

**AGENDA OF SPECIAL MEETING AND PUBLIC HEARING**  
**TULARE COUNTY COMMITTEE ON**  
**SCHOOL DISTRICT ORGANIZATION**  
for  
**PALO VERDE UNION SCHOOL DISTRICT**  
*Held at the Palo Verde Union School District Cafeteria at:*  
9637 Avenue 196, Tulare, California  
**JULY 31, 2018 – 6:00 p.m.**

ADA Accommodation Requirement: Persons who are in need of a disability-related modification or accommodation in order to participate in the committee meeting must make a request in writing to the Office of the County Superintendent of Schools, 6200 S. Mooney Blvd., Visalia CA; P.O. Box 5091, Visalia CA 93278-5091, Phone: 559-733-6301. A request for accommodation should specify the nature of the modification or accommodation requested, including any necessary auxiliary aids or services required and the name and telephone number of the person making the request. The written request should be made as soon as possible and no later than 2 days before the meeting. The agenda, agenda packet and any written documents distributed to the county committee during a public meeting will be made available in appropriate alternative formats upon request by a person with a disability as required by the Americans with Disability Act.

Any writings or documents that are public records and are provided to a majority of county committee members regarding an open session item on the agenda will be made available for public inspection in the office located at the Tulare County Office of Education – 6200 S. Mooney Blvd., Visalia CA during normal business hours. In addition, the documents may be posted on the agency's website at [www.tcoe.org](http://www.tcoe.org) (Government Code section 54957.5(b))

1. Call to order
2. Pledge of Allegiance
3. Public comment: At this time, members of the public may address the committee on any agenda item, or other items of interest within the subject matter jurisdiction of the committee. Agenda items may also be addressed by the public at the time they are taken up by the committee. The committee is not able to discuss or take action on any item not appearing on the agenda. A reasonable time limit can be imposed on public input for individuals/issues as deemed necessary.
4. Approval of Minutes from the November 14, 2017 (Annual Organizational Meeting) – **Attachment 1**
5. The County Committee will review the proposal presented by the Palo Verde Union School District including the proposed trustee area map, demographic and population calculations and other supporting documentation to establish specific trustee-area boundaries within the District and transition from at-large to “trustee-area” elections in which each trustee must reside within the designated trustee area boundary, and elected only by the voters in that trustee area  
**Attachment 2:** Palo Verde Union Elementary School District Resolution No. 1/2018-2019 including:  
**Exhibit A:** Adopted trustee area map set – Demographic information included  
**Exhibit B:** Palo Verde Elementary School District Resolution No. 8/2017-2018 – Declaring It's Intent to Transition from At-Large to Trustee-Area Board Elections  
**Exhibit C:** Palo Verde Union Elementary School District Resolution No. 11/2017-2018 – Criteria for Developing Trustee-Area Boundaries  
**Exhibit D:** Palo Verde Union School District Resolution No. 10/2017-2018 – Authorizing the Superintendent to Seek a Waiver from the State Board of Education
6. Public Hearing to consider the request by the Palo Verde Union School District Governing Board to establish specific trustee area boundaries within the District and transition from at-large to “trustee-area” elections.
  - a. Conduct the Public Hearing (invite and hear public comment)
  - b. Close the Public Hearing
7. Following the close of the Public Hearing, the County Committee will consider action to approve or disapprove the proposal from the Palo Verde Union School District Governing Board to establish specific trustee area boundaries within the District and transition from at-large to “trustee-area” elections in which each trustee must reside within the designated trustee area boundary, as is elected only by the voters in that trustee area – **Attachment 3:** Tulare County Committee On School District Organization Resolution No. 2018/19-01
8. Set date, time and place of next meeting, if necessary
9. Adjournment

**TULARE COUNTY COMMITTEE ON  
SCHOOL DISTRICT ORGANIZATION  
MINUTES**

The Tulare County Committee on School District Organization met and held its annual organizational meeting on November 14, 2017 at 8:00 p.m. at the Wyndham Visalia (formerly Visalia Holiday Inn), 9000 West Airport Drive, Visalia, California

The County Committee meeting was called to order by Chairman, Joe Hallmeyer at 8:25 p.m.

<b>MEMBERS PRESENT</b>	Robert Aguilar, John Beck, Carl Carlson, Rick Chappell, Mary Helen Espino, Joe Hallmeyer, Mickey Hirni, Bob Line, and Bob Pugh
<b>MEMBERS ABSENT</b>	Melissa Janes and Helen Renteria
<b>COUNTY STAFF</b>	Jim Vidak, Tulare County Superintendent of Schools Craig Wheaton, Deputy Superintendent of Administrative Services Shelly DiCenzo, Administrative Legal Assistant Desiree Serrano, Attorney-Lozano Smith
<b>OTHER GUESTS</b>	Yolanda Valdez, Superintendent – Cutler-Orosi Joint Unified School District
<b>DISABILITY-RELATED MODIFICATIONS OR ACCOMMODATION</b>	ADA accommodations have been met.
<b>PUBLIC COMMENTS</b>	Members of the public did not address the Committee on any agenda item, or other item of interest within the subject matter jurisdiction of the committee during the public comment period.
<b>RATIFICATION OF ELECTION RESULTS FOR COUNTY COMMITTEE MEMBERS</b>	Dr. Wheaton reported that 31 out of 44 school district representatives returned ballots to re-elected Joe Hallmeyer as Member At-Large and Robert Line for District 3.
<b>SELECTION OF CHAIRPERSON</b>	Mickey Hirni made a motion to keep Joe Hallmeyer as chairperson for 2018, which was seconded by Mary Helen Espino. The motion carried unanimously. Vote: Aye – Aguilar, Beck, Carlson, Chappell, Espino, Hallmeyer, Hirni, Line, and Pugh; No – None; Absent – Janes and Renteria

SELECTION OF VICE  
CHAIRPERSON

For vice chairperson, a motion was made by John Beck to nominate Melissa Janes. Carl Carlson seconded the motion. The committee voted unanimously to reelect Melissa Janes as vice chairperson.

Vote: Aye – Aguilar, Beck, Carlson, Chappell, Espino, Hallmeyer, Hirni, Line, and Pugh; No – None; Absent – Janes and Renteria

MINUTES

A motion was made by John Beck, seconded by Bob Pugh and carried unanimously to approve the minutes of November 14, 2016 as written.

Vote: Aye – Aguilar, Beck, Carlson, Chappell, Espino, Hallmeyer, Hirni, Line, and Pugh; No – None; Absent – Janes and Renteria

ADJOURN

As there was no further business, Chairman Hallmeyer adjourned the meeting at 8:28 p.m.

Respectfully submitted,

Jim Vidak, Ex-Officio Secretary  
County Committee on School District Organization

Palo Verde Union Elementary School District  
Resolution No. 1 / 2018 - 2019

**RESOLUTION ADOPTING A TRUSTEE-AREA MAP AND INITIATING A  
PROPOSAL TO THE TULARE COUNTY COMMITTEE ON SCHOOL DISTRICT  
ORGANIZATION TO ADOPT TRUSTEE-AREA ELECTIONS**

**WHEREAS**, the Board of Education (“Board”) of the Palo Verde Union Elementary School District (“District”) is elected under an “at-large” election system where trustees are elected by voters of the entire District;

**WHEREAS**, On May 9, 2018, the Board adopted Resolution No. 8/2017-2018 (attached herein as Exhibit B), signaling its intent to transition to trustee-area elections, where each trustee must reside within the designated trustee-area boundary and is elected only by the voters in that trustee-area;

**WHEREAS**, National Demographics Corporation (“Demographer”) was retained to prepare several trustee-area election system map options for the Board and public’s consideration. Demographer has extensive experience working with school districts and local jurisdictions regarding electoral demographics, taking into consideration the California Voting Rights Act (“CVRA”), Federal Voting Rights Act (“FVRA”), and related election system choices;

**WHEREAS**, all of the proposed trustee area boundary plans prepared by Demographer were drawn with all applicable laws and regulations in mind, including the CVRA and FVRA;

**WHEREAS**, pursuant to Elections Code, section 10010, subdivision (a)(1), the Board held public hearings on May 24, 2018 and June 13, 2018, to consider community input and comment regarding potential trustee-area boundaries;

**WHEREAS**, on June 13, 2018, the District adopted Resolution No. 11/2017-2018 (attached herein as Exhibit C), establishing criteria to guide Demographer and District staff in the development of proposed trustee-area maps for Board and public consideration;

**WHEREAS**, pursuant to Elections Code, section 10010, subdivision (a)(2), the District published proposed trustee-area maps on June 29, 2018, made proposed maps available on the District’s website and District Office for public review and public comment, and held public hearings to gather public input regarding the published maps on July 11, 2018 and July 18, 2018;

**WHEREAS**, Education Code sections 5019 and 5030 authorize the Tulare County Committee on School District Reorganization (“County Committee”), upon application from a school district’s governing board, to change the method of election in a school district under its jurisdiction;

**WHEREAS**, if the County Committee approves a school district's 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;

**WHEREAS**, an election to approve the change in voting methods will result in a cost to the District, and Education Code sections 33050-33053 authorize the State Board of Education to waive this voter approval requirement, which could reduce the cost and expedite the timeline for implementation of the trustee-area elections;

**WHEREAS**, in order to complete the transition to trustee-area elections in a timely and cost effective manner, the Board passed Resolution No. 10/2017-2018 (attached herein as Exhibit D) on May 24, 2018, after holding a public hearing on the matter, authorizing the Superintendent to seek a waiver of the aforementioned election requirement from the State Board of Education; and

**WHEREAS**, the District's request for waiver was submitted to the State Board of Education on June 13, 2018, and the State Board of Education is expected to consider the waiver request at its regularly scheduled meeting on September 6-7, 2018.


**NOW THEREFORE BE IT RESOLVED**, the Board of Education of the Palo Verde Union Elementary School District hereby resolves as follows:


1. The above recitals are correct and true.
2. By this resolution, the Board hereby submits a proposal to the County Committee to implement trustee-area elections, as identified below.
3. The Board hereby approves and recommends the adoption of the trustee-area map set forth in Exhibit A.
4. The Board hereby recommends that trustee areas One (1) and Five (5), as identified in Exhibit A, be assigned for election in 2020, with the remaining trustee areas Two (2), Three (3), and Four (4) to be assigned for election in 2022, conditioned upon approval of the Education Code waiver request submitted to the State Board of Education.
5. The District Superintendent/Principal or his designee is hereby authorized and directed to send a copy of this Resolution to the County Committee, and to work with the County Committee and the Tulare County Election's Office to conduct all legally required hearings and other acts necessary so that the change to trustee-area elections can be implemented in the election cycles scheduled in 2020 and 2022.

***PASSED AND ADOPTED*** by the Board of Education of the PALO VERDE UNION ELEMENTARY SCHOOL DISTRICT, at a special meeting of the Board of Education held on July 18, 2018, by the following vote:

Ayes:	<u>5</u>
Noes:	<u>0</u>
Absent:	<u>0</u>
Abstain:	<u>0</u>










***I HEREBY CERTIFY*** that the foregoing resolution was duly and regularly introduced, passed, and adopted by members of the Board of Education of the Palo Verde Union Elementary School District, at a public meeting of said Board held on July 18, 2018.

  
\_\_\_\_\_  
President, Board of Education  
Palo Verde Union Elementary  
School District

  
\_\_\_\_\_  
Clerk, Board of Education  
Palo Verde Union Elementary  
School District

## Exhibit A

# Yellow Draft









- Map layers**
-  Yellow
  -  Landmark Area
  -  Elementary School
  -  Water Area
  -  Railroad
  -  River
  -  Streets
  -  CDP
  -  Cities and Towns

**Proposed Election Sequencing:**  
**2020: Areas 1 and 5**  
**2022: Areas 2, 3 and 4**

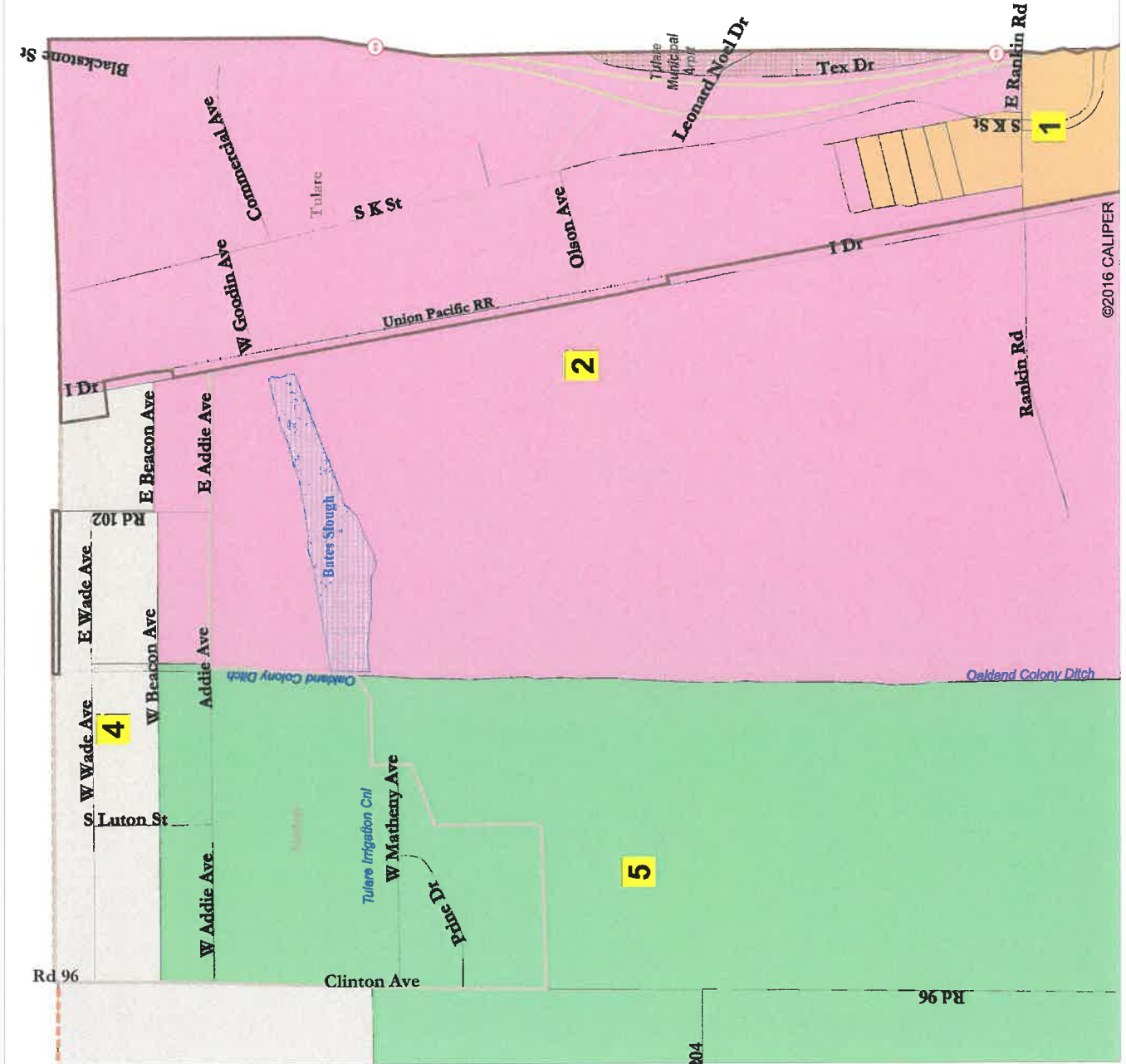


Palo Verde Union  
Elementary School District  
2018 Districting

# Yellow Draft

Map layers	
	Yellow
	Landmark Area
	Elementary School
	Water Area
	Railroad
	River
	Streets
	Unincorp. Place
	Cities and Towns

Map created by National Demographics Corporation, June 20, 2018



Palo Verde Union Elementary - Yellow Map							
District		1	2	3	4	5	Total
Ideal	Total Pop	563	522	533	535	546	2,699
540	Deviation from ideal	23	-18	-7	-5	6	41
	% Deviation	4.26%	-3.33%	-1.30%	-0.93%	1.11%	7.59%
Total Pop	% Hisp	54%	56%	70%	78%	69%	65%
	% NH White	43%	34%	29%	19%	27%	31%
	% NH Black	1%	4%	1%	1%	1%	2%
	% Asian-American	0%	0%	0%	1%	0%	0%
Citizen Voting Age Pop	Total	291	260	168	226	232	1,177
	% Hisp	33%	35%	43%	60%	52%	44%
	% NH White	58%	43%	57%	28%	40%	45%
	% NH Black	4%	18%	0%	5%	4%	7%
	% Asian/Pac.Isl.	2%	0%	0%	6%	0%	2%
Voter Registration (Nov 2016)	Total	46	181	136	110	121	594
	% Latino est.	37%	39%	33%	42%	41%	38%
	% Spanish-Surnamed	34%	35%	29%	38%	37%	34%
	% Asian-Surnamed	1%	1%	1%	1%	1%	1%
	% Filipino-Surnamed	2%	2%	1%	2%	2%	2%
	% NH White est.	53%	50%	57%	46%	49%	51%
	% NH Black	4%	9%	0%	9%	7%	6%
Voter Turnout (Nov 2016)	Total	33	124	106	83	92	438
	% Latino est.	31%	31%	26%	37%	36%	32%
	% Spanish-Surnamed	28%	28%	23%	33%	32%	29%
	% Asian-Surnamed	1%	0%	1%	1%	1%	1%
	% Filipino-Surnamed	2%	2%	1%	2%	2%	2%
	% NH White est.	59%	56%	63%	49%	53%	56%
	% NH Black	4%	10%	0%	10%	8%	7%
Voter Turnout (Nov 2014)	Total	24	51	81	29	36	221
	% Latino est.	17%	21%	9%	37%	38%	21%
	% Spanish-Surnamed	16%	19%	8%	33%	34%	19%
	% Asian-Surnamed	0%	0%	0%	0%	0%	0%
	% Filipino-Surnamed	1%	9%	3%	0%	0%	3%
	% NH White est.	72%	64%	76%	54%	57%	67%
	% NH Black est.	1%	7%	0%	9%	6%	4%
ACS Pop. Est.	Total	578	523	556	536	547	2,741
Age	age0-19	39%	39%	40%	39%	39%	39%
	age20-60	49%	49%	50%	49%	49%	49%
	age60plus	12%	12%	10%	12%	12%	11%
Immigration	immigrants	22%	25%	31%	25%	25%	25%
	naturalized	25%	21%	21%	21%	21%	22%
Language spoken at home	english	48%	41%	32%	41%	41%	40%
	spanish	45%	54%	63%	54%	54%	54%
	asian-lang	1%	1%	1%	1%	1%	1%
	other lang	6%	5%	4%	5%	5%	5%
Language Fluency	Speaks Eng. "Less than Very Well"	31%	38%	44%	38%	38%	37%
Education (among those age 25+)	hs-grad	53%	51%	44%	51%	51%	50%
	bachelor	10%	9%	6%	9%	9%	9%
	graduatedegree	3%	2%	2%	2%	2%	2%
Child in Household	child-under18	46%	46%	52%	46%	46%	47%
Pct of Pop. Age 16+	employed	50%	47%	51%	47%	47%	49%
Household Income	income 0-25k	24%	28%	30%	28%	28%	27%
	income 25-50k	37%	42%	40%	42%	42%	40%
	income 50-75k	15%	14%	14%	14%	14%	14%
	income 75-200k	21%	14%	14%	14%	14%	16%
	income 200k-plus	3%	2%	2%	2%	2%	2%
Housing Stats	single-family	97%	97%	92%	97%	97%	96%
	multi-family	3%	3%	8%	3%	3%	4%
	rented	55%	63%	63%	63%	63%	61%
	owned	45%	37%	37%	37%	37%	39%
Total population data from the 2010 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 2012-2016 American Community Survey and Special Tabulation 5-year data.							

**Palo Verde Elementary School District  
Resolution #8/2017-2018**

**RESOLUTION OF THE PALO VERDE ELEMENTARY SCHOOL DISTRICT  
DECLARING IT'S INTENT TO TRANSITION FROM AT-LARGE TO TRUSTEE-  
AREA BOARD ELECTIONS**

**WHEREAS**, the Board of Education ("Board") of the Palo Verde Elementary School District ("District") is elected "at-large," meaning that each trustee is elected by voters of the entire District;

**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 2018, with the remaining two trustees scheduled for election in November 2020;

**WHEREAS**, on April 13, 2018, the District received correspondence asserting that the District's current at-large elections violate the California Voting Rights Act (Elec. Code, § 14025, *et seq.*) ("CVRA"), and demanding that the District adopt "trustee-area" elections, where each trustee must reside within the designated trustee area boundary, and is elected only by the voters in that trustee area;

**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 community;

**WHEREAS**, the Board has concluded that it is in the public interest to begin the process transition from at-large to trustee-area elections;

**WHEREAS**, in 2016 the California Legislature amended Elections Code section 10010 provide an updated process for school districts to transition from at-large to trustee-area elections;

**WHEREAS**, pursuant to Elections Code section 10010, subdivision (a)(1), the Board will hold a minimum of two public hearings prior to developing proposed trustee-area boundary maps;

**WHEREAS**, the District will hold a minimum of two additional public hearings to seek public input on the proposed trustee area maps developed with assistance from a demographer retained by the District (Elec. Code, § 10010, subd. (a)(2));

**WHEREAS**, the District will hold an additional public hearing before adopting a trustee-area map and submitting it to the Tulare County Committee on School District Organization ("County Committee") for consideration;

**WHEREAS**, Education Code sections 5019 and 5030 authorize the County Committee, upon application of the District Board, to change the method of election of the Board from at-large to 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;

**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; and

**WHEREAS**, the Board understands that the process is complex, requires the approval of other public agencies, and must be approached with care and careful consideration, and therefore acknowledges that the change to trustee-area elections will not be made in time for the November 2018 regularly scheduled Board elections. However, the trustee-area elections will be implemented for the November 2020 election.

**THEREFORE**, the Governing Board of the Palo Verde Elementary School District hereby resolves as follows:

1. The above recitals are correct and true.
2. The District shall commence the process of transition to trustee-area elections, in full compliance with all appropriate procedures and policies provided in law, including but not limited to Education Code sections 5019, 5030, and 33050, *et seq.*, and Elections Code sections 10010 and 14025, *et seq.*
3. Staff is directed to engage a demographer, legal counsel, and any other consultant deemed required to assist in the development of proposed trustee-area boundaries.
4. The District Superintendent/Principal or his designee are hereby authorized and directed to take any other actions necessary to effectuate the purposes of this resolution.

**PASSED AND ADOPTED** by the Board of Education of the PALO VERDE  
ELEMENTARY SCHOOL DISTRICT, at a regular meeting of the Board of Education held  
5/9, 2018, by the following vote:

Ayes: 5  
Noes: 0  
Absent: 0  
Abstain: 0

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed,  
and adopted by the members of the Governing Board of the Palo Verde Elementary School  
District, at a public meeting of said Board held on 5/9, 2018.

Gloria Stauff  
President, Board of Education  
Palo Verde Elementary School District

Natalie Cull Ho  
Clerk, Board of Education  
Palo Verde Elementary School District

Exhibit C

Palo Verde Union Elementary School District  
Resolution No. ~~11~~ 2017-2018  
CRITERIA FOR  
DEVELOPING TRUSTEE-AREA BOUNDARIES

**WHEREAS**, the Board of Education ("Board") of the Palo Verde Union Elementary School District ("District") is elected under an "at-large" election system where trustees are elected by voters of the entire District; and

**WHEREAS**, on May 9, 2018 the Board adopted Resolution No. 8-2017/2018, adopting its intent to transition to trustee-area elections, where each trustee must reside within the designated trustee-area boundary and is elected only by the voters in that trustee-area; and

**WHEREAS**, pursuant to Elections Code, section 10010, subdivision (a)(1), the Board held public hearings on May 24, 2018 and June 13, 2018, to gather public input regarding potential trustee-area boundaries; and

**WHEREAS**, the Federal 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

**WHEREAS**, federal law and the Equal Protection Clause require that each trustee-area be equal in population; however, deviations (less than five percent [5%] greater than or less than the ideal, for a total of ten percent [10%] deviation) are presumptively constitutional under the Equal Protection Clause where required to meet an official criteria; and

**WHEREAS**, the Board has instructed its demographer and District staff to develop draft maps to identify trustee-areas that fully comply with legal requirements; and

**WHEREAS**, the Board wishes to provide official criteria for any needed deviations from the general rule of equal population; and

**WHEREAS**, the draft maps will be used by the Board to study the possible change to trustee-area elections, and to inform and solicit further input from the public.

**NOW THEREFORE BE IT RESOLVED**, the Board of Education of the Palo Verde Union Elementary School District hereby resolves as follows:

1. The above recitals are correct and true.
2. The Board hereby adopts the following criteria, identified in the attached Exhibit A, to guide the demographer and District staff in the development of draft maps and in relation to any necessary deviations as described above.

***PASSED AND ADOPTED*** by the Board of Education of the PALO VERDE UNION  
ELEMENTARY SCHOOL DISTRICT, at a regular meeting of the Board of Education held on  
June 13, 2018, by the following vote:

Ayes: 5  
Noes: 0  
Absent: 0  
Abstain: 0

***I HEREBY CERTIFY*** that the foregoing resolution was duly and regularly introduced, passed,  
and adopted by members of the Board of Education of the Palo Verde Union Elementary School  
District, at a public meeting of said Board held on June 13, 2018.

*Gloria Huff*  
President, Board of Education  
Palo Verde Union Elementary  
School District

*Natalie C. Coelho*  
Clerk, Board of Education  
Palo Verde Union Elementary  
School District

## Exhibit A

### Criteria to Guide the Establishment of Trustee-Areas

*All items designated below by a shaded-in box shall be included. Criteria numbers 1-4 are legally mandated, and therefore have been automatically shaded-in. Additional criteria are optional.*

- ☒ 1. The boundaries of the trustee-areas shall be established so that the trustee-areas are at least as nearly equal in population as required by law.
- ☒ 2. The boundaries of the trustee-areas shall not be gerrymandered in violation of the principles established by the United States Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993), and other applicable law.
- ☒ 3. The boundaries of the trustee-areas shall be established so that the trustee-areas do not result in a denial or abridgement of the right of any citizen to vote on account of race or color as provided in Section 2 of the federal Voting Rights Act.
- ☒ 4. The boundaries of the trustee-areas shall be compact, insofar as practicable.
- ☒ 5. The boundaries of the trustee-areas shall be created to contain contiguous territory, insofar as practicable.
- ☐ 6. The boundaries of the trustee-areas shall observe communities of interest, such as the District's underlying elementary and high school attendance areas, rural or urban populations, municipalities, social interests, agricultural, industrial or service industry interests, and the like, insofar as practicable.
- ☒ 7. The boundaries of the trustee-areas may take into account visible features, such as topography and geography, including mountains, flat land, forest lands, man-made geographical features such as highways and canals, etc., insofar as practicable.
- ☒ 8. The boundaries of the trustee-areas may consider avoiding pairing two or more incumbents in a single trustee-area, to the extent legally allowable.
- ☒ 9. To maintain a longer-term population balance, trustee areas known to be areas of higher-than-average population growth following redistricting may be under-populated within the population deviation amounts allowed by law. To the extent legally allowed, this shall include consideration of anticipated future growth under applicable general plans.
- ☒ 10. The boundaries of the trustee-areas shall comply with such other factors which become known during the redistricting process and are formally adopted by the Board.
- ☐ 11. \_\_\_\_\_  
\_\_\_\_\_



Exhibit D

Palo Verde Union School District  
Resolution # 10/2017-2018

**RESOLUTION AUTHORIZING THE SUPERINTENDENT TO  
SEEK A WAIVER FROM THE STATE BOARD OF EDUCATION**

**WHEREAS**, on May 9, 2018, members of the Governing Board ("Board") of the Palo Verde Union School District ("District") adopted Resolution # 8-2017/2018, declaring its intent to transition from at-large to trustee-area Board elections;

**WHEREAS**, pursuant to Elections Code section 10010, subdivision (a)(1), the Board will hold a minimum of two public hearings prior to developing proposed trustee-area boundary maps;

**WHEREAS**, the Board will hold a minimum of two additional public hearings to seek public input on the proposed trustee-area maps developed with assistance from a demographer (Elec. Code, § 10010, subd. (a)(2));

**WHEREAS**, the Board will hold an additional public hearing before adopting a trustee-area map and submitting it to the Tulare County Committee on School District Organization ("County Committee") for consideration;

**WHEREAS**, Education Code sections 5019 and 5030 authorize the County Committee, upon application of a school district's governing board, to change the method of election in a school district under its jurisdiction;

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

**WHEREAS**, an election to approve the change in voting methods will result in a cost to the District, and Education Code sections 33050-33053 authorize the State Board of Education to waive this voter approval requirement, which could reduce the cost and expedite the timeline for implementation of the trustee-area elections;

**WHEREAS**, in light of the above, the Board wishes to request that the State Board of Education waive the election requirement set forth in the Education Code;

**WHEREAS**, on May 24, 2018 the Board held a public hearing on the proposed waiver application to solicit input from the public and District stakeholders;

**WHEREAS**, the District properly posted a timely notice of the aforementioned public hearing at the only school site in the District and in three public places in the District;

**WHEREAS**, the District complied with the notice and consulting requirements set forth in Education Code sections 33050 *et seq.*

**THEREFORE**, the Governing Board of the Palo Verde Union School District hereby resolves as follows:

1. The Board hereby authorizes the District to seek a full waiver of Education Code section 5020, and partial waivers of Education Code sections 5019, 5021, and 5030 as set forth in Exhibit A, or as otherwise required by the State Board of Education, to effectuate the District's goal of moving to a trustee-area election system.
2. The District Superintendent/designee are hereby authorized and directed to take any other actions necessary to effectuate the purposes of this resolution.

**PASSED AND ADOPTED** by the Board of Education of the PALO VERDE UNION SCHOOL DISTRICT, at a special meeting of the Board of Education held May 24, 2018, by the following vote:

Ayes:	<u>4</u>
Noes:	<u>0</u>
Absent:	<u>1</u>
Abstain:	<u>0</u>

**I HEREBY CERTIFY** that the foregoing resolution was duly and regularly introduced, passed, and adopted by the members of the Governing Board of the Palo Verde Union School District, at a public meeting of said Board held on May 24, 2018.

Gloria Huff  
President, Board of Education  
Palo Verde Union School District

Susanne Chell *ack'd  
Chell*  
Clerk, Board of Education  
Palo Verde Union School District

## EXHIBIT A

### California *Education Code* Sections Proposed to be Waived

Request to waive California *Education Code* Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish by-trustee-area method of election. Language proposed to be waived is bracketed and in italics below:

#### **§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing**

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

(d) If the county committee on school district organization approves pursuant to subdivision (a) [the rearrangement of ]the boundaries of trustee areas for a particular district, then the [rearrangement of the ]trustee areas shall be effectuated for the next district election occurring at least 120 days after [its ]approval[, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters].

**[§ 5020. Presentation of proposal to electors**

(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.

(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.

(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:

"For the establishment (or abolition or rearrangement) of trustee areas in \_\_\_\_ (insert name) School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in \_\_\_\_ (insert name) School District--No."

"For increasing the number of members of the governing board of \_\_\_\_ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of \_\_\_\_ (insert name) School District from five to seven--No."

"For decreasing the number of members of the governing board of \_\_\_\_ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of \_\_\_\_ (insert name) School District from seven to five--No."

"For the election of each member of the governing board of the \_\_\_\_ (insert name) School District by the registered voters of the entire \_\_\_\_ (insert name) School District--Yes" and "For the election of each member of the governing board of the \_\_\_\_ (insert name) School District by the registered voters of the entire \_\_\_\_ (insert name) School District--No."

"For the election of one member of the governing board of the \_\_\_\_ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the \_\_\_\_ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."

"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the \_\_\_\_ (insert name) School District residing in each trustee area elected by the registered voters of the entire \_\_\_\_ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the \_\_\_\_ (insert name) School District residing in each trustee area elected by the registered voters of the entire \_\_\_\_ (insert name) School District--No."

"For the establishment (or abolition) of a common governing board in the \_\_\_\_ (insert name) School District and the \_\_\_\_ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the \_\_\_\_ (insert name) School District and the \_\_\_\_ (insert name) School District--No."

If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.]

### § 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Section[s] 5019 [*and 5020*] is approved[ *by a majority of the voters voting at the election*], any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established [*at such election*] which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by[ *a majority of the voters voting on the measure, or by*] the county committee on school district organization[ *when no election is required*], and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved[ *by a majority of the voters voting at the election*], the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

### § 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Section[s] 5019[ *and 5020, respectively*], may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district; but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

[ *In counties with a population of less than 25,000,* ]the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

**BEFORE THE TULARE COUNTY COMMITTEE  
ON SCHOOL DISTRICT ORGANIZATION**

**July 31, 2018**

Resolution Approving Palo Verde Union  
Elementary School District's Proposal to  
Establish Trustee-Areas and Adopt  
Trustee-Area Elections

Resolution No. 2018/19-01

**WHEREAS**, the Palo Verde Union Elementary School District ("District") Board of Education is currently elected under an "at-large" election system where trustees are elected by voters of the entire District;

**WHEREAS**, on July 18, 2018, the Palo Verde Union Elementary School District ("District") adopted Resolution No. 1-2018/2019 (Attachment A) adopting a trustee-area map, and initiating a proposal to the Tulare County Committee on School District Organization ("County Committee") to approve a change in the manner in which the District conducts the election of its Board of Education;

**WHEREAS**, Education Code sections 5019 and 5030 authorize the County Committee, upon application from a school district's governing board, to change the method of election in a school district under its jurisdiction;

**WHEREAS**, the District transmitted Resolution No. 1-2018/2019 to the County Committee on July 19, 2018, which included the District's proposed trustee-area boundary map, referred to as the "yellow" map (Exhibit A to District Resolution No. 1-2018/2019);

**WHEREAS**, as provided in Resolution No. 1-2018/2019, the District's Board of Education requests that pursuant to Education Code section 5019, subdivision (c), the County Committee approve the establishment of the trustee-area boundaries in the District, as indicated on Exhibit A to District Resolution No. 1-2018/2019;

**WHEREAS**, the documentation submitted to the County Committee by the District reflects that the District has complied with the public hearing and publication requirements set forth in Elections Code section 10010, subdivision (a) and (b);

**WHEREAS**, pursuant to Education Code section 5019, subdivision (c), when a county committee on school district organization receives a proposal from a school district to establish trustee areas, the county committee must call and conduct at least one public hearing within the boundaries of the requesting district;

**WHEREAS**, on July 31, 2018, the County Committee held a duly noticed public hearing in the Palo Verde Union Elementary School District, as prescribed by Education Code section 5019, on the District's proposal to adopt trustee-area elections;

**WHEREAS**, if the County Committee approves the District's request to establish trustee-area elections, Education Code section 5020 requires the County Committee's resolution of approval to be submitted to the electorate for its approval;

**WHEREAS**, Education Code sections 33050-33053 authorize the State Board of Education to waive this voter approval requirement, which could reduce the costs associated with this proposed change to trustee-area elections;

**WHEREAS**, on May 24, 2018, after a public hearing on the matter, the District's Board adopted a Resolution No. 10/2017-2018, directing the District to seek a waiver of the aforementioned election requirement from the State Board of Education ("Waiver") (Exhibit D to District Resolution No. 1-2018/2019); and

**WHEREAS**, on June 13, 2018, the District submitted the Waiver to the State Board of Education, who is expected to hear the Waiver at their regularly scheduled September 6-7, 2018 board meeting;

**THEREFORE**, the County Committee hereby finds and resolves as follows:

1. All requirements of law have been met to allow the County Committee to approve or disapprove the District's proposal to adopt trustee-area elections;
2. The District's proposal stated in Resolution No. 1-2018/2019 to establish trustee-areas within the District and implement trustee area voting is approved.
3. The County Committee hereby establishes trustee-areas for the election of District Board of Education members in accordance with the Map attached herein as Exhibit A to District Resolution No. 1-2018/2019, and specifies that the method of election for trustees shall be by trustee-area voting.
4. The County Committee shall transmit this Resolution to the Tulare County Superintendent of Schools.
5. If the State Board of Education denies the District's Waiver request, the Tulare County Superintendent of Schools is asked to order an election with the Tulare County Registrar of Voters, such that the proposal for a change of the District's election system and implementation of trustee-area elections will be placed on the ballot not later than the next regularly scheduled District Board of Education election, for voter approval.
6. If the State Board of Education approves the Waiver request, the requests for actions by the County Superintendent of Schools contained above in Section 5 to



order the election for voter approval shall be null and void, and this Resolution shall constitute final approval of the adoption of the aforementioned trustee-area maps, and implementation of trustee-area elections, such that trustee areas One (1) and Five (5), as identified in Exhibit A to District Resolution No. 1-2018/2019, be assigned for election in 2020, with the remaining trustee areas Two (2), Three (3), and Four (4) to be assigned for election in 2022.

7. The Tulare County Superintendent/designee are hereby authorized and directed to take any other actions necessary to effectuate the purposes of this Resolution.

**PASSED AND ADOPTED** by the Tulare County Committee on School District Organization on July 31, 2018, and by the following roll call vote:

AYES:	_____
NOES:	_____
ABSTENTIONS:	_____
ABSENT:	_____

**I HEREBY CERTIFY** that the foregoing Resolution was duly introduced, passed, and adopted at a regularly called and conducted meeting held on said date.

\_\_\_\_\_  
Jim Vidak, Ex-Officio Secretary

## Attachment A

Palo Verde Union Elementary School District  
Resolution No. 1 / 2018 - 2019

**RESOLUTION ADOPTING A TRUSTEE-AREA MAP AND INITIATING A  
PROPOSAL TO THE TULARE COUNTY COMMITTEE ON SCHOOL DISTRICT  
ORGANIZATION TO ADOPT TRUSTEE-AREA ELECTIONS**

**WHEREAS**, the Board of Education ("Board") of the Palo Verde Union Elementary School District ("District") is elected under an "at-large" election system where trustees are elected by voters of the entire District;

**WHEREAS**, On May 9, 2018, the Board adopted Resolution No. 8/2017-2018 (attached herein as Exhibit B), signaling its intent to transition to trustee-area elections, where each trustee must reside within the designated trustee-area boundary and is elected only by the voters in that trustee-area;

**WHEREAS**, National Demographics Corporation ("Demographer") was retained to prepare several trustee-area election system map options for the Board and public's consideration. Demographer has extensive experience working with school districts and local jurisdictions regarding electoral demographics, taking into consideration the California Voting Rights Act ("CVRA"), Federal Voting Rights Act ("FVRA"), and related election system choices;

**WHEREAS**, all of the proposed trustee area boundary plans prepared by Demographer were drawn with all applicable laws and regulations in mind, including the CVRA and FVRA;

**WHEREAS**, pursuant to Elections Code, section 10010, subdivision (a)(1), the Board held public hearings on May 24, 2018 and June 13, 2018, to consider community input and comment regarding potential trustee-area boundaries;

**WHEREAS**, on June 13, 2018, the District adopted Resolution No. 11/2017-2018 (attached herein as Exhibit C), establishing criteria to guide Demographer and District staff in the development of proposed trustee-area maps for Board and public consideration;

**WHEREAS**, pursuant to Elections Code, section 10010, subdivision (a)(2), the District published proposed trustee-area maps on June 29, 2018, made proposed maps available on the District's website and District Office for public review and public comment, and held public hearings to gather public input regarding the published maps on July 11, 2018 and July 18, 2018;

**WHEREAS**, Education Code sections 5019 and 5030 authorize the Tulare County Committee on School District Reorganization ("County Committee"), upon application from a school district's governing board, to change the method of election in a school district under its jurisdiction;

**WHEREAS**, if the County Committee approves a school district's 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;

**WHEREAS**, an election to approve the change in voting methods will result in a cost to the District, and Education Code sections 33050-33053 authorize the State Board of Education to waive this voter approval requirement, which could reduce the cost and expedite the timeline for implementation of the trustee-area elections;

**WHEREAS**, in order to complete the transition to trustee-area elections in a timely and cost effective manner, the Board passed Resolution No. 10/2017-2018 (attached herein as Exhibit D) on May 24, 2018, after holding a public hearing on the matter, authorizing the Superintendent to seek a waiver of the aforementioned election requirement from the State Board of Education; and

**WHEREAS**, the District's request for waiver was submitted to the State Board of Education on June 13, 2018, and the State Board of Education is expected to consider the waiver request at its regularly scheduled meeting on September 6-7, 2018.


**NOW THEREFORE BE IT RESOLVED**, the Board of Education of the Palo Verde Union Elementary School District hereby resolves as follows:


1. The above recitals are correct and true.
2. By this resolution, the Board hereby submits a proposal to the County Committee to implement trustee-area elections, as identified below.
3. The Board hereby approves and recommends the adoption of the trustee-area map set forth in Exhibit A.
4. The Board hereby recommends that trustee areas One (1) and Five (5), as identified in Exhibit A, be assigned for election in 2020, with the remaining trustee areas Two (2), Three (3), and Four (4) to be assigned for election in 2022, conditioned upon approval of the Education Code waiver request submitted to the State Board of Education.
5. The District Superintendent/Principal or his designee is hereby authorized and directed to send a copy of this Resolution to the County Committee, and to work with the County Committee and the Tulare County Election's Office to conduct all legally required hearings and other acts necessary so that the change to trustee-area elections can be implemented in the election cycles scheduled in 2020 and 2022.

***PASSED AND ADOPTED*** by the Board of Education of the PALO VERDE UNION ELEMENTARY SCHOOL DISTRICT, at a special meeting of the Board of Education held on July 18, 2018, by the following vote:

Ayes:	<u>5</u>
Noes:	<u>0</u>
Absent:	<u>0</u>
Abstain:	<u>0</u>










***I HEREBY CERTIFY*** that the foregoing resolution was duly and regularly introduced, passed, and adopted by members of the Board of Education of the Palo Verde Union Elementary School District, at a public meeting of said Board held on July 18, 2018.

  
\_\_\_\_\_  
President, Board of Education  
Palo Verde Union Elementary  
School District

  
\_\_\_\_\_  
Clerk, Board of Education  
Palo Verde Union Elementary  
School District

## Exhibit A










# Yellow Draft

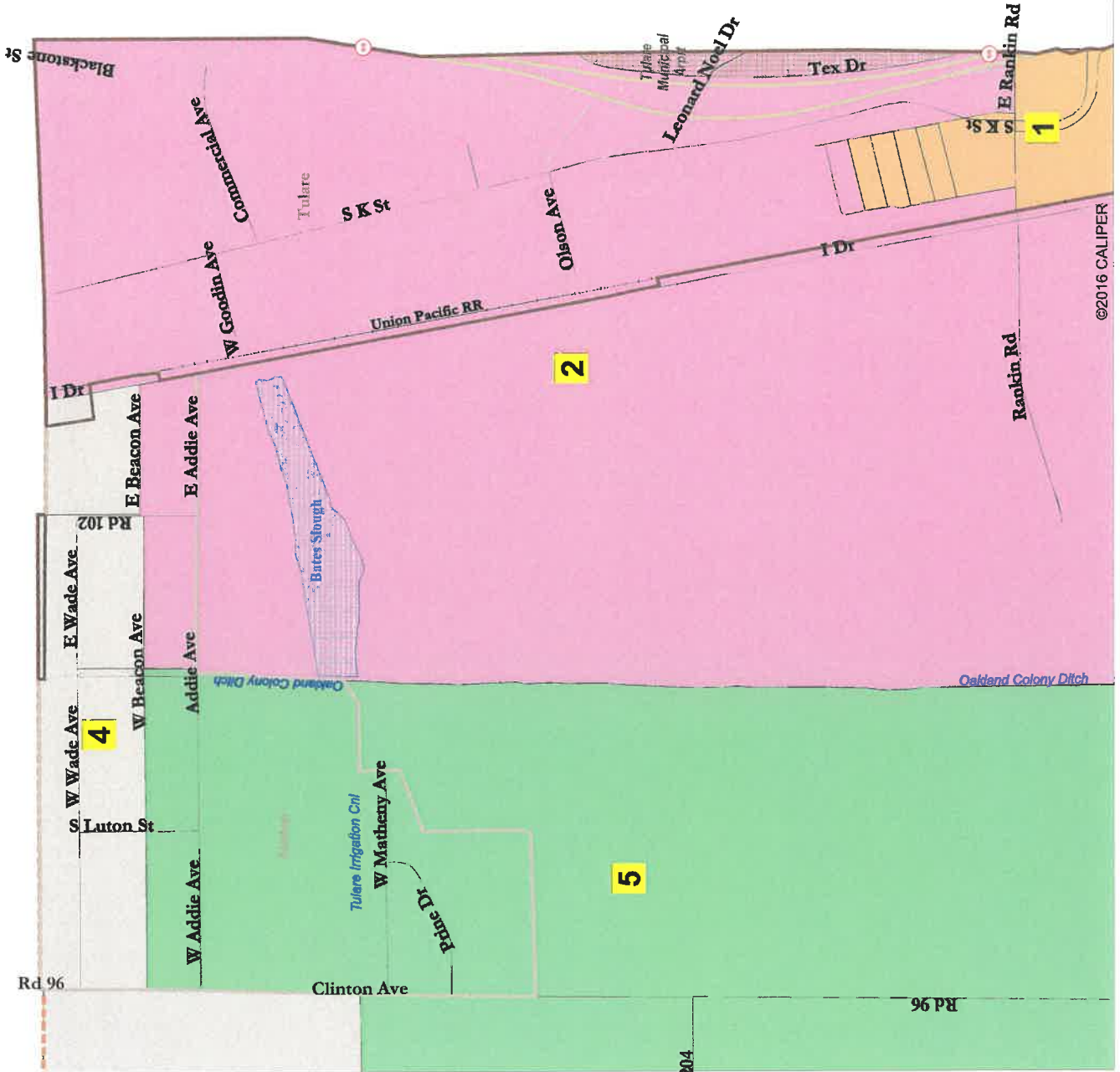
- Map layers**
-  Yellow
  -  Landmark Area
  -  Elementary School
  -  Water Area
  -  Railroad
  -  River
  -  Streets
  -  CDP
  -  Cities and Towns

**Proposed Election Sequencing:**  
**2020: Areas 1 and 5**  
**2022: Areas 2, 3 and 4**

Palo Verde Union  
Elementary School District  
2018 Districting

# Yellow Draft

Map layers	
	Yellow
	Landmark Area
	Elementary School
	Water Area
	Railroad
	River
	Streets
	Unincorp. Place
	Cities and Towns



Palo Verde Union Elementary - Yellow Map							
District		1	2	3	4	5	Total
Ideal	Total Pop	563	522	533	535	546	2,699
540	Deviation from ideal	23	-18	-7	-5	6	41
	% Deviation	4.26%	-3.33%	-1.30%	-0.93%	1.11%	7.59%
Total Pop	% Hisp	54%	56%	70%	78%	69%	65%
	% NH White	43%	34%	29%	19%	27%	31%
	% NH Black	1%	4%	1%	1%	1%	2%
	% Asian-American	0%	0%	0%	1%	0%	0%
Citizen Voting Age Pop	Total	291	260	168	226	232	1,177
	% Hisp	33%	35%	43%	60%	52%	44%
	% NH White	58%	43%	57%	28%	40%	45%
	% NH Black	4%	18%	0%	5%	4%	7%
	% Asian/Pac.Isl.	2%	0%	0%	6%	0%	2%
Voter Registration (Nov 2016)	Total	46	181	136	110	121	594
	% Latino est.	37%	39%	33%	42%	41%	38%
	% Spanish-Surnamed	34%	35%	29%	38%	37%	34%
	% Asian-Surnamed	1%	1%	1%	1%	1%	1%
	% Filipino-Surnamed	2%	2%	1%	2%	2%	2%
	% NH White est.	53%	50%	57%	46%	49%	51%
	% NH Black	4%	9%	0%	9%	7%	6%
Voter Turnout (Nov 2016)	Total	33	124	106	83	92	438
	% Latino est.	31%	31%	26%	37%	36%	32%
	% Spanish-Surnamed	28%	28%	23%	33%	32%	29%
	% Asian-Surnamed	1%	0%	1%	1%	1%	1%
	% Filipino-Surnamed	2%	2%	1%	2%	2%	2%
	% NH White est.	59%	56%	63%	49%	53%	56%
	% NH Black	4%	10%	0%	10%	8%	7%
Voter Turnout (Nov 2014)	Total	24	51	81	29	36	221
	% Latino est.	17%	21%	9%	37%	38%	21%
	% Spanish-Surnamed	16%	19%	8%	33%	34%	19%
	% Asian-Surnamed	0%	0%	0%	0%	0%	0%
	% Filipino-Surnamed	1%	9%	3%	0%	0%	3%
	% NH White est.	72%	64%	76%	54%	57%	67%
	% NH Black est.	1%	7%	0%	9%	6%	4%
ACS Pop. Est.	Total	578	523	556	536	547	2,741
Age	age0-19	39%	39%	40%	39%	39%	39%
	age20-60	49%	49%	50%	49%	49%	49%
	age60plus	12%	12%	10%	12%	12%	11%
Immigration	immigrants	22%	25%	31%	25%	25%	25%
	naturalized	25%	21%	21%	21%	21%	22%
Language spoken at home	english	48%	41%	32%	41%	41%	40%
	spanish	45%	54%	63%	54%	54%	54%
	asian-lang	1%	1%	1%	1%	1%	1%
	other lang	6%	5%	4%	5%	5%	5%
Language Fluency	Speaks Eng. "Less than Very Well"	31%	38%	44%	38%	38%	37%
Education (among those age 25+)	hs-grad	53%	51%	44%	51%	51%	50%
	bachelor	10%	9%	6%	9%	9%	9%
	graduatedegree	3%	2%	2%	2%	2%	2%
Child in Household	child-under18	46%	46%	52%	46%	46%	47%
Pct of Pop. Age 16+	employed	50%	47%	51%	47%	47%	49%
Household Income	income 0-25k	24%	28%	30%	28%	28%	27%
	income 25-50k	37%	42%	40%	42%	42%	40%
	income 50-75k	15%	14%	14%	14%	14%	14%
	income 75-200k	21%	14%	14%	14%	14%	16%
	income 200k-plus	3%	2%	2%	2%	2%	2%
Housing Stats	single-family	97%	97%	92%	97%	97%	96%
	multi-family	3%	3%	8%	3%	3%	4%
	rented	55%	63%	63%	63%	63%	61%
	owned	45%	37%	37%	37%	37%	39%
Total population data from the 2010 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 2012-2016 American Community Survey and Special Tabulation 5-year data.							



**Palo Verde Elementary School District  
Resolution #8/2017-2018**

**RESOLUTION OF THE PALO VERDE ELEMENTARY SCHOOL DISTRICT  
DECLARING IT'S INTENT TO TRANSITION FROM AT-LARGE TO TRUSTEE-  
AREA BOARD ELECTIONS**

**WHEREAS**, the Board of Education ("Board") of the Palo Verde Elementary School District ("District") is elected "at-large," meaning that each trustee is elected by voters of the entire District;

**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 2018, with the remaining two trustees scheduled for election in November 2020;

**WHEREAS**, on April 13, 2018, the District received correspondence asserting that the District's current at-large elections violate the California Voting Rights Act (Elec. Code, § 14025, *et seq.*) ("CVRA"), and demanding that the District adopt "trustee-area" elections, where each trustee must reside within the designated trustee area boundary, and is elected only by the voters in that trustee area;

**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 community;

**WHEREAS**, the Board has concluded that it is in the public interest to begin the process transition from at-large to trustee-area elections;

**WHEREAS**, in 2016 the California Legislature amended Elections Code section 10010 provide an updated process for school districts to transition from at-large to trustee-area elections;

**WHEREAS**, pursuant to Elections Code section 10010, subdivision (a)(1), the Board will hold a minimum of two public hearings prior to developing proposed trustee-area boundary maps;

**WHEREAS**, the District will hold a minimum of two additional public hearings to seek public input on the proposed trustee area maps developed with assistance from a demographer retained by the District (Elec. Code, § 10010, subd. (a)(2));

**WHEREAS**, the District will hold an additional public hearing before adopting a trustee-area map and submitting it to the Tulare County Committee on School District Organization ("County Committee") for consideration;

**WHEREAS**, Education Code sections 5019 and 5030 authorize the County Committee, upon application of the District Board, to change the method of election of the Board from at-large to 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;

**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; and

**WHEREAS**, the Board understands that the process is complex, requires the approval of other public agencies, and must be approached with care and careful consideration, and therefore acknowledges that the change to trustee-area elections will not be made in time for the November 2018 regularly scheduled Board elections. However, the trustee-area elections will be implemented for the November 2020 election.

**THEREFORE**, the Governing Board of the Palo Verde Elementary School District hereby resolves as follows:

1. The above recitals are correct and true.
2. The District shall commence the process of transition to trustee-area elections, in full compliance with all appropriate procedures and policies provided in law, including but not limited to Education Code sections 5019, 5030, and 33050, *et seq.*, and Elections Code sections 10010 and 14025, *et seq.*
3. Staff is directed to engage a demographer, legal counsel, and any other consultant deemed required to assist in the development of proposed trustee-area boundaries.
4. The District Superintendent/Principal or his designee are hereby authorized and directed to take any other actions necessary to effectuate the purposes of this resolution.

**PASSED AND ADOPTED** by the Board of Education of the PALO VERDE  
ELEMENTARY SCHOOL DISTRICT, at a regular meeting of the Board of Education held  
5/9, 2018, by the following vote:

Ayes: 5  
Noes: 0  
Absent: 0  
Abstain: 0

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed,  
and adopted by the members of the Governing Board of the Palo Verde Elementary School  
District, at a public meeting of said Board held on 5/9, 2018.

Gloria Stauff  
President, Board of Education  
Palo Verde Elementary School District

Natalie Cull Ho  
Clerk, Board of Education  
Palo Verde Elementary School District

Exhibit C

Palo Verde Union Elementary School District  
Resolution No. ~~11~~ 2017-2018  
CRITERIA FOR  
DEVELOPING TRUSTEE-AREA BOUNDARIES

**WHEREAS**, the Board of Education ("Board") of the Palo Verde Union Elementary School District ("District") is elected under an "at-large" election system where trustees are elected by voters of the entire District; and

**WHEREAS**, on May 9, 2018 the Board adopted Resolution No. 8-2017/2018, adopting its intent to transition to trustee-area elections, where each trustee must reside within the designated trustee-area boundary and is elected only by the voters in that trustee-area; and

**WHEREAS**, pursuant to Elections Code, section 10010, subdivision (a)(1), the Board held public hearings on May 24, 2018 and June 13, 2018, to gather public input regarding potential trustee-area boundaries; and

**WHEREAS**, the Federal 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

**WHEREAS**, federal law and the Equal Protection Clause require that each trustee-area be equal in population; however, deviations (less than five percent [5%] greater than or less than the ideal, for a total of ten percent [10%] deviation) are presumptively constitutional under the Equal Protection Clause where required to meet an official criteria; and

**WHEREAS**, the Board has instructed its demographer and District staff to develop draft maps to identify trustee-areas that fully comply with legal requirements; and

**WHEREAS**, the Board wishes to provide official criteria for any needed deviations from the general rule of equal population; and

**WHEREAS**, the draft maps will be used by the Board to study the possible change to trustee-area elections, and to inform and solicit further input from the public.

**NOW THEREFORE BE IT RESOLVED**, the Board of Education of the Palo Verde Union Elementary School District hereby resolves as follows:

1. The above recitals are correct and true.
2. The Board hereby adopts the following criteria, identified in the attached Exhibit A, to guide the demographer and District staff in the development of draft maps and in relation to any necessary deviations as described above.

***PASSED AND ADOPTED*** by the Board of Education of the PALO VERDE UNION  
ELEMENTARY SCHOOL DISTRICT, at a regular meeting of the Board of Education held on  
June 13, 2018, by the following vote:

Ayes: 5  
Noes: 0  
Absent: 0  
Abstain: 0

***I HEREBY CERTIFY*** that the foregoing resolution was duly and regularly introduced, passed,  
and adopted by members of the Board of Education of the Palo Verde Union Elementary School  
District, at a public meeting of said Board held on June 13, 2018.

*Gloria Huff*  
President, Board of Education  
Palo Verde Union Elementary  
School District

*Natalie C. Coelho*  
Clerk, Board of Education  
Palo Verde Union Elementary  
School District

## Exhibit A

### Criteria to Guide the Establishment of Trustee-Areas

*All items designated below by a shaded-in box shall be included. Criteria numbers 1-4 are legally mandated, and therefore have been automatically shaded-in. Additional criteria are optional.*

- ☒ 1. The boundaries of the trustee-areas shall be established so that the trustee-areas are at least as nearly equal in population as required by law.
- ☒ 2. The boundaries of the trustee-areas shall not be gerrymandered in violation of the principles established by the United States Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993), and other applicable law.
- ☒ 3. The boundaries of the trustee-areas shall be established so that the trustee-areas do not result in a denial or abridgement of the right of any citizen to vote on account of race or color as provided in Section 2 of the federal Voting Rights Act.
- ☒ 4. The boundaries of the trustee-areas shall be compact, insofar as practicable.
- ☒ 5. The boundaries of the trustee-areas shall be created to contain contiguous territory, insofar as practicable.
- ☐ 6. The boundaries of the trustee-areas shall observe communities of interest, such as the District's underlying elementary and high school attendance areas, rural or urban populations, municipalities, social interests, agricultural, industrial or service industry interests, and the like, insofar as practicable.
- ☒ 7. The boundaries of the trustee-areas may take into account visible features, such as topography and geography, including mountains, flat land, forest lands, man-made geographical features such as highways and canals, etc., insofar as practicable.
- ☒ 8. The boundaries of the trustee-areas may consider avoiding pairing two or more incumbents in a single trustee-area, to the extent legally allowable.
- ☒ 9. To maintain a longer-term population balance, trustee areas known to be areas of higher-than-average population growth following redistricting may be under-populated within the population deviation amounts allowed by law. To the extent legally allowed, this shall include consideration of anticipated future growth under applicable general plans.
- ☒ 10. The boundaries of the trustee-areas shall comply with such other factors which become known during the redistricting process and are formally adopted by the Board.
- ☐ 11. \_\_\_\_\_  
\_\_\_\_\_

Exhibit D

Palo Verde Union School District  
Resolution # 10/2017-2018

**RESOLUTION AUTHORIZING THE SUPERINTENDENT TO  
SEEK A WAIVER FROM THE STATE BOARD OF EDUCATION**

**WHEREAS**, on May 9, 2018, members of the Governing Board ("Board") of the Palo Verde Union School District ("District") adopted Resolution # 8-2017/2018, declaring its intent to transition from at-large to trustee-area Board elections;

**WHEREAS**, pursuant to Elections Code section 10010, subdivision (a)(1), the Board will hold a minimum of two public hearings prior to developing proposed trustee-area boundary maps;

**WHEREAS**, the Board will hold a minimum of two additional public hearings to seek public input on the proposed trustee-area maps developed with assistance from a demographer (Elec. Code, § 10010, subd. (a)(2));

**WHEREAS**, the Board will hold an additional public hearing before adopting a trustee-area map and submitting it to the Tulare County Committee on School District Organization ("County Committee") for consideration;

**WHEREAS**, Education Code sections 5019 and 5030 authorize the County Committee, upon application of a school district's governing board, to change the method of election in a school district under its jurisdiction;

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

**WHEREAS**, an election to approve the change in voting methods will result in a cost to the District, and Education Code sections 33050-33053 authorize the State Board of Education to waive this voter approval requirement, which could reduce the cost and expedite the timeline for implementation of the trustee-area elections;

**WHEREAS**, in light of the above, the Board wishes to request that the State Board of Education waive the election requirement set forth in the Education Code;

**WHEREAS**, on May 24, 2018 the Board held a public hearing on the proposed waiver application to solicit input from the public and District stakeholders;

**WHEREAS**, the District properly posted a timely notice of the aforementioned public hearing at the only school site in the District and in three public places in the District;

**WHEREAS**, the District complied with the notice and consulting requirements set forth in Education Code sections 33050 *et seq.*

**THEREFORE**, the Governing Board of the Palo Verde Union School District hereby resolves as follows:

1. The Board hereby authorizes the District to seek a full waiver of Education Code section 5020, and partial waivers of Education Code sections 5019, 5021, and 5030 as set forth in Exhibit A, or as otherwise required by the State Board of Education, to effectuate the District's goal of moving to a trustee-area election system.
2. The District Superintendent/designee are hereby authorized and directed to take any other actions necessary to effectuate the purposes of this resolution.

**PASSED AND ADOPTED** by the Board of Education of the PALO VERDE UNION SCHOOL DISTRICT, at a special meeting of the Board of Education held May 24, 2018, by the following vote:

Ayes:	<u>4</u>
Noes:	<u>0</u>
Absent:	<u>1</u>
Abstain:	<u>0</u>

**I HEREBY CERTIFY** that the foregoing resolution was duly and regularly introduced, passed, and adopted by the members of the Governing Board of the Palo Verde Union School District, at a public meeting of said Board held on May 24, 2018.

Gloria Huff  
President, Board of Education  
Palo Verde Union School District

Susanne Chell *ack'd  
Chell*  
Clerk, Board of Education  
Palo Verde Union School District



## EXHIBIT A

### California *Education Code* Sections Proposed to be Waived

Request to waive California *Education Code* Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish by-trustee-area method of election. Language proposed to be waived is bracketed and in italics below:

#### **§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing**

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

(d) If the county committee on school district organization approves pursuant to subdivision (a) [the rearrangement of ]the boundaries of trustee areas for a particular district, then the [rearrangement of the ]trustee areas shall be effectuated for the next district election occurring at least 120 days after [its ]approval[, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters].

**[§ 5020. Presentation of proposal to electors**

(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.

(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.

(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:

"For the establishment (or abolition or rearrangement) of trustee areas in \_\_\_\_ (insert name) School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in \_\_\_\_ (insert name) School District--No."

"For increasing the number of members of the governing board of \_\_\_\_ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of \_\_\_\_ (insert name) School District from five to seven--No."

"For decreasing the number of members of the governing board of \_\_\_\_ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of \_\_\_\_ (insert name) School District from seven to five--No."

"For the election of each member of the governing board of the \_\_\_\_ (insert name) School District by the registered voters of the entire \_\_\_\_ (insert name) School District--Yes" and "For the election of each member of the governing board of the \_\_\_\_ (insert name) School District by the registered voters of the entire \_\_\_\_ (insert name) School District--No."

"For the election of one member of the governing board of the \_\_\_\_ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the \_\_\_\_ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."

"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the \_\_\_\_ (insert name) School District residing in each trustee area elected by the registered voters of the entire \_\_\_\_ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the \_\_\_\_ (insert name) School District residing in each trustee area elected by the registered voters of the entire \_\_\_\_ (insert name) School District--No."

"For the establishment (or abolition) of a common governing board in the \_\_\_\_ (insert name) School District and the \_\_\_\_ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the \_\_\_\_ (insert name) School District and the \_\_\_\_ (insert name) School District--No."

If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.]

### **§ 5021. Incumbents to serve out terms despite approval of change**

(a) If a proposal for the establishment of trustee areas formulated under Section[s] 5019 [*and 5020*] is approved[ *by a majority of the voters voting at the election*], any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established [*at such election*] which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by[ *a majority of the voters voting on the measure, or by*] the county committee on school district organization[ *when no election is required*], and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved[ *by a majority of the voters voting at the election*], the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

### **§ 5030. Alternate method of election**

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Section[s] 5019[ *and 5020, respectively*], may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district; but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

[ *In counties with a population of less than 25,000,* ]the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.