

WAKE COUNTY BOARD OF EDUCATION

Resolution Requesting Legislation to Return to Odd-Year Elections for School Board Members with Staggered Four-Year Terms

WHEREAS, since the merger of the Wake County Schools Administrative Unit and the Raleigh City Schools Administrative Unit in 1975 (“the merger”), the Wake County Board of Education has been comprised of nine members elected from single-member districts;

WHEREAS, since the merger and until 2013, Board of Education members have been elected to four-year terms in odd-year elections at the time of the non-partisan municipal elections;

WHEREAS, since the merger and in order to promote continuity of governance, the terms for the members of the Board of Education elections have been staggered so that the entirety of the Board of Education do not stand for election at the same time;

WHEREAS, prior to 2013, members of the Wake County Board of Education were elected via the non-partisan election and runoff method;

WHEREAS, in 2013, the General Assembly adopted S.L. 2013-110, which adopted new electoral districts and a new electoral scheme, including moving the elections to even-years;

WHEREAS, a group of citizens in Wake County challenged S.L. 2013-110 in federal court, arguing that the law violated the constitutional principle of one-person one-vote;

WHEREAS, after a trial and an appeal to the Fourth Circuit Court of Appeals, S.L. 2013-110 was struck down as unconstitutional in 2016;

WHEREAS, with election deadlines looming for the 2016 elections, United States District Court Judge James Dever ordered the Wake County Board of Elections to use districts adopted by the Board of Education in 2011 in that election;

WHEREAS, under the remedial scheme adopted by Judge Dever, all nine members of the Board of Education stood for election for a two-year term in 2016;

WHEREAS, in 2017, the parties to the litigation entered into a Consent Decree approved by the Court which again had all nine members of the Board of Education elected for two-year terms in the 2018 election;

WHEREAS, again in 2020, all nine members of the Board of Education were elected to two-year terms;

WHEREAS, by its terms, the Consent Decree expires with the return of the 2020 census;

WHEREAS, the Census Bureau has indicated that the block level census data will be released by September 30, 2021;

WHEREAS, the Board of Education intends to engage in the redistricting process following the return of the 2020 census; and

WHEREAS, to promote clarity, stability, and to return to the electoral system in place from the time of the merger until 2013, the Wake County Board of Education seeks local legislation to return the Board of Education to four-year staggered terms elected via the non-partisan election and runoff method in odd years at the time of the non-partisan municipal elections.

NOW, THEREFORE, BE IT RESOLVED by the Wake County Board of Education that:

The Wake County Board of Education supports passage of local legislation to return the Board of Education to four-year staggered terms elected in odd years via the non-partisan election and runoff method at the time of the non-partisan municipal elections.

WAKE COUNTY BOARD OF EDUCATION

By: _____
Keith Sutton, Chairman

ATTEST: _____
Cathy Moore, Secretary