

**FREMONT UNION HIGH SCHOOL DISTRICT  
RESOLUTION NO. 2223-19**

**INDICATING INTENTION TO TRANSITION GOVERNING BOARD ELECTIONS  
FROM AT-LARGE TO BY-TRUSTEE AREA ELECTIONS**

**WHEREAS**, the Fremont Union High School District ("District") is governed by a five member Governing Board ("Board");

**WHEREAS**, members of the Board are elected "at large," in which each member of the Board is elected by the registered voters of the entire District;

**WHEREAS**, upon application to the Santa Clara County Committee on School District Organization ("County Committee"), the election of Board members may be transitioned from "at large" to "by-trustee area" elections;

**WHEREAS**, the California Voting Rights Act (Elec. Code, §§ 14025 et seq.) ("CVRA") prohibits the use of "at large" elections where their use impairs the ability of a protected class to elect candidates of its choice, or its ability to influence the outcome of elections;

**WHEREAS**, over the past several years, many school districts have received letters threatening litigation if they do not change their method of election from at-large to by-trustee area, alleging that elections for their governing board members violate the CVRA and threatening litigation if they do not take action to change the method for electing board members;

**WHEREAS**, the District has not yet received such a letter, however, the Board recognizes that many school districts and other local agencies have already or are considering changing their elections in light of the CVRA and the threat of litigation;

**WHEREAS**, the CVRA allows a plaintiff to file suit over violation of the CVRA and recover his or her attorneys' fees, if successful;

**WHEREAS**, to date, no local agency has successfully defended against a CVRA challenge;

**WHEREAS**, the District will retain an experienced demographer, to work with its legal counsel and staff to develop proposed trustee area boundaries; and

**WHEREAS**, the transition to by-trustee area elections will not affect the terms of any Board members.

**NOW THEREFORE**, the Governing Board of the Fremont Union High School District hereby resolves, determines, and finds the following:

**Section 1.** That the foregoing recitals are true.

**Section 2.** This Resolution indicates the Board's intention to transition from at-large to by-trustee area elections pursuant to Elections Code section 10010, subd. (e)(3)(A).

**Section 3.** The Board seeks public input on the trustee area boundaries and will employ the following steps and estimated timeline to facilitate this transition:

Spring-Summer 2023: Pre-Map Public Hearings  
Summer-Fall 2023: Develop Trustee Area Maps with Public Input and Associated Public Hearings  
Fall-Winter 2023: Final Public Hearing & Adoption of Trustee Area Maps

This estimated timeline may be augmented or adjusted by the District as necessary. These steps will be followed by submittal of the proposed transition for final approval by the County Committee.

**Section 4.** District staff is authorized to work with the selected demographer and its legal counsel and execute any documents necessary to carry out the intent of this Resolution.

The foregoing Resolution was passed and adopted at a meeting of the Governing Board on March 7, 2023, by the following vote:

AYES: 5  
NOES: 0  
ABSENT: 0  
ABSTAIN: 0

  
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President of Governing Board  
Fremont Union High School District

  
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Clerk of Governing Board  
Fremont Union High School District