

RESOLUTION #15/16-11

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE FULLERTON SCHOOL DISTRICT AUTHORIZING
THE SUPERINTENDENT TO SEEK A WAIVER FROM
THE STATE BOARD OF EDUCATION**

WHEREAS, on July 28, 2015, the Board of Trustees of the Fullerton School District (the "Board") took action to move from an at-large election system to a by-trustee area election system for District Board members; and

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

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; and

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 costs associated with this proposed change in the manner of electing board members; and

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

WHEREAS, on November 17, 2015, the District held a public hearing on the proposed waiver application to solicit input from the public and District stakeholders; and

WHEREAS, the District properly posted a timely notice of the aforementioned public hearing in the newspaper and at each school of the District and at an additional public place in the District; and


WHEREAS, the District properly notified its collective bargaining units of the District's intent to seek a waiver pursuant to sections 33050-33053 of the Education Code.

NOW, THEREFORE, be it resolved by the Board of Trustees of the Fullerton School District as follows:

1. The above recitals are true and correct.
2. 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 by-trustee election system.
3. The District Superintendent/designee are hereby authorized and directed to take any other actions necessary to effectuate the purposes of this resolution.

ADOPTED, SIGNED, and APPROVED this 17th day of November, 2015.

BOARD OF TRUSTEES
FULLERTON SCHOOL DISTRICT

By:  _____
President

By:  _____
Clerk

CLERK'S CERTIFICATE

I, Hilda Siquerra, Clerk of the Board of Trustees of the Fullerton School District, hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted at a regular meeting place thereof on the 17th day of November, 2015, of which meeting all of the members of said Board of Trustees had due notice and at which a majority thereof were present and that at said meeting, said resolution was adopted by the following vote:

AYES: 4
NOES: 0
ABSENT: 1
ABSTAINED: 0

An agenda of said meeting was posted at least 72 hours before said meeting at Fullerton, California, a location freely accessible to members of the public, and a brief general description of said resolution appeared on said agenda.

I further certify that I have carefully compared the same with the original minutes of said meeting on file and of record in my office; that the foregoing resolution is a full, true, and correct copy of the original resolution adopted at said Board meeting and entered in said minutes; and that said resolution has not been amended, modified, or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: November 17, 2015

Hilda Siquerra
Clerk of the Board of Trustees
Fullerton School District