

**SIERRA JOINT COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

RESOLUTION NO. 2021-19

**RESOLUTION DECLARING INTENT TO TRANSITION FROM
AT-LARGE TO BY-TRUSTEE AREA GOVERNING BOARD MEMBER ELECTIONS**

WHEREAS, the Board of Trustees (“Board”) of the Sierra Joint Community College District (“District”) is currently elected using a hybrid election system, meaning that governing board members must live in defined trustee areas, but are elected by voters of the entire District;

WHEREAS, trustees are elected in even-numbered years and serve staggered, four-year terms, such that the next election for four trustees is scheduled for November 2022, with the remaining three trustees scheduled for election in November 2024; and

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”;

WHEREAS, hybrid systems are considered “at-large” voting systems for purposes of the CVRA;

WHEREAS, a transition from at-large to “by-trustee area” elections, where each board member must reside within a designated trustee area boundary, and is elected only by the voters in that trustee area, minimizes the potential for litigation against the District under the CVRA;

WHEREAS the Board desires to ensure fair representation and has determined that transitioning to by-trustee elections is in the best interest of the District and its community;

WHEREAS, the District board intends to begin the process to transition from at-large to by-trustee area elections;

WHEREAS, the District board wishes to proceed with the statutorily required public hearings in a manner that is both efficient and legally sound;

WHEREAS, the District board will hold a minimum of two public hearings prior to developing proposed trustee-area boundary maps;

WHEREAS, the District board will hold a minimum of two additional public hearings to seek public input on the proposed trustee area maps developed with assistance from a demographer, prior to holding a final public hearing after which it will adopt a trustee area map.

WHEREAS, California Education Code section 72036 authorizes community colleges to transition from at-large elections to by-trustee area elections upon the approval of the Board of Governors of the California Community Colleges;

WHEREAS, the District intends to send its adopted trustee-area map to the Board of Governors of the California Community Colleges for final approval; and

WHEREAS, the adoption of “by-trustee area” elections will not affect the terms of any Board members serving or elected during this transition, each of whom will serve out his or her full term.

NOW THEREFORE BE IT RESOLVED,

1. The above recitals are true and correct;
2. The Superintendent and/or designee shall commence the process of transitioning to by-trustee area elections, in full compliance with all appropriate procedures and policies provided in law;
3. The Superintendent, or designee, is hereby directed to prepare additional Board resolutions and documents, as needed, to meet all applicable legal requirements in a timely manner to develop proposed trustee area boundaries, and to seek approval from the Board of Governors of the California Community Colleges pursuant to Education Code section 72036;
4. The Superintendent, or designee, shall consult with legal counsel and demographer to take all steps necessary to implement and give effect to this resolution; and
5. The foregoing resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED on the 14th day of September 2021, at a regular meeting of the Board of Trustees by the following vote:

AYES: BANCROFT, DAWSON BARTLEY, GARCIA, LESLIE, PALMER, ROMNESS, SINCLAIR
STUDENT TRUSTEE ADVISORY VOTE - CHAVEZ DeCHAVEZ

NOES:
ABSENT:
ABSTAIN:

Dated: September 14, 2021

William H. Duncan, IV

William H. Duncan, IV (Sep 15, 2021 15:37 PDT)

Superintendent/President

Paul Bancroft

Paul Bancroft (Sep 16, 2021 10:19 PDT)

Clerk