

RESOLUTION NO. 21-22-21

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SAN MATEO UNION
HIGH SCHOOL DISTRICT INITIATING A PROPOSAL TO THE SAN MATEO
COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION FOR THE
ADOPTION OF BY-TRUSTEE AREA ELECTIONS**

R E C I T A L S

WHEREAS, the Board of Trustees (“Board”) of the San Mateo Union High School District (“District”) are currently elected using an “at-large” election system in which registered voters of the entire jurisdiction elect candidates to the Board;

WHEREAS, in furtherance of the purposes of the California Voting Rights Act of 2001, on February 25, 2021, the Board adopted Resolution 20-21-12, declaring its intent to transition from at-large to by-trustee area elections, commencing in 2022, where each Board member must reside within the designated trustee area boundary and is elected only by the voters in that trustee area (**Exhibit A**);

WHEREAS, National Demographics Corporation was retained to prepare by-trustee area election map options for the Board’s and public’s consideration;

WHEREAS, on August 26, 2021, the Board held a statutorily required public hearing to gather public input regarding potential trustee area boundaries pursuant to Elections Code section 10010, subdivision (a)(1);

WHEREAS, on September 9, 2021, the Board held the second of two statutorily required public hearings to gather community input regarding potential trustee area boundaries pursuant to Elections Code section 10010, subdivision (a)(1);

WHEREAS, on January 13, 2022, the District timely published four trustee area maps and potential election sequencing on its website for consideration by the Board and the community;

WHEREAS, on January 20, 2022, the Board held a statutorily required public hearing to gather public input on the proposed trustee area maps and sequence of elections, pursuant to Elections Code section 10010, subdivision (a)(2);

WHEREAS, on February 3, 2022, the District timely published one new proposed trustee area map and potential election sequencing on its website for consideration by the Board and the community;

WHEREAS, on February 10, 2022, the Board held the second of two statutorily required public hearings to gather input on the proposed trustee area maps and sequence of elections, pursuant to Elections Code section 10010, subdivision (a)(2);

WHEREAS, on February 17, 2022, the Board held an additional public hearing to receive community input on three of the maps still in consideration;

WHEREAS, on February 24, 2022, the Board held a final public hearing on the matter before consideration of this Resolution;

WHEREAS, throughout this process, the District conducted expansive outreach to the community, including public notices, social media postings, newspaper ads, newsletters, and postings on a dedicated webpage;

WHEREAS, Education Code sections 5019, 5030, and other applicable provisions of law authorize the San Mateo County Committee on School District Organization (“County Committee”), upon application from the Board, to change the method of electing Board members; and

WHEREAS, Education Code section 5020, as amended by Senate Bill 442, allows the County Committee to approve the Board’s proposal to change to by-trustee area elections, without the need to seek voter approval, so long as the County Committee adopts a resolution indicating that the change in the method of electing members is being made in furtherance of the purposes of the California Voting Rights Act of 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE SAN MATEO UNION HIGH SCHOOL DISTRICT AS FOLLOWS:

SECTION 1. Recitals Deemed True. The foregoing recitals and findings are true and correct.

SECTION 2. Adoption of Map Option. The Board hereby approves, and requests that the County Committee approve, the adoption of by-trustee area elections and the trustee area map set forth in **Exhibit B**, which has been designated as Draft Map **102**.

SECTION 3. Election Sequencing. Upon giving special consideration to the purposes of the California Voting Rights Act of 2001, and after taking into account the preferences expressed by members of the District, the Board hereby approves, and requests that the County Committee approve, the following sequencing of elections:

- a. Trustee areas 1, 3, and 5 be scheduled for election in 2022;
and
- b. Trustee areas 2, and 4 be scheduled for election in 2024.

SECTION 4. In Furtherance of the CVRA. The Board hereby requests that the County Committee, in accordance with Education Code section 5020, include language in any resolution approving the Board’s proposal, declaring that the change in method of election is being made in furtherance of the purposes of the California Voting Rights Act of 2001.

SECTION 5. Submittal to the County Committee. The District Superintendent or designee is hereby authorized and requested to send a copy of this Resolution to the County Committee, and to work with the County Committee and the Elections Office to conduct any acts necessary to effectuate the purposes of this Resolution, including making any minor modifications to the map as necessary, and to ensure that by-trustee area elections can be implemented in the election cycles scheduled in 2022 and 2024.

PASSED AND ADOPTED this 24th day of February 2022 by the Board of Trustees of the San Mateo Union High School District at a regular meeting held at San Mateo, California.

AYES: 5

NOES: 0

ABSENT: 0

ABSTAIN: 0

SAN MATEO UNION HIGH SCHOOL DISTRICT

By: Peter Hanley
President, Board of Trustees

By: [Signature]
Superintendent

I certify that the foregoing resolution was duly introduced, passed, and adopted by the Board of Trustees of the San Mateo Union High School District at a regular meeting held on February 24, 2022.



Clerk,
Board of Trustees

RESOLUTION 20-21-12

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SAN MATEO UNION HIGH SCHOOL DISTRICT TO INITIATE A TRANSITION TO BY-TRUSTEE AREA ELECTIONS COMMENCING WITH THE 2022 BOARD OF TRUSTEES ELECTION

RECITALS

WHEREAS, the Board of Trustees (“Board”) of the San Mateo Union High School District (“District”) are currently elected “at-large,” meaning that registered voters of the entire jurisdiction elect candidates to the Board;

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

WHEREAS, on or about January 25, 2021, the District received a letter alleging that its at-large elections are racially polarized, diluting the ability of protected classes to elect candidates of their choice or otherwise influence the outcome of the District’s elections, in violation of the California Voting Rights Act (Elec. Code, § 14025, *et seq.*) (“CVRA”);

WHEREAS, under the 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” (Elec. Code, § 14026, subd. (e));

WHEREAS, the District understands the importance of fair and accessible elections, and greatly values the opinions and voices of all members of the District’s communities;

WHEREAS, a “by-trustee area” election, wherein one candidate residing in each trustee area is elected by only the registered voters in that particular trustee area, ensures compliance with the CVRA;

WHEREAS, to ensure compliance with the CVRA, to avoid potential litigation and resulting costs, and to enhance voter involvement, the Board desires to transition from at-large to by-trustee area elections;

WHEREAS, the boundaries for trustee areas in by-trustee elections are established based on population counts and demographics from the most recent United States’ census;

WHEREAS, the United States’ census count occurs every ten (10) years with the last census count occurring in 2020 (“2020 Census”);

WHEREAS, due to Coronavirus pandemic related delays, the 2020 Census data is not expected to be made available to state and local agencies until September 30, 2021, which is a substantial delay from the original due date of March 31, 2021;

WHEREAS, if the District transitioned to by-trustee area elections prior to the release of the 2020 Census, the trustee areas would be established based on the 2010 Census, which (1) may not fairly and accurately reflect the current voter population distribution and demographics of the District, and (2) could require the District to incur additional, duplicative costs to adjust the trustee areas based on the 2020 Census as required by Education Code Section 5019.5;

WHEREAS, the Board, cognizant of its need to be fiscally responsible, desires to implement this change in the manner of electing board members in a cost effective and efficient manner following release of the 2020 Census data;

WHEREAS, Education Code sections 5019 and 5030 authorize the San Mateo County Committee on School District Organization (“County Committee”), upon application of the District Board, to change the method of election of the Board from at-large to by-trustee area;

WHEREAS, if the County Committee approves this request to change the method of electing trustees, Education Code section 5020 requires the County Committee’s resolution of approval to be submitted to the electorate for its approval; and

WHEREAS, in the alternative, the District may seek a waiver of this voter approval requirement from the State Board of Education, pursuant to Education Code sections 33050-33053.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE SAN MATEO UNION HIGH SCHOOL DISTRICT AS FOLLOWS:

SECTION 1. Recitals Deemed True. The foregoing recitals and findings are true and correct.

SECTION 2. Transition to By-Trustee Area Elections in 2022 and 2024. Trustee area boundary lines shall be developed based on the most updated federal decennial census data following its release in 2021 to provide for “by-trustee area” elections to be implemented in the 2022 and 2024 Board elections.

SECTION 3. Transmittal of Resolution to County Committee. Pursuant to Education Code sections 5019, 5030 and other applicable provisions of law, the Board directs District staff to transmit this resolution to the County Committee so that the County Committee will be on notice of the District’s intent, to adopt a change in the method of electing members of the Board from “at-large” elections to “by-trustee area” elections commencing with the 2022 Board elections.

SECTION 4. Scheduling of Multiple Public Hearings. After the availability of the 2020 Census, and before submitting a final proposal to the County Committee for trustee area maps, multiple public hearings in accordance with Elections Code section 10010 and other applicable laws shall be scheduled to obtain public input on draft trustee area maps and proposals.

SECTION 5. Establishment of Trustee Areas in a Timely Manner. The Board shall apply to the County Committee for establishment of trustee areas pursuant to Education Code

section 5019 in a timely manner following the availability of the 2020 Census data to have the 2022 elections for the Board conducted within the new trustee areas.

SECTION 6. Direction to Perform Other Acts; Seek a Waiver. 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, and to seek a waiver from the State Board of Education of the election requirement imposed by Education Code section 5020, which would otherwise require an election to determine whether to transition to by-trustee area elections.

SECTION 7. Consultation with Legal Counsel. The Superintendent, or designee, shall consult with legal counsel to take all steps necessary to implement and give effect to this resolution.

SECTION 8. Effective Date. This resolution shall become immediately effective upon adoption by the Board.

PASSED AND ADOPTED this 25th day of February 2021 by the Board of Trustees of the San Mateo Union High School District at a regular meeting held at San Mateo, California.

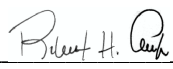
AYES: 5


NOES: 0

ABSENT: N/A


ABSTAIN: N/A

SAN MATEO UNION HIGH SCHOOL DISTRICT

By: 
President, Board of Trustees

By: 
Superintendent

I certify that the foregoing resolution was duly introduced, passed, and adopted by the Board of Trustees of the San Mateo Union High School District at a regular meeting held on February 25, 2021.


Clerk,
Board of Trustees

Draft 102

Feeder District Focus

Map layers

Draft 102

Census Block

Railroad

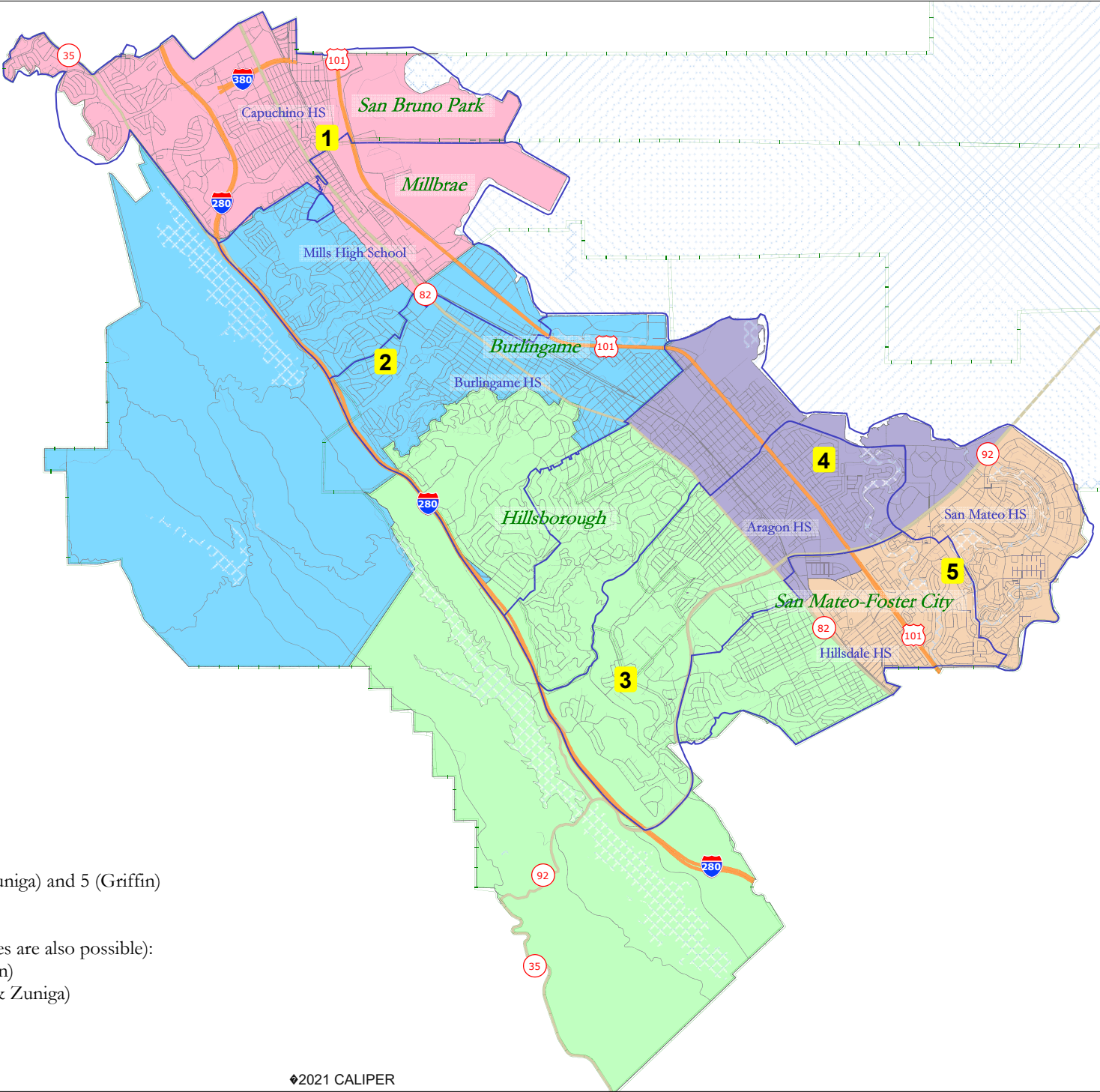
Pipeline/Power Line

Streets

Water Area

Attendance Zones

Elementary Sch. Dist.



Proposed Election Sequence:
2022: Areas 2 (Land & Dwyer), 4 (Hanley & Zuniga) and 5 (Griffin)
2024: Areas 1 (vacant) and 3 (vacant)

Alternative Election Sequence (other alternatives are also possible):
2022: Areas 1 (vacant), 3 (vacant), and 5 (Griffin)
2024: Areas 2 (Land & Dwyer) and 4 (Hanley & Zuniga)

Draft 102							
District		1	2	3	4	5	Total
	Total Pop	48,724	49,421	51,431	50,808	49,808	250,192
	Deviation from ideal	-1,314	-617	1,393	770	-230	2,707
	% Deviation	-2.63%	-1.23%	2.78%	1.54%	-0.46%	5.41%
Total Pop	% Hisp	27.2%	12%	12%	34%	13%	20%
	% NH White	29%	44%	51%	32%	32%	38%
	% NH Black	2%	1%	1%	2%	2%	2%
	% Asian-American	35%	40%	32%	26%	49%	36%
Citizen Voting Age Pop	Total	32,601	32,015	35,348	29,392	29,116	158,473
	% Hisp	22%	10%	8%	21%	12%	15%
	% NH White	39%	54%	63%	46%	45%	50%
	% NH Black	1%	1%	1%	4%	3%	2%
	% Asian/Pac.Isl.	37%	34%	27%	27%	39%	32%
Voter Registration (Nov 2020)	Total	27,812	30,769	34,826	26,392	26,599	146,398
	% Latino est.	25%	10%	7%	21%	11%	14%
	% Spanish-Surnamed	23%	9%	7%	19%	10%	13%
	% Asian-Surnamed	17%	23%	18%	15%	26%	20%
	% Filipino-Surnamed	5%	2%	1%	3%	2%	3%
	% NH White est.	53%	64%	72%	57%	57%	61%
	% NH Black	2%	1%	1%	5%	4%	2%
Voter Turnout (Nov 2020)	Total	23,302	26,845	30,846	21,858	23,040	125,891
	% Latino est.	24%	10%	7%	20%	10%	14%
	% Spanish-Surnamed	22%	9%	7%	18%	10%	13%
	% Asian-Surnamed	16%	22%	18%	15%	26%	19%
	% Filipino-Surnamed	5%	2%	1%	3%	2%	2%
	% NH White est.	54%	65%	73%	59%	57%	62%
	% NH Black	2%	1%	1%	4%	4%	2%
Voter Turnout (Nov 2018)	Total	16,172	20,509	24,548	16,085	16,836	94,150
	% Latino est.	22%	9%	6%	17%	9%	12%
	% Spanish-Surnamed	21%	8%	6%	16%	9%	11%
	% Asian-Surnamed	13%	18%	15%	12%	22%	16%
	% Filipino-Surnamed	4%	2%	1%	2%	2%	2%
	% NH White est.	59%	70%	76%	63%	61%	67%
	% NH Black est.	2%	1%	1%	4%	4%	2%
ACS Pop. Est.	Total	47,611	47,581	50,972	51,012	49,545	246,720
Age	age0-19	21%	24%	24%	24%	22%	23%
	age20-60	59%	53%	50%	57%	57%	55%
	age60plus	20%	23%	26%	19%	21%	22%
Immigration	immigrants	38%	32%	25%	39%	44%	36%
	naturalized	66%	64%	65%	44%	48%	56%
Language spoken at home	english	49%	62%	70%	48%	49%	56%
	spanish	19%	6%	6%	28%	9%	14%
	asian-lang	21%	23%	16%	16%	26%	20%
	other lang	11%	9%	8%	8%	16%	10%
Language Fluency	Speaks Eng. "Less than Very Well"	18%	13%	10%	24%	17%	17%
Education (among those age 25+)	hs-grad	35%	26%	21%	33%	24%	28%
	bachelor	29%	35%	35%	26%	34%	32%
	graduatedegree	15%	28%	34%	19%	32%	25%
Child in Household	child-under18	32%	32%	32%	31%	34%	32%
Pct of Pop. Age 16+	employed	72%	68%	64%	73%	70%	69%
Household Income	income 0-25k	9%	8%	7%	11%	7%	8%
	income 25-50k	12%	9%	9%	13%	8%	10%
	income 50-75k	10%	10%	7%	12%	7%	9%
	income 75-200k	49%	39%	34%	43%	43%	42%
	income 200k-plus	19%	33%	43%	22%	35%	31%
Housing Stats	single family	59%	60%	72%	49%	55%	59%
	multi-family	41%	40%	28%	51%	45%	41%
	rented	45%	43%	30%	49%	46%	42%
	owned	55%	57%	70%	51%	54%	58%
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.							