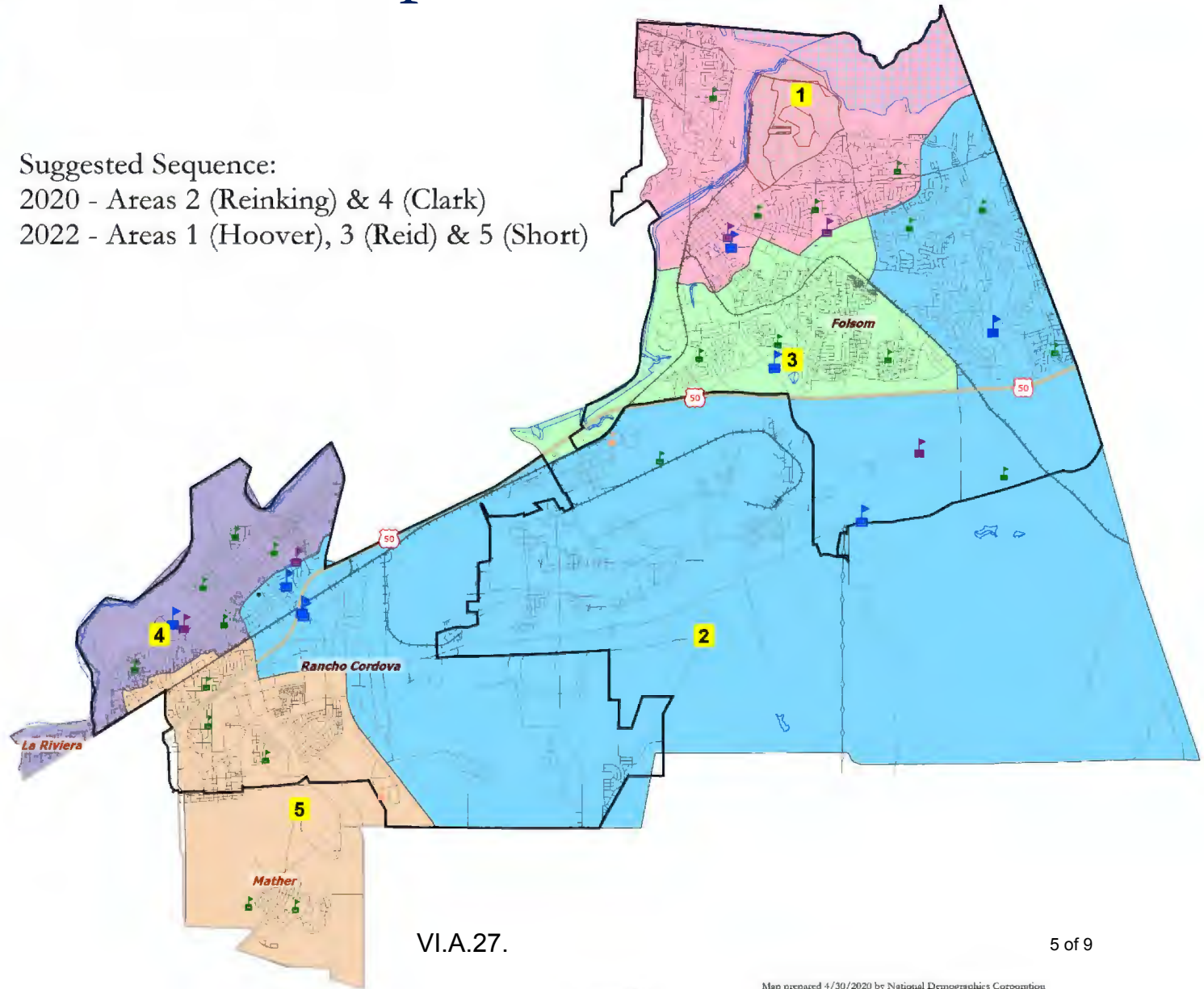
Maps are also available in an online web viewer [here](#)

Preferred Map: NDC Draft 5

Suggested Sequence:

2020 - Areas 2 (Reinking) & 4 (Clark)

2022 - Areas 1 (Hoover), 3 (Reid) & 5 (Short)



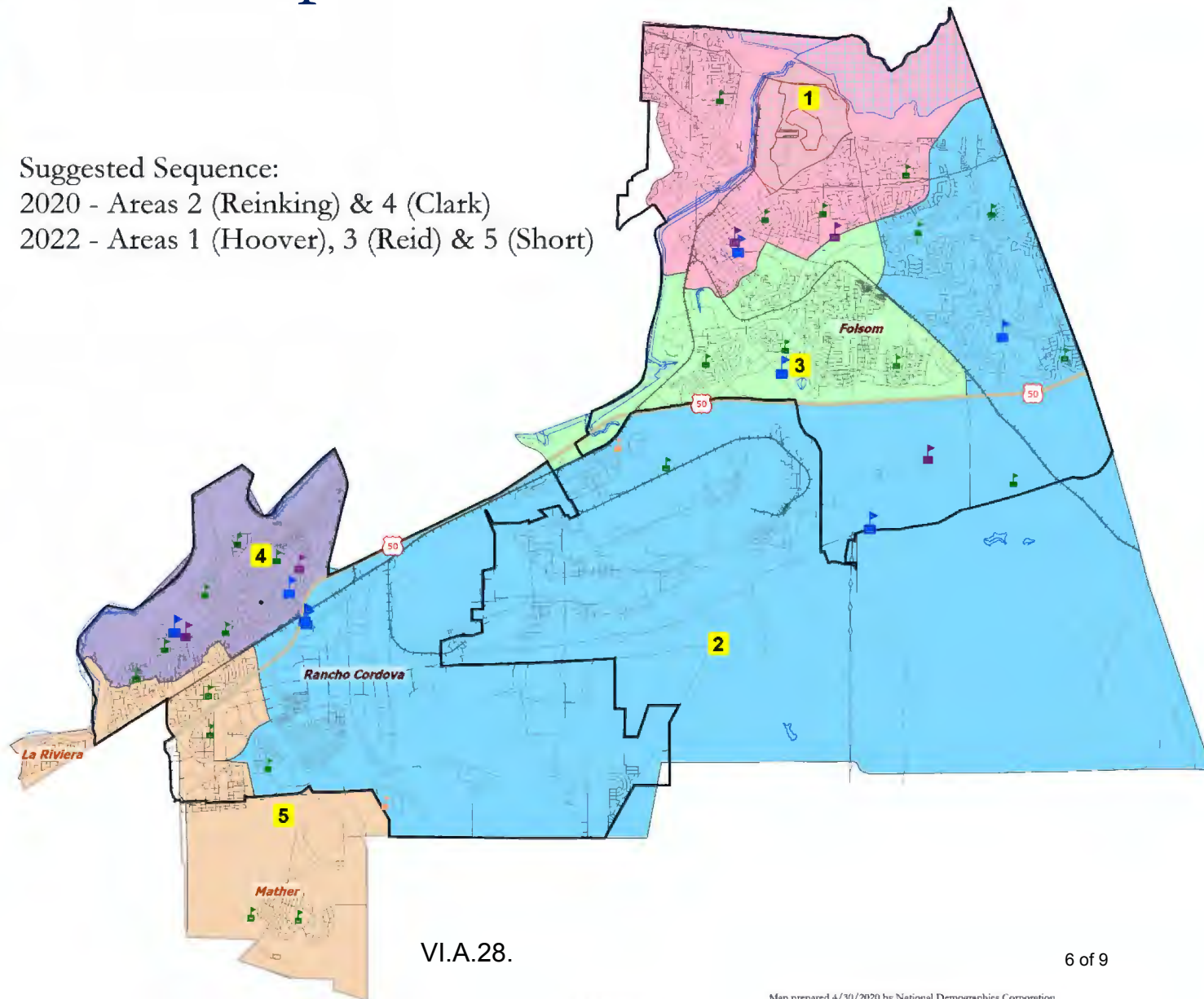
VI.A.27.

Focus Map: NDC Draft 1

Suggested Sequence:

2020 - Areas 2 (Reinking) & 4 (Clark)

2022 - Areas 1 (Hoover), 3 (Reid) & 5 (Short)

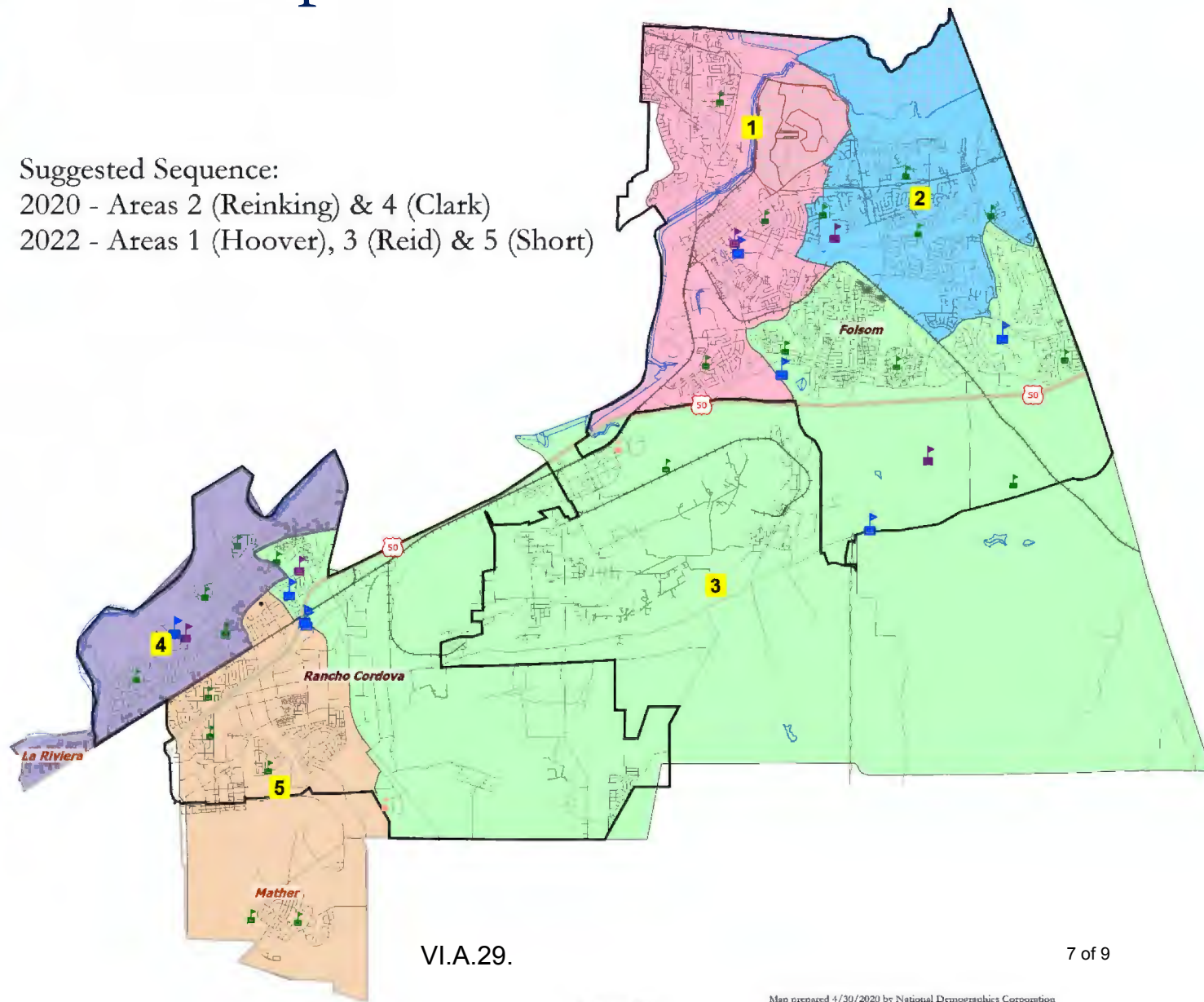


Focus Map: NDC Draft 2

Suggested Sequence:

2020 - Areas 2 (Reinking) & 4 (Clark)

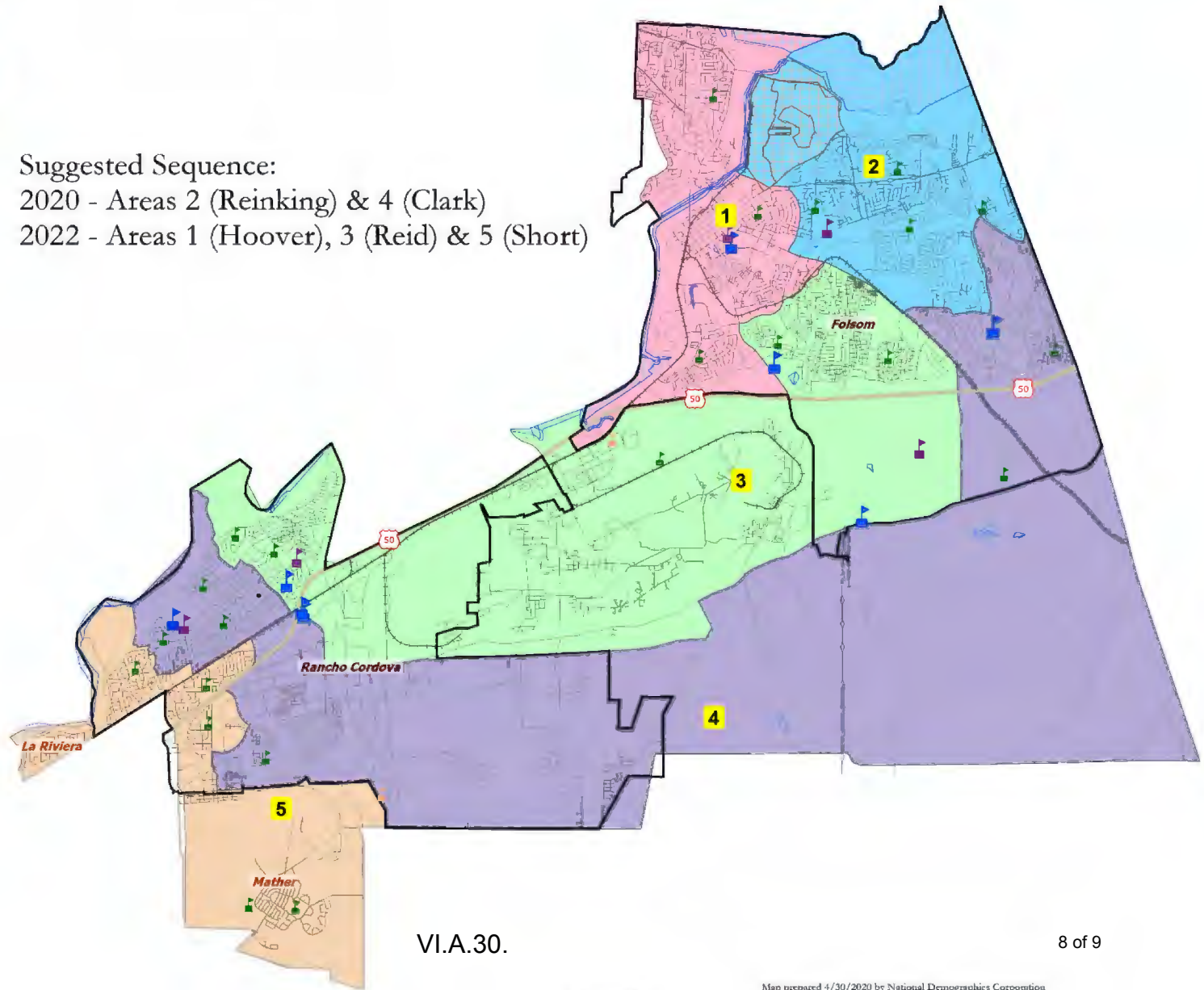
2022 - Areas 1 (Hoover), 3 (Reid) & 5 (Short)



Suggested Sequence:

2020 - Areas 2 (Reinking) & 4 (Clark)

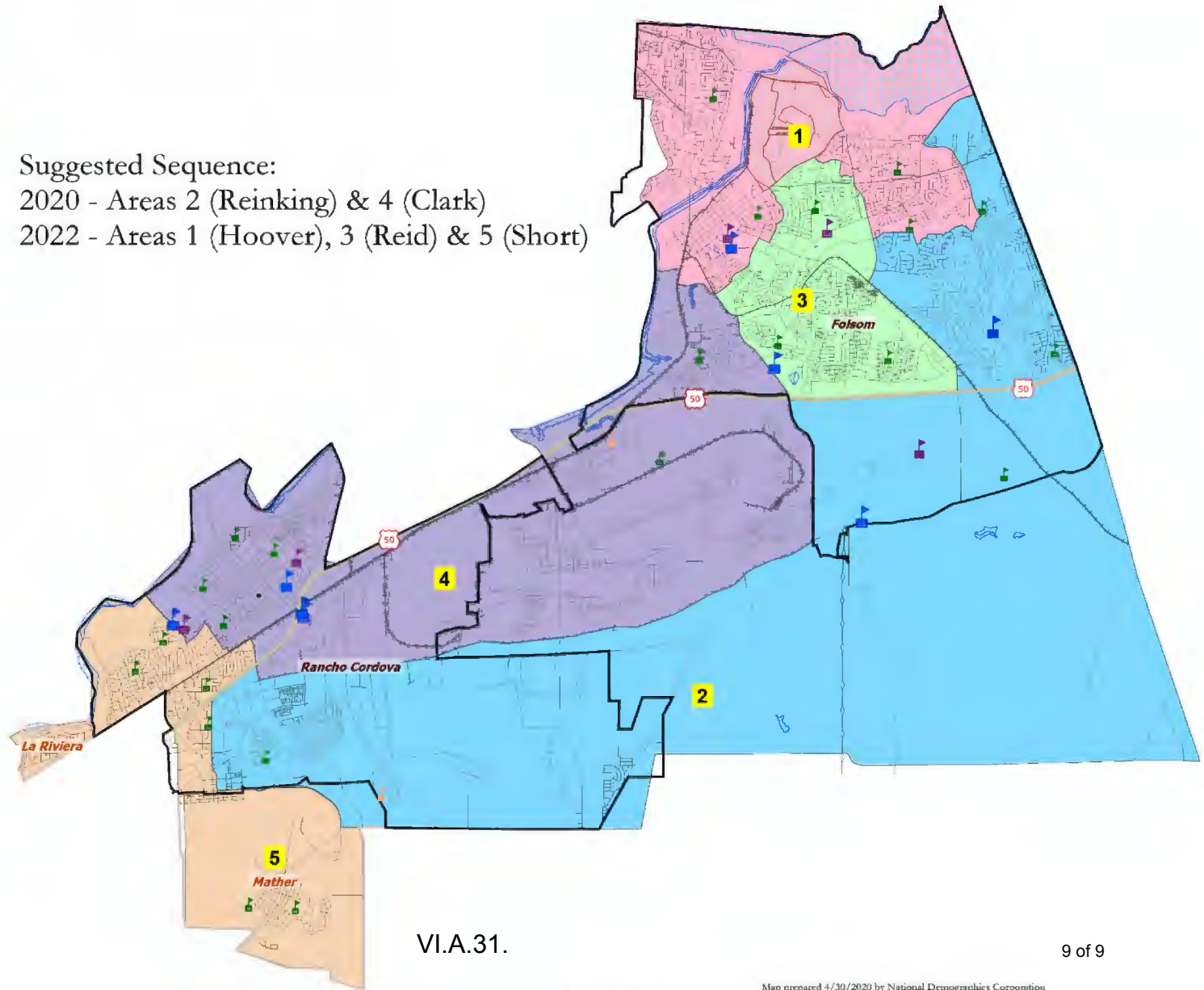
2022 - Areas 1 (Hoover), 3 (Reid) & 5 (Short)



Suggested Sequence:

2020 - Areas 2 (Reinking) & 4 (Clark)

2022 - Areas 1 (Hoover), 3 (Reid) & 5 (Short)

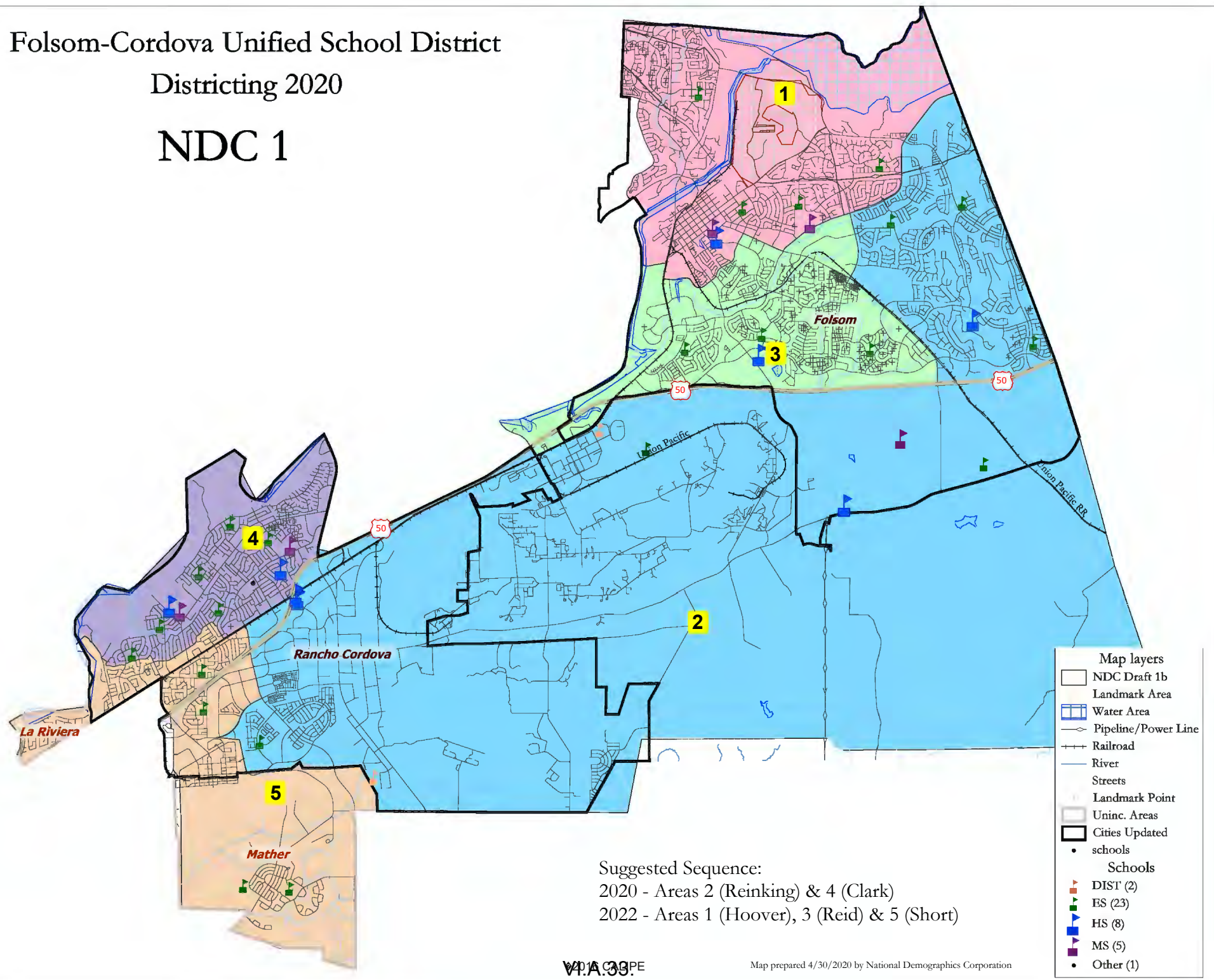


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Folsom-Cordova Unified School District

Districting 2020

NDC 1

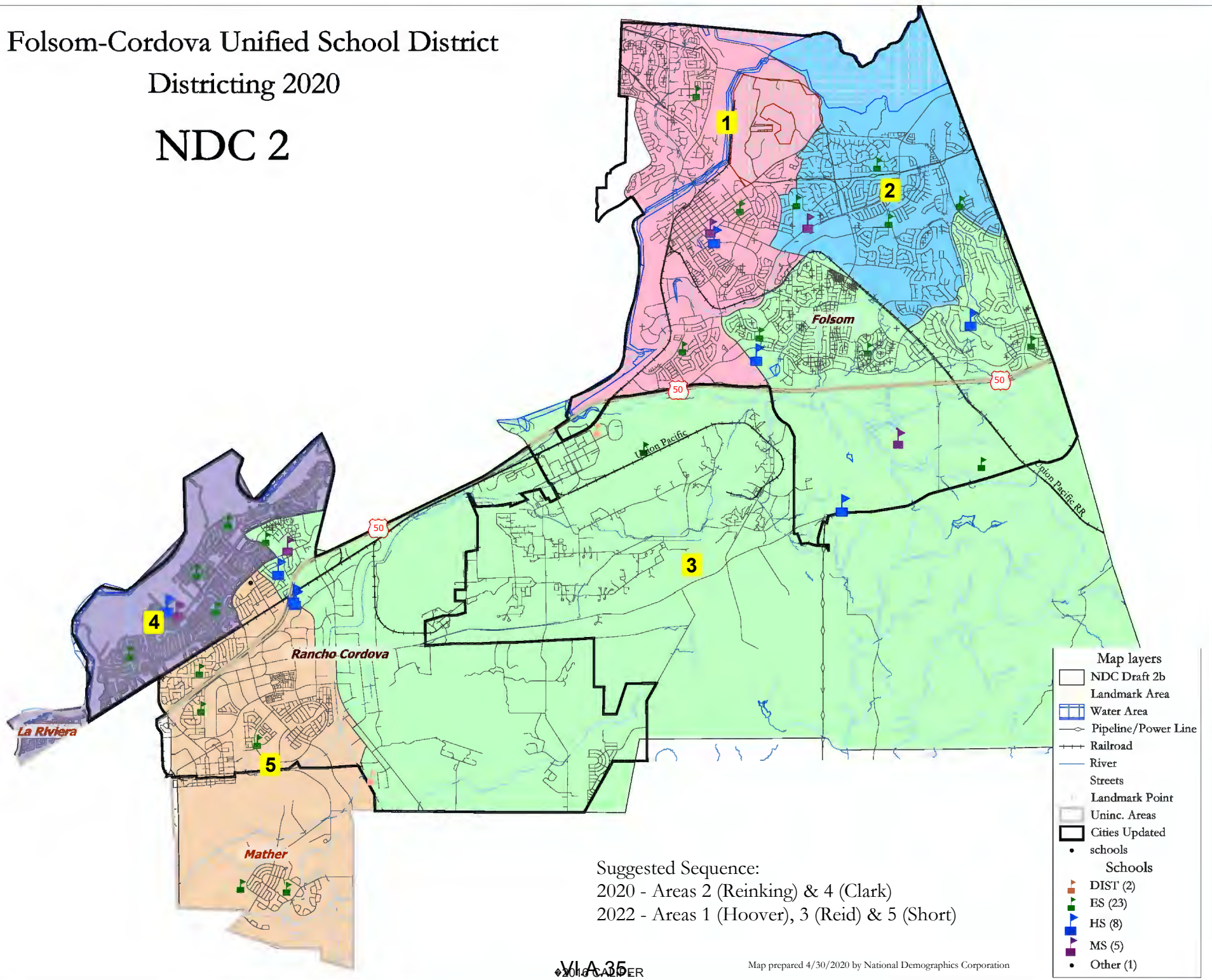


Folsom-Cordova USD - NDC Draft 1							
District		1	2	3	4	5	Total
	Total Pop	22,796	23,011	23,008	22,981	23,740	115,536
	Deviation from ideal	-311	-96	-99	-126	633	944
	% Deviation	-1.35%	-0.42%	-0.43%	-0.55%	2.74%	4.09%
Total Pop	% Hisp	11%	10%	9%	18%	24%	14%
	% NH White	79%	64%	66%	63%	45%	63%
	% NH Black	1%	2%	2%	8%	15%	6%
	% Asian-American	6%	22%	21%	7%	12%	14%
	Total	18,432	16,150	15,904	16,906	15,387	82,780
Citizen Voting Age Pop	% Hisp	10%	8%	10%	15%	17%	12%
	% NH White	81%	66%	70%	68%	53%	68%
	% NH Black	2%	2%	2%	6%	15%	5%
	% Asian/Pac.Isl.	7%	23%	16%	7%	13%	13%
	Total	14,923	15,906	12,974	12,282	10,508	66,594
Voter Registration (Nov 2018)	% Latino est.	8%	9%	8%	13%	15%	10%
	% Spanish-Surnamed	7%	8%	7%	12%	14%	9%
	% Asian-Surnamed	3%	11%	8%	2%	5%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	2%	1%
	% NH White est.	86%	74%	81%	78%	64%	77%
	% NH Black	2%	3%	2%	7%	16%	5%
	Total	11,424	11,805	9,639	7,907	6,390	47,166
Voter Turnout (Nov 2018)	% Latino est.	7%	9%	8%	11%	13%	9%
	% Spanish-Surnamed	6%	8%	7%	10%	12%	8%
	% Asian-Surnamed	3%	10%	7%	2%	4%	5%
	% Filipino-Surnamed	1%	2%	1%	1%	2%	1%
	% NH White est.	87%	75%	82%	80%	66%	79%
	% NH Black	2%	3%	2%	7%	16%	5%
	Total	12,642	12,233	10,780	9,287	7,572	52,514
Voter Turnout (Nov 2016)	% Latino est.	7%	9%	8%	11%	13%	9%
	% Spanish-Surnamed	7%	8%	7%	10%	12%	8%
	% Asian-Surnamed	2%	9%	7%	2%	4%	5%
	% Filipino-Surnamed	1%	2%	1%	1%	2%	1%
	% NH White est.	87%	75%	81%	77%	65%	78%
	% NH Black est.	2%	3%	2%	8%	16%	5%
	Total	24,235	25,398	25,631	23,996	24,380	123,640
ACS Pop. Est.	Total	24,235	25,398	25,631	23,996	24,380	123,640
Age	age0-19	23%	32%	29%	22%	26%	27%
	age20-60	50%	54%	55%	57%	58%	55%
	age60plus	27%	14%	16%	21%	16%	19%
Immigration	immigrants	11%	23%	21%	20%	23%	20%
	naturalized	61%	65%	48%	46%	48%	53%
Language spoken at home	english	85%	71%	74%	71%	66%	73%
	spanish	5%	3%	5%	14%	16%	8%
	asian-lang	5%	13%	12%	4%	8%	8%
	other lang	5%	13%	9%	11%	10%	10%
Language Fluency	Speaks Eng. "Less than Very Well"	4%	9%	7%	14%	16%	10%
Education (among those age 25+)	hs-grad	51%	39%	39%	64%	62%	51%
	bachelor	28%	36%	32%	18%	20%	27%
	graduatedegree	17%	23%	26%	6%	7%	16%
Child in Household	child-under18	28%	46%	37%	24%	31%	33%
Pct of Pop. Age 16+	employed	57%	68%	67%	59%	62%	62%
Household Income	income 0-25k	12%	5%	10%	17%	21%	13%
	income 25-50k	15%	7%	15%	25%	22%	17%
	income 50-75k	13%	10%	14%	21%	19%	15%
	income 75-200k	46%	53%	49%	34%	35%	43%
	income 200k-plus	13%	25%	13%	4%	3%	12%
Housing Stats	single family	83%	93%	67%	73%	60%	75%
	multi-family	17%	7%	33%	27%	40%	25%
	rented	29%	15%	43%	45%	55%	38%
	owned	71%	85%	57%	55%	45%	62%
Total population data from the 2010 Decennial Census.							
Surname-based Voter Registration and Turnout data from the California Statewide Database.							
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2013-2017 American Community Survey and Special Tabulation 5-year data.							

Folsom-Cordova Unified School District

Districting 2020

NDC 2

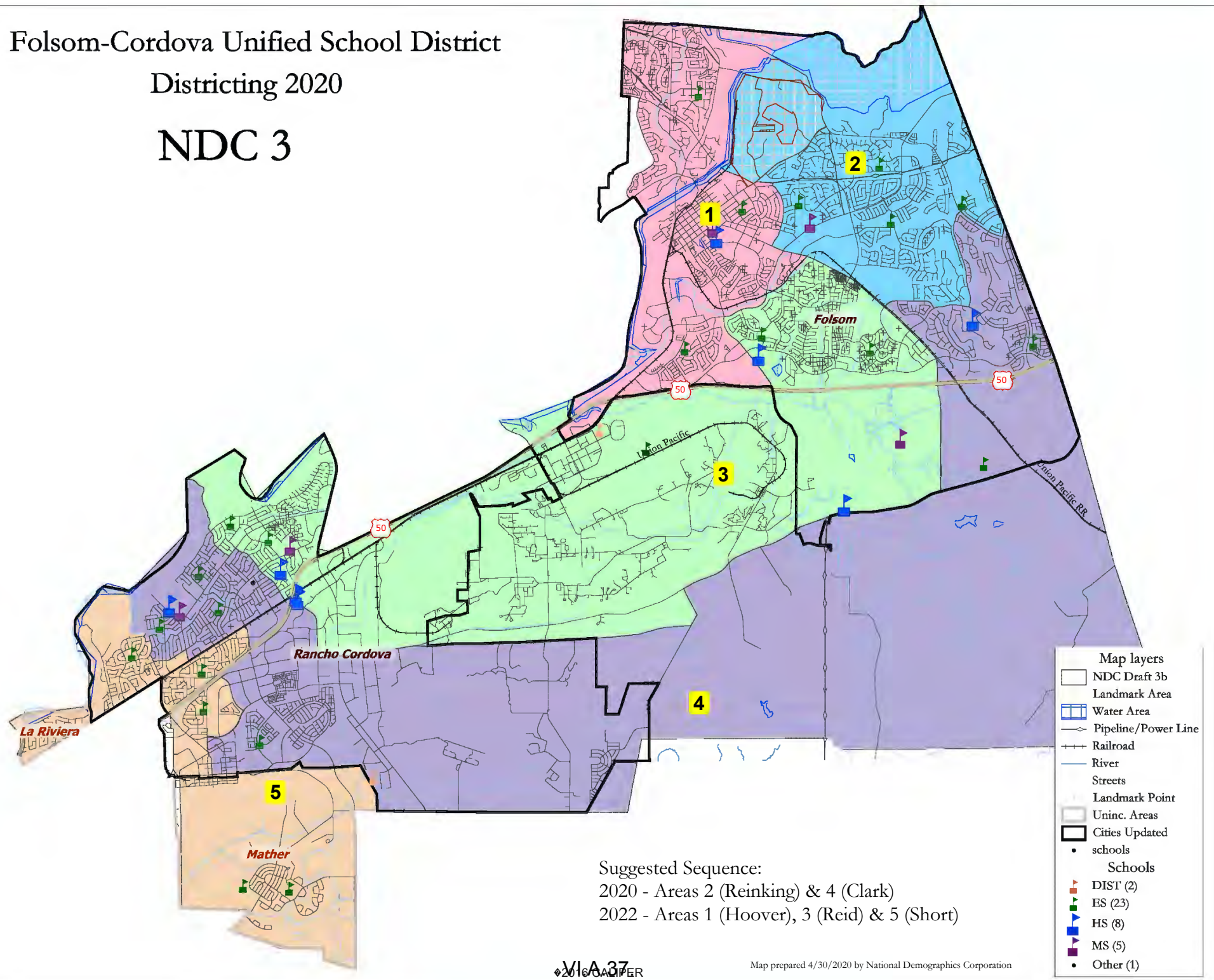


Folsom-Cordova USD - NDC Draft 2							
District		1	2	3	4	5	Total
	Total Pop	23,177	22,959	22,716	23,573	23,111	115,536
	Deviation from ideal	70	-148	-391	466	4	857
	% Deviation	0.30%	-0.64%	-1.69%	2.02%	0.02%	3.71%
Total Pop	% Hisp	10%	10%	11%	20%	20%	14%
	% NH White	76%	72%	62%	60%	47%	63%
	% NH Black	2%	2%	4%	9%	11%	6%
	% Asian-American	10%	15%	19%	7%	17%	14%
	Total	18,472	15,786	15,985	17,069	15,468	82,780
Citizen Voting Age Pop	% Hisp	10%	9%	9%	17%	14%	12%
	% NH White	78%	73%	68%	66%	53%	68%
	% NH Black	2%	1%	2%	8%	13%	5%
	% Asian/Pac.Isl.	9%	15%	18%	8%	17%	13%
	Total	14,250	14,286	14,216	12,518	11,324	66,594
Voter Registration (Nov 2018)	% Latino est.	8%	9%	9%	13%	15%	10%
	% Spanish-Surnamed	7%	8%	8%	12%	13%	9%
	% Asian-Surnamed	4%	7%	9%	2%	7%	6%
	% Filipino-Surnamed	1%	1%	2%	1%	2%	1%
	% NH White est.	86%	82%	75%	77%	62%	77%
	% NH Black	2%	2%	3%	8%	14%	5%
	Total	10,767	11,008	10,282	8,229	6,879	47,166
Voter Turnout (Nov 2018)	% Latino est.	7%	8%	9%	11%	13%	9%
	% Spanish-Surnamed	6%	7%	8%	10%	12%	8%
	% Asian-Surnamed	4%	6%	8%	2%	6%	5%
	% Filipino-Surnamed	1%	1%	1%	1%	2%	1%
	% NH White est.	87%	83%	76%	79%	65%	79%
	% NH Black	2%	2%	3%	8%	14%	5%
	Total	12,017	12,025	10,986	9,560	7,925	52,514
Voter Turnout (Nov 2016)	% Latino est.	7%	8%	8%	11%	14%	9%
	% Spanish-Surnamed	7%	7%	8%	10%	12%	8%
	% Asian-Surnamed	4%	6%	8%	2%	6%	5%
	% Filipino-Surnamed	1%	1%	1%	1%	2%	1%
	% NH White est.	86%	82%	77%	75%	63%	78%
	% NH Black est.	2%	2%	4%	10%	13%	5%
	Total	25,501	24,351	25,487	24,556	23,746	123,640
ACS Pop. Est.	Total	25,501	24,351	25,487	24,556	23,746	123,640
Age	age0-19	24%	29%	30%	24%	26%	27%
	age20-60	51%	53%	55%	56%	59%	55%
	age60plus	24%	18%	15%	20%	15%	19%
Immigration	immigrants	12%	20%	22%	19%	27%	20%
	naturalized	54%	55%	55%	45%	55%	53%
Language spoken at home	english	84%	76%	72%	72%	62%	73%
	spanish	6%	4%	5%	14%	14%	8%
	asian-lang	5%	11%	12%	4%	11%	8%
	other lang	6%	10%	11%	10%	12%	10%
Language Fluency	Speaks Eng. "Less than Very Well"	5%	5%	8%	14%	18%	10%
Education (among those age 25+)	hs-grad	50%	38%	42%	63%	62%	51%
	bachelor	27%	35%	31%	20%	20%	27%
	graduatedegree	17%	25%	22%	7%	7%	16%
Child in Household	child-under18	30%	39%	40%	26%	32%	33%
Pct of Pop. Age 16+	employed	59%	64%	66%	59%	64%	62%
Household Income	income 0-25k	13%	8%	9%	17%	19%	13%
	income 25-50k	17%	10%	13%	23%	22%	17%
	income 50-75k	14%	10%	15%	20%	18%	15%
	income 75-200k	44%	51%	47%	37%	37%	43%
	income 200k-plus	13%	21%	16%	4%	5%	12%
Housing Stats	single family	80%	79%	80%	73%	63%	75%
	multi-family	20%	21%	20%	27%	37%	25%
	rented	34%	26%	33%	44%	52%	38%
	owned	66%	74%	67%	56%	48%	62%
Total population data from the 2010 Decennial Census.							
Surname-based Voter Registration and Turnout data from the California Statewide Database.							
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2013-2017 American Community Survey and Special Tabulation 5-year data.							

Folsom-Cordova Unified School District

Districting 2020

NDC 3

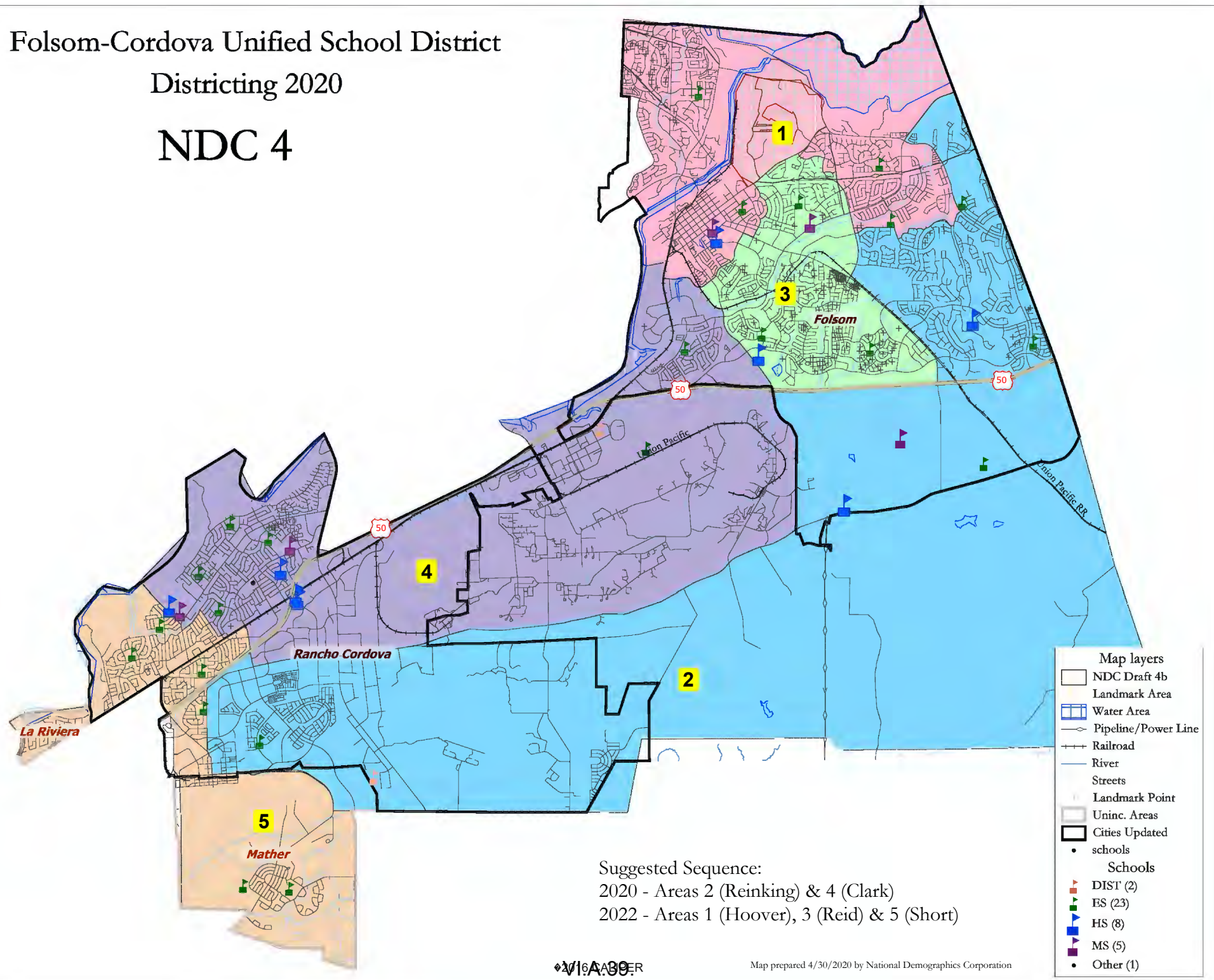


Folsom-Cordova USD - NDC Draft 3							
District		1	2	3	4	5	Total
	Total Pop	22,567	23,005	23,900	22,868	23,196	115,536
	Deviation from ideal	-540	-102	793	-239	89	1,333
	% Deviation	-2.34%	-0.44%	3.43%	-1.03%	0.39%	5.77%
Total Pop	% Hisp	10%	10%	14%	15%	23%	14%
	% NH White	76%	72%	63%	61%	46%	63%
	% NH Black	2%	2%	6%	5%	14%	6%
	% Asian-American	10%	15%	15%	16%	12%	14%
	Total	18,027	15,779	16,878	17,025	15,071	82,780
Citizen Voting Age Pop	% Hisp	10%	9%	12%	13%	16%	12%
	% NH White	78%	74%	69%	64%	53%	68%
	% NH Black	2%	1%	4%	5%	15%	5%
	% Asian/Pac.Isl.	9%	14%	13%	16%	14%	13%
	Total	13,897	14,347	13,367	14,272	10,711	66,594
Voter Registration (Nov 2018)	% Latino est.	8%	9%	10%	12%	15%	10%
	% Spanish-Surnamed	7%	8%	9%	11%	14%	9%
	% Asian-Surnamed	4%	6%	6%	8%	5%	6%
	% Filipino-Surnamed	1%	1%	1%	2%	2%	1%
	% NH White est.	86%	82%	78%	72%	64%	77%
	% NH Black	2%	2%	5%	5%	16%	5%
	Total	10,490	11,066	9,440	9,626	6,544	47,166
Voter Turnout (Nov 2018)	% Latino est.	7%	8%	9%	11%	13%	9%
	% Spanish-Surnamed	6%	7%	8%	10%	12%	8%
	% Asian-Surnamed	4%	6%	6%	7%	4%	5%
	% Filipino-Surnamed	1%	1%	1%	2%	2%	1%
	% NH White est.	87%	83%	79%	73%	67%	79%
	% NH Black	2%	2%	5%	5%	16%	5%
	Total	11,719	12,095	10,600	10,388	7,712	52,514
Voter Turnout (Nov 2016)	% Latino est.	7%	8%	9%	11%	13%	9%
	% Spanish-Surnamed	7%	7%	8%	10%	12%	8%
	% Asian-Surnamed	4%	6%	5%	6%	4%	5%
	% Filipino-Surnamed	1%	1%	1%	2%	2%	1%
	% NH White est.	86%	83%	77%	72%	66%	78%
	% NH Black est.	2%	2%	6%	6%	15%	5%
	Total	24,911	24,351	25,519	24,989	23,869	123,640
ACS Pop. Est.	Total	24,911	24,351	25,519	24,989	23,869	123,640
Age	age0-19	24%	28%	26%	27%	27%	27%
	age20-60	51%	53%	56%	56%	58%	55%
	age60plus	24%	18%	18%	17%	16%	19%
Immigration	immigrants	12%	20%	20%	23%	23%	20%
	naturalized	54%	55%	55%	55%	47%	53%
Language spoken at home	english	84%	77%	73%	68%	66%	73%
	spanish	6%	3%	7%	11%	16%	8%
	asian-lang	5%	11%	10%	9%	8%	8%
	other lang	6%	9%	10%	13%	10%	10%
Language Fluency	Speaks Eng. "Less than Very Well"	5%	5%	9%	13%	17%	10%
Education (among those age 25+)	hs-grad	50%	38%	50%	56%	62%	51%
	bachelor	27%	35%	28%	24%	20%	27%
	graduatedegree	18%	25%	16%	13%	7%	16%
Child in Household	child-under18	30%	39%	33%	34%	31%	33%
Pct of Pop. Age 16+	employed	59%	64%	64%	63%	62%	62%
Household Income	income 0-25k	13%	8%	12%	11%	22%	13%
	income 25-50k	17%	10%	17%	17%	23%	17%
	income 50-75k	14%	10%	16%	18%	19%	15%
	income 75-200k	44%	51%	44%	43%	34%	43%
	income 200k-plus	13%	21%	11%	11%	3%	12%
Housing Stats	single family	79%	79%	77%	81%	59%	75%
	multi-family	21%	21%	23%	19%	41%	25%
	rented	34%	27%	38%	34%	57%	38%
	owned	66%	73%	62%	66%	43%	62%
Total population data from the 2010 Decennial Census.							
Surname-based Voter Registration and Turnout data from the California Statewide Database.							
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2013-2017 American Community Survey and Special Tabulation 5-year data.							

Folsom-Cordova Unified School District

Districting 2020

NDC 4

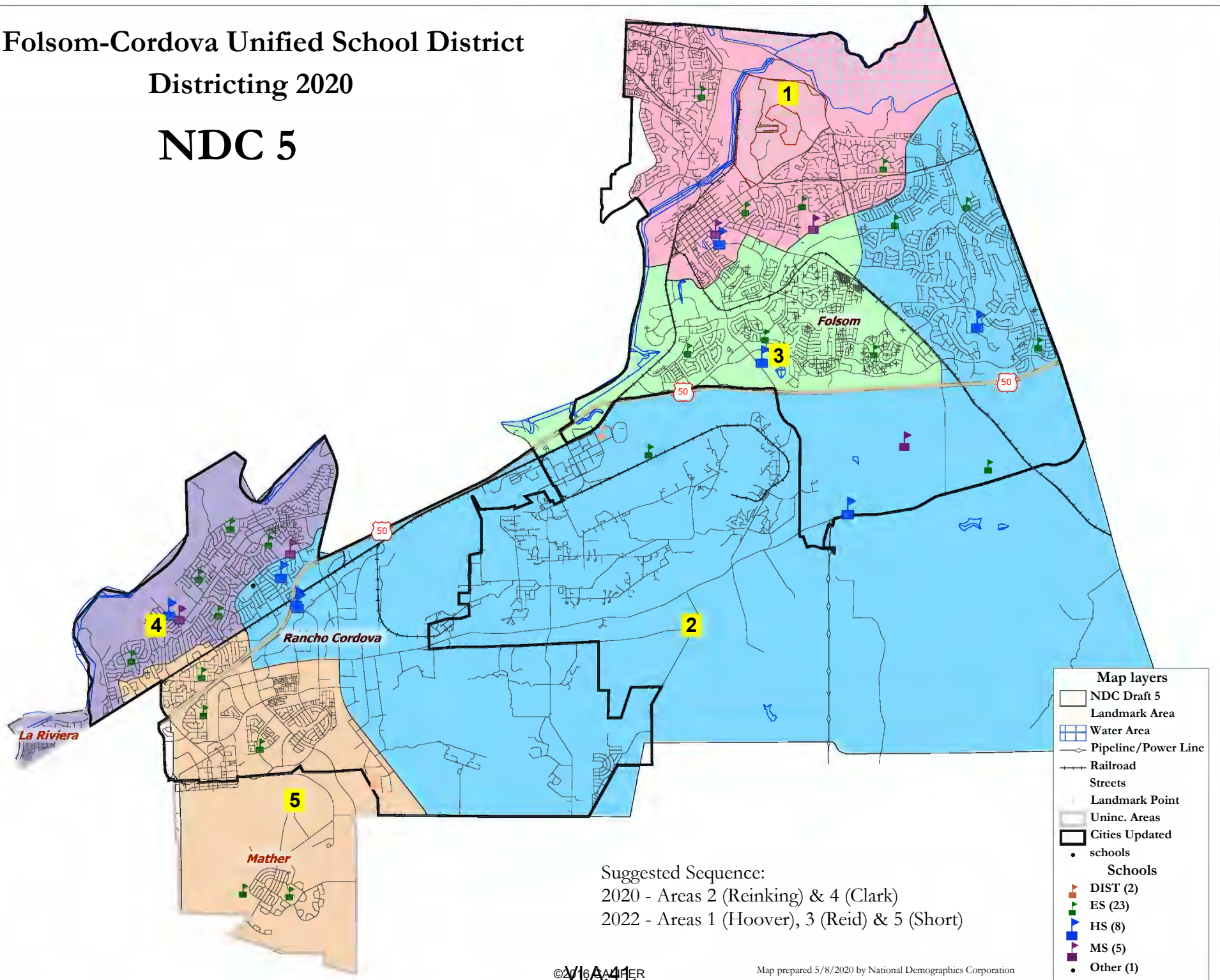


Folsom-Cordova USD - NDC Draft 4							
District		1	2	3	4	5	Total
	Total Pop	22,680	23,267	22,954	23,587	23,048	115,536
	Deviation from ideal	-427	160	-153	480	-59	907
	% Deviation	-1.85%	0.69%	-0.66%	2.08%	-0.26%	3.93%
Total Pop	% Hisp	10%	12%	10%	17%	23%	14%
	% NH White	77%	59%	68%	64%	49%	63%
	% NH Black	1%	6%	2%	7%	13%	6%
	% Asian-American	10%	21%	18%	9%	10%	14%
	Total	17,955	16,695	16,025	17,141	14,963	82,780
Citizen Voting Age Pop	% Hisp	9%	9%	9%	15%	18%	12%
	% NH White	79%	63%	72%	68%	57%	68%
	% NH Black	1%	6%	2%	6%	12%	5%
	% Asian/Pac.Isl.	10%	22%	15%	8%	11%	13%
	Total	14,913	14,938	12,786	12,874	11,083	66,594
Voter Registration (Nov 2018)	% Latino est.	8%	10%	9%	12%	15%	10%
	% Spanish-Surnamed	7%	9%	8%	11%	13%	9%
	% Asian-Surnamed	5%	10%	7%	3%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	2%	1%	1%
	% NH White est.	85%	71%	83%	77%	69%	77%
	% NH Black	2%	6%	2%	6%	12%	5%
	Total	11,476	10,724	9,512	8,605	6,849	47,166
Voter Turnout (Nov 2018)	% Latino est.	7%	10%	8%	10%	13%	9%
	% Spanish-Surnamed	6%	9%	7%	9%	11%	8%
	% Asian-Surnamed	4%	9%	6%	3%	4%	5%
	% Filipino-Surnamed	1%	2%	1%	2%	2%	1%
	% NH White est.	86%	72%	84%	79%	72%	79%
	% NH Black	2%	5%	2%	6%	12%	5%
	Total	12,614	11,210	10,674	9,925	8,091	52,514
Voter Turnout (Nov 2016)	% Latino est.	7%	10%	8%	11%	13%	9%
	% Spanish-Surnamed	7%	9%	7%	10%	11%	8%
	% Asian-Surnamed	4%	8%	6%	3%	4%	5%
	% Filipino-Surnamed	1%	2%	1%	1%	2%	1%
	% NH White est.	85%	73%	83%	76%	70%	78%
	% NH Black est.	2%	6%	2%	7%	12%	5%
	Total	24,367	25,818	25,027	24,758	23,670	123,640
ACS Pop. Est.	Total	24,367	25,818	25,027	24,758	23,670	123,640
Age	age0-19	25%	29%	28%	23%	27%	27%
	age20-60	50%	57%	54%	57%	56%	55%
	age60plus	25%	14%	18%	20%	17%	19%
Immigration	immigrants	13%	24%	19%	20%	22%	20%
	naturalized	65%	63%	50%	47%	43%	53%
Language spoken at home	english	83%	70%	76%	73%	66%	73%
	spanish	4%	4%	4%	12%	18%	8%
	asian-lang	7%	14%	12%	4%	6%	8%
	other lang	6%	12%	8%	11%	10%	10%
Language Fluency	Speaks Eng. "Less than Very Well"	4%	10%	6%	12%	17%	10%
Education (among those age 25+)	hs-grad	46%	44%	43%	60%	62%	51%
	bachelor	31%	32%	31%	20%	19%	27%
	graduatedegree	18%	20%	23%	10%	6%	16%
Child in Household	child-under18	32%	41%	35%	25%	32%	33%
Pct of Pop. Age 16+	employed	58%	68%	65%	61%	60%	62%
Household Income	income 0-25k	11%	8%	11%	15%	21%	13%
	income 25-50k	13%	11%	14%	23%	22%	17%
	income 50-75k	13%	12%	13%	19%	20%	15%
	income 75-200k	47%	49%	49%	37%	33%	43%
	income 200k-plus	16%	20%	13%	6%	4%	12%
Housing Stats	single family	84%	80%	67%	76%	68%	75%
	multi-family	16%	20%	33%	24%	32%	25%
	rented	26%	29%	43%	42%	49%	38%
	owned	74%	71%	57%	58%	51%	62%
Total population data from the 2010 Decennial Census.							
Surname-based Voter Registration and Turnout data from the California Statewide Database.							
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2013-2017 American Community Survey and Special Tabulation 5-year data.							

Folsom-Cordova Unified School District

Districting 2020

NDC 5



Folsom-Cordova USD - NDC Draft 5							
District		1	2	3	4	5	Total
	Total Pop	22,796	22,443	23,008	23,740	23,549	115,536
	Deviation from ideal	-311	-664	-99	633	442	1,297
	% Deviation	-1.35%	-2.87%	-0.43%	2.74%	1.91%	5.61%
Total Pop	% Hisp	11%	12%	9%	19%	21%	14%
	% NH White	79%	65%	66%	62%	45%	63%
	% NH Black	1%	3%	2%	9%	13%	6%
	% Asian-American	6%	18%	21%	7%	16%	14%
	Total	18,432	15,477	15,904	17,690	15,276	82,780
Citizen Voting Age Pop	% Hisp	10%	10%	10%	15%	15%	12%
	% NH White	81%	67%	70%	68%	52%	68%
	% NH Black	2%	2%	2%	7%	15%	5%
	% Asian/Pac.Isl.	7%	20%	16%	8%	17%	13%
	Total	14,923	14,690	12,974	12,879	11,128	66,594
Voter Registration (Nov 2018)	% Latino est.	8%	9%	8%	13%	15%	10%
	% Spanish-Surnamed	7%	9%	7%	12%	13%	9%
	% Asian-Surnamed	3%	9%	8%	2%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	2%	1%
	% NH White est.	86%	76%	81%	78%	61%	77%
	% NH Black	2%	3%	2%	7%	16%	5%
	Total	11,424	10,903	9,639	8,436	6,764	47,166
Voter Turnout (Nov 2018)	% Latino est.	7%	9%	8%	11%	13%	9%
	% Spanish-Surnamed	6%	8%	7%	10%	12%	8%
	% Asian-Surnamed	3%	9%	7%	2%	6%	5%
	% Filipino-Surnamed	1%	2%	1%	1%	2%	1%
	% NH White est.	87%	77%	82%	79%	63%	79%
	% NH Black	2%	2%	2%	7%	16%	5%
	Total	12,642	11,450	10,780	9,840	7,802	52,514
Voter Turnout (Nov 2016)	% Latino est.	7%	9%	8%	11%	14%	9%
	% Spanish-Surnamed	7%	8%	7%	10%	12%	8%
	% Asian-Surnamed	2%	8%	7%	2%	6%	5%
	% Filipino-Surnamed	1%	1%	1%	1%	2%	1%
	% NH White est.	87%	77%	81%	77%	62%	78%
	% NH Black est.	2%	3%	2%	8%	15%	5%
	Total	24,235	24,540	25,631	24,886	24,348	123,640
ACS Pop. Est.	Total	24,235	24,540	25,631	24,886	24,348	123,640
Age	age0-19	23%	30%	29%	23%	27%	27%
	age20-60	50%	53%	55%	56%	59%	55%
	age60plus	27%	16%	16%	20%	14%	19%
Immigration	immigrants	11%	21%	21%	19%	27%	20%
	naturalized	61%	58%	48%	47%	55%	53%
Language spoken at home	english	85%	73%	74%	72%	62%	73%
	spanish	5%	5%	5%	13%	14%	8%
	asian-lang	5%	11%	12%	4%	11%	8%
	other lang	5%	11%	9%	11%	12%	10%
Language Fluency	Speaks Eng. "Less than Very Well"	4%	7%	7%	13%	18%	10%
Education (among those age 25+)	hs-grad	51%	40%	39%	64%	61%	51%
	bachelor	28%	34%	32%	20%	21%	27%
	graduatedegree	17%	23%	26%	7%	7%	16%
Child in Household	child-under18	28%	43%	37%	25%	33%	33%
Pct of Pop. Age 16+	employed	57%	65%	67%	58%	65%	62%
Household Income	income 0-25k	12%	7%	10%	16%	19%	13%
	income 25-50k	15%	9%	15%	23%	22%	17%
	income 50-75k	13%	11%	14%	21%	18%	15%
	income 75-200k	46%	48%	49%	36%	37%	43%
	income 200k-plus	13%	24%	13%	4%	5%	12%
Housing Stats	single family	83%	92%	67%	73%	62%	75%
	multi-family	17%	8%	33%	27%	38%	25%
	rented	29%	17%	43%	44%	53%	38%
	owned	71%	83%	57%	56%	47%	62%
Total population data from the 2010 Decennial Census.							
Surname-based Voter Registration and Turnout data from the California Statewide Database.							
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2013-2017 American Community Survey and Special Tabulation 5-year data.							

ATTACHMENT 3
Final FCUSD Resolution, Proposed Trustee
Area Boundary Map, and Sequence of Elections

RESOLUTION NO. 06-04-20-49

**BOARD OF EDUCATION OF THE
FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT**

**Resolution Establishing District-Based Elections the Final Map for those Elections, and the
Sequence for those Elections**

WHEREAS, the Board of Education (“Board”) of the Folsom Cordova Unified School District previously met on March 12, 2020 and passed the following resolutions:

- (1) *Resolution No. 03-12-20-31 (Establishing Intention to Transition to District-Based Election) (“Resolution of Intent”)*
- (2) *Resolution No. 03-12-20-32 (Request for Waiver of Election Pertaining to District-Based Board Member Elections) (“Waiver Resolution”)*

WHEREAS, the Board met on April 23, 2020 and passed the following resolution:

- (1) *Resolution No. 04-23-20-41 (Resolution to Cure and Correct and Unconditionally Commit to Ceasing Challenged Action) (“Cure and Correct Resolution”)*

WHEREAS, the District has convened and conducted all hearings, and published all maps and sequences of elections, as required by the foregoing and Section 10010 of the Elections Code. An electronic file of supporting documentation is on file with the District and can be made available upon request.

WHEREAS, the State Board of Education has granted the District a waiver of certain provisions of the Education Code in connection with a transition to district-based elections, as set forth in Exhibit A hereto (the “CDE Waiver”).

WHEREAS, pursuant Education Code sections 5019, 5020, 5021 and 5030, as modified by the CDE Waiver, this Board may petition the Sacramento County Committee on School District Organization (“County Committee”) by resolution to transition from at-large elections to district-based elections.

NOW THEREFORE, the Governing Board of the Folsom Cordova Unified School District hereby resolves as follows:

1. The above recitals are correct and true.
2. The Board, subject to the approval of the County Committee, as required by the Education Code as modified by the CDE Waiver, hereby establishes district-based elections for the District, and adopts the map of election districts and sequence of elections set forth in Exhibit B.

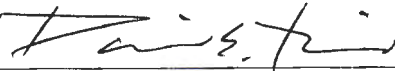
3. The Board petitions the County Committee, as required by the Education Code as modified by the CDE Waiver, to establish district-based elections for the District consistent with this Resolution.
4. The District Superintendent or designee is hereby authorized and directed to send a copy of this Resolution to the County Committee, and to work with the County Committee and the County Election's Office to conduct all legally required hearings and other acts necessary so that district-based elections can be implemented in the election cycles scheduled in 2020 and 2022.

APPROVED AND ADOPTED by the Governing Board of the Folsom Cordova Unified School District, this 4th day of June 2020, by the following vote:

AYES: 4 Chris Clark, Ed Short, David Reid, JoAnne Reinking
NOES: 1 Josh Hoover
ABSENT: 0
ABSTAIN: 0

Signed and approved by me after its passage.

Attest:


David Reid, Clerk


Chris Clark, President

Exhibit A
to Resolution No. 06-04-20-49

00142487.1

Exhibit A



**CALIFORNIA DEPARTMENT
OF EDUCATION**

TONY THURMOND
STATE SUPERINTENDENT OF
PUBLIC INSTRUCTION

1430 N STREET, SACRAMENTO, CA 95814-5901 • 916-319-0800 • WWW.CDE.CA.GOV

May 13, 2020

Sarah Koligian
Folsom-Cordova Unified
1965 Birkmont Dr.
Rancho Cordova, CA 95742

Dear Dr. Koligian:

This letter serves as the official disposition notice of the waiver request submitted for consideration at the State Board of Education (SBE) meeting on May 7, 2020.

Waiver #: 20-3-2020-W-07

Period Recommended: 1/1/2020 to 12/30/2020

EC Section: Section 5020 and portions of sections 5019, 5021 and 5030 of the *Education Code*

EC Authority: Ed. Code section 33050

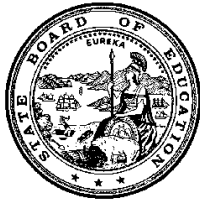
Title: Request by **Folsom-Cordova Unified** to waive California *Education Code* Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish a by-trustee-area method of election.

Disposition: Approved

If you have any questions about this waiver request or need further assistance with waiver requests to the SBE, please call the California Department of Education Waiver Office at 916-319-0824.

Sincerely,

A handwritten signature in blue ink, reading "Christine Plumb-Gordon", is located below the "Sincerely," text.



California State Board of Education

May 2020 Agenda

Item #W-07

Subject

Requests by **sixteen local educational agencies** to waive California *Education Code* Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish a by-trustee-area method of election.

Waiver Number

- Arcata Elementary School District 6-2-2020
- Brea-Olinda Unified School District 23-1-2020
- Cabrillo Unified School District 18-3-2020
- Cotati-Rohnert Park Unified School District 20-1-2020
- El Tejon Unified School District 4-4-2020
- Folsom-Cordova Unified School District 20-3-2020
- Gilroy Unified School District 17-3-2020
- Glendora Unified School District 3-2-2020
- Hacienda la Puente Unified School District 12-2-2020
- Napa Valley Unified School District 23-2-2020
- Rosedale Union Elementary School District 5-4-2020
- Rowland Unified School District 8-3-2020
- San Juan Unified School District 15-3-2020
- Solana Beach Elementary School District 1-4-2020
- Sonoma Valley Unified School District 4-2-2020
- South San Francisco Unified School District 3-3-2020

Type of Action

Action, Consent

Summary of the Issue(s)

School districts that elect board members at-large face existing or potential litigation under the California Voting Rights Act of 2001 (CVRA). Pursuant to the California *Education Code (EC)*, a district can change from at-large elections to by-trustee-area

elections only if the change is approved by both the County Committee on School District Organization (County Committee) and voters at a districtwide election.

To reduce the potential for litigation and to establish by-trustee-area elections as expeditiously as possible, the Arcata Elementary School District (ESD), the Brea-Olinda Unified School District (USD), the Cabrillo USD, the Cotati-Rohnert Park USD, the El Tejon USD, the Folsom-Cordova USD, the Gilroy USD, the Glendora USD, the Hacienda la Puente USD, the Napa Valley USD, the Rosedale Union ESD, the Rowland USD, the San Juan USD, the Solana Beach ESD, the Sonoma Valley USD, and the South San Francisco USD, request that the California State Board of Education (SBE) waive the requirement that by-trustee-area election methods be approved at a districtwide election—allowing by-trustee-area election methods to be adopted upon review and approval of the appropriate County Committee.

Authority for Waiver

EC Section 33050

Recommendation

- Approval: Yes
- Approval with conditions: No
- Denial: No

Summary of Key Issues

Approval of the waiver requests will eliminate the election requirement for approval of trustee areas and by-trustee-area methods of election for future governing board elections in the Arcata ESD, the Brea-Olinda USD, the Cabrillo USD, the Cotati-Rohnert Park USD, the El Tejon USD, the Folsom-Cordova USD, the Gilroy USD, the Glendora USD, the Hacienda la Puente USD, the Napa Valley USD, the Rosedale Union ESD, the Rowland USD, the San Juan USD, the Solana Beach ESD, the Sonoma Valley USD, and the South San Francisco USD. Voters in these districts will continue to elect all board members—however, if the waiver request is approved, board members will be elected by trustee areas beginning with the next governing board election that occurs at least 120 days after County Committee approval of the election method.

County Committees have the authority to approve or disapprove the adoption of trustee areas and methods of election for school district governing board elections. Pursuant to *EC Section 5020*, County Committee approval of trustee areas and election methods constitutes an order of election—thus, voters in the districts have final approval.

Many districts in California are facing existing or potential litigation under the CVRA because of their at-large election methods. To help avoid potential litigation the Arcata ESD, the Brea-Olinda USD, the Cabrillo USD, the Cotati-Rohnert Park USD, the El Tejon USD, the Folsom-Cordova USD, the Gilroy USD, the Glendora USD, the Hacienda la Puente USD, the Napa Valley USD, the Rosedale Union ESD, the Rowland USD, the San Juan USD, the Solana Beach ESD, the Sonoma Valley USD, and the South San Francisco USD, are taking actions to establish trustee areas and adopt by-trustee-area election methods. In order to establish the trustee areas and the methods of election as expeditiously as possible, these districts request that the SBE waive the requirement that the trustee areas and the election methods be approved at districtwide elections. If the SBE approves the waiver requests, by-trustee-area election methods can be adopted in the districts upon review and approval of the appropriate County Committee without subsequent local elections to approve the changes.

Only the elections to establish trustee areas and the election methods will be eliminated by approval of the waiver requests—voters in the districts will continue to elect all governing board members. Moreover, approval of the waivers will not eliminate any existing legal rights of currently seated board members.

The waiver requests have been reviewed by the California Department of Education (CDE) and it has been determined that there was no significant public opposition to the waivers at the public hearings conducted by the governing boards of the districts. The CDE also has determined that none of the grounds specified in *EC* Section 33051, which authorize denial of a waiver, exist. The CDE recommends the SBE approve the requests to waive *EC* Section 5020 and portions of sections 5019, 5021, and 5030, which require districtwide elections to approve by-trustee-area methods of election.

Demographic Information: The Arcata ESD has a student population of 540 and is located in a rural area of Humboldt County.

The Brea-Olinda USD has a student population of 6,050 and is located in a suburban area of Orange County.

The Cabrillo USD has a student population of 3,090 and is located in a small city of San Mateo County.

The Cotati-Rohnert Park USD has a student population of 5,620 and is located in a suburban area of Sonoma County.

The El Tejon USD has a student population of 747 and is located in a rural area of Kern County.

The Folsom-Cordova USD has a student population of 20,605 and is located in an urban area of Sacramento County.

The Gilroy USD has a student population of 11,135 and is located in an urban area of Santa Clara County.

The Glendora USD has a student population of 7,444 and is located in a suburban area of Los Angeles County.

The Hacienda la Puente USD has a student population of 18,097 and is located in a suburban area of Los Angeles County.

The Napa Valley USD has a student population of 16,729 and is located in a rural area of Napa County.

The Rosedale Union ESD has a student population of 5,923 and is located in a suburban area of Kern County.

The Rowland USD has a student population of 14,000 and is located in a small city of Los Angeles County.

The San Juan USD has a student population of 39,500 and is located in a suburban area of Sacramento County.

The Solana Beach ESD has a student population of 2,891 and is located in a suburban area of San Diego County.

The Sonoma Valley USD has a student population of 3,800 and is located in an urban area of Sonoma County.

The South San Francisco USD has a student population of 8,408 and is located in a small city of San Mateo County.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC 33051(a)*, available at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC§ionNum=33051.

Summary of Previous State Board of Education Discussion and Action

The SBE has approved over 215 similar waiver requests—most recently for 15 school districts at the March 2020 SBE meeting.

Fiscal Analysis (as appropriate)

Approval of the waiver request will not have negative fiscal effects on any local or state agency. Failure to approve the request will result in additional costs to the Arcata ESD, the Brea-Olinda USD, the Cabrillo USD, the Cotati-Rohnert Park USD, the El Tejon USD, the Folsom-Cordova USD, the Gilroy USD, the Glendora USD, the Hacienda la Puente USD, the Napa Valley USD, the Rosedale Union ESD, the Rowland USD, the

San Juan USD, the Solana Beach ESD, the Sonoma Valley USD, and the South San Francisco USD for districtwide elections.

Attachment(s)

- **Attachment 1:** Summary Table (9 pages)
- **Attachment 2:** Arcata Elementary School District General Waiver Request 6-2-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- **Attachment 3:** Brea-Olinda Unified School District General Waiver Request 23-1-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- **Attachment 4:** Cabrillo Unified School District General Waiver Request 18-3-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- **Attachment 5:** Cotati-Rohnert Park Unified School District General Waiver Request 20-1-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- **Attachment 6:** El Tejon Unified School District General Waiver Request 4-4-2020 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)
- **Attachment 7:** Folsom-Cordova Unified School District General Waiver Request 20-3-2020 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)
- **Attachment 8:** Gilroy Unified School District General Waiver Request 17-3-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- **Attachment 9:** Glendora Unified School District General Waiver Request 3-2-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- **Attachment 10:** Hacienda la Puente Unified School District General Waiver Request 12-2-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- **Attachment 11:** Napa Valley Unified School District General Waiver Request 23-2-2020 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)

- **Attachment 12:** Rosedale Union Elementary School District General Waiver Request 5-4-2020 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)
- **Attachment 13:** Rowland Unified School District General Waiver Request 8-3-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- **Attachment 14:** San Juan Unified School District General Waiver Request 15-3-2020 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)
- **Attachment 15:** Solana Beach Elementary School District General Waiver Request 1-4-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- **Attachment 16:** Sonoma Valley Unified School District General Waiver Request 4-2-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- **Attachment 17:** South San Francisco Unified School District General Waiver Request 3-3-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
- **Attachment 18:** California *Education Code* Sections Proposed for Waiver (5 pages).

Attachment 1: Summary Table

California *Education Code* Sections 5019, 5020, 5021, and 5030

Waiver Number	District	Period of Request	Bargaining Unit Representatives Consulted	Public Hearing and Board Approval Dates	Advisory Committee Position
6-2-2020	Arcata Elementary School District	Requested: March 1, 2020, to December 31, 2020 Recommended: January 1, 2020, to December 30, 2021	Arcata Elementary Teacher's Association, Ann Youmans, Co-President 12/4/2019 Support California School Employees Association (CSEA), Colette Aitken, President 1/9/2020 Support	December 3, 2019	School Site Council and District Advisory Committee (DAC) (2/5/2020) No objections
23-1-2020	Brea-Olinda Unified School District	Requested: April 1, 2020, to March 31, 2022 Recommended: April 1, 2020, to March 30, 2022	Brea Olinda Teachers Association, Patti Romero, President 11/8/2019 Support CSEA, Jason Geanakopoulos Labor Relations Representative 11/7/2019 Neutral	December 9, 2019	Parent Teacher Association (PTA) and District English Learner Advisory Committee (DELAC) (11/5/2019) No objections

Waiver Number	District	Period of Request	Bargaining Unit Representatives Consulted	Public Hearing and Board Approval Dates	Advisory Committee Position
18-3-2020	Cabrillo Unified School District	Requested: April 1, 2019, to March 30, 2021 Recommended: April 1, 2019, to March 30, 2021	Brea Olinda Teachers Association, Heidi Mills, Co-President 2/25/2020 Neutral CSEA, Stig Lynne, President 2/25/2020 Neutral	March 12, 2020	All school site councils (2/26/2020) No objections
20-1-2020	Cotati-Rohnert Park Unified School District	Requested: January 21, 2020, to January 19, 2022 Recommended: January 21, 2020, to January 19, 2022	Rohnert Park Cotati Educators Association, David Freebarin, President 1/17/2020 Support CSEA, Russell Hatcher, President 1/17/2020 Support Service Employees International Union, Bryna Wigmore, President 1/17/2020 Support	January 21, 2020	Administrative Council and DELAC (1/17/2020) No objections

Waiver Number	District	Period of Request	Bargaining Unit Representatives Consulted	Public Hearing and Board Approval Dates	Advisory Committee Position
4-4-2020	El Tejon Unified School District	Requested: May 1, 2020, to April 30, 2022 Recommended: May 1, 2020, to April 29, 2022	El Tejon Teachers Association, Monica Darling, President 4/7/2020 Support CSEA, Darla Davis, President 4/7/2020 Support	April 9, 2020	DELAC and all school site councils (4/8/2020) No objections
20-3-2020	Folsom-Cordova Unified School District	Requested: January 1, 2020, to December 31, 2020 Recommended: January 1, 2020, to December 30, 2021	Folsom Cordova Education Association, Angelica Miklos, President 3/10/2020 Support CSEA, Rob Thomas, President 3/11/2020 Support	March 12, 2020	Superintendent's Communication Committee and DELAC (3/5/2020) No objections

Waiver Number	District	Period of Request	Bargaining Unit Representatives Consulted	Public Hearing and Board Approval Dates	Advisory Committee Position
17-3-2020	Gilroy Unified School District	<p>Requested: March 12, 2020, to November 9, 2022</p> <p>Recommended: March 12, 2020, to March 10, 2022</p>	<p>Gilroy Teachers Association, Lindsay Hack, President 3/10/2020 Support</p> <p>Gilroy Federation of Paraeducators, Arcelia O'Connor, President 3/10/2020 Support</p> <p>CSEA, Linda Figone, President 3/10/2020 Support</p>	March 12, 2020	<p>Superintendent's Advisory Council and DELAC (3/9/2020) No objections</p>
3-2-2020	Glendora Unified School District	<p>Requested: July 1, 2019, to July 1, 2021</p> <p>Recommended: July 3, 2019, to July 1, 2021</p>	<p>Glendora Teachers Association, Joanne Johnson, President 12/19/2019 Neutral</p> <p>CSEA, Marianne Nichols, President 12/19/2019 Neutral</p>	January 27, 2020	<p>All school site councils (12/19/2019) No objections</p>

Waiver Number	District	Period of Request	Bargaining Unit Representatives Consulted	Public Hearing and Board Approval Dates	Advisory Committee Position
12-2-2020	Hacienda la Puente Unified School District	Requested: February 13, 2020, to February 12, 2021 Recommended: February 13, 2020, to February 12, 2021	Hacienda La Puente Teachers Association, Billie Joe Wright, President 2/4/2020 Support CSEA, Cliff Walker, Acting President 2/5/2020 Neutral	February 13, 2020	All school site councils, DELAC, and DAC (2/4/2020) Objections: Two school site councils prefer an election.
23-2-2020	Napa Valley Unified School District	Requested: March 1, 2020, to February 28, 2022 Recommended: March 1, 2020, to February 27, 2022	Napa Valley Educators Association, Gayle Young, President 2/27/2020 Neutral Napa Association of Pupil Services, Lesley Walter, President 2/27/2020 Neutral CSEA, Edgar Ventura, President 2/27/2020 Neutral	February 27, 2020	DELAC and Superintendent's Parents' Advisory Committee (2/19/2020) No objections

Waiver Number	District	Period of Request	Bargaining Unit Representatives Consulted	Public Hearing and Board Approval Dates	Advisory Committee Position
5-4-2020	Rosedale Union Elementary School District	Requested: May 1, 2020, to April 30, 2022 Recommended: May 1, 2020, to April 29, 2022	Rosedale Teachers Association, Maureen Shearon, President 4/7/2019 Support CSEA, Richard Garrett, President 4/7/2019 Support	April 9, 2019	DELAC and all school site councils (4/7/2020) No objections
8-3-2020	Rowland Unified School District	Requested: January 1, 2020, to December 31, 2021 Recommended: January 1, 2020, to December 30, 2021	Association of Rowland Educators, Shay Lohman, President 12/10/2019 Support CSEA, Marco Maldonado, President 12/11/2019 Neutral	December 12, 2019	Rowland Council PTA and DELAC (10/24/2019) No objections

Waiver Number	District	Period of Request	Bargaining Unit Representatives Consulted	Public Hearing and Board Approval Dates	Advisory Committee Position
15-3-2020	San Juan Unified School District	Requested: March 10, 2020, to March 8, 2022 Recommended: March 10, 2020, to March 8, 2022	San Juan Teachers Association, Shannon Brown Executive Director 2/20/2020 Support CSEA, Karen Smith, President 3/3/2020 Support San Juan Professional Educators Coalition, Suzanne Bender, President 2/27/2020 Support San Juan Supervisors Association, Cherie Chenoweth, President 2/28/2020 Support Teamsters, Alan Daurie, Business Agent 2/28/2020 Support	March 10, 2020	Local Control Accountability Plan (LCAP) Parent Advisory Committee and DELAC (3/3/2020) No objections

Waiver Number	District	Period of Request	Bargaining Unit Representatives Consulted	Public Hearing and Board Approval Dates	Advisory Committee Position
1-4-2020	Solana Beach Elementary School District	Requested: June 1, 2020, to May 31, 2022 Recommended: April 1, 2020, to December 31, 2020	Solana Beach Teachers Association, Jesse Atkins, President 3/5/2020 Support Solana Beach Association of Support Professionals, Ali Mirzahosseini, President 3/3/2020 Support	March 12, 2020	Districtwide PTA/Parent Teachers Organization Roundtable; DELAC (2/6/2020) No objections
4-2-2020	Sonoma Valley Unified School District	Requested: January 24, 2020, to January 22, 2022 Recommended: January 24, 2020, to January 22, 2022	Valley of the Moon Teacher Association, Justin Hollander, President 2/3/2020 Neutral CSEA, Kimberly Smith, President 2/3/2020 Neutral	December 3, 2019	LCAP Stakeholders Advisory Committee (2/13/2020) No objections

Waiver Number	District	Period of Request	Bargaining Unit Representatives Consulted	Public Hearing and Board Approval Dates	Advisory Committee Position
3-3-2020	South San Francisco Unified School District	<p>Requested: January 1, 2020, to January 1, 2022</p> <p>Recommended: January 1, 2020, to December 30, 2021</p>	<p>South San Francisco California Teachers Association, Daniel Yanow, President 1/10/2020 Neutral</p> <p>CSEA, Jolene Malfatti, President 1/10/2020 Neutral</p>	February 13, 2020	<p>PTA Council Advisory Group (1/10/2020) No objections</p>

Created by California Department of Education
April 2020

Attachments 2 through 6 Intentionally Omitted

Attachment 7

Folsom-Cordova Unified School District

General Waiver Request 20-3-2020

California Department of Education
WAIVER SUBMISSION – General

CD Code: 3467330

Waiver Number: 20-3-2020
Active Year: 2020

Date In: 3/13/2020 1:12:37 PM

Local Education Agency: Folsom-Cordova Unified
Address: 1965 Birkmont Dr.
Rancho Cordova, CA 95742

Start: 1/1/2020
End: 12/31/2020

Waiver Renewal: No

Waiver Topic: School District Reorganization
Ed Code Title: Election of Governing Board
Ed Code Section: Section 5020 and portions of sections 5019, 5021 and 5030 of the
Education Code
Ed Code Authority: Ed. Code section 33050

Education Code or CCR to Waive: See Attachment 18.

Outcome Rationale: The District received a demand pursuant to section 10010 of the Elections Code to transition to “by-district” trustee elections, from the District’s current “at-large” trustee elections. The demand threatens litigation and prevailing party attorney’s fees if it is not complied with.

Elections Code section 10010 provides a “safe harbor” to such a demand, limiting the amount of prevailing party attorney’s fees that are recoverable in the event that the District takes specified action within the time specified in the statute. However, because this “safe harbor” does not reference compliance with the process set forth in sections 5019, 5020, 5021, and 5030 of the *Education Code* for such a transition to “by-district” trustee elections by a school district, the District has reason to believe that the

demanding party would claim the “safe harbor” is inapplicable in the absence of a timely waiver of those sections.

The District does not adopt this anticipated argument, but in order to minimize undue hardship and extreme detriment to the District and its students that would be caused by the uncertainty of having to litigate the matter, and in order to render such arguments moot and to expeditiously implement the transition to “by-district” trustee elections, the District seeks a waiver of section 5020 and portions of sections 5019, 5021 and 5030 of the *Education Code*. Such action would facilitate local agency operations by avoiding needless litigation that would otherwise consume District resources.

Student Population: 20605

City Type: Urban

Public Hearing Date: 3/12/2020

Public Hearing Advertised: Newspaper Publication, District Website, School Sites, and District Office

Local Board Approval Date: 3/12/2020

Community Council Reviewed By: SCC – Superintendent’s Communication Committee, DELAC – District English Learner Advisory Committee

Community Council Reviewed Date: 3/5/2020

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Dr. Sarah Koligian

Position: Superintendent

E-mail: skoligian@fcusd.org

Telephone: 916-294-9001

Fax: 916-294-9020

Bargaining Unit Date: 03/11/2020

Name: CSEA–California School Employees Association

Representative: Rob Thomas

Title: CSEA President

Phone: 916-294-9000

Position: Support

Comments:

Bargaining Unit Date: 03/10/2020
Name: FCEA – Folsom Cordova Education Association
Representative: Angelica Miklos
Title: FCEA President
Phone: 916-635-3202
Position: Support
Comments:

Attachments 8 through 17 Intentionally Omitted

Attachment 18

California *Education Code* Sections

Proposed for Waiver

Request to waive California Education Code Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish by-trustee-area method of election. Language proposed to be waived is bracketed and in italics below:

§ 5019.

Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to

the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

(d) If the county committee on school district organization approves pursuant to subdivision (a) *[the rearrangement of]*the boundaries of trustee areas for a particular district, then the *[rearrangement of the]*trustee areas shall be effectuated for the next district election occurring at least 120 days after *[its]*approval~~], unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters]~~.

[§ 5020.

Presentation of proposal to electors

(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.

(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of

the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.

(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:

"For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District--No."

"For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of ____ (insert name) School District from five to seven--No."

"For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five--No."

"For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District--No."

"For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."

"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or

more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--No."

"For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--No."

If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.]

§ 5021.

Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Section[s] 5019 [and 5020] is approved[*by a majority of the voters voting at the election*], any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established [at such election] which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by[*a majority of the voters voting on the measure, or by*] the county committee on school district organization[*when no election is required*], and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved[*by a majority of the voters voting at the election*], the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030.

Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Section[s] 5019[*and 5020, respectively*], may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

*[In counties with a population of less than 25,000,]*the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

Exhibit B
to Resolution No. 06-04-20-49

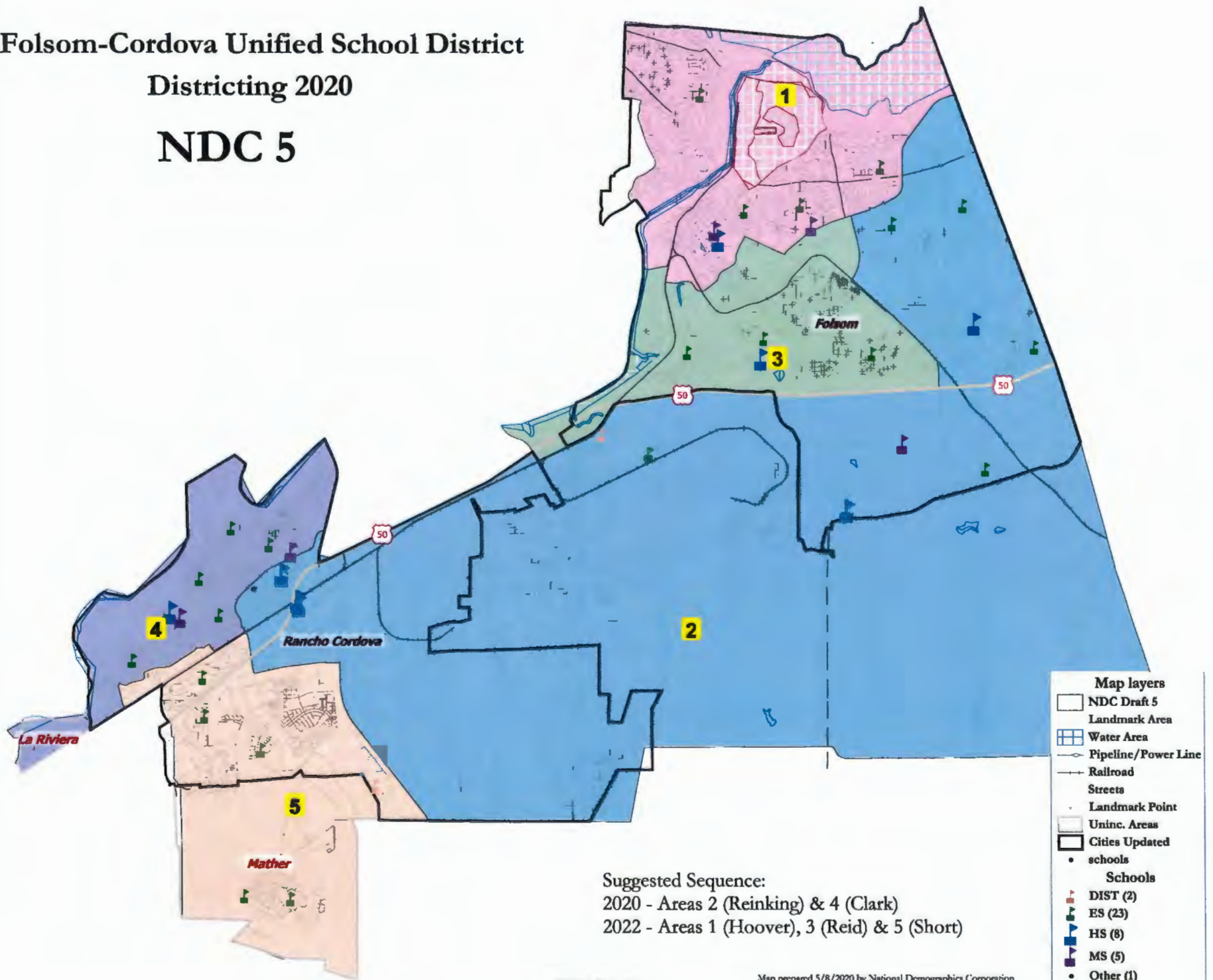
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Exhibit B

Folsom-Cordova Unified School District

Districting 2020

NDC 5



Suggested Sequence:
 2020 - Areas 2 (Reinking) & 4 (Clark)
 2022 - Areas 1 (Hoover), 3 (Reid) & 5 (Short)

PROPOSED RESOLUTION NO. CC-20-02

SACRAMENTO COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

RESOLUTION NO. CC-20-02

Resolution Approving Alternative Method of Electing Governing Board Members in Folsom Cordova Unified School District, Effective November 2020

WHEREAS, the governing board of the Folsom Cordova Unified School District (FCUSD) is composed of five members, who are elected by the registered voters of the entire school district (“at-large elections”);

WHEREAS, Education Code section 5019 authorizes a school district governing board to initiate a proposal to change its method of electing governing board members by resolution;

WHEREAS, Education Code section 5030 authorizes alternative methods of electing school district governing board members, including at-large, hybrid, and by trustee area elections;

WHEREAS, on March 12, 2020, FCUSD’s governing board adopted resolutions proposing to change its election method so that one governing board member residing in each trustee area will be elected by the registered voters who reside in that trustee area (“by trustee area elections”) and seek a State Board of Education waiver from the Education Code sections 5019, 5020, 5021, and 5030 requirements that such election method changes be submitted to school district voters for approval or denial;

WHEREAS, public hearings and outreach regarding FCUSD’s proposed change in election method have been conducted as follows:

- March 12, 2020 – (public hearings) FCUSD held public hearings and adopted resolutions (1) establishing its intention and process for transitioning to “by trustee area” elections, and (2) to seek a waiver from the State Board of Education of the Education Code requirements that proposed election method changes be submitted to school district voters for approval or denial;
- March 23, 2020 (approximately)– FCUSD posted Frequently Asked Questions regarding “by trustee area” elections on the FCUSD website.
- March 26, 2020 (public hearing via audio/video teleconference) – Dr. Douglas Johnson of National Demographics Corporation (demographer) presented to FCUSD on the process for changing to “by trustee area” elections. FCUSD held public hearing to obtain public input regarding the composition of trustee areas for board member elections before preparing draft boundary maps.
- April 14, 2020 (public hearing via audio/video teleconference) – FCUSD heard demographer presentation and held public hearing to obtain public input regarding the composition of trustee areas for board member elections before preparing draft boundary maps.

- April 23, 2020 (public hearing via audio/video teleconference) – FCUSD heard demographer presentation, reaffirmed its commitment to transition to “by trustee area” elections, and held public hearing to obtain public input regarding the composition of trustee areas for board member elections before preparing draft boundary maps.
- April 28, 2020 (public hearing via audio/video teleconference) – FCUSD heard demographer presentation and held public hearing to obtain public input regarding the composition of trustee areas for board member elections before preparing draft boundary maps.
- April 29, 2020 – FCUSD published four proposed trustee area maps and solicited community input through postings on the FCUSD website.
- May 7, 2020 (public hearing via audio/video teleconference) – State Board of Education approved FCUSD’s request to waive Education Code requirement that proposed election method changes be submitted to school district voters for approval or denial.
- May 7, 2020 (public hearing via audio/video teleconference) – FCUSD heard demographer presentation and held public hearing to consider public input regarding proposed trustee area boundary maps and proposed sequence of elections.
- May 12, 2020 – FCUSD updated its administrative schedule, added a fifth proposed map, and published all proposed trustee area maps on the FCUSD website.
- May 21, 2020 (public hearing via audio/video teleconference) – FCUSD heard demographer presentation and held public hearing to consider public input regarding proposed trustee area boundary maps and proposed sequence of elections.
- June 4, 2020 (public hearing via audio/video teleconference) – FCUSD held public hearing adopting resolution to transition to “by trustee area” elections, and adopted a final proposed trustee area boundaries map and sequence of elections. (Exhibit A)
- Notices of FCUSD’s public hearings were posted on the FCUSD website and at the district office, published in local news outlets, and emailed to the City of Folsom, City of Rancho Cordova, and Gold Country Media.

WHEREAS, Governor Gavin Newsom has declared a State of Emergency to exist in California as a result of the COVID-19 pandemic, and has issued Executive Orders N-25-20 and N-33-20 directing all Californians to follow public health directives and prohibiting them from leaving their homes or places of residence (with limited exceptions not applicable here); and on March 19, April 7, May 1, and May 22, 2020, the Sacramento County Health Officer issued orders prohibiting all gatherings of any number of people;

WHEREAS, Executive Order N-29-20 allows local legislative bodies to satisfy public transparency requirements by holding meetings via teleconference;

WHEREAS, on June 9, 2020, as required by Education Code section 5019, applicable Executive Orders, and after having complied with all notice requirements, the Sacramento County Committee on School District Organization conducted a hearing on FCUSD's proposal to change to by trustee area elections, which was accessible to members of the public via Zoom video and/or audio teleconference;

WHEREAS, notice of the County Committee's video and/or audio teleconference hearing was posted on the FCUSD and Sacramento County Office of Education websites.

WHEREAS, FCUSD has submitted information in support of its proposed change of election method, the record reflects rational reasons for FCUSD's proposal, and FCUSD's proposal appears to be consistent with the law.

NOW, THEREFORE, IT IS HEREBY RESOLVED that:

1. The recitals set forth above are true.
2. The Sacramento County Committee on School District Organization hereby approves the proposal to adopt an alternative method of electing FCUSD governing board members, whereby one governing board member residing in each trustee area will be elected by the registered voters who reside in that trustee area.
3. The "by trustee area" election method using the trustee areas boundary map and order of elections included in Exhibit A will be effective for the next FCUSD governing board election occurring on November 3, 2020, and thereafter until revised based upon 2020 census data.
4. FCUSD shall submit its change of election method and trustee area boundary maps to the appropriate county elections officials, and to all other necessary parties by all required deadlines.
5. The Sacramento County Committee on School District Organization hereby authorizes the Sacramento County Superintendent of Schools to take any other actions needed to effectuate the purposes of this resolution.

PASSED AND ADOPTED by the Sacramento County Committee on School District Organization this 9th day of June 2020, following a legally authorized public hearing, by the following vote:

AYES	_____	_____
NOES	_____	_____
ABSENT	_____	_____
ABSTAIN	_____	_____

Bina Lefkovitz, Board President

David W. Gordon, Board Secretary

Folsom-Cordova Unified School District

Districting 2020

NDC 5

EXHIBIT A

