

**VOTER'S PAMPHLET**  
**MEASURES, ANALYSES AND ARGUMENTS**

(whichever is applicable to your ballot)  
Arguments in support of, or in opposition to, the proposed laws are the opinions of the authors.

**DURHAM UNIFIED SCHOOL DISTRICT**

**Q**

For the abolishment of Trustee Areas in Durham Unified School District \_\_\_ Yes  
For the abolishment of Trustee Areas in Durham Unified School District \_\_\_ No

**ABOLISHMENT OF TRUSTEE AREAS IMPARTIAL ANALYSIS OF MEASURE "Q" BY BUTTE COUNTY COUNSEL**

The Durham Unified School District ("District") measure is being submitted to the voters in the District pursuant to Education Code section 5020. The measure has come to the ballot as a result of actions taken by both the Butte County Committee on School District Organization and the Durham Unified School District Board of Education.

There are 5 trustees of the Durham Unified School District Board of Trustees. The District is divided into 5 "trustee areas". Pursuant to the existing requirements of the District, members serving on the Board of Trustees of the Durham Unified School District must reside in the geographic Trustee Area they represent.

A majority "yes" vote on the measure will eliminate the existing residency requirement as to Trustee Areas. This would mean that the only residency requirement applicable to a Board of Trustees member would be that he or she must be a resident of the District, without regard to residency within any particular Trustee Area. In order to serve on the Board of Trustees they must be a registered voter and reside within the District. A majority "yes" vote would not affect the status of any of the current incumbent Governing Board Members. A majority "yes" vote would simply mean that in future elections, voters would select Board of Trustee members for the entire District on an at-large basis, without regard to the geographic area of the District in which the candidates for any particular Board of Trustee vacancy reside.

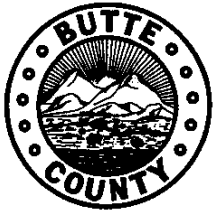
A majority "no" vote on the measure will not eliminate the existing residency requirement as to Trustee Areas discussed above. Thus, a majority "no" vote on the measure would not change the existing residency requirement of the District set forth above.

s/Bruce S. Alpert, Butte County Counsel

by s/David M. McClain, Assistant County Counsel

**The above statement is an impartial analysis of Measure Q. If you desire a copy of the measure, please call the Elections Official's Office at 1-800-894-7761 or (530) 538-7761 and a copy will be mailed to you at no cost.**

**NO ARGUMENT FOR OR AGAINST MEASURE Q WAS SUBMITTED**



BRUCE S. ALPERT  
COUNTY COUNSEL

**OFFICE OF COUNTY COUNSEL  
COUNTY OF BUTTE**

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FILED  
BUTTE COUNTY

2005 AUG 19 AM 9:49

CLERK - RECORDER

ASSISTANT COUNTY COUNSEL  
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DEPUTY COUNTY COUNSEL  
FELIX WANNENMACHER  
ELIZABETH MCGIE  
BRAD S. STEPHENS

August 11, 2005

Ms. Laurie Cassady  
Asst. Registrar of Voters  
County of Butte  
25 County Center Dr.,  
Oroville, CA 95965

Re: Impartial Analysis Regarding Abolishment of Trustee Areas; Durham Unified School District

Dear Ms. Cassady:

Per your request the following is our impartial analysis:

"The Durham Unified School District ("District") measure is being submitted to the voters in the District pursuant to Education Code section 5020. The measure has come to the ballot as a result of actions taken by both the Butte County Committee on School District Organization and the Durham Unified School District Board of Education.

There are 5 trustees of the Durham Unified School District Board of Trustees. The District is divided into 5 "trustee areas." Pursuant to the existing requirements of the District, members serving on the Board of Trustees of the Durham Unified School District must reside in the geographic Trustee Area they represent.

A majority "yes" vote on the measure will eliminate the existing residency requirement as to Trustee Areas. This would mean that the only residency requirement applicable to a Board of Trustees member would be that he or she must be a resident of the District, without regard to residency within any particular Trustee Area. In order to serve on the Board of Trustees they must be a registered voter and reside within the District. A majority "yes" vote would not affect the status of any of the current incumbent Governing Board Members. A majority "yes" vote would simply mean that in future elections, voters would select Board of Trustee members for the entire District on an at-large basis, without regard to the geographic area of the District in which the candidates for any particular Board of Trustee vacancy reside.

A majority "no" vote on the measure will not eliminate the existing residency requirement as to Trustee Areas discussed above. Thus, a majority "no" vote on the measure would not change the existing residency requirement of the District set forth above.

Very truly yours,

BRUCE S. ALPERT  
Butte County Counsel

By   
David M. McClain  
Assistant County Counsel

**BUTTE  
COUNTY**  
**OFFICE OF  
EDUCATION**

**DON McNELIS**  
SUPERINTENDENT  
dmcnelis@bcoe.org

Mia Osborne-Ng  
Sr. Executive Assistant  
mng@bcoe.org

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2005 APR 21 AM 10:15

*M. Proulx*  
CLERK - RECORDER

April 18, 2005

Ms. Candy Grubbs  
Butte County Registrar of Voters  
25 County Center Drive  
Oroville, CA 95965

RE: Abolition of Durham Unified School District Trustee Areas

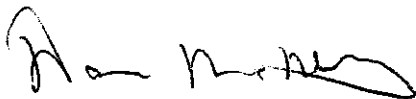
Dear Candy:

Action was taken at the April 13, 2005 meeting of the Butte County Committee on School District Organization approving the proposal of the Durham Unified School District Board of Education to replace the current system for election of trustees by trustee areas with a system of at large trustee elections.

According to the Education Code, the Butte County Committee on School District Organization has prepared Resolution #04-13-05 which constitutes an Order of Election, instructing you to place the matter on the next regularly schedule statewide election. I am enclosing a copy of the executed Resolution #04-13-05 for your reference.

Please contact me if you have any questions concerning the resolution or the order of election.

Sincerely,



Don McNelis, Superintendent  
Butte County Office of Education

Cc: Dr. Penny Chennell, Superintendent, Durham Unified S.D.  
Durham Unified School District Board of Education

"WHERE CHILDREN COME FIRST"

**BUTTE  
COUNTY**  
**OFFICE OF  
EDUCATION**

DON McNELIS  
SUPERINTENDENT

**BUTTE COUNTY COMMITTEE  
ON  
SCHOOL DISTRICT ORGANIZATION**

**RESOLUTION #04-13-05**

**WHEREAS**, members serving on the Board of Trustees of the Durham Unified School District must currently reside in the geographic Trustee Area they represent; and

**WHEREAS**, changing population demographics have made the Trustee Areas unequal in terms of the number of citizens each Trustee Area represents; and

**WHEREAS**, in the last two Board of Trustee elections, Durham Unified School District has not had elected candidates from each trustee area; and

**WHEREAS**, the current Durham Unified School District Board of Trustees has three appointed trustees; and

**WHEREAS**, pursuant to Education Code § 5019, the Butte County Committee on School District Organization is given the statutory authority to abolish Trustee Areas; and

**WHEREAS**, pursuant to Education Code § 5019, a proposal to abolish Trustee Areas was made to the Butte County Committee on School District Organization by Resolution of the Board of Trustees of the Durham Unified School District; and

**WHEREAS**, the Butte County Committee on School District Organization calls and conducts this hearing as it has been noticed; and

**WHEREAS**, the Butte County Committee on School District Organization at the closing of this hearing will approve/disapprove the proposal to abolish Trustee Areas by Resolution of the Board of Trustees of the Durham Unified School District; and

**WHEREAS**, pursuant to Education Code § 5020 the approval by this resolution by the Butte County Committee on School District Organization of the proposal to abolish Trustee Areas of the Durham Unified School District will constitute an order for election; and

**WHEREAS**, the order of election mandates the proposal be submitted to the electors of the Durham Unified School District no later than the next succeeding election for members of the Durham Unified School District Board of Trustees; and

**WHEREAS**, pursuant to Education Code § 5020 the proposal to the electors shall be submitted as follows:

For the abolishment of Trustee Areas in Durham Unified School District \_\_\_\_\_ Yes  
For the abolishment of Trustee Areas in Durham Unified School District \_\_\_\_\_ No

**WHEREAS**, if a majority of the qualified electors voting on such proposition vote "Yes", the proposition is approved; and

**WHEREAS**, it is desirable that said election be consolidated with such other election or elections as may be held on the same day, in the same territory or in territory that is in part the same; and

**NOW, THEREFORE, BE IT RESOLVED** that in the judgment of the Butte County Committee on School District Organization, it is advisable to order the Butte County Registrar of Voters to call an election on the question of whether the Trustee Areas of the Durham Unified School District shall be abolished; and

**BE IT RESOLVED** that the election shall be consolidated with the next statewide election; and

**BE IT RESOLVED** that the purpose of this order of election shall be for the voters in the Durham Unified School District to vote on the proposition, set forth above containing the question of whether the Durham Unified School District shall abolish Trustee Areas; and

**BE IT RESOLVED** that this Resolution shall stand as the order to the Butte County Registrar of Voters to call an election within the boundaries of the Durham Unified School District for the next statewide election; and

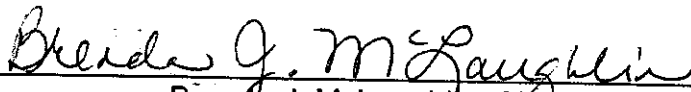
**BE IT RESOLVED** that the Secretary of the Butte County Committee on School District Organization send a copy of this Resolution to the Butte County Registrar of Voters no later than 60 days from the date of approval; and

**BE IT RESOLVED** that the Butte County Committee on School District Organization requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass be made by any body or official authorized by law to canvass the return of the election; and that the Butte County Committee on School District Organization consents to such consolidation.

**BE IT RESOLVED** the Butte County Board of Supervisors is requested to permit the Butte County Registrar of Voters to render all services specified by the Elections Code, relating to the election, for which services the Durham Unified School District agrees to reimburse Butte County.

ADOPTED, SIGNED AND APPROVED this 13<sup>TH</sup> day of APRIL, 2005

BUTTE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

  
Brenda J. McLaughlin, Chairperson

ATTEST:

By:   
Don McNelis, Superintendent/Secretary

## RESOLUTION 05-02 ABOLISHMENT OF DISTRICT TRUSTEE AREAS

WHEREAS, on February 16, 2005 the Board of Education of the Durham Unified School District conducted a public hearing to receive input concerning abolishing the district's present system of electing trustees on the Board of Education by trustee area and replacing it with a system of "at-large" trustee elections; and

WHEREAS said public input was primarily favorable; and

WHEREAS, Education Code Section 5019 authorizes the Board of Education to request that the County Committee on Reorganization consider the abolishment of trustee elections by trustee area and their replacement with at-large trustee elections; and,

WHEREAS, it is in the best interest of the Durham Unified School District that the present system of election of trustees be modified to abolish trustee areas and create an at-large system of election; and

NOW THEREFORE be it resolved that the Board of Education of the Durham Unified School District hereby requests that the Butte County Committee on Reorganization consider and take action upon this school district's request that the current system for election of trustees by trustee area be abolished and that it be replaced by a system of at large trustee elections; and

BE IT FURTHER RESOLVED that the Superintendent of the Durham Unified School District be and she is hereby authorized and directed to transmit this resolution to the County Committee on Reorganization and thereafter effectuate the intent of this resolution.

I, Todd Southam, Clerk of the Governing Board of the Durham Unified School District of Butte County, California, certify that this Resolution proposed by MARK KIMMELSHUE, seconded by BRUCE BACK, was duly passed and adopted by the Board, at an official and public meeting this 1<sup>st</sup> day of March, 2005, by the following vote:

AYES: 5

NOES: 6

ABSENT: 0

Todd Southam

Todd Southam, Clerk of the Board  
of the Durham Unified School District of Butte County, California