Information Sheet – 12/12/2023 - Board of Trustees Meeting

TO: Board of Trustees Item: 8.2

FR: Jim Bridges

DATE: December 8, 2023

RE: Public Hearing Regarding Resolution No. 2023-12-01 - Initiating Proposal to the San Joaquin County Committee on School District Organization for Establishment of District-Based/Trustee Area Election System, Including Approval of Trustee Area Map and Sequence of Elections

At its Board meeting on November 14, 2023, the Board adopted Resolution No. 2023-11-01 declaring the Board's intention to transition from at-large elections to by-division elections and outlining the specific steps and estimated timeframe for the transition. The adoption of this Resolution is the first step in the process to transition from at-large elections to by-division elections (also referred to as trustee-area elections). Resolution No. 2023-11-01 set forth that the Board will conduct five public hearings and adopt a map of the voting trustee areas (Elections Code § 10010) between November 2023 through December 2023.

The Board has proceeded with the election system transition process in accordance with Resolution No. 2023-11-01 and applicable laws:

1. November 16, 2023 - Public Hearing No. 1 and Scheduling of Remaining Four Public Hearings: At its Board meeting on November 16, 2023, the Board conducted the first public hearing in accordance with Resolution No. 2023-11-01 and Elections Code section 10010. Elections Code section 10010, subdivision (a)(1), provides: "Before drawing a draft map or maps of the proposed boundaries of the districts, the political subdivision shall hold at least two public hearings over a period of no more than 30 days, at which the public is invited to provide input regarding the composition of the districts." At that same Board meeting, the Board scheduled the remaining four public hearings for November 20, 2023, November 30, 2023, and two on December 12, 2023.

2. November 20, 2023 - Public Hearing No. 2: The Board conducted the second public hearing at its Board meeting on November 20, 2023. The public was invited to provide input regarding the composition of the trustee areas that would be drawn as part of the transition process from at-large elections to by-division elections.

3. November 22, 2023 - Publication of Draft Maps: Elections Code section 10010, subdivision (a)(2) provides in pertinent part:

"After all draft maps are drawn, the political subdivision shall publish and make available for release at least one draft map and, if members of the governing body of the political subdivision will be elected in their districts at different times to provide for staggered terms of office, the potential sequence of the elections. The political subdivision shall also hold at least two additional hearings over a period of no more than 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 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 days before being adopted."

In accordance with Elections Code section 10010, subdivision (a)(2), the District published and made available on November 22, 2023, the District's draft map of the trustee areas, including on the District's website.

In accordance with Elections Code section 10010, subdivision (a)(2), the District published and made available on November 22, 2023, draft Maps 501, 502, and 503, including on the District's website. Maps 501, 502, and 503 were received by the District from an outside third party.

4. November 30, 2023 – Public Hearing No. 3 and Staff Report: At the Board meeting on November 30, 2023, District staff and the demographer, National Demographics Corporation, conducted a presentation that included a review of the District's draft map of the trustee areas. In accordance with Elections Code section 10010, subdivision (a)(2), the Board also conducted the third public hearing.

5. December 12, 2023 – Public Hearing No. 4, Staff Report, and Board Discussion:
At the Board meeting on December 12, 2023, the Board will conduct the fourth public hearing in accordance with Elections Code section 10010, subdivision (a)(2). District staff and the demographer, National Demographics Corporation, will conduct a presentation that includes a review of the Maps 501, 502, and 503 all submitted by a third party. The Board will consider and discuss the three draft maps but did not take any action until conducting the 5th public hearing.

At the December 12, 2023, Board meeting, the Board will conduct the fifth and last public hearing. This fifth public hearing is to comply with Elections Code section 10010, subdivision (a), and is for the purpose of obtaining public input regarding Resolution No. 2023-12-01 - Initiating Proposal to the San Joaquin County Committee on School District Organization for Establishment of By-Division/Trustee Area Election System, Including Approval of Trustee Area Map and Sequence of Elections. The proposed Resolution No. 2023-12-01 will be presented for the Board's consideration and adoption at this December 12, 2023, Board meeting. A copy of proposed Resolution No. 2023-12-01 is attached to the Board agenda item under the "Action" portion of the Board agenda.

Communications regarding the fifth public hearing at the December 12, 2023, Board meeting were issued, including posting information on the District's website, posting of a notice regarding the public hearing, and an email communication to parents. Since the beginning of the transition process, the District has made information and updates available on its website: jeffersonschooldistrict.com

Recommendation:

Conduct a public hearing no earlier than 6:30 p.m., at 1219 Whispering Wind Dr., Tracy, California, regarding Resolution No. 2023-12-1, initiating a proposal to the San Joaquin County Committee on School District Organization for the establishment of a district-based/trustee area election system, including the approval of the trustee area map and the sequence of elections.

BEFORE THE GOVERNING BOARD OF THE
JEFFERSON ELEMENTARY SCHOOL DISTRICT
OF
SAN JOAQUIN, CALIFORNIA

In the Matter of Adopting Trustee Areas for the Election of Jefferson Elementary School District Trustees, for Submission to the San Joaquin County Committee on School District Organization Pursuant to Education Code§§ 5019, 5020 and 5030.	RESOLUTION NO. 2023-12-01 Resolution by the Governing Board to Adopt Trustee Areas for Submission to the San Joaquin County Committee on School District Organization (Education Code sections 5019, 5020 & 5030)

RECITALS

1. Members of the Board of Trustees of the Jefferson Elementary School District ("School District" or "District") are currently elected in "at-large" elections, *i.e.,* elections in which "each governing board member [is] elected by the registered voters of the entire school district" [Education Code section 5030(a)]; and

2. California Education Code sections 5019(a) & (c)(1) and 5030 authorize the San Joaquin County Committee on School District Organization ("County Committee"), upon application of a school district's governing board, to change the method of election in a school district under its jurisdiction; and

3. At its regular meeting on November 14, 2023, the Board adopted Resolution No. 2023-11-01, formally initiating the process of changing the District's method of election to "by-trustee area" elections, *i.e.,* elections in which "one or more members residing in each trustee area be elected by the registered voters of that particular trustee area[,]" California Education Code section 5030(b); and

4. On November 16, 2023, at 4:00 p.m. and November 20, 2023, at 4:00 p.m., respectively, pursuant to California Elections Code section 10010(a)(1), the Board held public hearings where the public was invited to provide input regarding the composition of the District's trustee areas before any draft maps were drawn; and

5. On November 22, 2023, the District made public two additional draft trustee area plans (502 and 503, incorporated herein), prepared by the National Demographics Corporation (NDC), which were posted on the District's website at www.jeffersonschooldistrict.com, and

6. On November 30, 2023, and December 12, 2023, respectively, pursuant to California Elections Code section 10010(a)(2), the Board held public hearings where the public was invited to provide input regarding the content of the draft maps that had been

published at least seven (7) days before the meetings, and the proposed sequence of elections, and the Board considered and discussed the same; and

7. The Board considered all public comments on the plans received at the public hearings; and

8. Throughout the foregoing process, the District engaged in a significant amount of public outreach and engagement as required by California Elections Code section 10010; and

9. The Board of Trustees of the Jefferson Elementary School District Governing Board, on December 12, 2023, adopted the "Map 501", attached hereto as Exhibit "A" and incorporated by this reference, as the trustee area plan to be submitted to the County Committee for its consideration and adoption pursuant to Education Code section 5019(c)(1); and

10. The populations in the proposed trustee areas of the "Map 501" are substantially equal in population, in compliance with legal requirements; and

11. Section 2 of the Voting Rights Act, 42-U.S.C. section 1973, prohibits the use of any voting qualification, or prerequisite to voting, or standard, practice, or procedure in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, and the "Map 501" complies with Section 2 of the Voting Rights Act; and

12. The "Map 501" plans anticipate the use of a single-member, by-trustee area electoral system, and thereby complies with the California Voting Rights Act; and

13. The trustee areas in the "Map 501" are drawn to follow major thoroughfares, and respect topography and geography and communities of interest, to the extent possible, while still complying with equal population requirements and federal and state law; and

14. The trustee areas of the "Map 501" are drawn to be compact and to contain cohesive, contiguous territory to the extent possible; and

15. In accordance with state law, the proposed Trustee Area Map includes a sequencing of elections in the Trustee Areas as follows: Trustee Area 1 (2026), Trustee Area 2 (2024), Trustee Area 3 (2024), Trustee Area 4 (2026), Trustee Area 5 (2026). Approval of the Trustee Area Map will also approve the sequencing of elections in the Trustee Areas.

16. The Board of Trustees declares that the change in the method of electing members of the governing body is also being made in furtherance of the purposes of the California Voting Rights Act of 2001 which favors by-trustee area elections. Pursuant to section 5020(b) of the Education Code, the Board of Trustees therefore requests that the County Committee order the changes requested in this Resolution without an election, to take effect upon adoption, to govern all elections for governing board members occurring at least 125 days after adoption of the Resolution.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. The above Recitals are true and correct.

B. The Board hereby submits the "Map 501", attached hereto as Exhibit "A" and incorporated by this reference, to the County Committee and requests that the County Committee consider and adopt the "Map 501" pursuant to Education Code sections 5019(a) and (c)(1) as the by-trustee area electoral plan for the Jefferson Elementary School District, along with the election sequence specified in Recital 15, and together with the request that the County Committee order the changes requested in the Resolution without an election in furtherance of the purposes of the California Voting Rights Act.

C. The District's Superintendent and/or designee shall take all action necessary to notify the County Committee of the Board's determination and provide whatever assistance may be required by the County Committee, or by the San Joaquin County Elections Department, to complete the process of establishing by-trustee area elections in single- member trustee areas in a timely fashion to permit implementation of these trustee areas in connection with the election for Board of Trustees to be held on November 2024.

D. Because the new trustee area plan may contain technical anomalies caused by errors in the 2010 Census line files that do not substantively affect the populations in the trustee areas, the trustee area boundaries, or the intent of this Resolution, which anomalies are not revealed until implementation begins, the Superintendent and/or his designee is authorized to make technical emendations to the new plan that do not substantively affect the populations in the trustee areas, the trustee area boundaries, or the intent of this Resolution, and shall advise the Board of any such emendations that are found to be required in plan implementation by the County Registrar's Office or otherwise.

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

THE FOREGOING RESOLUTION was adopted upon motion by Trustee_____, seconded by Trustee _____, at the regular meeting of the Board of Trustees held on December 12, 2023, by the following vote or abstention of each member present:

AYES:
OES:
ABSENT:
DATED: December 12, 2023

_____
President, Board of Trustees
Jefferson Elementary School District

CERTIFICATION

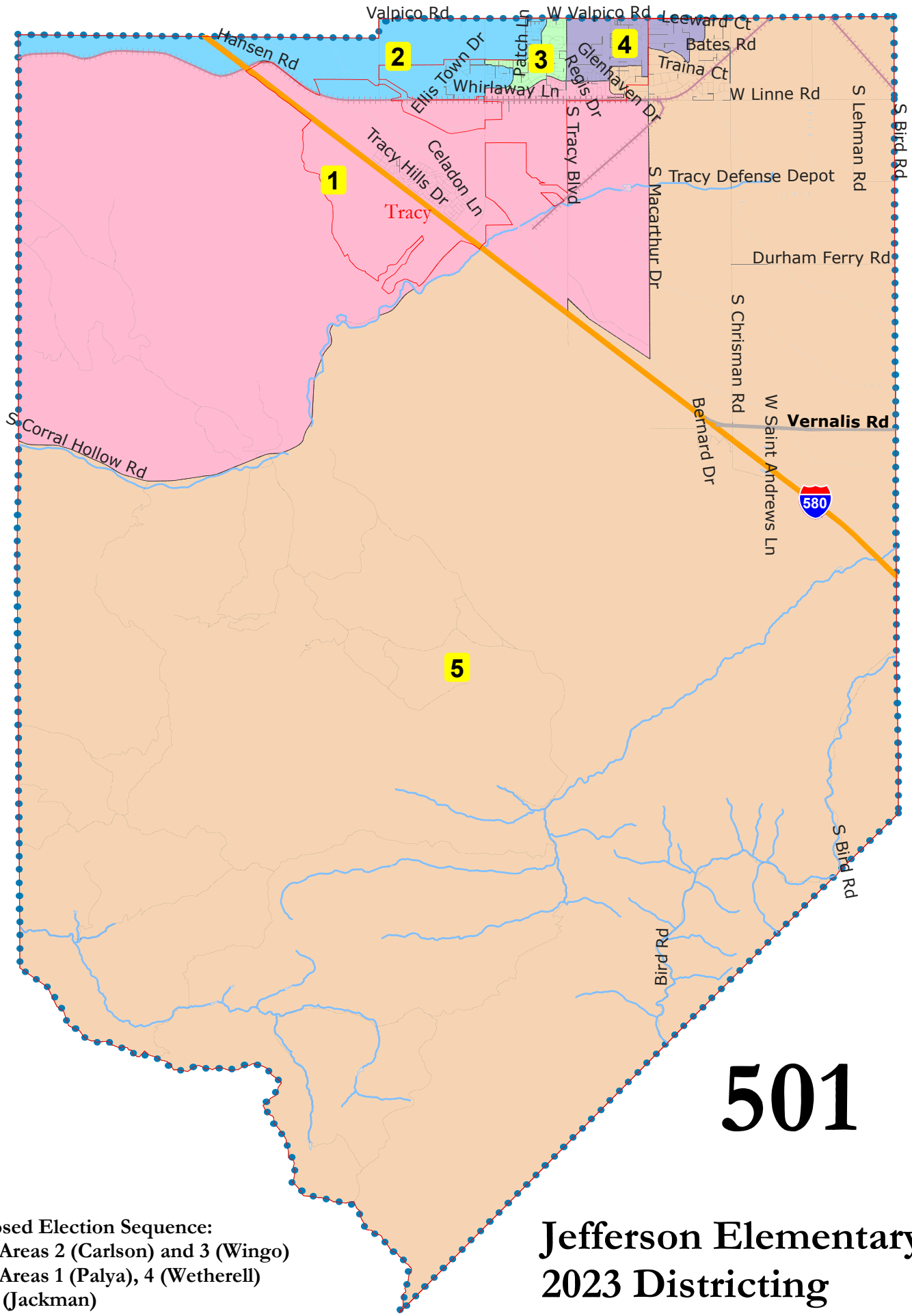
I, Deborah Scott-Wingo, Clerk to the Board of Trustees of the Jefferson Elementary School District, certify that the foregoing Resolution was regularly introduced, passed, and adopted by the Board of Trustees at its meeting held on December 12, 2023.

DATED: December 12, 2023

_____
Clerk, Board of Trustees
Jefferson Elementary School District

EXHIBIT "A"

MAP AND DEMOGRAPHICS OF
FINAL, ADOPTED TRUSTEE AREA PLAN



501

Proposed Election Sequence:
2024: Areas 2 (Carlson) and 3 (Wingo)
2026: Areas 1 (Palya), 4 (Wetherell) and 5 (Jackman)

Jefferson Elementary 2023 Districting

National Demographics Corporation, November 21, 2023

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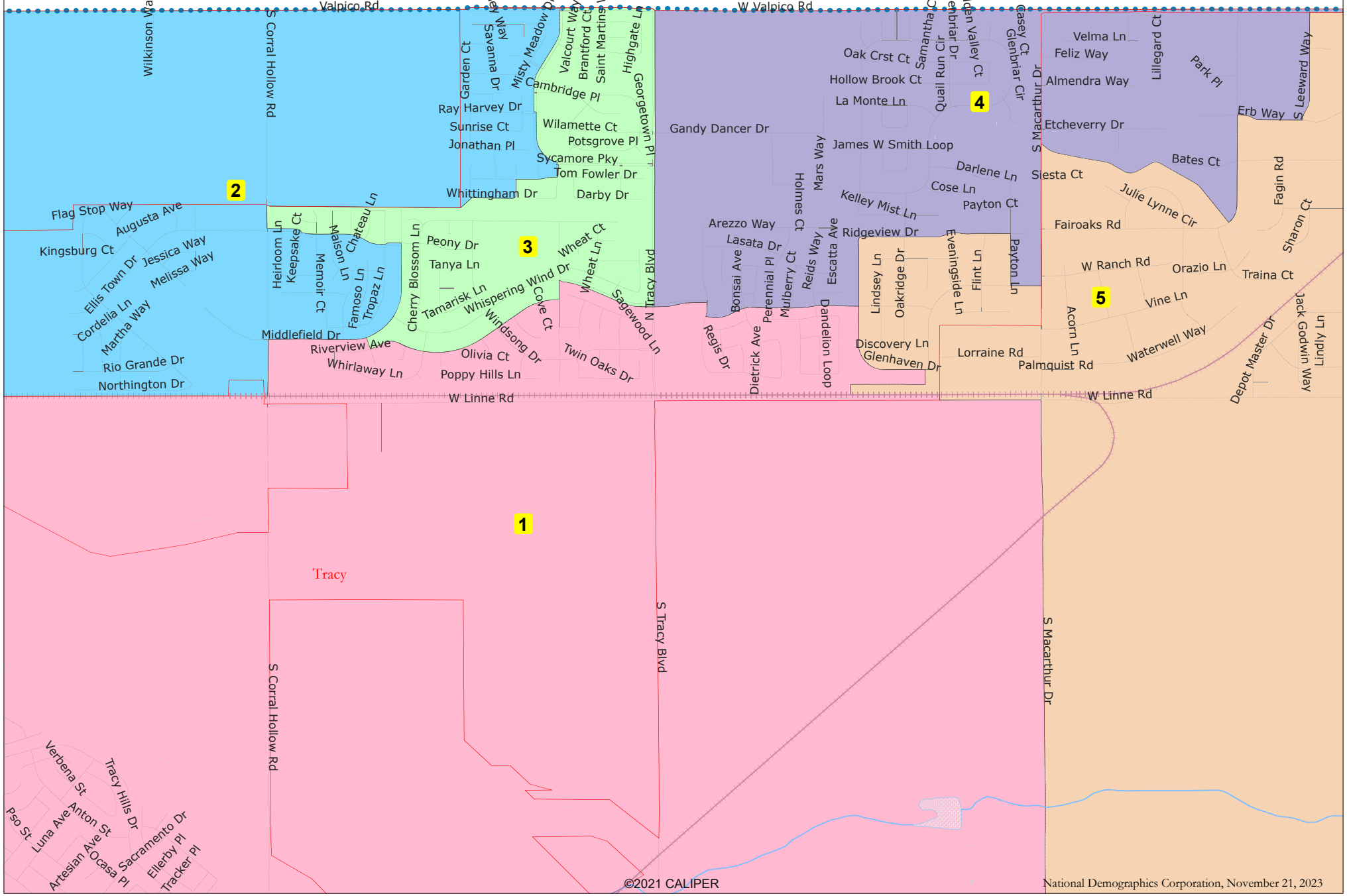
Jefferson Elementary
2023 Districting

501



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National Demographics Corporation, November 21, 2023

Map 501

District		1	2	3	4	5	Total
	Total Pop	3,304	3,282	3,309	3,412	3,331	16,638
	Deviation from ideal	-24	-46	-19	84	3	130
	% Deviation	-0.72%	-1.38%	-0.57%	2.52%	0.09%	3.91%
Total Pop	% Hisp	28.9%	30%	31%	27%	30%	29%
	% NH White	25%	28%	31%	37%	39%	32%
	% NH Black	7%	7%	9%	5%	5%	7%
	% Asian-American	35%	30%	23%	26%	22%	27%
Citizen Voting Age Pop	Total	2,316	1,443	2,410	2,447	2,517	11,133
	% Hisp	37%	26%	16%	24%	22%	25%
	% NH White	21%	46%	39%	41%	45%	38%
	% NH Black	8%	3%	13%	6%	5%	7%
	% Asian/Pac.Isl.	31%	19%	32%	25%	26%	27%
Voter Registration (Nov 2022)	Total	2,352	1,937	1,980	2,137	2,253	10,659
	% Latino est.	23%	27%	29%	26%	23%	26%
	% Spanish-Surnamed	21%	24%	26%	23%	21%	23%
	% Asian-Surnamed	19%	15%	11%	11%	11%	13%
	% Filipino-Surnamed	5%	4%	4%	4%	3%	4%
	% NH White est.	34%	50%	44%	52%	56%	47%
	% NH Black	12%	3%	12%	8%	7%	9%
Voter Turnout (Nov 2022)	Total	1,100	943	962	1,093	1,229	5,328
	% Latino est.	19%	22%	24%	21%	19%	21%
	% Spanish-Surnamed	17%	20%	22%	19%	17%	19%
	% Asian-Surnamed	17%	14%	10%	9%	9%	12%
	% Filipino-Surnamed	5%	4%	4%	4%	3%	4%
	% NH White est.	38%	55%	49%	57%	61%	52%
	% NH Black	14%	3%	14%	9%	8%	9%
Voter Turnout (Nov 2020)	Total	1,383	1,394	1,587	1,772	1,914	8,050
	% Latino est.	26%	25%	25%	22%	23%	24%
	% Spanish-Surnamed	25%	23%	23%	20%	22%	22%
	% Asian-Surnamed	15%	9%	9%	9%	9%	10%
	% Filipino-Surnamed	4%	4%	3%	3%	2%	3%
	% NH White est.	43%	52%	49%	61%	59%	54%
	% NH Black est.	10%	10%	14%	6%	6%	9%
ACS Pop. Est.	Total	3,312	2,472	3,751	3,593	3,843	16,970
Age	age0-19	27%	30%	34%	32%	32%	31%
	age20-60	56%	54%	57%	52%	51%	54%
	age60plus	16%	16%	9%	16%	17%	15%
Immigration	immigrants	28%	29%	18%	18%	20%	22%
	naturalized	64%	71%	75%	69%	68%	69%
Language spoken at home	english	60%	58%	65%	73%	72%	66%
	spanish	19%	17%	10%	13%	12%	14%
	asian-lang	5%	11%	11%	6%	6%	8%
	other lang	16%	14%	14%	8%	9%	12%
Language Fluency	Speaks Eng. "Less than Very Well"	11%	20%	13%	9%	9%	12%
Education (among those age 25+)	hs-grad	59%	67%	57%	61%	57%	60%
	bachelor	25%	13%	17%	24%	28%	22%
	graduatedegree	6%	11%	10%	5%	5%	7%
Child in Household	child-under18	50%	45%	59%	51%	53%	52%
Pct of Pop. Age 16+	employed	68%	71%	61%	70%	66%	67%
Household Income	income 0-25k	8%	15%	13%	4%	4%	9%
	income 25-50k	2%	1%	1%	4%	5%	3%
	income 50-75k	3%	15%	9%	6%	5%	7%
	income 75-200k	54%	62%	64%	58%	47%	57%
	income 200k-plus	33%	7%	12%	28%	39%	24%
Housing Stats	single family	88%	89%	94%	97%	99%	94%
	multi-family	12%	11%	6%	3%	1%	6%
	rented	23%	32%	31%	23%	18%	25%
	owned	77%	68%	69%	77%	82%	75%

Total population data from the 2020 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 2015-2019 American Community Survey and Special Tabulation 5-year data.