

LOS ALAMITOS UNIFIED SCHOOL DISTRICT

OCTOBER 15, 2019

RESOLUTION NO. 2019-2020-09

**RESOLUTION ESTABLISHING CRITERIA FOR
DEVELOPING TRUSTEE AREA BOUNDARIES**

WHEREAS, the Los Alamitos Unified School District (“District”) does not have trustee areas for the members of its Board of Education (“Board”), and the District currently utilizes an “at-large” method of election to select Board members; and

WHEREAS, the Board is aware that under state law an at-large method of election may be subject to challenge under the California Voting Rights Act of 2001 (“CVRA”), California Elections Code §§ 14025, et seq.; and

WHEREAS, the Federal Voting Rights Act of 1965 § 2; 52 U.S.C. § 10301 (formerly 42 U.S.C. section 1973) prohibits the use of any voting qualification, or prerequisite to voting, or standard, practice, or procedure, in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color; and

WHEREAS, federal law and the Equal Protection Clause require that each trustee area be equal in population to ensure compliance with the “one person, one vote” rule; however, deviations less than five percent (5%) greater than or less than the average sized area, for a total of ten percent (10%) deviation are presumptively constitutional under the Equal Protection Clause; and

WHEREAS, the Board has retained an experienced demographic consulting firm, National Demographics Corporation (“NDC”) and experienced legal counsel to advise it on the process of preparing a trustee area plan for submission to the County Committee; and

WHEREAS, the Board now wishes to adopt criteria to guide in the consideration of establishment of trustee areas consistent with legal requirements, including reasonably equal population and Section 2 of the Federal Voting Rights Act, and which address other concerns and considerations important to the District.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby finds the foregoing recitals to be true and correct; and

BE IT FURTHER RESOLVED that the Board hereby adopts the following criteria to guide in the consideration of establishment of trustee areas for the elections of members of Board:

1. Each trustee area shall contain a nearly equal number of inhabitants;
2. Trustee area borders shall be drawn in a manner that complies with the Federal Voting Rights Act;

3. Trustee areas shall consist of contiguous territory in as compact a form as possible given the other criteria set forth herein;
4. Trustee area borders shall respect communities of interest as much as possible;
5. Trustee area borders shall consider jurisdictional boundaries as much as possible;
6. Trustee area borders shall consider respect for incumbency and voter choice to elect or to not elect the incumbents insofar as this does not conflict with federal or state law; and
7. Trustee areas known to be areas of higher-than-average population growth in the two to five years following the establishment of trustee areas may be underpopulated within the population deviation amounts allowed by law.

BE IT FURTHER RESOLVED that the Superintendent or his designee is hereby authorized and directed to instruct the professional demographer to formulate three or more trustee area plan scenarios based upon the criteria specified above for review by the public at public hearings and for consideration by the Board at future meetings.

BE IT FURTHER RESOLVED that the Superintendent or his designee shall be authorized to take any additional acts needed to effectuate the purpose and intent of this resolution.

APPROVED, PASSED AND ADOPTED by the Board of Education of the Los Alamitos Unified School District this 15th day of October, 2019 at Los Alamitos, in the County of Orange, State of California, by the vote of:


AYES: Hill, CUTULI, RUSSELL, BOYER, DAVIDSON

NOES:

ABSTAIN:

ABSENT:

The below-signed attests that she was present at the open session meeting of the Board of Education on October 15, 2019, and that a majority of the members approved this Resolution.

BY: 
 Diana D. Hill
 President, Board of Education
 Los Alamitos Unified School District

DATED: October 15, 2019