

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

Resolution #82-25/26

Re: Proposing a By-Trustee Area Election System with Five Single-member Trustee Areas, a Trustee Area Map, and a Sequence of Trustee Area Elections for Submission to the Santa Clara County Committee on School District
(Cal. Educ. Code §§ 5019, 5020, 5021 & 5030, and California Elec. Code § 10010)

RECITALS

1. Members of the Board of Trustees of the Alum Rock Union Elementary School District ("School District" or "District") are currently elected in "at-large" elections, i.e., elections in which "each member of the governing board [is] elected by the registered voters of the entire school district" (Educ. Code § 5030(a)); and
2. The District voters have a long history of electing members of protected classes to its Board of Trustees; and
3. It is the view of the Board of Trustees ("Board") that the public interest will be well served by election of its Board members in "by-trustee area" elections, i.e., elections in which "one or more members residing in each trustee area [is] elected by the registered voters of that particular trustee area[.]" (Educ. Code § 5030(b)); and
4. On March 26, 2026, at a regular board meeting the Board of Trustees adopted Resolution #67-2025/2026 declaring its intent to initiate a change of district's election system from at-large trustee elections to by-trustee area elections in single-member trustee areas; and
5. The Board of Trustees also declared its intent that this change be implemented for the earliest possible election consistent with Education Code section 5020(a)(2); and
6. Elections Code section 10010 sets forth a process for the transition to single-member trustee areas and requires that the Board of Trustees hold at least five public hearings and meet specified timelines, including completing the process of establishing trustee areas within 90 days of its resolution of intent in order to benefit from a "safe harbor" from litigation contained in Elections Code section 10010(e)(3)(B); and
7. The District retained a demographic consultant to assist in the development of draft single-member trustee area maps in accordance with the applicable provisions of the FAIR MAPS Act (see Elec. Code § 21130); and
8. In accordance with Elections Code section 10010(a)(1), on April 14 and 21, 2026, the Board held public hearings before any maps were drawn to receive public input on the composition of the trustee areas; and

9. The California Elections Code section 21130(b)(1) provides that consistent with the districting body's existing obligations under the federal Voting Rights Act, the districting body shall 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, as set forth in *Thornburg v. Gingles*, 478 U.S. 30 (1986), and as interpreted in case law regarding enforcement of the federal Voting Rights Act with respect to redistricting, and that the districting body shall publish on its redistricting web page, at a minimum, the results of its analysis within seven days of completing the analysis or prior to adopting election district boundaries, whichever occurs first; and

10. The District's retained demographer prepared, and on April 20, 2026, the District published on its dedicated districting webpage, its Section 21130(b) Disclosure Report including the determination that determined that it is possible to create an election district or districts in which Latinos and Asian-Americans are a sufficiently large and geographically compact population of Citizens of Voting Age Population (CVAP) to constitute a majority of CVAP in one or more single-member districts, as set forth in *Thornburg v. Gingles*, 478 U.S. 30 (1986), and as interpreted in case law regarding enforcement of the federal Voting Rights Act with respect to redistricting; and

11. The Board established a dedicated webpage on its website for the districting process and made available to the public an on-line tool called "Dave's Redistricting App(DRA)" for drawing and submitting draft maps, and also held a community outreach workshop on April 30, 2026, to inform the public about the process of establishing trustee areas, the legal requirements for trustee areas, opportunities to participate in the process, and how to use DRA; and

12. In addition to the Dave's Redistricting App(DRA) link and instructions, the District's dedicated webpage included a Public Participation Kit with a paper map with population counts to enable those without internet access or who prefer paper to prepare and submit proposed maps, a paper map with major roads, cities and schools to help community members define communities of interest, and an interactive Review Map to review, analyze and compare maps (not to create them), and the District also created a dedicated e-mail address (remap@arUSD.org) for the public to communicate with the District staff and to submit draft maps; and

13. Throughout the process, the public and the District's demographer prepared draft maps as candidates for possible adoption by the Board of Trustees as the Trustee Area Map for use in the District's 2026 board elections.

- a. The public submitted 6 unique draft maps, each of which was analyzed by the District's demographer as to its demographic characteristics and prepared for prompt and timely publication on the District's trustee area website (labelled Map 105, Map 106, Map 107, Map 108, Map 109, and Map 110 on the District's webpage); and

- b. The District's demographer prepared three maps for consideration by the Board (labelled Map 101, Map 102, and Map 103 on the District's webpage) and then also prepared Map 104 (also on the District's webpage) which the demographer based on community testimony and Map 105 and Map 106, and
- c. Following a public hearing held on May 11, 2026, the demographer prepared Map 111 and Map 112 based on public comments at public hearings, both of which were published at least seven days prior to the final public hearing on May 20, 2026.

14. In accordance with Elections Code section 10010(a)(2), the Board held public hearings to consider the draft maps on April 30, 2026, May 11, 2026, and May 20, 2026, and

15. Draft maps submitted by the public and Map 101, Map 102, Map 103, Map 104, Map 111, and Map 112 prepared by the demographer, including a general proposal for sequencing elections in the trustee areas of the draft maps, were published seven days prior to the public hearing at which each was first discussed and/or considered; and

16. Throughout the process, the District engaged in significant public outreach including through:

- ParentSquare, a unified communication platform for parents, students and staff
- The District's website with an easily accessible (by one click) and comprehensive webpage here: <https://www.arusd.org/by-district-trustee-elections>
- Postings and notifications on the District's Facebook page and Instagram account
- Notices of public hearings published in English, Spanish, and Vietnamese
- A community workshop in addition to required public hearings
- Email communication and press releases to local media and interested parties
- Published board agendas and public hearing notices

17. The District provided numerous opportunities for public participation in the development of draft maps, including:

- Five (5) Public Hearings for receipt of public comment, with Spanish and Vietnamese translation available
- Ability to comment remotely at all public hearings through Zoom
- Ability to create, view and revise maps online through the mapping tool
- Publication of all draft maps in an interactive form that allowed all maps to be studied in detail and modified

18. On May 20, 2026, the Board of Trustees held a fifth and final public hearing on the draft maps and adopted Map , attached hereto as Exhibit A and incorporated herein by this reference (the “Adopted Map”, hereinafter), as the trustee area map to be submitted to the Santa Clara County Committee on School District Organization (“County Committee”) for its consideration and adoption pursuant to Education Code section 5019(a) and (c)(1) and section 5020(a)(2); and
19. The proposed trustee areas of the Adopted Map are substantially equal in population, in compliance with legal requirements; and
20. The Equal Protection Clause of the Constitution of the United States prohibits the use of race as the primary consideration in the design of trustee area boundaries and the Adopted Map complies with this requirement; and
21. Section 2 of the Voting Rights Act 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 the Adopted Map complies with Section 2 of the Voting Rights Act; and
22. The Adopted Map provides for a single-member, by-trustee area electoral system and thereby complies with the California Voting Rights Act; and
23. The trustee areas of the Adopted Map comply with every applicable criterion contained in Election Code section 21130 of the FAIR MAPS Act, including but not limited to the Census Designated Places of Alum Rock and East Foothills; and
24. The Adopted Map is not designed for the purpose of favoring or discriminating against an incumbent, candidate, or political party; and
25. The Adopted Map was published with a proposed sequence of elections on May 13, 2026, at least seven days before District’s May 20, 2026, public hearing; and
26. After voting on May 20, 2026, to finally select the Adopted Map as the trustee area map for District board elections, in accordance with Elections Code §10010(b), the Board held a public hearing the same day on May 20, 2026 on the sequencing of elections in the trustee areas because members of the Board of Trustees are elected at different times to provide for staggered terms of office; and
27. The Board of Trustees gave special consideration to the purposes of the California Voting Rights Act of 2001 in its deliberations about the sequencing of elections in the trustee areas; and
28. The Board of Trustees also considered the requirements of Education Code section 5021 in its deliberations about the sequencing of elections in the trustee areas; and

29. The Board of Trustees has determined that the sequence of elections in the trustee areas of the Adopted Map shall be:

- a. Trustee Area ____, Trustee Area ____, and Trustee Area ____ in 2026, and every four years thereafter;
- b. Trustee Area ____, Trustee Area ____ in 2028 and every four years thereafter,

and;

30. Pursuant to Section 5020(b) of the Education Code, the Board requests that the County Committee order the changes reflected in this Resolution without an election because these changes further the purposes of the California Voting Rights Act of 2001 (Chapter 1.5 (commencing with Section 14025) of Division 14 of the Elections Code).

NOW, THEREFORE, BE IT RESOLVED as follows:

A. The above recitals are true and correct.

B. The Board of Trustees hereby submits the Adopted Map (copy attached hereto as Exhibit A and incorporated by this reference) to the County Committee and requests that the County Committee consider and adopt the Adopted Map pursuant to Education Code section 5019(a) and (c)(1) and 5020(a)(2) as the single-member by-trustee area electoral plan for Alum Rock Union Elementary School District, along with the election sequence specified above, to wit: (1) Trustee Area ____, Trustee Area ____, and Trustee Area ____ in 2026, and every four years thereafter, and (2) Trustee Area ____ and Trustee Area ____ in 2028, and every four years thereafter.

C. The District's Superintendent and/or designee shall take all action necessary to notify the County Committee of the Board of Trustees' action and this resolution and provide whatever assistance may be required by the County Committee, or by the Santa Clara County Elections Department, to complete the process of establishing by-trustee area elections in single-member trustee areas in a timely fashion to permit implementation of these trustee areas in connection with the election for Trustees of the Board to be held on November 3, 2026.

D. Because the new trustee area plan may contain anomalies that do not substantively affect the populations in the trustee areas, the trustee area boundaries, or the intent of this Resolution, which anomalies may not be revealed until the county elections office begins implementing the plan, the Superintendent and/or their designee is authorized to make emendations to the new trustee area plan that do not substantively affect the populations in the trustee areas, the trustee area boundaries, compliance with legal requirements, or the intent of this Resolution, and shall advise the Board of Trustees and the County Committee of any such emendations that are found to be required in plan implementation by the Office of the Santa Clara County Registrar of Voters or other official.

F. The Superintendent shall consult with legal counsel to resolve all legal issues necessary to give effect to this Resolution.

THE FOREGOING RESOLUTION was adopted upon motion by Trustee _____, seconded by Trustee _____, at a special meeting held on May 20, 2026, by the following vote:

AYES:

NOES:

ABSENT:

DATED: May 20, 2026

Linda Chavez, President
Board of Trustees
Alum Rock Union Elementary School District

CERTIFICATION

I, Minh Pham, Clerk to the Board of Trustees of the Alum Rock Union Elementary School District, certify that the foregoing Resolution was regularly introduced, passed, and adopted by the Board of Trustees at its meeting held on May 20, 2026.

DATED: May 20, 2026

Minh Pham
Clerk, Board of Trustees
Alum Rock Union Elementary School District