

**SAN JOSÉ UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
RESOLUTION 2024-06-13-01**

**CALLING A GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5,
2024, AND REQUESTING CONSOLIDATION AND PERFORMANCE OF SERVICES
FROM THE COUNTY OF SANTA CLARA REGISTRAR OF VOTERS**

WHEREAS, the Governing Board has adopted Bylaw 9220 pertaining to the conduction of elections in the San José Unified School District: and

WHEREAS, a Biennial District General Election has been ordered to be held on Tuesday, November 5, 2024, in the San José Unified School District of Santa Clara County for the purpose of electing three (3) Governing Board Members of the San José Unified School District for a term of four (4) years; and

WHEREAS, pursuant to Section 1001 of the Elections Code of the State of California, there is an established General Statewide election to be held on Tuesday, November 5, 2024; and

WHEREAS, pursuant to Part 3 (commencing with Section 10400) of the Elections Code of the State of California and Section 5342 of the Education Code of the State of California, such election may be either completely or partially consolidated and held on the same day, if in the same territory, or in territory that is part the same; and

WHEREAS, pursuant to Section 5322 of the Education Code of the State of California, this Board must adopt a resolution constituting a “Specifications of the Election Order”; and

WHEREAS, pursuant to Section 10002 of the Elections Code of the State of California, this Board may by resolution request the board of supervisors of the county to permit the county elections official to render specified services to the district relating to the conduct of an election.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That pursuant to Section 5322 of the Education Code of the state of California and Section 10403 of the Elections Code of the State of California, the Governing Board of the San José Unified School District calls for an election to be held on Tuesday, November 5, 2024, and requests the Board of Supervisors of Santa Clara County to completely consolidate the election with the General statewide election. The consolidated election will be held, regulated, and conducted in accordance with the provisions of law.

Section 2. That, pursuant to Section 5000 and 5009 of the Education Code of the State of California, a general election is necessary for purposes of filling a governing board seat for the offices listed below and to be voted upon at such election. That pursuant to Section 10508 of the Elections Code of the State of California, said officers are to be selected by trustee area and that the trustee areas from which said officers are to be elected are one (1) each from trustee areas one (1), three (3) and five (5)

<u>Title of Each Office</u>	<u>Length of Term</u>	<u>Number of Seats</u>	<u>Trustee Area</u>
Governing Board Member	4-year full term	1	Trustee Area 1
Governing Board Member	4-year full term	1	Trustee Area 3
Governing Board Member	4-year full term	1	Trustee Area 5

Section 3. That pursuant to Section 10514 of the Elections Code of the State of California, the qualifications for election to said offices, as prescribed by the principal act, are: each candidate must be eligible to serve as a Board member pursuant to Section 35107 of the Education Code of the State of California and reside within the boundaries of the trustee area assigned to the seat for which he or she is a candidate.

Section 4. That pursuant to Section 5421 of the Education Code of the State of California and Section 10002 of the Elections Code of the State of California, the San José Unified School District requests the services of the Board of Supervisors of the County of Santa Clara and the Registrar of Voters of the County of Santa Clara to render such services to the school district as requested by the Board Clerk, and pursuant to Section 5420 of the Education Code of the State of California shall reimburse the county for the costs incurred by the County of Santa Clara Registrar of Voters in conducting the general election for the school district. The school district requests the County of Santa Clara Board of Supervisors to permit the County of Santa Clara Registrar of Voters to prepare the school district’s election materials. The election services to be performed shall include the preparation, printing and mailing of official ballots and county voter information guides; the establishment of precincts, election ballots, return mail envelopes, ballot drop boxes, vote centers, election officers, and producing such publications as are required by law in connection therewith; the furnishing of ballots, envelopes, and other necessary supplies and materials for voting places; the canvassing of the returns of the election; the furnishing of the results of such canvassing to the Secretary to the Board of Education; and, the performance of other election services as may be requested by the Secretary to or the Board of Education.

Section 5. That the Governing Board of the San José Unified School District requests the Board of Supervisors of Santa Clara County to hold and conduct the election in the manner prescribed in Section 10418 of the Elections Code of the State of California and to further provide that the Registrar of Voters canvass the returns of the election. The County of Santa Clara is hereby authorized to certify the returns of the election.

Section 6. Pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted upon in the San José Unified School District on November 5, 2024, may, at the discretion of the candidate, prepare a candidate’s statement on an appropriate form provided by the Registrar of Voters office. The statement may include the name, age and occupation of the candidate and a brief description of no more than 400 words; that the cost of printing, translating and distributing said statements shall be borne by the candidates who file such statements, and that each candidate who files such a statement shall be required to pay in advance his or her pro rata share of the estimated costs of printing, translating, and distributing said candidate statement, and such estimated costs to be determined by the Registrar of Voters.

Section 7. That pursuant to Sections 5304 and 5016 of the Education Code of the State of California and Section 15651 of the Elections Code of the State of California, the method of determining the winner or winners in the event of a tie vote (two or more persons receive an equal and the highest number of votes for an office) as certified by the County of Santa Clara Registrar of Voters, the Board of Education of the San José Unified School District, in accordance with Section 15651(a), any tie vote shall be resolved by lot.

Section 8. In all particulars not recited in this resolution, the general election shall be held and conducted as provided by law for holding school district elections.

Section 9. That pursuant to Section 10522 of the Elections Code of the State of California, a current map showing the boundaries of the San José Unified School District and the boundaries of the trustee areas of the San José Unified School District has been submitted to the County of Santa Clara Registrar of Voters.

Section 10. That the names of all current Board Members and date each term ends are:

<u>Board Member</u>	<u>End of Term</u>	<u>Trustee Area</u>
Teresa Castellanos	12/06/2024	Trustee Area 1
José Magaña	12/11/2026	Trustee Area 2
Carla Collins	12/06/2024	Trustee Area 3
Brian Wheatley	12/11/2026	Trustee Area 4
Wendi Mahaney-Gurahoo	12/06/2024	Trustee Area 5

PASSED AND ADOPTED by the Board of Education of the San José Unified School District, San José, California this 13th day of June 2024 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

Nancy Albarrán
Superintendent and Secretary
Governing Board of Education

Wendi Mahaney-Gurahoo
President
Governing Board of Education