



Fountain Valley School District

BOARD OF TRUSTEES
SPECIAL MEETING

AGENDA

Board Room
10055 Slater Avenue
Fountain Valley, CA

December 12, 2017

- CALL TO ORDER: 5:40PM
- ROLL CALL
- APPROVAL OF AGENDA

M ___
2nd ___
V ___

- PLEDGE OF ALLEGIANCE
- PUBLIC COMMENTS

Speakers may address the Board of Trustees on Closed Session Items. Please comply with procedures listed on the goldenrod form "For Persons Wishing to Address the Board of Trustees" and give the form to the Executive Assistant.

- CLOSED SESSION

The Board of Trustees will retire into Closed Session to address the following:

- Personnel Matters: *Government Code 54957 and 54957.1*
Appointment/Assignment/Promotion of employees; employee discipline/dismissal/release; evaluation of employee performance; complaints/charges against an employee; other personnel matters.
- Pupil Personnel: *Education Code 35146*
- Negotiations: *Government Code 54957.6*
Update and review of negotiations with the FVEA and CSEA Bargaining Units with the Board's designated representative, Cathie Abdel.
- Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of *Government Code section 54956.9*: 1 case

Our mission is to promote a foundation for academic excellence, mastery of basic skills, responsible citizenship, and a desire by students to achieve their highest potential through a partnership with home and community.

PUBLIC COMMENTS

Members of the community and staff are welcome to address the Board of Trustees on any item listed on the Agenda of Business or any other item of specific concern. Speakers are requested to limit their presentation to four minutes unless the time is waived by a majority of the Board Members present. If a member of the audience requests a response to their comments, the Board of Trustees may ask the Superintendent/Staff to respond to them personally or in writing after the meeting, or direct that additional information be provided to the Board on a future agenda.

***** BOARD MEMBERS WHO WISH TO DISCUSS WITH STAFF ANY ITEMS LISTED UNDER LEGISLATIVE SESSION SHOULD INFORM THE BOARD PRESIDENT AT THIS TIME.**

LEGISLATIVE SESSION

1. RESOLUTION 2018-19: INTENT TO INITIATE THE PROCESS OF ESTABLISHING TRUSTEE AREAS AND ELECTIONS BY-TRUSTEE AREAS

M _____
2nd _____
V _____

The Board is aware that under state law an at-large method of election may be deemed to impair the ability of some voters to elect candidates of their choice or to influence the outcome of elections and, therefore, may be subject to challenge under the California Voting Rights Act of 2001. Based on this awareness, the Board has had ongoing interest in the issue, and has decided to initiate the process of establishing trustee areas and changing the method of electing members of the Board. Because the transition process can take a significant amount of time to complete, the District would like to commence the transition to by-trustee area elections in time for the next Board member election in November of 2020.

Superintendent's Recommendation: It is recommended that the Board of Trustees adopts Resolution 2018-19: Intent to Initiate the Process of Establishing Trustee Areas and By- Trustee Area Election.

SUPERINTENDENT’S COMMENTS/NEW ITEMS OF BUSINESS

The Board President will receive any announcements concerning new items of business from board members or the superintendent.

- CLOSED SESSION
- APPROVAL TO ADJOURN

The next regular meeting of the Fountain Valley School District Board of Trustees is on Thursday, January 18, 2018 at 7:00pm.

A copy of the Board Meeting agenda is posted on the District’s web site (www.fvsd.us). Materials related to this agenda submitted to the Board of Trustees less than 72 hours prior to the meeting are available for public inspection by

contacting the Superintendent's Office at 10055 Slater Avenue, Fountain Valley, CA 92708 or by calling 714.843.3255 during normal business hours.

Reasonable Accommodation for any Individual with a Disability: Any individual with a disability who requires reasonable accommodation to participate in a Board Meeting may request assistance by contacting the Superintendent's Office: 10055 Slater Avenue, Fountain Valley, CA 92708 or by calling 714.843.3255 or by faxing 714.841.0356.



SO 2017-18/B18-17
Fountain Valley School District
SUPERINTENDENT'S OFFICE

MEMORANDUM

TO: Board of Trustees
FROM: Mark Johnson, Superintendent
Subject: **Resolution 2018-19: Resolution to Initiate the Process of Establishing Trustee Areas and Elections By-Trustee Areas**
DATE: December 11, 2017

Background:

The Board is aware that under state law an at-large method of election may be deemed to impair the ability of some voters to elect candidates of their choice or to influence the outcome of elections and, therefore, may be subject to challenge under the California Voting Rights Act of 2001. Based on this awareness, the Board has had ongoing interest in the issue, and has decided to initiate the process of establishing trustee areas and changing the method of electing members of the Board.

Transitioning to a by-trustee area election method is a time consuming process, which requires public input, the involvement of the Orange County Committee on School District Organization, and the State Board of Education. The Board of Trustees intends to complete the process of changing to the by-trustee area election methodology, and hold its initial by-trustee area election of Board members, commencing with the November, 2020 Board election.

Fiscal Impact:

The total cost of transitioning to by-trustee area elections is unknown at this time. Expenses for demographic services may vary significantly depending on the number of community meetings and public hearings the Board determines to hold, the number of maps initially prepared, the number of map revisions requested, and a variety of other factors that cannot be foreseen at this time. As a result, demographic services are estimated to be in the range of \$25,000. Similarly, legal services may be in the range of \$5,000 to \$25,000, depending upon the level of service required. In addition, considerable amounts of staff and administrator time will be involved. All expenses will be paid from the district's general fund.

Recommendation:

It is recommended that the Board of Trustees adopts Resolution 2018-19: Intent to Initiate the Process of Establishing Trustee Areas and By- Trustee Area Election.

**BEFORE THE BOARD OF TRUSTEES OF THE
FOUNTAIN VALLEY SCHOOL DISTRICT
COUNTY OF ORANGE, STATE OF CALIFORNIA**

RESOLUTION NO. 2018-19

**RESOLUTION TO INITIATE THE PROCESS OF ESTABLISHING
TRUSTEE AREAS AND ELECTIONS BY-TRUSTEE AREAS**

WHEREAS, the Fountain Valley School District (“District”) currently uses an at-large system of electing its Governing Board members; and

WHEREAS, the Board is aware that under state law an at-large method of election may be deemed to impair the ability of some voters to elect candidates of their choice or to influence the outcome of elections and, therefore, may be subject to challenge under the California Voting Rights Act of 2001, California Elections Code §§ 14025, et seq. (“CVRA”); and

WHEREAS, the Board, based on this awareness, has had an ongoing interest in the issue, and has decided to initiate the process of establishing trustee areas and changing the method of electing members of the Board, in order to ensure compliance with the CVRA or, at minimum, avoid the potential for costly litigation under the CVRA; and

WHEREAS, transitioning to a by-trustee area election method is a time consuming process, which requires public input, the involvement of the Orange County Committee on School District Organization, and the State Board of Education; and

WHEREAS, the Board intends to complete the process of changing to the by-trustee area election methodology, and hold its initial by-trustee area election of Board members, commencing with the November, 2020 Board election.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Fountain Valley School District hereby finds the foregoing recitals to be true and correct; and

BE IT FURTHER RESOLVED that the Board directs the Superintendent or his designee to immediately initiate the legal and regulatory process, including the retention of counsel and demographic experts, to establish trustee areas within the District, as provided in Education Code section 5019, in sufficient time for trustee areas to be established for the November, 2020 election of members of the Board; and

BE IT FURTHER RESOLVED that the Board directs the Superintendent or his designee to immediately initiate the legal and regulatory process of changing the method of electing members of the Board, from the current at-large system whereby each member of the Board is elected by the registered voters of the entire District (Education Code section 5030(a)), to a method which provides that Board members residing in each trustee will be elected by the registered voters of that particular trustee area (Education Code 5030(b)), in sufficient time for the new method of electing members of the Board to be in place for the November, 2020 election; and

BE IT FURTHER RESOLVED that the Superintendent or his designee is authorized and directed to initiate the legal and regulatory process to seek a waiver from the State Board of Education, of the requirements of Education Code section 5020 and related statutes, so that action of the Orange County Committee on School District Organization establishing trustee election areas and adopting one of the alternative methods of electing Board members specified in Education Code section 5030 does not constitute an order of election, so that trustee area elections can commence effective with the November, 2020 election; and

BE IT FURTHER AND FINALLY RESOLVED that the Superintendent is authorized to do all things necessary and proper to accomplish the purposes of this Resolution.

ADOPTED, SIGNED AND APPROVED this 12 day of December, 2017, by the following vote:

AYES: _____, _____, _____

NOES: _____, _____

ABSTAIN: _____

ABSENT: _____

President of the Board of Trustees for the
Fountain Valley School District

I, Jeanne Galindo, Secretary of the Board of Trustees of the Fountain Valley School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Trustees at its special meeting held on December 12, 2017.

Secretary, Board of Trustees of the
Fountain Valley School District