

**FREMONT UNION HIGH SCHOOL DISTRICT**

**TRANSITION TO  
TRUSTEE AREAS**



# INTRODUCTION

## COMMUNITY TRUSTEE AREA DISTRICTING (CTAD) COMMITTEE

The Community Trustee Area Districting (CTAD) Committee is made up of 16 members representing various community stakeholders within the Fremont Union High School District (FUHSD). Here's what we do:

### **Educate the Community**

Expand community awareness about the transition from At Large to By Trustee Area Elections by sharing important information, with a focus on reaching those not easily reached by the school district.

### **Enhance Community Engagement**

Increase outreach efforts and actively seek feedback from the community on sample maps (Scenarios 1-4), identify and understand communities of interest, and ensure diverse voices are heard.

### **Feedback Analysis and Synthesis**

Review and synthesize the collected feedback and community-submitted maps and create a recommendation of possible maps and sequencing for the School Board to review.

### **Present to the School Board**

Present the recommended maps and sequencing to the School Board for thorough review and final approval.

**The CTAD Committee is committed to ensuring a fair and inclusive districting process, aligning with the values and interests of the diverse communities within FUHSD.**

# THE CTAD COMMITTEE IS NOT ADDRESSING...

- SCHOOL ATTENDANCE BOUNDARIES
- SCHOOL CLOSURE OR NEW SCHOOLS
- CITY GROWTH (Connect with your City Council)
- STOPPING OR DELAYING THE TRUSTEE AREA PROCESS

3

For questions or concerns regarding these items, please email District staff or the Board or provide public comment at a Board Meeting.

# **THIS PRESENTATION WILL COVER**

BOARD OF TRUSTEES

CURRENT STATE

TRUSTEE AREAS ELECTION PROCESS PART I

COMMUNITY CONCERNS, MISINFORMATION, & MISCONCEPTIONS:

WHAT THIS PROCESS IS NOT

TRUSTEE AREAS ELECTION PROCESS PART II

CALL TO ACTION

# BOARD OF TRUSTEES

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# A BOARD OF TRUSTEES CAN BE CALLED...

- Board of Trustees
- Board of Education
- School Board\*

# A TRUSTEE CAN BE CALLED...

- Trustee
- Board of Education Member
- School Board Member
- Board Member\*

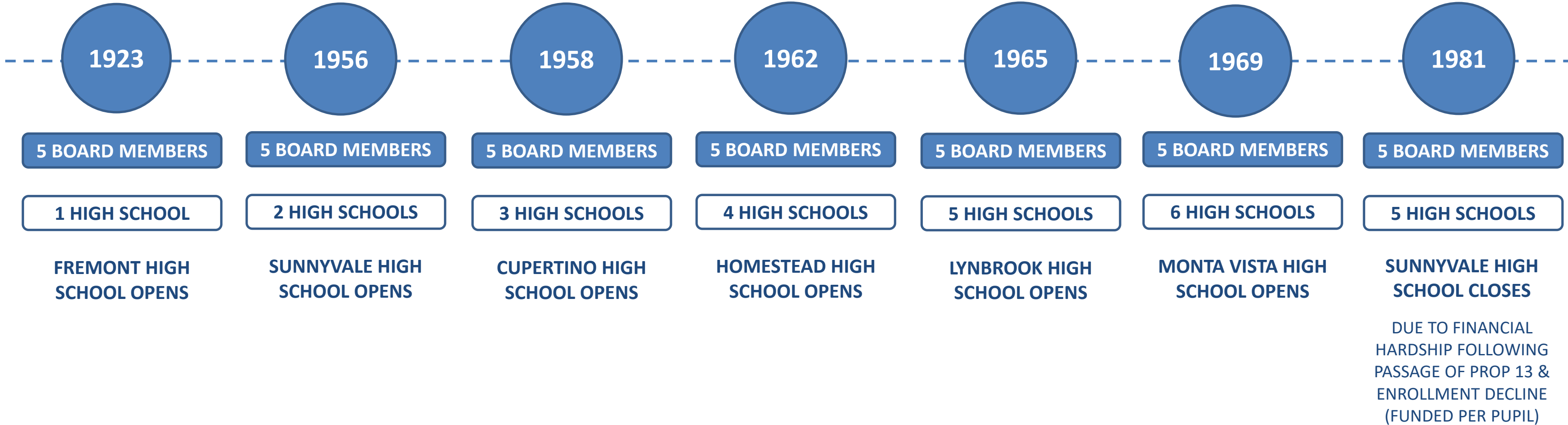
*\*This presentation will use the names School Board and Board Member(s) for simplicity.*

# A SCHOOL BOARD IS MADE UP OF INDIVIDUAL BOARD MEMBERS THAT ARE LOCALLY AND DEMOCRATICALLY ELECTED AND RESPONSIBLE FOR...

- governing a set of public schools (the district);
- establishing vision and climate;
- ensuring the district fulfills its mission to help ALL students succeed;
- managing the district's budget and resources;
- creating and maintaining policies in areas such as curriculum, facilities and other services;
- recruiting and reviewing the Superintendent's performance.

VOTERS
Elect the local Board of Education
BOARD OF EDUCATION
Selects the Superintendent
Adopts policies, budgets & goals
Engages with the community
SUPERINTENDENT
Hires staff
Implements goals, objectives & policies

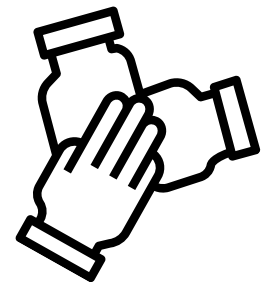
# SINCE 1923, FREMONT UNION HIGH SCHOOL DISTRICT (FUHSD) HAS ALWAYS HAD 5 SCHOOL BOARD MEMBERS



**The number of schools in a district does not equate to the number of board members. Most school district boards have 5 members.**



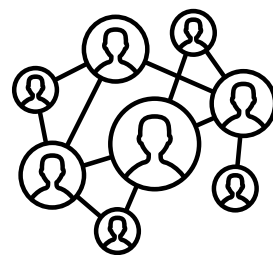
# **YOUR CHOICE OF A SCHOOL BOARD MEMBER MATTERS – THEY REPRESENT YOUR COMMUNITY IN GOVERNING YOUR SCHOOL DISTRICT AND SO DOES YOUR INPUT ON TRUSTEE AREA MAPS**



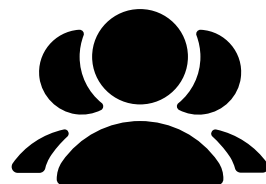
Board members collaborate to serve the community effectively.



They communicate feedback and concerns from community members to District staff.



As elected representatives, board members are accountable to the community.



Your vote for board members helps choose representatives who align with your values and priorities.

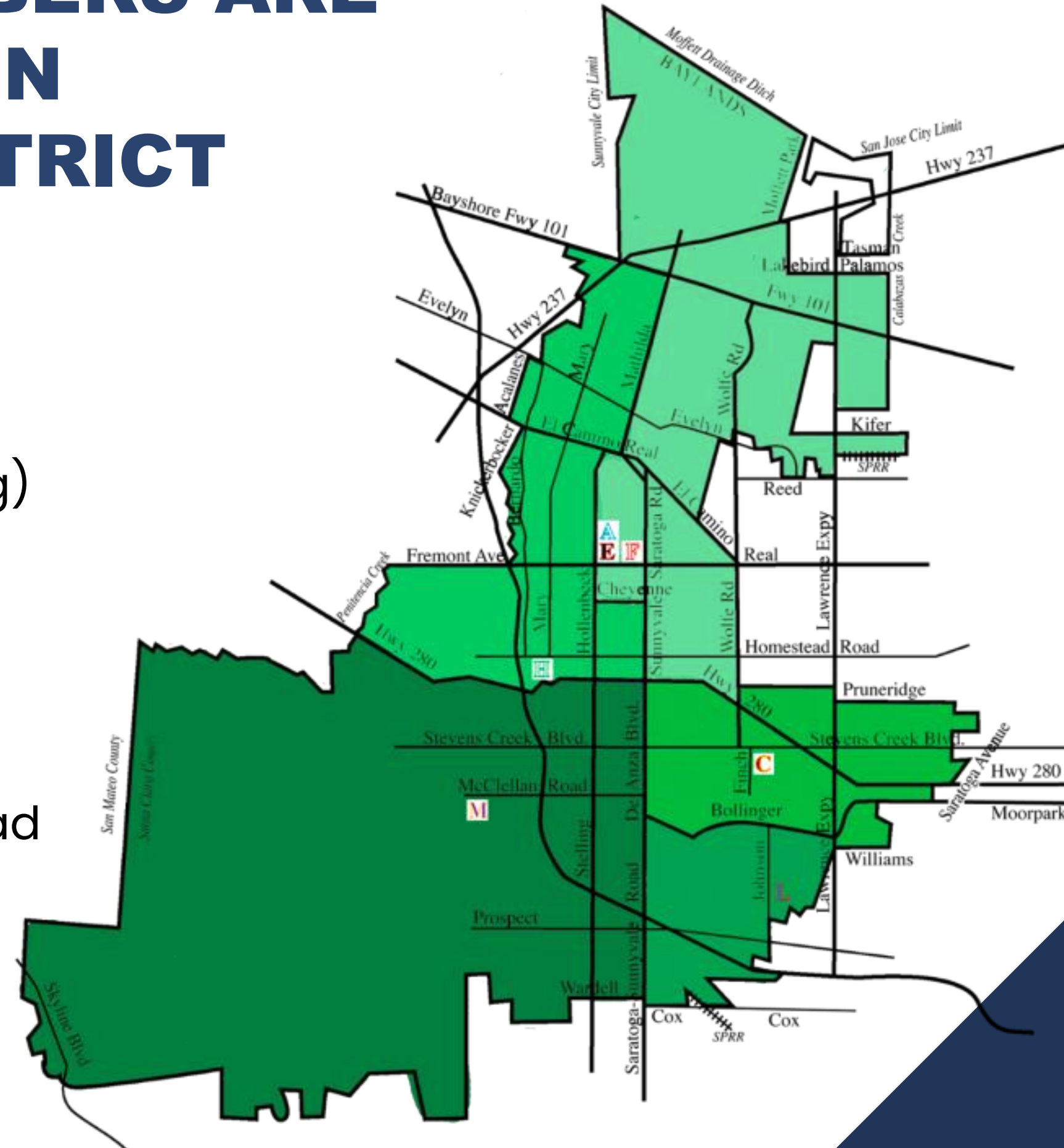
# CURRENT STATE

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# FUHSD SCHOOL BOARD MEMBERS ARE CURRENTLY ELECTED IN OPEN ELECTIONS ACROSS THE DISTRICT

- Referred to as “At Large” Elections
- 5 board members are elected on a rolling basis every two years, with 2 members elected in one cycle, and 3 elected in the next cycle (sequencing)
- Board members are elected to a 4-year term
- Board members can reside anywhere inside the FUHSD boundaries
- Historically, some areas of the district have not had a board member that has lived in their neighborhood



# POTENTIAL DISADVANTAGES OF AN AT LARGE STRUCTURE

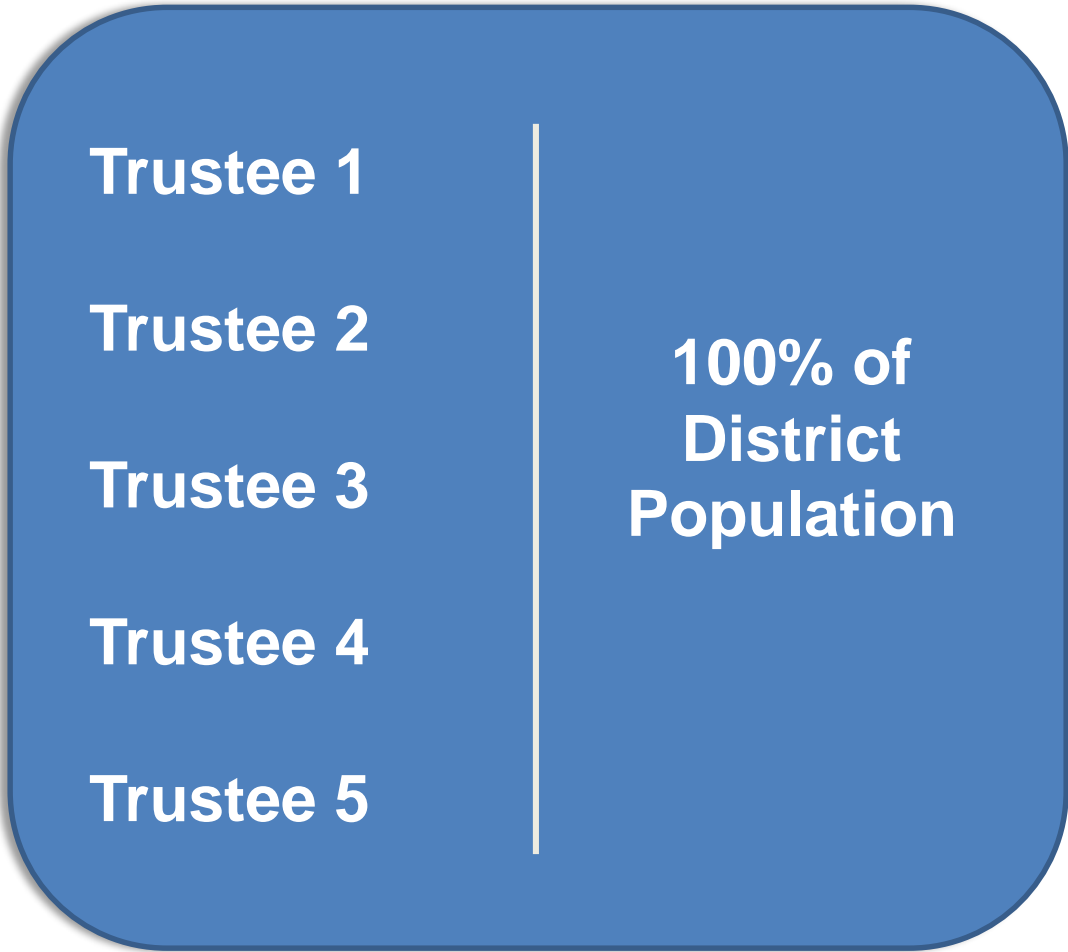
- May create concerns about lack of representation across the district
- The board may have less on-the-ground understanding of the impact of local issues
- Potentially fewer diverse candidates may run for school board
- Possible financial hardship for individuals to campaign across the whole district
- California Voting Rights Act lawsuits may only be brought against at-large elections

# POTENTIAL ADVANTANGES OF A BY-TRUSTEE AREA STRUCTURE

- Creates more representation across the district
- Board members may have stronger on-the-ground understanding of the impact of local issues
- More diverse candidates may run for school board
- The financial costs for individuals to campaign are much less, creating more accessibility
- California Voting Rights Act lawsuits can only be brought against At-Large elections, not By-Trustee Area elections

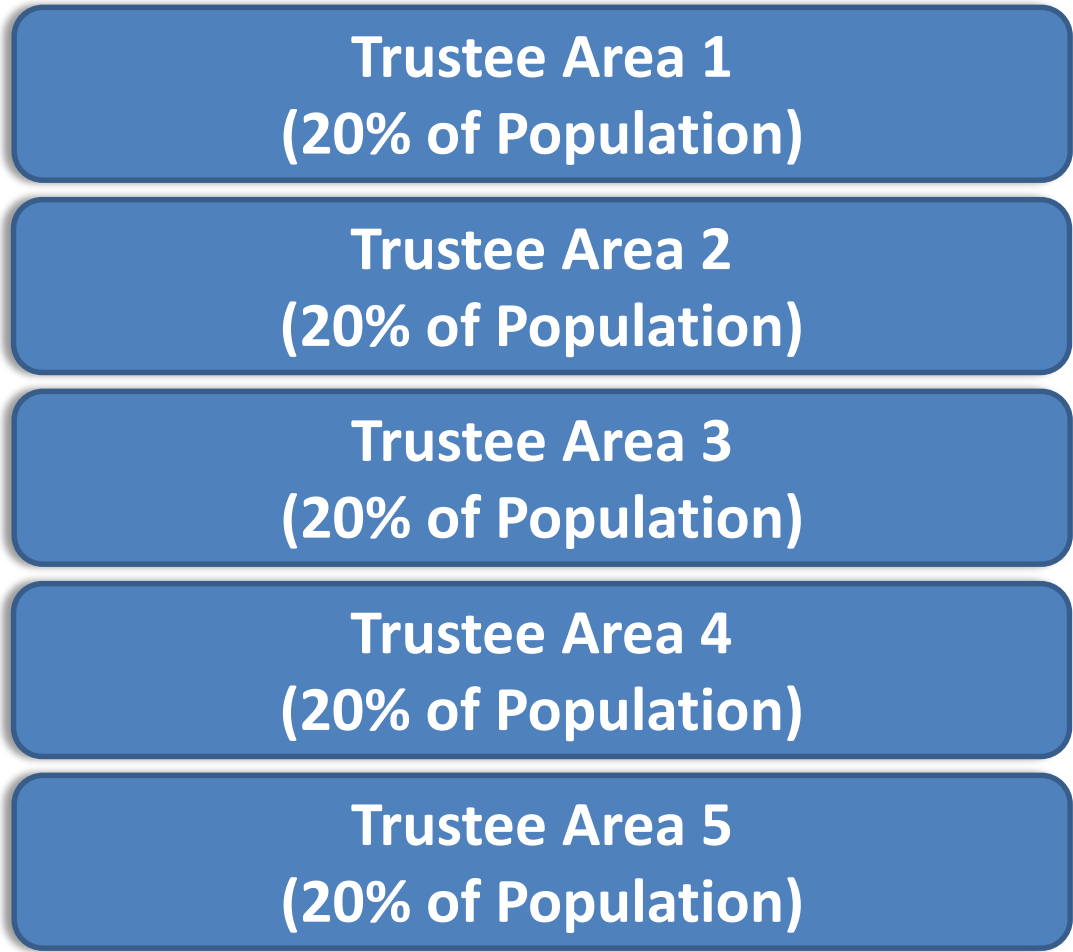
# IN ORDER TO REDUCE THESE POTENTIAL DISADVANTAGES, SCHOOL DISTRICTS CAN MOVE TO TRUSTEE AREA

## AT LARGE



Members of the public vote for all five school board members.

## BY TRUSTEE AREAS



Members of the public vote for the one school board member representing the area where they reside.



# PROBLEM 1: POTENTIAL LAWSUIT UNDER THE CALIFORNIA VOTING RIGHTS ACT

## CVRA of 2001 states:

*“An at-large method of election **may not be imposed or applied in a manner that impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election, as a result of the dilution or the abridgment of the rights of voters who are members of a protected class, as defined pursuant to Section 14026.**”*

## OUR DISTRICT DEMOGRAPHICS\*

Population	Total Population		Age 18 +	
	Total	%	Total	%
Hispanic/Latino	26,326	10.9%	19,554	10.4%
White	60,823	25.3%	51,831	27.6%
Black/ African American	2,603	1.1%	2,142	1.1%
American Indian/Alaska Native	226	0.1%	137	0.1%
Asian	140,451	58.4%	108,126	57.6%
Native Hawaiian/ Pacific Islander	463	0.2%	371	0.2%
Other	1,163	0.5%	845	0.4%
Two or More Races	8,600	3.6%	4,872	2.6%
<b>Total Population</b>	<b>240,655</b>	<b>100%</b>	<b>187,878</b>	<b>100%</b>

\*See Appendix for more district demographics on race

# ACROSS THE STATE DEMAND LETTERS REGARDING THE CVRA HAVE INCREASED

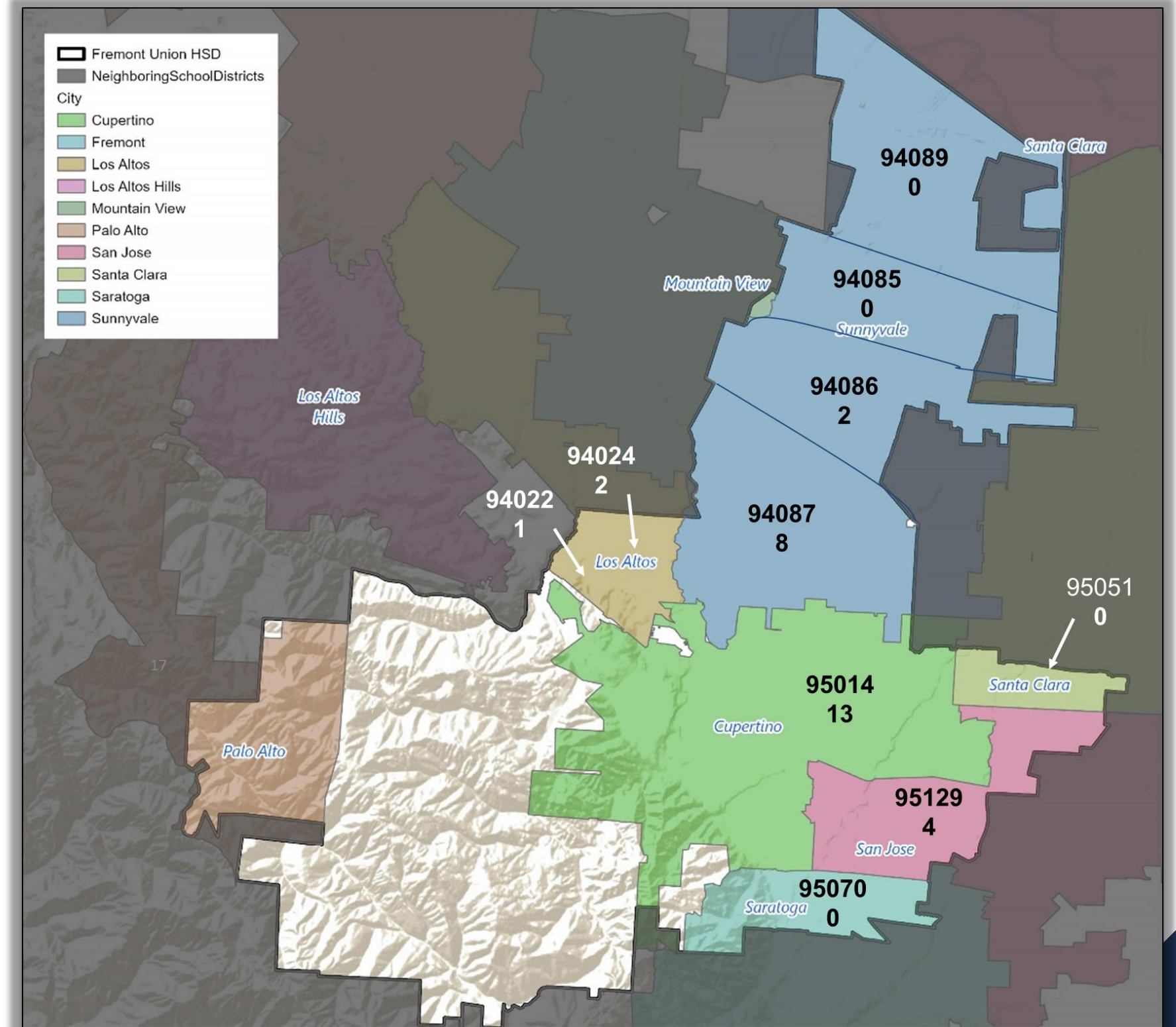
- FUHSD is proactively transitioning to retain control over the process and avoid costly fees that will take funds away from our students.
- Once a district has been sent a CVRA demand letter, it may have to pay a minimum of \$40,000 even if it immediately changes elections.
- No local agency has successfully won a CVRA challenge, the large majority do not try to defend such challenges.
- Defending against litigation is expensive. The City of Santa Monica has spent \$9 million in legal fees. If an agency loses a CVRA lawsuit it may have to pay the plaintiff's attorneys' fees as well.



# PROBLEM 2: COMMUNITIES HAVE COMMUNICATED TO THE BOARD LACK OF REPRESENTATION IN CERTAIN AREAS OF THE DISTRICT

## BOARD MEMBERS BY ZIP CODES SINCE 1970

Zip Code	City	Count
95070	Saratoga	0
95129	San Jose	4
95014	Cupertino	13
95051	Santa Clara	0
94022	Los Altos	1
94024	Los Altos	2
94087	Sunnyvale	8
94086	Sunnyvale	2
94085	Sunnyvale	0
94089	Sunnyvale	0



# TRUSTEE AREAS

## PART 1

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# FUHSD SCHOOL BOARD DECIDED TO MAKE THE TRANSITION FROM AN AT LARGE MODEL TO A BY-TRUSTEE AREAS MODEL ON MARCH 7, 2023

FUHSD will be divided into 5 trustee areas of roughly equal population size (based on 2020 Census data), for the purpose of School Board Member Elections.

- Trustee Area boundaries impact only the way board members are elected. They are not the same as school boundaries and where students go to school.
- The school board members will be elected only by those citizens registered to vote in the Trustee Area.
- The school board member must reside within the FUHSD boundaries and is only eligible to run for election in the Trustee Area in which they reside.
- Each Trustee Area must be relatively equal in total population (<10% total variance between the largest Trustee Area and smallest Trustee Area).
- While Citizen Voting Age Population (CVAP) is not used for population balancing, it could be weighed as a factor in map selection after all of the other required criteria are considered.

# THE FUHSD SCHOOL BOARD DECIDED TO MOVE TO TRUSTEE AREAS LAST SPRING WITH THE GOALS OF...

## PROBLEM

### #1 CVRA

01

Avoiding any question about compliance with California Voting Rights Act ([CVRA](#)) and costly litigation, which could require the district's transition to Trustee Areas.

02

Providing more direct representation of the District as a whole.

### #2 EQUITY

03

Making it more accessible and less expensive for people who live in each trustee area to run for a seat on the School Board.



# THE LEGAL PROCESS THAT THE DISTRICT MUST FOLLOW TO COMPLETE THE TRANSITION TO BY TRUSTEE AREAS IS...

WE ARE HEARE

Pre-Map Hearings

Must hold at least 2 pre-map hearings to provide information on the process of creating and approving a trustee area map.

Pre-Map Hearing Schedule:  
# 1: 8/22/23 ✓  
# 2: 9/19/23 ✓

Map Hearings

Must hold at least 3 Map Hearings. Hearing 1 was held on Oct 17, 2023. Four draft maps were presented that were prepared by consultant Cooperative Strategies.

Map Hearing Schedule:  
#1: 10/17/23 ✓  
#2: 2/27/24  
#3: 3/20/24  
#4: 4/24/24

School Board Adoption

At the final Map Hearing, the Board must approve a single map and sequencing. Sequencing is a transition schedule to determine which Trustee Areas will be up for election in 2024 (2 seats) and 2026 (3 seats).

Schedule: April 24, 2024

County Committee Approval

The Santa Clara County Committee on School District Organization must review and approve the map and sequencing.

Schedule: May 2024

File with Registrar of Voters

The approved map must be filed with the Registrar of Voters Office by June to be ready for the November 2024 election.

Schedule: June 2024

Nov 2024 Election

Voters participate in a By-Trustee Area election.

# THE IMPACT TO YOU AS A COMMUNITY MEMBER MIGHT BE...

- If you are a registered voter, you will no longer vote for 5 school board members, you will vote for 1 school board member representing the trustee area you live in.
- As a resident, regardless of voter status, having 1 representative for your area may allow for more local and balanced representation across the district.
- There may be increased accessibility for individuals to run for election.

## **This will not affect...**

- FUHSD school site boundaries and where students attend school.
- The FUHSD School Board's tradition and commitment to serving ALL students regardless of where a school board member resides within the district.

**COMMUNITY CONCERNS,  
MISINFORMATION, &  
MISCONCEPTIONS:  
WHAT THIS PROCESS IS NOT**

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# **TRANSITIONING TO BY TRUSTEE AREA ELECTIONS AND THE CTAD COMMITTEE IS NOT ABOUT...**

- **SCHOOL ATTENDANCE BOUNDARIES**
- **SCHOOL CLOSURE OR NEW SCHOOLS**
- **CITY GROWTH** (Connect with your City Council)

For questions or concerns regarding these items, please email District staff or the Board or provide public comment at a Board Meeting.

**The transition and the CTAD Committee is only about how the Board Members are elected.**



# FREMONT UNION HIGH SCHOOL DISTRICT IS EXPERIENCING DECLINING ENROLLMENT, BUT IS NOT CLOSING ANY SCHOOLS IN THE DISTRICT

- This decline in enrollment has not been significant enough for a school closure.
- Proactively the District has taken steps to keep all the schools balanced and comprehensive.
- In 2016, the District created the Citizen Advisory Committee (CAC) on Enrollment. If you are interested in learning more about this committee – visit [www.fuhsd.org/cac](http://www.fuhsd.org/cac).
- The work of the CAC has helped to keep enrollment balanced across our five high schools.

# TRUSTEE AREAS

## PART 2

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# **THE BOARD UNANIMOUSLY ADOPTED RESOLUTION 2223-19 TO TRANSITION TO BY TRUSTEE AREA ELECTIONS**

- The Board has been discussing the CVRA and transition to Trustee Areas since April 23, 2019.
- Public comments on March 7, 2023 indicated the resolution was well received.
- The Board will ultimately be voting to decide on the following:
  - The final Trustee Area Map - how the district will be divided into 5 approximately equal areas following federal and state laws.
  - Sequencing – which two areas will be up for election in Cycle 1 (2024) and which three areas will be up for election in Cycle 2 (2026).

# OVERVIEW OF DISTRICTING PROCESS



*\*Full CTAD Committee schedule can be found in the Appendix.*

# THERE ARE CERTAIN CRITERIA THAT A MAP MUST MEET OR ATTEMPT TO MEET

To the extent possible, the following criteria must be used to draw maps, in this order of priority:

## FEDERAL LEGAL REQUIREMENTS

**Population Balance:** each area shall contain nearly equal populations with less than 10% total variance, based on the latest Census data (2020). FUHSD has a total population of 240,655, this means about 48,000 per trustee area.

**Federal Voting Rights Act of 1965:** lines may not be drawn to deny minority voters the right to participate in the political process and should not dilute the minority vote.

## STATE LEGAL REQUIREMENTS

### California AB764:

- Contiguous – when all parts of the trustee area are touching without any gaps
- Maintain Communities of Interest – keeping identified communities together
- City/census designated places – follow city boundaries, no designated places within District
- Natural/artificial boundaries – rivers, freeways, main roads, etc.
- Compactness

Maps may not be drawn to favor or discriminate against political parties, incumbents or candidates.

# ***SEQUENCING WILL BE UNIQUE TO EACH MAP***

- Sequencing refers to determining which areas have elections each election cycle (2024 or 2026)
- Current Board member terms cannot be changed, so there must be an election in 2 of the new trustee areas in 2024. In 2026, there will be an election in the other three areas as those terms will be ending.
- Elections Code requires “special consideration to the purposes of the CVRA” and to take into account “preferences” of residents of trustee areas in setting sequencing
- Sequencing is specific to each map, but usually set:
  - To elect at the next election from any area(s) which does not have a resident incumbent (e.g., if no incumbent living in Area 1, Area 1 election may be set for 2024)
  - To align election cycles with end of resident incumbent terms (e.g., if two incumbents live in Area 2 and their terms end in 2026, Area 2 election may be set for 2026)



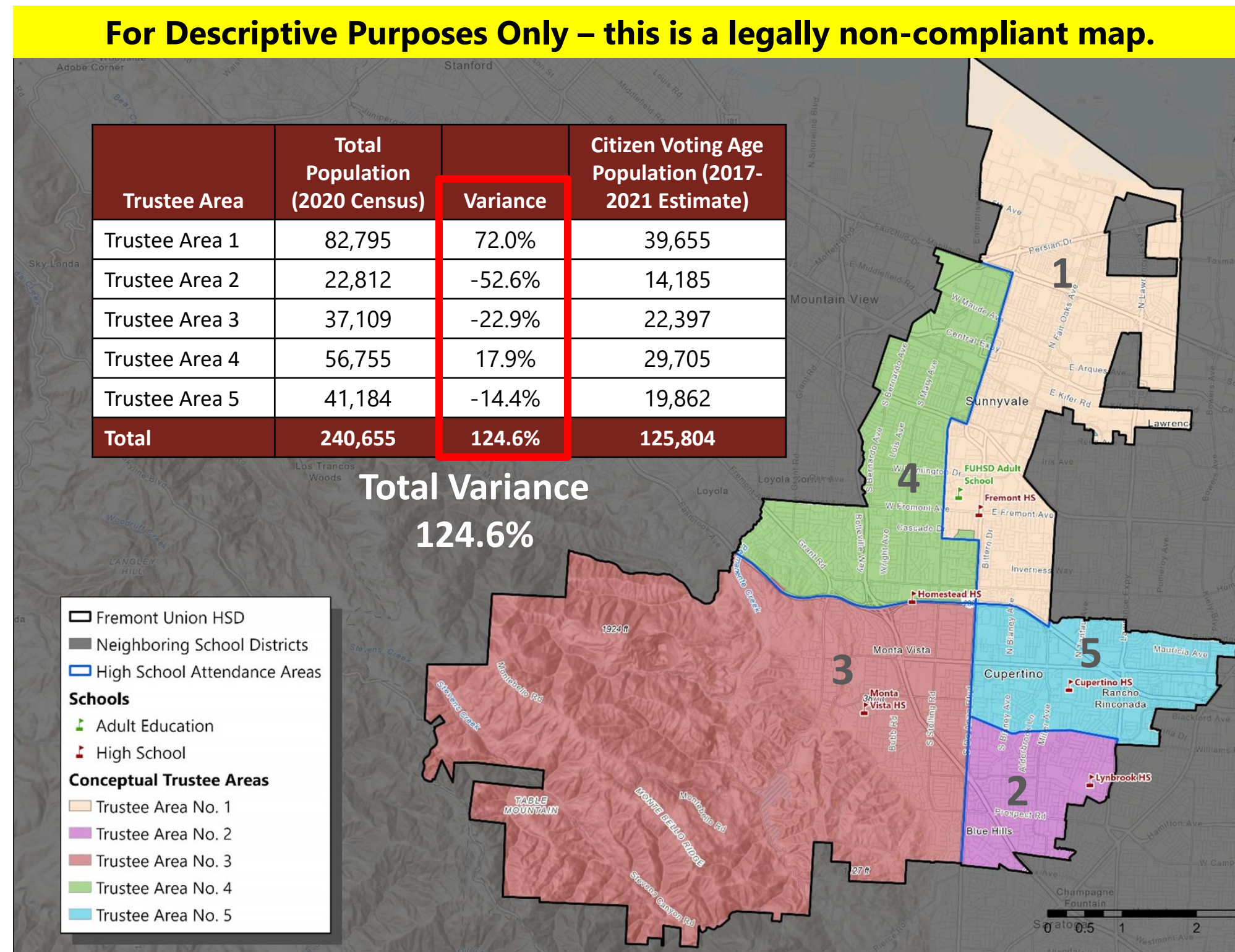
# KNOWING AND UNDERSTANDING WHAT THE COMMUNITY IS THINKING IS VERY IMPORTANT TO THE DISTRICT

## COMMUNITY REQUEST

*“Please create a map that follows the district’s attendance boundaries.”*

## CRITERIA CHECK LIST

- Balance Total Population
- Compliant with Federal Voting Rights Act
- Contiguous
- Maintains Communities of Interest
- N/A** City/census Designated Places
- Follows Natural and/or Artificial Boundaries
- Compactness





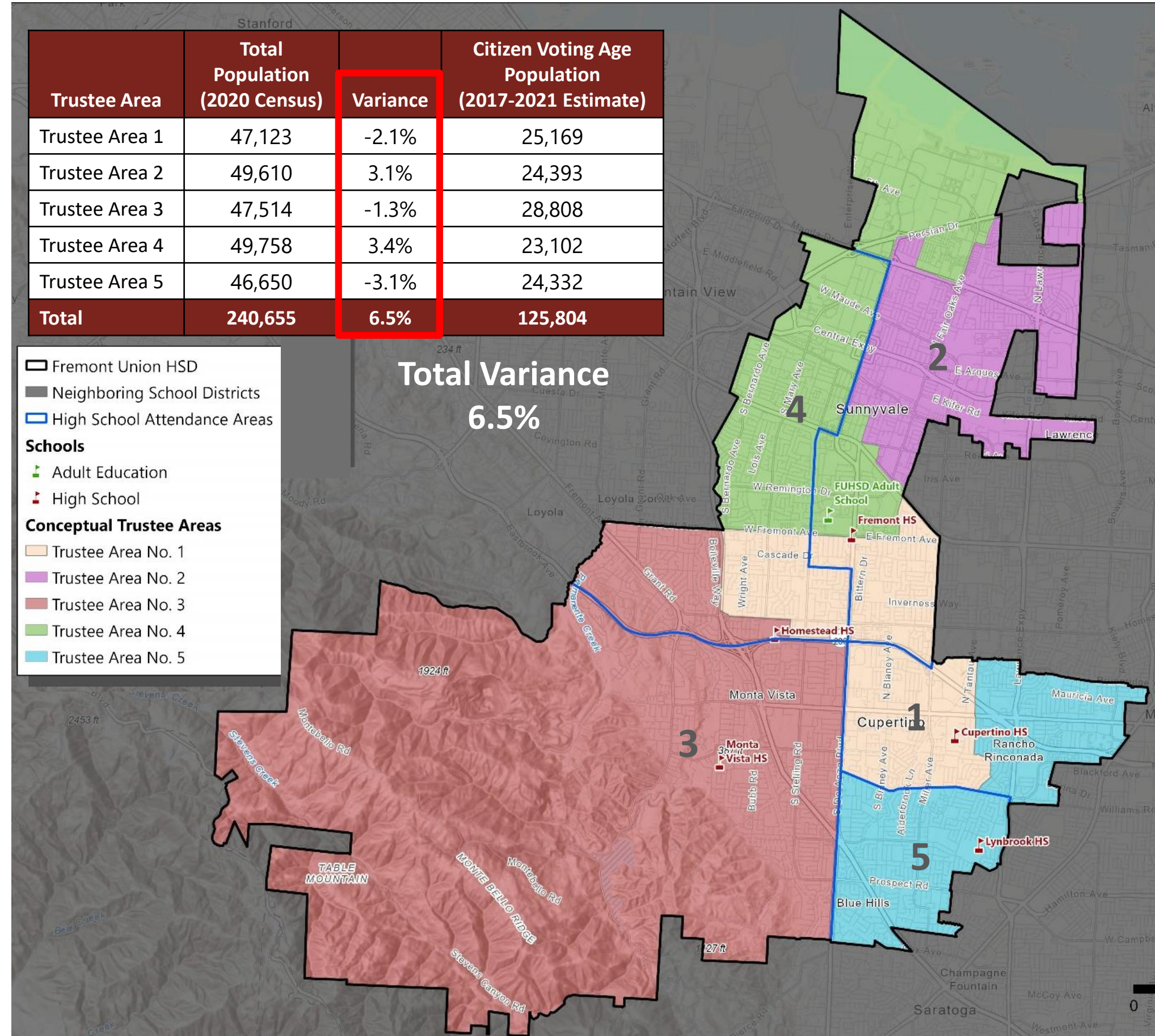
# WHILE THE FIRST MAP WAS NOT LEGAL, WE CAN TAKE THE IDEA AND SHOW HOW SOMETHING SIMILAR COULD WORK

## SAMPLE MAP: SCENARIO 4

- Asian CVAP Majority in Trustee Areas 1, 3, and 5
- Hispanic/Latino CVAP in Trustee Area 2 of 28.4%
- Prioritized Communities of Interest:
  - Hispanic/Latino
  - People Living in a Particular School Boundary

## CRITERIA CHECK LIST

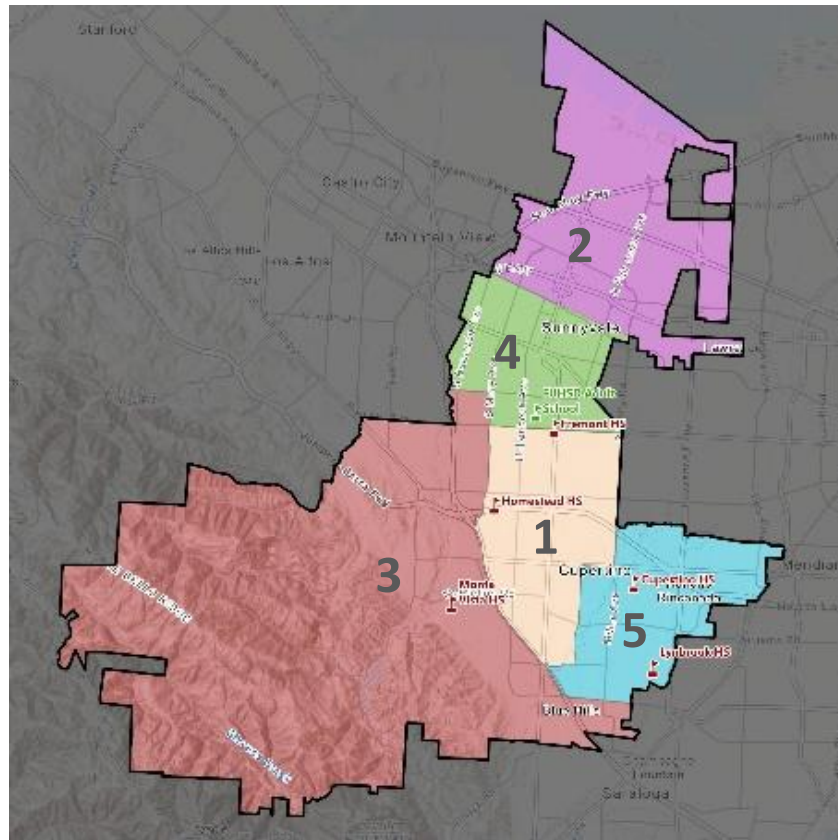
- ✓ Balance Total Population
- ✓ Compliant with Federal Voting Rights Act
- ✓ Contiguous
- ✓ Maintains Communities of Interest
- N/A City/census Designated Places
- ✓ Follows Natural and/or Artificial Boundaries
- ✓ Compactness





# 1<sup>st</sup> DRAFT (SAMPLE) TRUSTEE AREAS WERE PRESENTED TO THE BOARD ON OCT 17, 2023

## SCENARIO 1

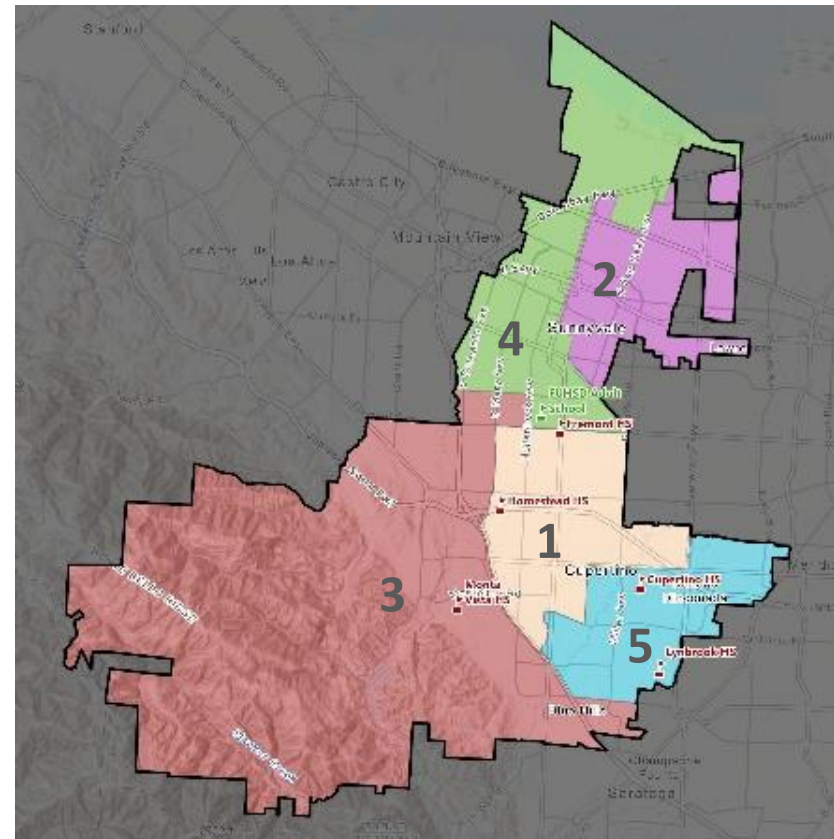


Population Variance 6.1%

Asian CVAP Majority: Trustee Areas 1, 3, and 5

Hispanic/Latino CVAP in Trustee Area 2: 26.2%

## SCENARIO 2



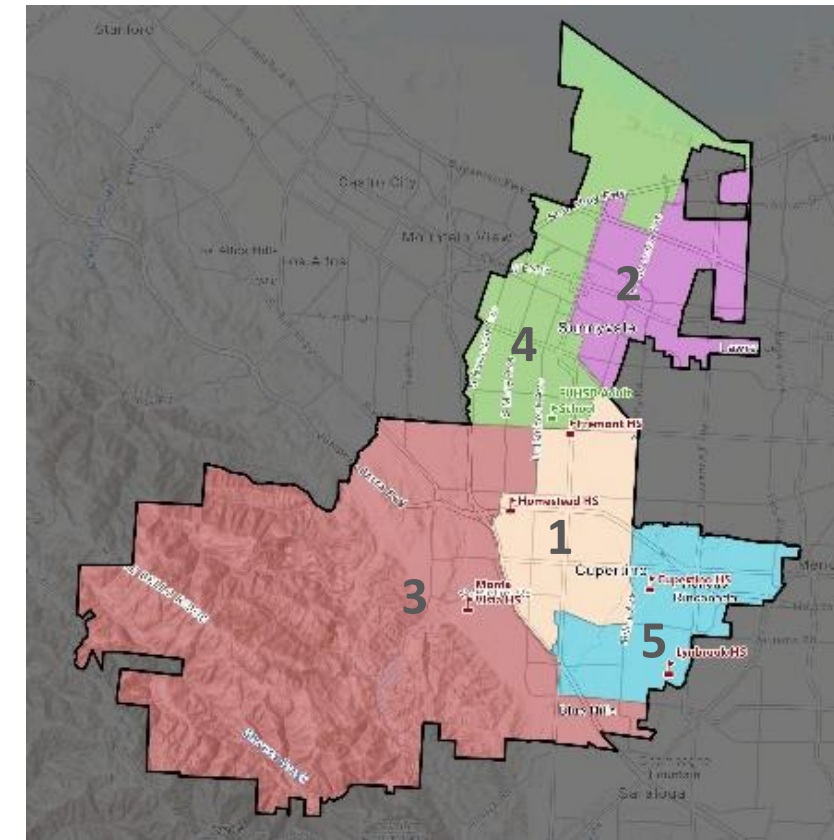
Population Variance: 6.7%

Asian CVAP Majority: Trustee Areas 1, 3, and 5

Hispanic/Latino CVAP in Trustee Area 2: 28.4%

Prioritized Community of Interest: Hispanic/Latino

## SCENARIO 3



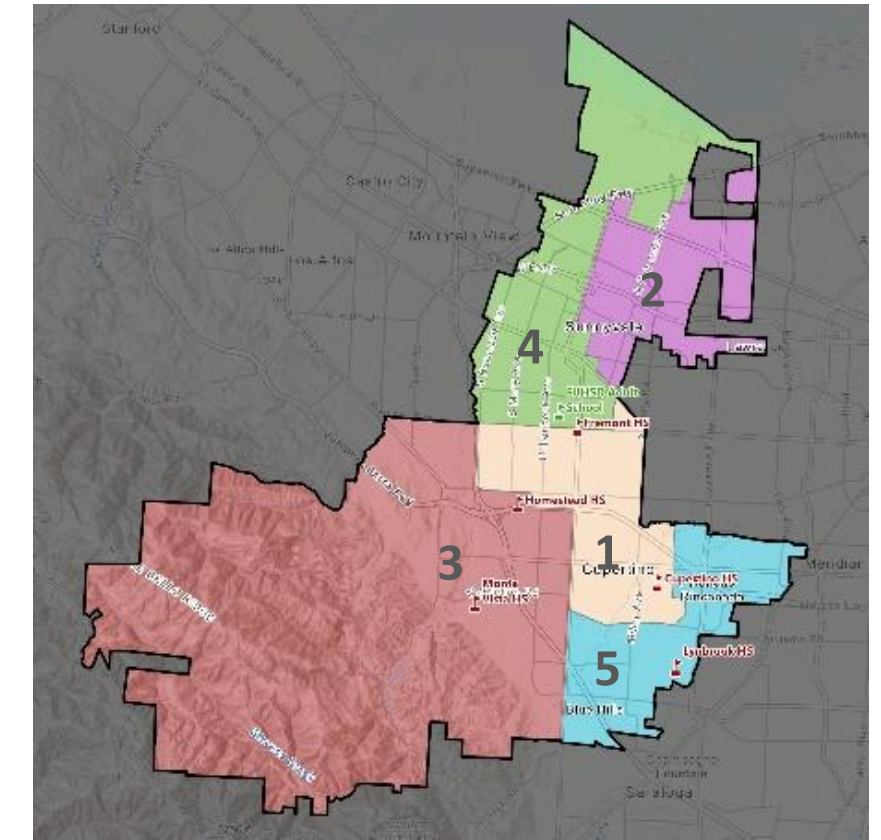
Population Variance: 7.4%

Asian CVAP Majority: Trustee Areas 1, 3, and 5

Hispanic/Latino CVAP in Trustee Area 2: 28.4%

Prioritized Communities of Interest: Hispanic/Latino  
People Living in a Particular City

## SCENARIO 4



Population Variance: 6.5%

Asian CVAP Majority: Trustee Areas 1, 3, and 5

Hispanic/Latino CVAP in Trustee Area 2: 28.4%

Prioritized Communities of Interest: Hispanic/Latino  
People Living in a Particular School Boundary

# CALL TO ACTION

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## FOUR MAIN STEPS

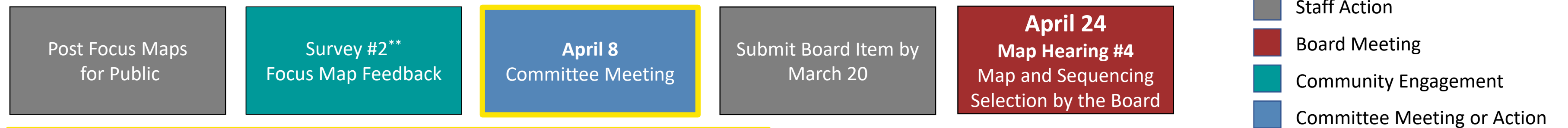
1. Community Outreach & Education ✓
2. Committee Design and Selection ✓
3. Committee Map Development ★ WE ARE HERE
4. Board Map Selection

# REVISED TENTATIVE TIMELINE

## STEP 3 – Committee Map Development



## STEP 4 – Board Map Selection



- Staff Action
- Board Meeting
- Community Engagement
- Committee Meeting or Action

\*First draft maps (samples) were presented to the Board on Oct. 17, 2023 (Scenarios 1-4).  
\*\* Survey #1 can be found at [www.fuhsd.org/trustee-areas](http://www.fuhsd.org/trustee-areas)

## **GET MORE INFORMATION**

- Visit the district's website at [www.fuhsd.org/trustee-areas](http://www.fuhsd.org/trustee-areas)
- Email your questions to [trusteeareas@fuhsd.org](mailto:trusteeareas@fuhsd.org)

## **PROVIDE FEEDBACK ON DRAFT MAPS**

- Provide feedback by emailing [trusteeareas@fuhsd.org](mailto:trusteeareas@fuhsd.org)
- Complete the [online survey](http://www.fuhsd.org/trustee-areas/maps) at [www.fuhsd.org/trustee-areas/maps](http://www.fuhsd.org/trustee-areas/maps)
- Attend a CTAD Committee meeting and provide public comment. For a schedule visit [www.fuhsd.org/ctad](http://www.fuhsd.org/ctad)

## **MAKE YOUR OWN MAP**

- Submit a draft trustee area map by using the mapping software provided at <https://maps.caliper.com/FUSD> (Note: there is no H in this link)



## **SPREAD AWARENESS**

- Whether it's through social media, word of mouth, or other modes of sharing – spread awareness of the District's transition to By Trustee Areas and the CTAD Committee's work to others that live within the FUHSD boundaries.
- If you are attending a community event, please invite others to join.

## **REQUEST A PRESENTATION**

- If you think that the CTAD presentations will benefit any organizations, associations, and/or groups that you are part of, then request a presentation.

To request a presentation please complete [the form](#) at [www.fuhsd.org/ctad](http://www.fuhsd.org/ctad).

# CONTACT INFORMATION

DO STAFF: [RACHEL\\_ZLOTZIVER@FUHSD.ORG](mailto:RACHEL_ZLOTZIVER@FUHSD.ORG)

BOARD & DO STAFF: [TRUSTEEAREAS@FUHSD.ORG](mailto:TRUSTEEAREAS@FUHSD.ORG)

# APPENDIX

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# CTAD COMMITTEE MEETING DATES

Meetings will be in the evening, starting at 6:00 PM

Monday, November 27	Kick-Off Meeting and Training
Monday, December 4	Community Engagement Planning
Monday, January 8	Review and Adjust Community Engagement Plan
Monday, February 5	Synthesize Input
Monday, March 11	Focus Maps
Monday, April 8	Refine Focus Maps

# MAPPING TERMS

## **TOTAL POPULATION**

THE TOTAL NUMBER OF ALL THE PEOPLE WHO LIVE IN A SPECIFIC AREA AS PROVIDED BY THE US 2020 CENSUS DATA.

## **CITIZEN VOTING AGE POPULATION (18 YEARS OR OLDER)**

THE NUMBER OF PEOPLE WHO ARE OLD ENOUGH TO VOTE IN A SPECIFIC AREA AS PROVIDED BY THE CALIFORNIA STATEWIDE DATABASE RELEASE OF 2017-2021 AMERICAN COMMUNITY SURVEY ESTIMATES DATA.

## **DEMOGRAPHICS**

FACTS AND NUMBERS ABOUT THE PEOPLE IN A SPECIFIC AREA. IT HELPS TO UNDERSTAND THINGS LIKE AGE GROUPS, RACE, ETC.

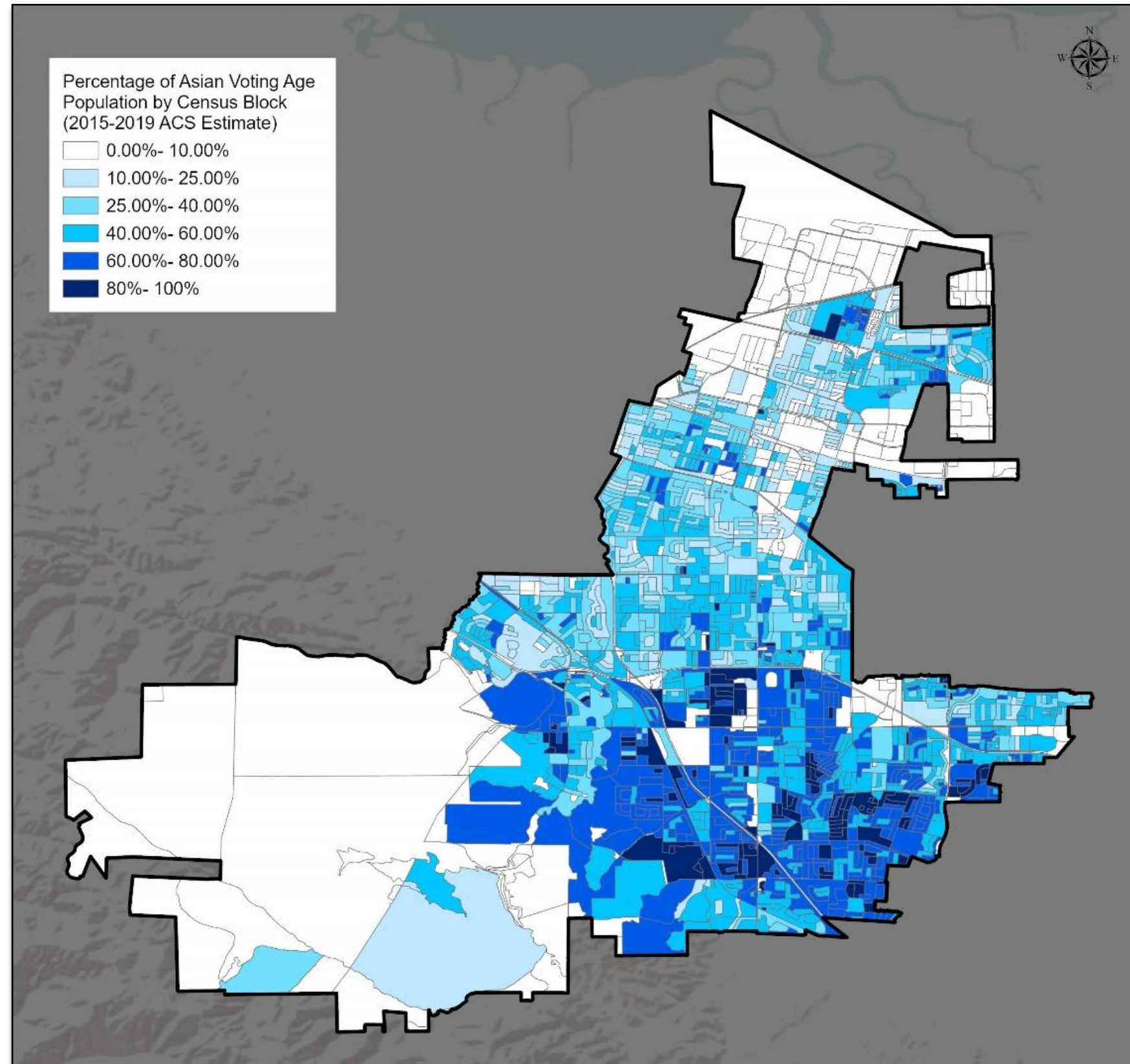
## **CENSUS BLOCK**

THE CENSUS USES SMALL AREAS CALLED “BLOCKS” WHICH IS GENERALLY A SMALL PIECE OF A NEIGHBORHOOD OR CITY. IT’S A WAY OF DIVIDING UP A PLACE TO MAKE IT EASIER TO COUNT AND LEARN ABOUT THE PEOPLE WHO LIVE THERE.

## **VARIANCE**

DIFFERENCE IN TOTAL POPULATION SIZE BETWEEN EACH TRUSTEE AREA. THERE CANNOT BE MORE THAN A 10% VARIANCE BETWEEN THE FIVE TRUSTEE AREAS.

► DISTRICT DEMOGRAPHICS  
**ASIAN CITIZEN VOTING AGE POPULATION ESTIMATES**

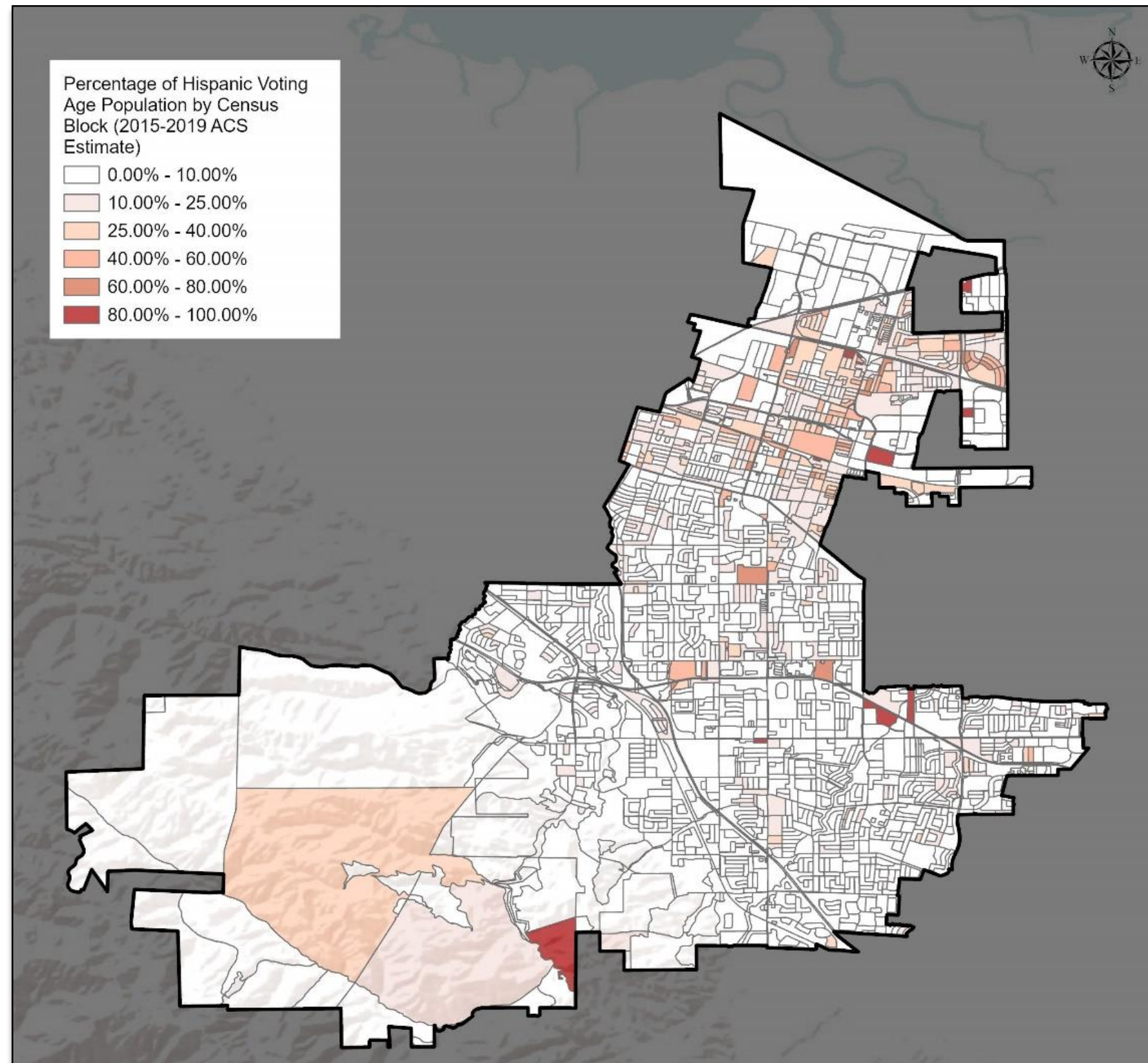


CVAP	2017-2021	
	Total	%
Hispanic/Latino	13,748	10.9%
White	47,540	37.8%
Black/ African American	2,286	1.8%
American Indian/Alaska Native	308	0.2%
Asian	58,049	46.1%
Native Hawaiian/ Pacific Islander	368	0.3%
Two or More Races	3,505	2.8%
<b>Total Population</b>	<b>125,804</b>	<b>100%</b>

Citizen Voting Age Population (CVAP); Source: American Community Survey, 2017-2021 Data



► DISTRICT DEMOGRAPHICS  
**HISPANIC CITIZEN VOTING AGE POPULATION ESTIMATES**



CVAP	2017-2021	
	Total	%
Hispanic/Latino	13,748	10.9%
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Black/ African American	2,286	1.8%
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