

Transitioning To A By-Trustee Area Election Method



Lowell Joint School District
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Types of Elections that Can Be Used by School Districts



At-Large Elections

Candidates must reside within the District's boundaries and are elected by all the voters who reside in the District's boundaries. (Education Code section 5030(a).)

From-Trustee Area Elections

Candidates must reside in specific geographic areas within the District's boundaries called "Trustee Areas" but are elected by all the voters who reside in the District's boundaries. (Education Code section 5030(c).)

By-Trustee Area Elections

Candidates must reside in specific Trustee Areas within the District's boundaries and are elected only by the voters who reside in the same Trustee Areas. (Education Code section 5030(b).)

Process for Transitioning to By-Trustee Area Elections



Transitioning From At-Large to By-Trustee Area Elections

The Process

- Prior to preparing trustee area maps, the District will hold two public hearings and other community information events to gather community input on the composition of the trustee area maps
- The District will publish at least one proposed trustee area map for consideration by the community
- The District will publish the potential sequence of the elections to show how the staggered terms will impact individual trustee areas

Creation of a Trustee Areas

A number of criteria will be used to develop maps.
Common criteria include:

1. Constitutional “one person, one vote”
2. Communities of interest
3. Natural and man-made boundaries
4. Federal Voting Rights Act Compliance
 - » Citizen Voting Age Population
 - » “Packing” and “Cracking”
5. Respecting Incumbency

Creation of a Trustee Areas

A number of criteria will be used to develop maps.

Common criteria include:

6. Compact size
7. Contiguity
8. School attendance boundaries
9. City boundaries
10. Anticipated population changes
11. Other Factors

Transitioning From At-Large to By-Trustee Area Elections

The Process

- The District will hold two additional public hearings and other community information events to gather community input on proposed map(s) and election sequencing
- If revisions to any proposed map are made, the District will published the revised proposed map for at least days prior to adopting a map

Transitioning From At-Large to By-Trustee Area Elections

The Process

- The County Committee on School District Organization must hold at least one public hearing within the District's boundaries
- Following the public hearing, the County Committee on School District Organization must by resolution either approve or reject the proposal

Waiver of the Election Requirement from the State Board of Education



Waiver of the Election Requirement

The District will file with the State Board of Education (“SBE”) a request to waive the election requirement

- In order to obtain a waiver, a proper application must be completed and submitted to the SBE
- The application needs to reflect whether the exclusive representatives of the District’s employees have been involved in the preparation of the waiver request, and their position thereon

Community and Stakeholder Input

- The District will consult with labor bargaining units and obtain their positions on the waiver:
 - Neutral
 - Support
 - Oppose
- The District will consult with “appropriate advisory councils or advisory committees,” e.g., District English Learner Advisory Committee (DELAC)

The Waiver Process

- The District's Board must hold a public hearing on the waiver request prior to submitting the request to the SBE
- Following the public hearing, the Board may adopt the waiver request

Effect of Waiver

- Once the waiver is approved by the State Board of Education, the District can conduct subsequent elections for the Board of Education as by-trustee area elections.

Implementing By-Trustee Area Election Method

Regardless of the method used to implement the transition, there is no immediate impact on the term of any current member of the District's Governing Board. (Education Code section 5021).

Instead, all future elections would occur in the trustee areas in which the Board members whose terms are expiring currently reside.

Implementing By-Trustee Area Election Method

Decennial Updates

- Trustee Areas must be updated following every decennial federal census. (Education Code section 5019.5).
- The 2010 census results were released in April of 2011.

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