



Fagen Friedman & Fulfroost LLP

Public Hearing Comments in Advance of Preparing Trustee Area Map Options



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What is the California Voting Rights Act (“CVRA”)?

- Took effect January 1, 2003
- Prohibits the use of “at-large” elections when such an election system:

“impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election....”

(Elections Code § 14027.)



Does not require intent

- The CVRA is far broader than its federal counterpart
- Much easier for a plaintiff to bring a claim against a government entity
- Proof of intent on the part of voters or elected officials to discriminate against a protected class is not required
(Elections Code § 14028(d).)



Right to Attorneys' and Expert Fees

CVRA grants a prevailing plaintiff the right to recover reasonable attorneys' fees **AND** expert witness fees.

If district wins, it is **not** granted the same right.

(Elections Code § 14030.).



What is a “By-Trustee Area” Election System?

- *Only safe harbor from a CVRA claim*
- School district is divided into trustee areas
- A governing board member is elected from each trustee area
- Board members are elected **by only the registered voters in the particular trustee area** where the governing board member resides

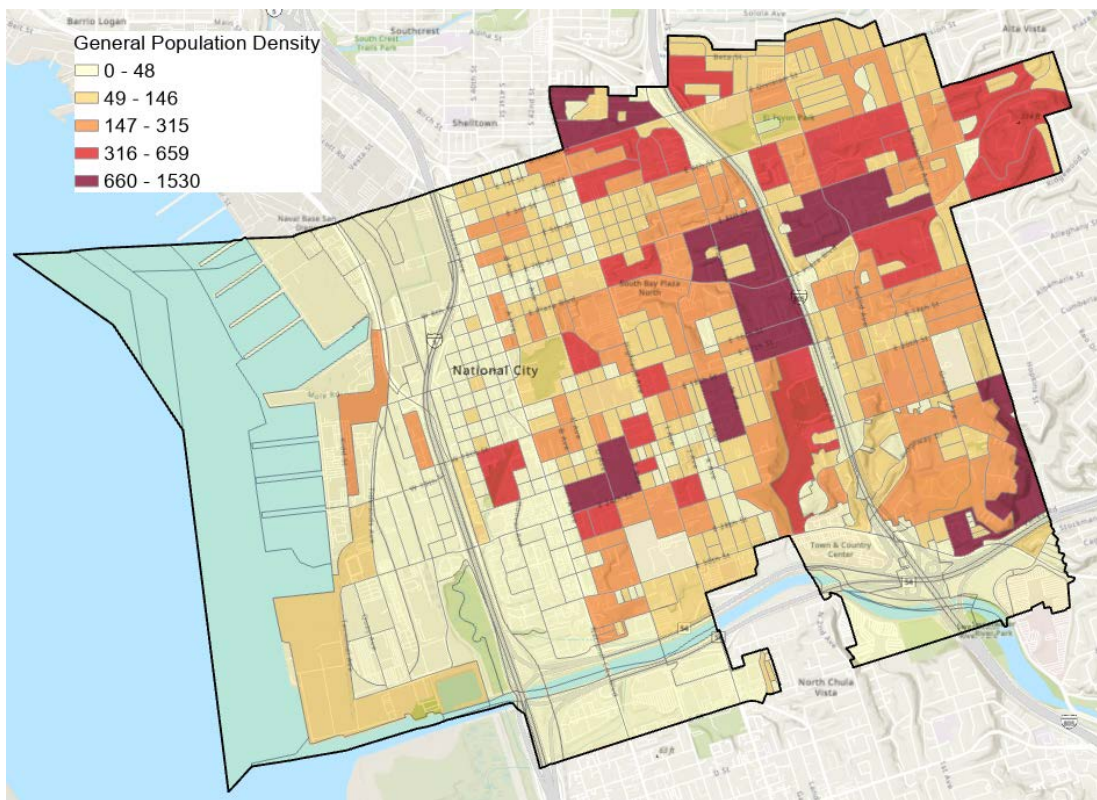


Current Step: Two Public Hearings

- Prior to the preparation of draft trustee voting area plans by the District's demographer
- Receive community comments and public testimony concerning:
 - The composition of potential trustee voting areas associated with the District's transition to a by-trustee area election system



District's Demographics



Total Population per the 2020 Census: **56,520**

Target for each of the 5 proposed Trustee Areas: **11,304**

A total of **635** Census Blocks that make up the District boundary



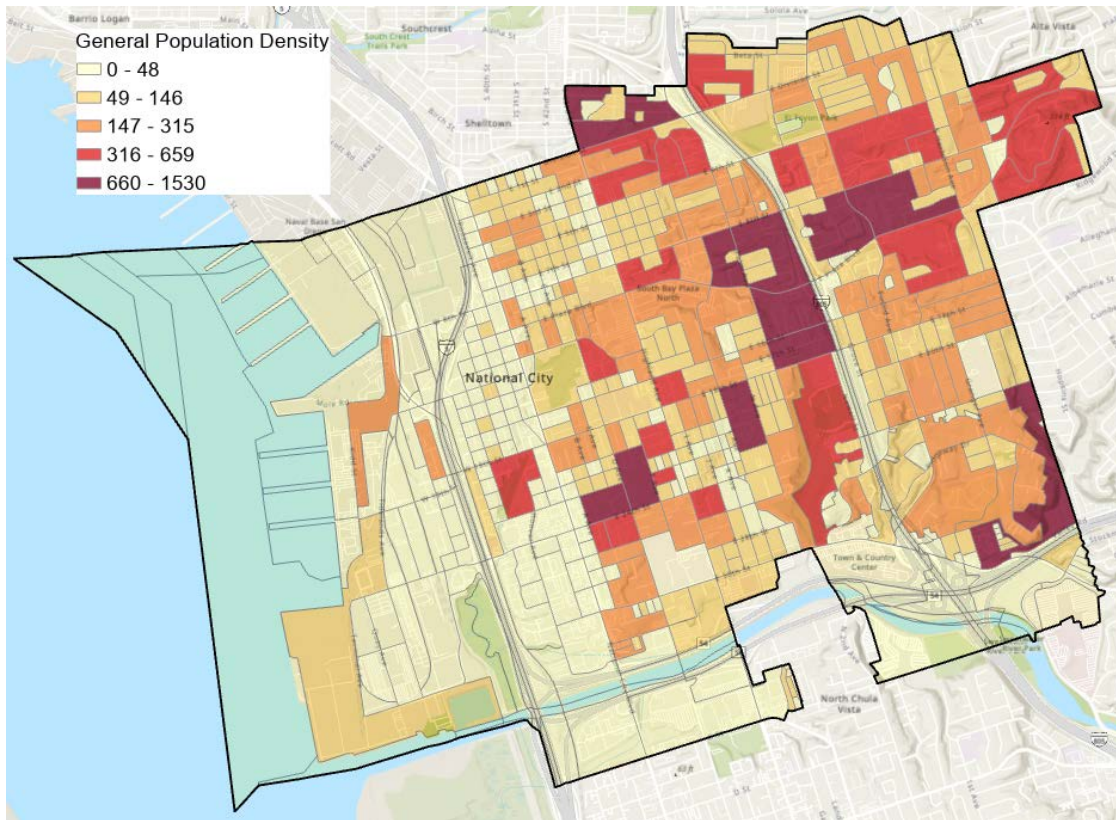
Keep in mind...

- With a total population of **56,520**, *each Trustee Area* will include ***approximately 11,304 people***.
- The difference between the largest and smallest trustee areas can be no more than 1,130 people.
- Census Blocks vary significantly in shape, size, and population totals.
- Census Blocks generally are not to be “split” with a Trustee Area boundary line – since we would lose the accuracy of the population balancing count.



District's Demographics

2020 Census Data (Total Population)

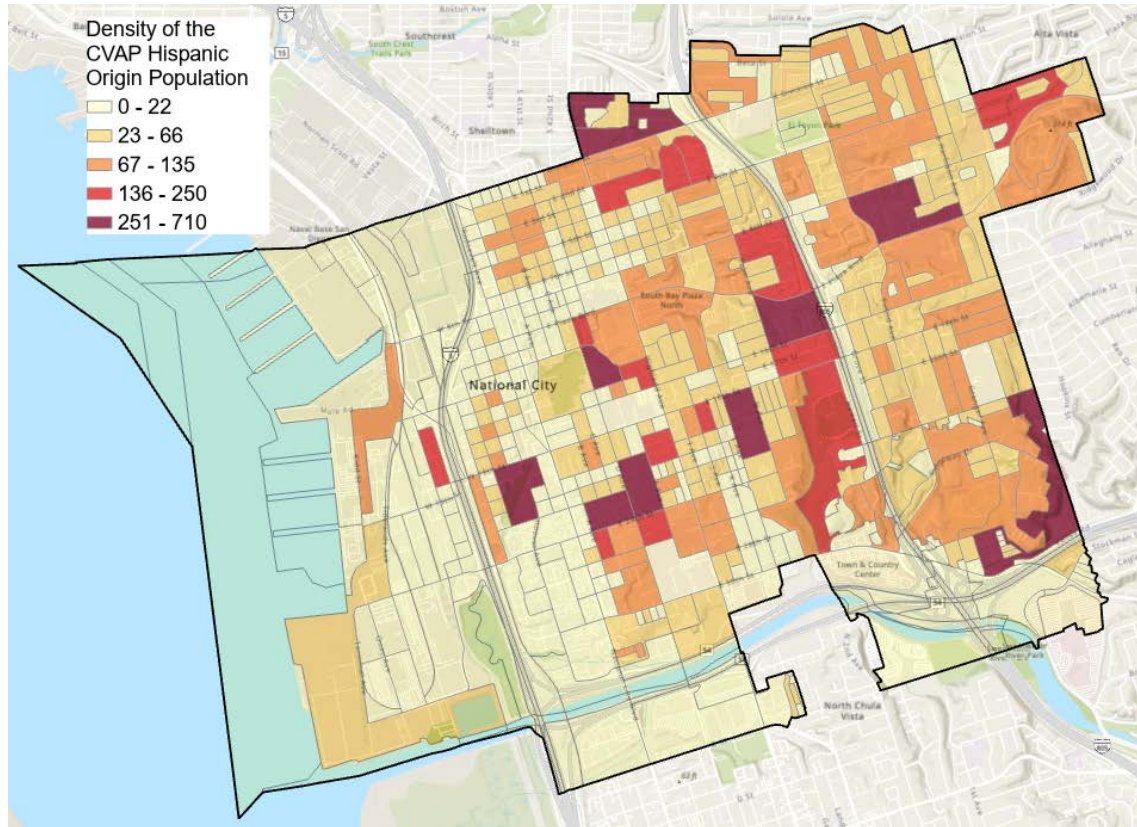


Race / Population Breakdowns	56,520
Hispanic/Latino	37,666
	66.64%
White	4,487
	7.94%
Asian	10,606
	18.77%
Black/African American	1,925
	3.41%
Native Hawaiian/Pacific Islander	287
	0.51%
American Indian/Alaska Native	123
	0.22%
Other	166
	0.29%
Two or More Races	1,260
	2.23%



District's Demographics

Hispanic Citizen Voting Age Population Estimates

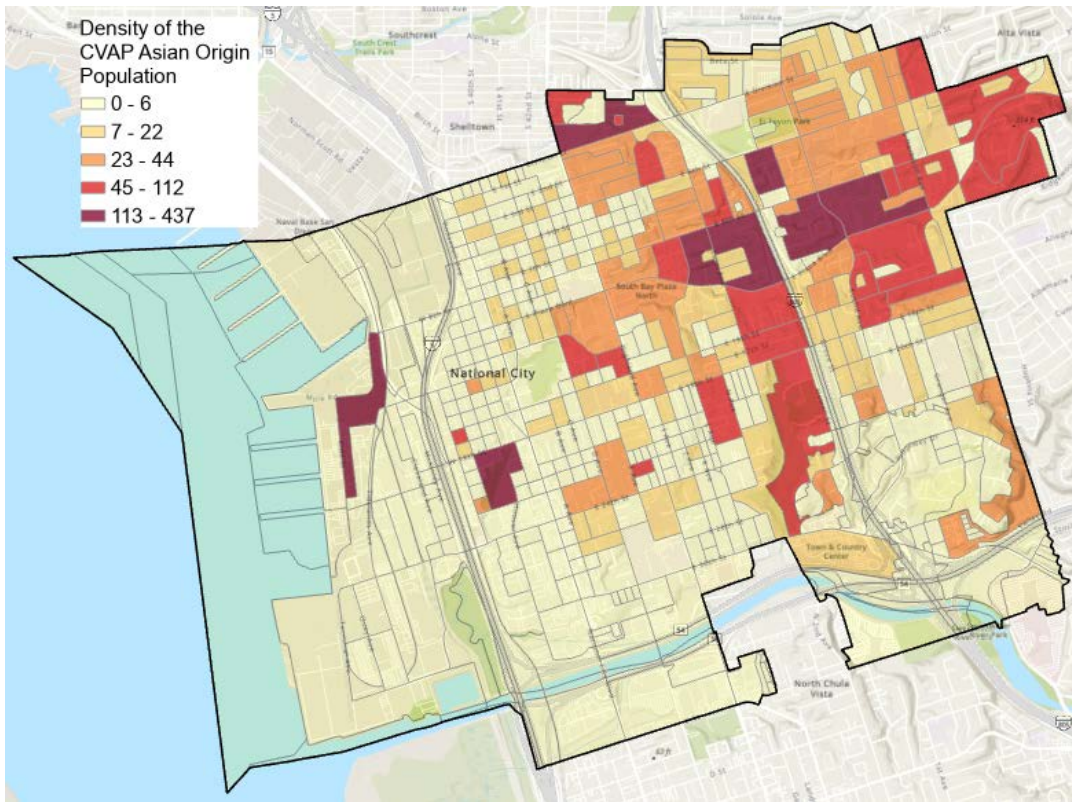


Race Breakdowns / CVAP Totals		37,882
Hispanic/Latino		21,409
		56.51%
White		6,280
		16.58%
Asian		6,580
		17.37%
Black/African American		2,467
		6.51%
Native Hawaiian/Pacific Islander		327
		0.86%
American Indian/Alaska Native		133
		0.35%
Two or More Races		686
		1.81%



District's Demographics

Asian Citizen Voting Age Population Estimates



Race Breakdowns / CVAP Totals	37,882
Hispanic/Latino	21,409
	56.51%
White	6,280
	16.58%
Asian	6,580
	17.37%
Black/African American	2,467
	6.51%
Native Hawaiian/Pacific Islander	327
	0.86%
American Indian/Alaska Native	133
	0.35%
Two or More Races	686
	1.81%



Type of Feedback & Commentary Being Solicited

***“I would like to keep Neighborhood X
and Neighborhood Y in the same trustee
area...”***



Type of Feedback & Commentary Being Solicited

“I think . . .

- Interstate 5 / the 805 / the 54
- Highland Ave/
- Division St
- National City Blvd
- Euclid Ave

***. . . may make sense as a trustee area
boundary because . . .***

- It seems like a natural boundary
- It makes sense geographically



After Pre-Map Public Hearings

- Draw Draft Trustee Area Plans
 - Demographer to use 2020 Census Data and additionally permitted updated data.
 - Population must be as equal “as is practicable” – people, not citizens.
 - Ed Code section 1002: “...trustee areas shall be as nearly equal in population...”
 - A certain amount of deviation (10%) may be permitted.



Criteria for Consideration

- Comply with the U.S. Constitution.
- Comply with the California Constitution.
- **Population Balance:**
 - Each area shall contain nearly equal number of inhabitants
- **Comply with the Federal Voting Rights Act:**
 - Determine whether it is possible to create an election district or districts in which a minority group is sufficiently large and geographically compact to constitute a majority in a single-member district.



Criteria for Consideration

AB 764 / Elections Code § 21130

Order of priority:

- Contiguous
- Local Neighborhoods/*Communities of Interest*
- City/Census designated places
- Natural/artificial boundaries
- Geographical compactness

Other Criteria for Consideration:

- Other local considerations
- May not adopt boundaries for the purpose of favoring/discriminating against an incumbent, political candidate or political party.



Final Thoughts

- Does not change overall District boundaries
- Does not change school attendance boundaries
- **Does not** change how the District is governed:
 - Each Board member, regardless of the trustee area in which he/she resides, still owes fiduciary duty to entire District
 - Still one District with common goals and challenges!!!



Schedule

March 19, 2025	Pre-Map Public Hearing #1
April 9, 2025	Pre-Map Public Hearing #2
<i>Draft map options prepared by demographer</i>	
April 23, 2025	Map Public Hearing #1
May 14, 2025	Map Public Hearing #2
May 28, 2025	Map Public Hearing #3 / Map Adoption



