

EXHIBIT A

RESOLUTION
Authorize Action Involving
Legal proceeding NAACP v. ERCSD

WHEREAS, in decision dated May 26, 2020, Judge Cathy Seibel of the US District Court for the Southern District of New York ordered the Board to propose a remedial plan for District elections which would establish nine voting districts; and,

WHEREAS, on June 25, 2020, the District proposed a remedial plan based on the plan developed by Plaintiffs' expert witness that Plaintiffs advanced at trial; and,

WHEREAS, on July 27, 2020, Plaintiffs rejected the District's proposal, and proposed an alternative plan to the Court, to which the District responded pursuant to court order; and,

WHEREAS, the Board negotiated with Plaintiffs, through counsel, and reached a mutually agreeable ward map to be proposed to the Court by the October 2, 2020; and,

WHEREAS, the Board of Education has met, including with counsel, on issues and considerations related to the remedial plan:

**NOW THEREFORE, BASED ON THE FOREGOING, the BOARD HEREBY
AUTHORIZES COUNSEL TO:**

- 1) File papers with the Court on or before October 2, 2020, which preserve all rights of appeal and review for the District;
- 2) Submit a proposed ward plan showing nine wards developed in cooperation with Plaintiffs, and in all other respects reflecting the plan proposed by the District in its June 25, 2020 submission (ECF 583), which meets the requirements set forth in the District Court decision; and
- 3) In its filing to the District Court, again request postponement of implementation of any remedial plan for District elections until release of 2020 census data in order to allow for consideration of the proposed ward plan in light of updated demographic/census data.
- 4) Take necessary steps to implement the provisions of this resolution.

Motion made by: Mr. Grossman

Seconded by: Mr. Trieger

VOTE:

AYES: 7

NAYS: 0

Regular Board Meeting – September 29, 2020