

SACRAMENTO COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

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

Subject: Public Hearing and Action on Petition to Adopt an Alternative Method of Electing Governing Board Members in the Twin Rivers Unified School District	Agenda Item No.: V.A. Enclosures: 4
Reason: Action	From: David W. Gordon Prepared By: Teresa Stinson Meeting Date: 02/16/12

BACKGROUND:

On December 20, 2011, registered voters in the Twin Rivers Unified School District (TRUSD) submitted a petition requesting a change in the method of electing governing board members in TRUSD. TRUSD governing board members currently are elected by the registered voters of the entire school district, but reside in one of seven specified trustee areas. The petition proposes to change the method of election so that members residing in each trustee area are elected by the registered voters of that particular trustee area.

On January 20, 2012, the Sacramento County Registrar of Voters (County Registrar) certified that the petition has at least 500 sufficient signatures by registered voters in TRUSD, which is the minimum required to proceed with the petition under Education Code section 5019. Copies of the voter petition are available for public inspection.

PROCESS AND TIMELINES:

The Sacramento County Committee on School District Organization (County Committee) must now hold at least one hearing in TRUSD and, at the conclusion, decide whether to approve or disapprove the petition. The relevant statutes provide no guidelines or standards by which the County Committee must review a proposal to adopt an alternative method of electing school district governing board members. Therefore, the County Committee has discretion to consider the proposal in light of the local area concerned.

If the petition is approved, unless the current statutory requirement is waived, the registered voters in TRUSD will make the final decision whether to change the election method. By law, if the petition is approved, the proposal must be presented to TRUSD voters not later than the next succeeding election of governing board members in TRUSD. The next governing board elections in TRUSD are in June 2012 and June 2014. Unlike with other petitions impacting school district trustee areas, the law

does not specify that the issue may be placed on the November ballot or other possible election ballots. The possible scenarios are as follows:

1. If the petition is denied by the County Committee after public hearing, the process will stop and the election method in TRUSD will remain as it is now.
2. The County Registrar has informed us that the deadline for placing items on the June 5, 2012 election ballot is February 28, 2012. Therefore, if the County Committee approves the petition by February 28, 2012, the issue of whether to adopt an alternative election method in TRUSD would be placed on the June 5, 2012 election ballot for decision by the registered voters in TRUSD, as required by statute. If approved by the voters, the change in election method would be implemented for the June 2014 election.
3. If the County Committee holds multiple public hearings and approves the petition after February 28, 2012, the issue of whether to change the method of election would miss the June 2012 ballot.
4. If the County Committee were inclined to approve the petition and request that the State Board of Education (SBE) waive the existing statutory requirement that TRUSD voters make the final decision on the election method, even if approved by SBE, such a waiver would not change how TRUSD governing board members are elected in the upcoming June 5, 2012 election. Assuming that a waiver request was submitted immediately, the earliest that SBE would act upon the waiver request would be in May or July 2012, which is too late for the June 2012 election.

On February 7, 2012, the County Committee voted to hold a second hearing on this matter at 6:00 p.m. on Wednesday, February 22, 2012 at the Former Grant Joint Union High School District Board Room, 1333 Grand Avenue, Building A-2, Sacramento, CA 95838.

In the event that the County Committee approves the petition, a proposed resolution is included for consideration. If approved before February 28, 2012, the resolution will constitute an order of election, and the proposal will be presented to the electors in TRUSD at the next election for governing board members on June 5, 2012.

SUPERINTENDENT'S RECOMMENDATION:

The Superintendent recommends that the County Committee consider and act upon the petition to adopt an alternative method of election in TRUSD without delay.

V.A.2.

Sacramento County Committee on School District Organization

Resolution No. CC-12-03

RESOLUTION ORDERING AN ELECTION WITHIN THE BOUNDARIES OF THE TWIN RIVERS UNIFIED SCHOOL DISTRICT TO PROPOSE AN ALTERNATIVE METHOD OF ELECTING THE DISTRICT'S GOVERNING BOARD MEMBERS AND REQUESTING CONSOLIDATION WITH THE ELECTION FOR GOVERNING BOARD MEMBERS TO BE HELD ON JUNE 5, 2012

RESOLVED by the Members of the Sacramento County Committee on School District Organization, County of Sacramento, State of California:

WHEREAS, in the judgment of the Sacramento County Committee on School District Organization, the matter of adopting an alternative method of electing members of the governing board of the Twin Rivers Unified School District, specifically that one governing board member residing in each of seven trustee areas would be elected by the registered voters who reside in each particular trustee area, shall be placed before the electorate of the District; and

WHEREAS, each member of the seven-member governing board of the Twin Rivers Unified School District is currently elected by the registered voters of the entire school district, but reside in one of seven specified trustee areas; and

WHEREAS, on December 20, 2011, a citizens' petition proposing the adoption of an alternative method of electing the members of the governing board of the Twin Rivers Unified School District was received by the Sacramento County Committee on School District Organization; and

WHEREAS, on January 20, 2012, the Sacramento County Registrar of Voters confirmed that the petition contained a sufficient number of valid signatures; and

WHEREAS, on February 16 and 22, 2012 the Sacramento County Committee on School District Organization held public hearings in the Twin Rivers Unified School District, as prescribed by Education Code section 5019, on the citizens' petition to adopt an alternative method of election for the governing board of the Twin Rivers Unified School District; and

WHEREAS, following the public hearings, the Sacramento County Committee on School District Organization approved the citizens' proposal to adopt an alternative method of election for the governing board of the Twin Rivers Unified School District.

NOW THEREFORE BE IT RESOLVED that the Sacramento County Committee on School District Organization hereby approves the proposal to adopt an alternative method of electing governing board members in the Twin Rivers Unified School District whereby one governing board member residing in each trustee area would be elected by the registered voters who reside in that trustee area.

NOW THEREFORE BE IT FURTHER RESOLVED that the Sacramento County Committee on School District Organization hereby transmits this resolution to the Sacramento County Superintendent of Schools, who shall order an election, and that the proposal be presented to the electors of the Twin Rivers Unified School District not later than the next succeeding election for the members of the governing board, which is set for June 5, 2012.

PASSED AND ADOPTED on February _____, 2012, at a duly noticed meeting of the Sacramento County Committee on School District Organization by the following vote:

AYES:

NOES:

ABSENT:

Brian Cooley, Board President

ATTEST:

David W. Gordon

Sacramento County Superintendent of Schools and Secretary to the Sacramento County Committee on School District Organization

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****PLEASE POST****

NOTICE OF PUBLIC HEARING

Public hearings will be held by the Sacramento County Committee on School District Organization (County Committee) to receive public testimony and input from the community regarding the petition to adopt an alternative method of electing governing board members in the Twin Rivers Unified School District. At the conclusion of the public hearings, the County Committee may take action to approve or disapprove the Petition to adopt an alternative method of election in the Twin Rivers Unified School District.

The public hearings are scheduled as follows:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
Thursday, February 16, 2012	6:00 p.m. or thereafter	Twin Rivers Unified School District Board Room 5115 Dudley Boulevard McClellan, CA 95652
Wednesday, February 22, 2012	6:00 p.m. or thereafter	Former Grant Joint Union High School District Board Room 1333 Grand Avenue, Building A-2 Sacramento, CA 95838

Individuals wishing to speak before the County Committee are requested to fill out a speaker card, which will be available in the meeting room. Completed speaker cards need to be submitted to the Recording Secretary; speakers will be called in the order in which the cards are received. Each individual addressing the County Committee will have a maximum of two minutes to speak to ensure that all who wish to address the County Committee on this matter will be heard.

Materials subject to the public hearing will be available at the public hearing. If you would like a copy of the materials prior to that time, contact the Sacramento County Office of Education at 10474 Mather Boulevard, P.O. Box 269003, Sacramento, California 95826-9003 or call 916.228.2410.