



Ceres Unified School District

"Committed to Excellence, Responsive to Every Student"

BOARD MEMBERS:

*Teresa Guerrero, President
Eric Ingwerson, Clerk
Betty Davis
Jim Kinard
Faye Lane
Edgar Romo
Mike Welsh*

SUPERINTENDENT:

Walt L. Hanline, Ed.D.

Board of Trustees - District Assignment Information

- **Why are there new Trustee District areas now?**

In 2001, the California legislature approved the California Voting Rights Act (CVRA). In response, the Lawyer's Committee on Civil Rights (LCCR) successfully sued school districts and cities to establish trustee districts. The results have been multi-million dollar negative impacts on services and educational programs, due to the unsuccessful efforts and legal positions taken by districts.

In March of 2008, the LCCR contacted Ceres Unified. Representatives of each entity met in August 2008 to develop a transition plan to create designated trustee districts within CUSD, based on predicted census data for 2010. The transition plan includes the development of five trustee areas and two at-large areas for the 2009 and 2011 election cycles. In 2013, seven trustee districts will be established, allowing for one CUSD board member to be elected from each of the seven trustee areas of the Ceres community. The cost of this settlement was less than \$3,000. For reference, CUSD Governing Board Resolution No. 11-08/09 is provided below.

- **What Are Trustee Districts?**

On May 7, 2009 the California Department of Education approved the creation of trustee districts for the Ceres Unified School District.

The impact of this decision is that **our community will be divided into five trustee districts** and **two at-large trustee districts** for the upcoming election, with seven trustee districts beginning in 2013.

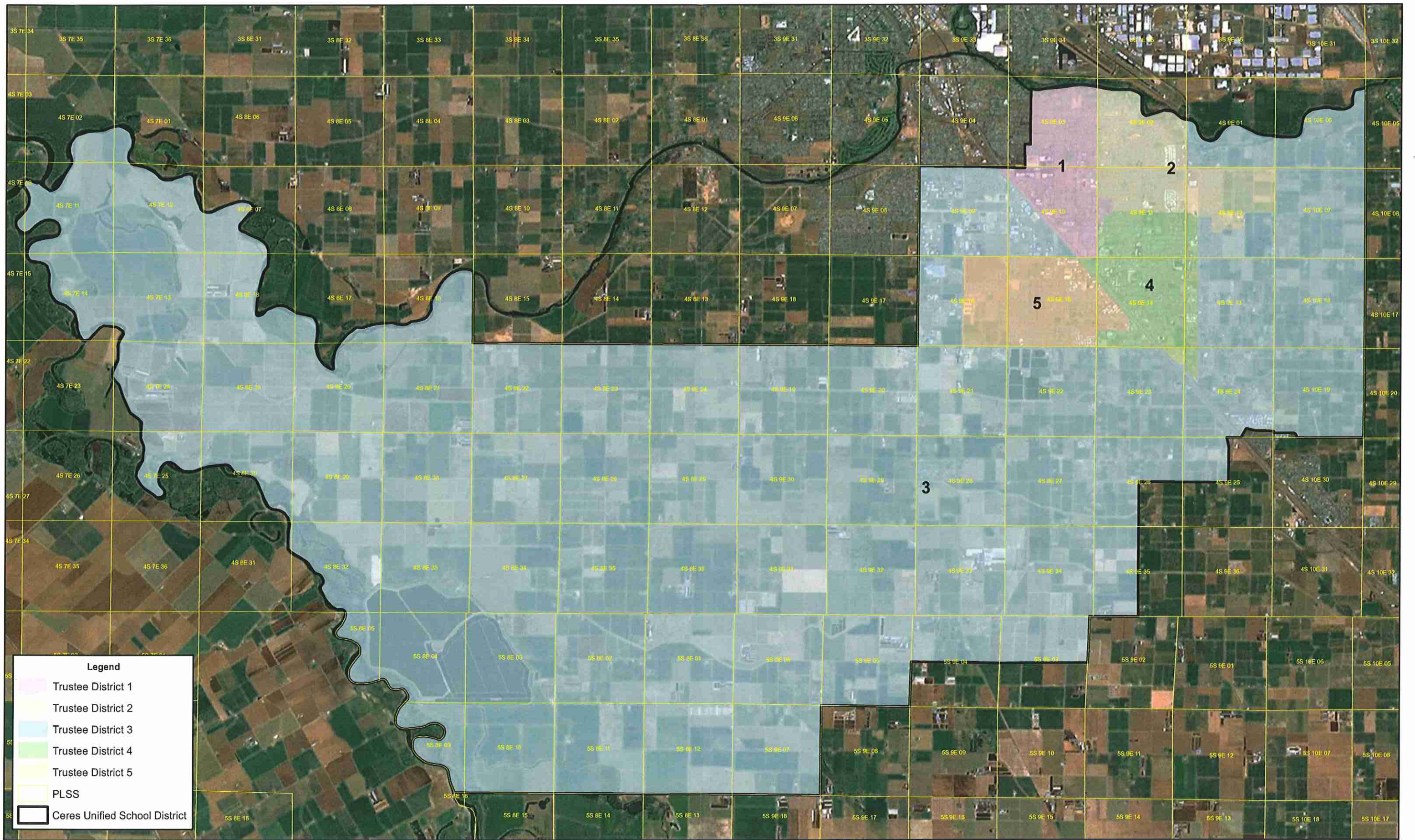
This provides an opportunity for board members to serve, in a more direct way, the community who elects them.

- **How will voting take place?**

Voters registered within each trustee district will vote for only one candidate within their district and one candidate for each of the at-large trustee areas that are available for election.

- **Where are the Trustee District boundaries?**

A breakdown of the areas for each of the five trustee districts and the Board members representing those areas and schools is available below with a mapping of the trustee districts attached.



Source: Stanislaus County GIS
 Projection: NAD 83 State Plane Zone III
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Ceres Unified School District
 Trustee Districts

Trustee District Overview

| District | Trustee | Elementary Schools | Jr. High Schools | High Schools |
|----------|----------------|---|------------------|------------------------|
| 1 | Jim Kinard | Adkison, Caswell, Virginia Parks | Mae Hensley | Ceres High / Argus |
| 2 | Mike Welsh | Virginia Parks, Carroll Fowler, Sam Vaughn, La Rosa | Mae Hensley | Ceres High / Argus |
| 3 | Valli Wigt | Sam Vaughn, La Rosa, Hidahl, Westport, WCS | All | All |
| 4 | Faye Lane | Carroll Fowler, Walter White, Don Pedro | All | All |
| 5 | Lourdes Perez | Sinclear, Hidahl, Don Pedro | Blaker Kinser | Central Valley / Argus |
| At Large | Betty Davis | All | All | All |
| At Large | Eric Ingwerson | All | All | All |

**GOVERNING BOARD
OF THE
CERES UNIFIED SCHOOL DISTRICT**

**Resolution to Submit Waiver Request to State Board of Education
of the Requirement that Trustee Areas and Adoption of Trustee Area Election Process
Be Submitted to the County Committee on School District Organization and the Electors
as set forth in Education Code Sections 5019 and 5020**

Resolution No. 11-08/09

WHEREAS, Education Code section 33050, and following, authorize a governing board of a school district to request the State Board of Education to waive all or part of any section of the Education Code or any regulation adopted by the State Board of Education that implements a provision of the Education Code, subject to certain exceptions; and

WHEREAS, Education Code section 5019 provides that a county committee on school district organization may establish, rearrange, and/or abolish trustee areas, or adopt one of the alternative methods of electing governing board members specified in Education Code section 5030; and

WHEREAS, Education Code section 5020 provides that a resolution of a county committee on school district organization approving a proposal to establish trustee areas, or to adopt one of the alternative methods of electing governing board members, shall constitute an order of election and shall be presented to the electors at the next succeeding election of the governing board; and

WHEREAS, Education Code sections 5019 and 5020 are not listed as exceptions to Education Code section 33050, and following, and, therefore, may be waived by the State Board of Education upon proper and sufficient application; and

WHEREAS, the Governing Board currently utilizes an at-large method of election to select governing board members; and

WHEREAS, litigation has been initiated against the District in Stanislaus County Superior Court (*Gutierrez v. Ceres Unified School District, et al.*) alleging a violation of the California Voting Rights Act ("CVRA"), Elections Code section 14025 and following; and

WHEREAS, as a result of settlement negotiations, the Governing Board has determined that it is in the best interests of the District to adopt a trustee area plan but without admitting violation of the CVRA or any other voting law; and

WHEREAS, the Governing Board notes that it is in the public's interest that a change to trustee area elections be implemented as expeditiously as possible in order that trustee area elections be in place for elections in November 2009 to ensure compliance with the CVRA; and

WHEREAS, the Governing Board held a duly-noticed public hearing during which it received public testimony and comment, and has considered the issue in light of the Education Code requirements, the one-person-one vote rule, traditional districting principals and in light of the CVRA and the Federal Voting Rights Act of 1965; and

WHEREAS, the public hearing which the Governing Board held to consider the adoption of a trustee area plan were duly noticed in both the English and Spanish languages; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Board hereby finds, determines and/or declares, as follows:

1. Each of the foregoing is true and correct.
2. The Governing Board has authorized the District to enter into a settlement agreement to resolve *Gutierrez v. Ceres Unified School District* under which the District will establish five single-member trustee areas and two at-large trustee offices for the conduct of trustee elections in November 2009 and November 2011. Attached hereto and incorporated herewith and marked as "Exhibit A" is a map identifying the five-single member trustee areas. (The trustee area boundary lines shall be the centerline of each street, road or freeway) Current Board members shall be assigned to either a trustee area or to an "at-large" office. Attached hereto and incorporated herewith and marked as "Exhibit B" is the trustee assignments and election cycles. After the November 2011 election but prior to the November 2013 election, the District shall establish seven single-member trustee areas in accordance with Education Code section 5019.5.
3. The Governing Board declares its intent to request, and hereby respectfully requests, that the State Board of Education waive the requirements of Education Code sections 5019 and 5020.
4. The District posted and distributed a public notice inviting public testimony regarding this request for a general waiver of the requirements of Education Code section 5019 and 5020, and said notice, including the date, time, location and subject of the public hearing, was printed in a newspaper of general circulation.
5. The Governing Board commenced a public hearing on Thursday, January 8, 2009, at 2503 Lawrence Street, Ceres, California at which the public was afforded the opportunity to testify regarding this request for a general waiver of Education Code sections 5019 and 5020.
6. The Superintendent, or his designee, is hereby authorized and directed to prepare and submit a General Waiver Request to the California Department of Education for consideration and action by the State Board of Education, and to take any such other action as the Superintendent may deem warranted to fully implement this Resolution.

PASSED AND ADOPTED by the Governing Board on January 8, 2009, by the following vote:

AYES: 7 - Lane, Kinard, Welsh, Romo, Davis, Guerrero and Student Rep
NOES: 0 Craig
ABSENT: 1 - Ingwerson
ABSTAIN: 0


Board President

Attest:


Secretary