

**WEST KERN COMMUNITY COLLEGE DISTRICT  
RESOLUTION #2022/23-16**

**INTENT TO INITIATE A TRANSITION FROM AT-LARGE TO BY-TRUSTEE AREA BOARD  
ELECTIONS COMMENCING WITH THE 2024 BOARD ELECTION**

**WHEREAS**, the Board of Trustees (“Board”) of the West Kern Community College District (“District”) is elected “at-large,” meaning that each Board member is elected by voters of the entire District;

**WHEREAS**, Board members are elected in even-numbered years and serve staggered, four-year terms, such that the next election for two Board members is scheduled for November 2024, with the remaining three Board members scheduled for election in November 2026;

**WHEREAS**, under the California Voting Rights Act (“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;”

**WHEREAS**, transitioning from at-large to “by-trustee area” elections, where each Board member must reside within a designated trustee area boundary, and is elected only by the voters in that trustee area, minimizes the potential for litigation against the District under the CVRA;

**WHEREAS**, the Board understands the importance of fair and accessible elections, greatly values the opinions and voices of all members of the District’s community, and desires to increase the ability of candidates to seek elected office;

**WHEREAS**, while the Board does not believe that its current form of elections violates the CVRA, it does believe that it is in the public’s best interest to begin the process to transition from at-large to by-trustee area elections;

**WHEREAS**, the adoption of “by-trustee area” elections will not affect the terms of any Board members serving or elected during this transition, each of whom will serve out his or her full term;

**WHEREAS**, the Board will hold a minimum of two public hearings to seek public input regarding the composition of the trustee areas prior to developing proposed trustee-area boundary maps;

**WHEREAS**, the Board, with assistance from a demographer, will hold a minimum of two additional public hearings to seek public input on the proposed trustee-area maps developed and on the proposed sequence of elections;

**WHEREAS**, California Education Code section 72036 authorizes community colleges to transition from at-large elections to by-trustee area elections upon the approval of the Board of Governors of the California Community Colleges;

**WHEREAS**, the Board, cognizant of its need for fiscal responsibility, desires to implement this change in the manner of electing trustees in a cost effective and efficient manner.

**NOW, THEREFORE**, the Board of Trustees of the West Kern Community College District hereby resolves as follows:

1. The above recitals are correct and true.
2. This Resolution is passed and adopted pursuant to Elections Code section 10010, subdivision (e)(3)(A).
3. Trustee area boundary lines shall be developed based on the most updated federal decennial census data to provide for by-trustee area elections commencing with the 2024 Board elections.
4. The District shall commence the process of transitioning to by-trustee area elections, in full compliance with all appropriate procedures and policies provided in law, including but not limited to Education Code sections 5019 and 5030, and Elections Code sections 10010 and 14025, *et seq.*
5. Staff is directed to engage a demographer, legal counsel, and any other consultant deemed required to assist in the development of proposed by-trustee area boundaries.
6. The Superintendent/President or designee, is hereby directed to prepare additional Board resolutions and documents, as needed, to meet all applicable legal requirements in a timely manner to develop proposed trustee area boundaries, and to seek approval from the Board of Governors of the California Community Colleges pursuant to Education Code section 72036.

7. The Superintendent/President or designee is hereby authorized and directed to take any other actions necessary to effectuate the purposes of this resolution.

APPROVED, ADOPTED, AND SIGNED, this 12<sup>th</sup> day of April 2023, with the following votes:

AYES: 5  
NOES: 0  
ABSENT: 0  
ABSTAIN: 0

Billy White  
Billy White, Board President

ATTEST:

Kathy Orrin  
Dr. Kathy Garner Orrin, Board Secretary