



Fagen Friedman & Fulfroft 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.)



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



Recent Legislative Changes

■ AB 350

- Additional “pre-map” public hearing requirements
 - Two within first 30 days
- Transition Timelines with litigation safe havens
 - 90 days from initiation
- Plaintiff fee reimbursement



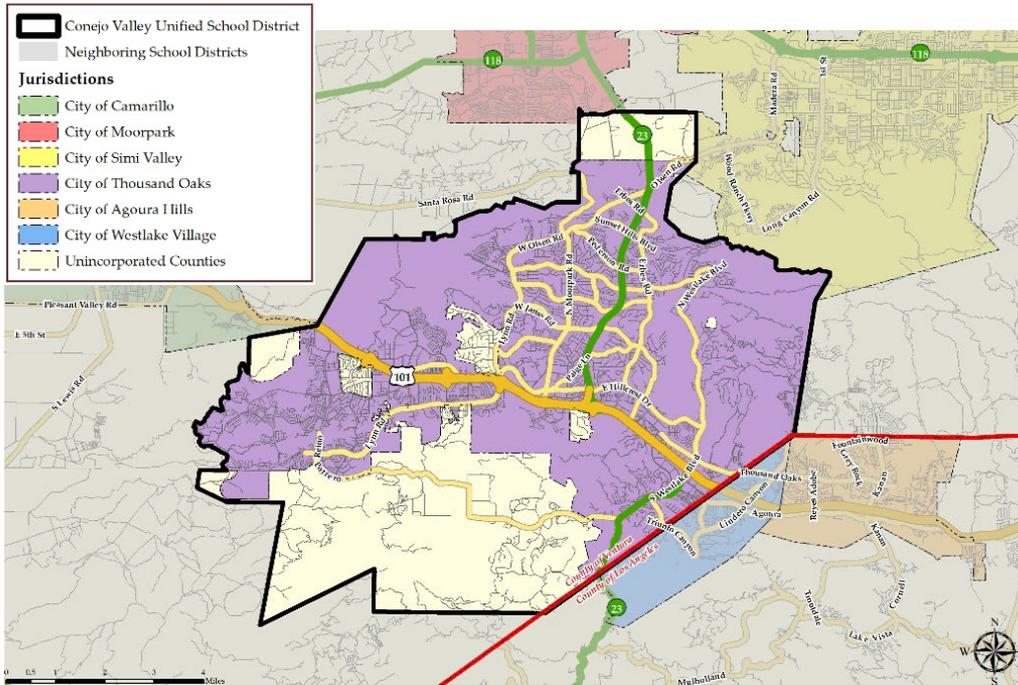
Current Step: Two Public Hearings

- 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

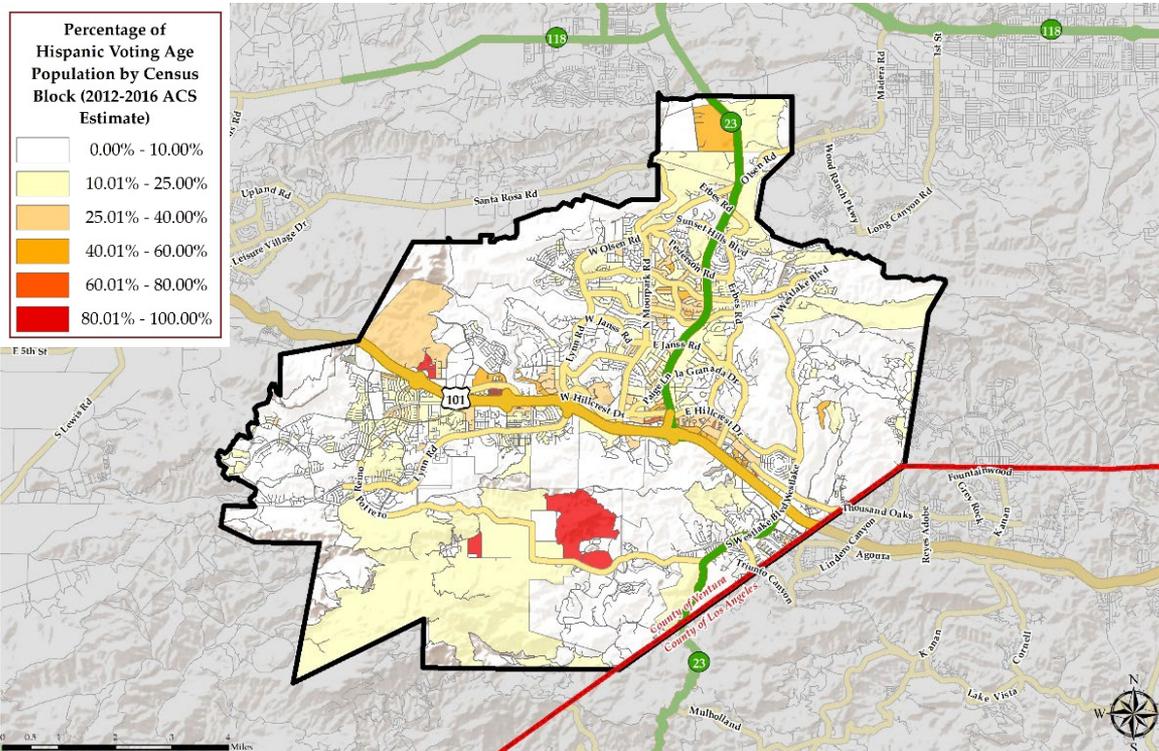


Population	Total Population		Age 18 and over	
	Total	%	Total	%
Hispanic/Latino	22,2607	16.73%	15,332	14.88%
White	95,365	70.59%	75,460	73.26%
Black/ African American	1,566	1.16%	1,200	1.16%
American Indian/ Alaska Native	245	0.18%	189	0.18%
Asian	11,354	8.40%	8,773	8.52%
Native Hawaiian/ Pacific Islander	137	0.10%	116	0.11%
Other	281	0.21%	163	0.16%
Two or More Races	3,540	2.62%	1,772	1.72%
Total Population	135,095	100.00%	103,005	100.00%



District's Demographics

CVAP



Population	2012-2016 CVAP	
	Total	%
Hispanic/Latino	11,282	11.83%
White	74,283	77.89%
Black/ African American	918	0.96%
American Indian/ Alaska Native	134	0.14%
Asian	6,947	7.28%
Native Hawaiian/ Pacific Islander	99	0.10%
Two or More Races	1,705	1.79%
Total Population	95,368	100.00%



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 . . .

- The 101
- The 23
- Lynn Road
- Moorpark Road
- Conejo Creek Park

***. . . 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 2010 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 may be permitted.



More Criteria for Consideration

Article 21 of the California Constitution:

- Comply with the U.S. Constitution.
- Achieve population equality as nearly as is practicable.
- Comply with the Federal Voting Rights Act.
- Voting districts shall be geographically contiguous.
- Local *communities of interests*.
- Geographical compactness.
- Cannot favor or discriminate 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

Tuesday, December 4	Pre-Map Public Hearing #1
Tuesday, December 11, 2018	Pre-Map Public Hearing #2
<i>Draft map options prepared for public review</i>	
Tuesday, January 22, 2019	Map Public Hearing #1
Tuesday, February 5, 2019	Map Public Hearing #2
Tuesday, February 19, 2019	Map Public Hearing #3



