Election Waiver Request (Ed. Code, §§ 72036, 72036.5)

<table>
<thead>
<tr>
<th>Community College District:</th>
<th>Contact’s name and title:</th>
<th>Email:</th>
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<tbody>
<tr>
<td>San Bernardino CCD</td>
<td>Bruce Baron, Chancellor</td>
<td><a href="mailto:bbaron@sbccd.org">bbaron@sbccd.org</a></td>
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<tr>
<th>Address:</th>
<th>City:</th>
<th>State:</th>
<th>Zip:</th>
<th>Phone:</th>
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<tbody>
<tr>
<td>114 S. Del Rosa Dr.</td>
<td></td>
<td>San Bernardino</td>
<td>92408</td>
<td>909-382-4091</td>
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<tr>
<th>Date of request:</th>
<th>Local board approval date: (Required)</th>
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<tbody>
<tr>
<td>Original: 1/6/14</td>
<td></td>
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<tr>
<td>Revised: 1/22/14</td>
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<td>Board approved: 12/12/13</td>
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<td>Adopted Resolution: 1/16/14</td>
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**Legal criteria**

1. Reason for changing election systems:

To comply with the California Voting Rights Act (California Elections Code 14025-14032) The California Voting Rights Act requires all local governments, including community colleges, to evaluate their current election processes. The release of new census data and the significant population changes over the past decade warranted consideration of the District’s election processes.

2. Number of trustees and trustee areas under the newly proposed election system:

Under the newly proposed election system there will be seven (7) trustees, representing seven (7) districts.

3. Per Education Code § 72036(b), will a top-two primary system be implemented? □ Yes  X No

4. Have all the requirements in Education Code § 72036(c) been met? Explain.

Yes. The number of District trustees seven (7) remains unchanged. The number of trustee areas created under the District’s by-trustee area election plan is also seven (7).

**District or County Certification** – I hereby certify that the information provided on this application is correct and complete.

<table>
<thead>
<tr>
<th>Authorized Signature:</th>
<th>Name and Title:</th>
<th>Date:</th>
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<tr>
<td>Bruce Baron, Chancellor</td>
<td></td>
<td>1/22/14</td>
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FOR California Community College Chancellor’s Office USE ONLY

<table>
<thead>
<tr>
<th>Staff Member Name:</th>
<th>Signature:</th>
<th>Date:</th>
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</table>
Please note that additional pages can be attached, if needed.

Send Original plus one copy to:

California Community Colleges
Chancellor’s Office
1102 Q Street
Sacramento, CA 95811-6549
ATTN: Legal Affairs
Election Waiver Request

Or

Email the completed form and back-up material to: legalaffairs@cccco.edu
RESOLUTION OF THE BOARD OF TRUSTEES OF THE
SAN BERNARDINO COMMUNITY COLLEGE DISTRICT ESTABLISHING TRUSTEE
AREAS FROM WHICH DISTRICT GOVERNING BOARD MEMBERS WILL
BE ELECTED AND APPROVING THE ELECTION OF SUCH BOARD
MEMBERS IN A BY-TRUSTEE AREA ELECTION PROCESS

WHEREAS, the San Bernardino Community College District ("District") currently
uses an "at-large" process of electing its governing board members; and

WHEREAS, "at-large" election processes such as the District's are subject to
challenge under the California Voting Rights Act of 2001, codified at sections 14025–
14032 of the California Elections Code ("CVRA"); and

WHEREAS, a "by-trustee area" election process is not vulnerable to challenge
under the CVRA; and

WHEREAS, by-trustee area elections require candidates for the District's Board
of Trustees (the "Board") to reside within a specific geographic area of the District called
a "trustee area" and candidates are elected by the voters of that trustee area; and

WHEREAS, Education Code section 72036 allows community college districts to
transition from an "at-large" election process to a "by-trustee area" election process
upon the adoption of a resolution by the District's Board and upon the approval of the
Board of Governors of the California Community Colleges; and

WHEREAS, the California Community College League and Redistricting Partners
helped guide the redistricting process for the San Bernardino CCD, including conducting
three public forums on August 8, 2013; September 12, 2013; and October 29, 2013 to
receive input; and

WHEREAS, the SBCCCD has recommended an adjusted trustee area boundary
plan for the Board's consideration; and

WHEREAS, the Board hereby adopted Plan 1 on December 1, 2013; and

WHEREAS, the Board hereby adopted the revised numbering of the districts in
Plan 1 on January 16, 2014; and

WHEREAS, each trustee area in the Plan contains substantially equal population
utilizing the most recent decennial federal census data as required by Education Code
section 72036; and

WHEREAS, the trustee areas from which governing board members will be
elected in November 2014 are Areas 2, 4, and 6; and WHEREAS, the trustee areas
from which governing board members will be elected in the following governing board member election occurring in November 2016 are Areas 1, 3, 5, and 7.

NOW THEREFORE, be it resolved by the Board of Trustees of the San Bernardino Community College District as follows:

1. That the above recitals are true and correct.
2. That the Board hereby adopts the Plan for use in a “by-trustee area” election process commencing with the District’s next regularly scheduled governing board member election occurring in November of 2014.
3. That the Chancellor and/or his designee take all actions necessary to obtain the approval of this change from the Board of Governors of the California Community Colleges and provide whatever information or assistance may be required by the Board of Governors to complete this process.

ADOPTED, SIGNED AND APPROVED this 16 day of January 2014.

[Signature]
Bruce Baron
Secretary to the Board of Trustees
San Bernardino Community College District