AGENDA

LOS ANGELES COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
(COUNTY COMMITTEE)

Regular Meeting

Los Angeles County Office of Education
Board Room
March 4, 2015
9:30 a.m.

I Information
D Discussion
A Action
* Sent to Committee

I. CALL TO ORDER – Chairperson Mr. Frank Bostrom

II. FLAG SALUTE – Mr. Bostrom

III. APPROVAL OF THE MINUTES – Mr. Bostrom I, D, A*

The minutes of the regular meeting of the County Committee, held on
February 4, 2015, will be submitted for approval. (Enclosure)

IV. PRESENTATIONS FROM THE PUBLIC – Secretary I, D, A

Mr. Keith Crafton

Any persons present desiring to address the County Committee on any
proper matter may do so at this time. (Form to be completed and
submitted to the secretary)

V. COMMUNICATIONS – Secretary Crafton I, D
VI. COUNTY COMMITTEE VACANCY – Secretary Crafton

The Secretary will describe the process for filling the vacancy on the County Committee, in the Third Supervisorial District, due to the resignation of Mr. Ben Allen.

VII. PETITION TO ESTABLISH TRUSTEE AREAS AND TRUSTEE AREA VOTING IN THE LANCASTER SCHOOL DISTRICT (SD) – Secretary Crafton

The Secretary will present a petition to establish trustee areas and trustee area voting within the Lancaster SD.

VIII. PETITION TO ESTABLISH TRUSTEE AREAS AND TRUSTEE AREA VOTING IN THE WILLIAM S. HART UNION HIGH SD – Secretary Crafton

The Secretary will present a petition to establish trustee areas and trustee area voting within the William S. Hart Union High SD.

IX. PETITION TO INCREASE THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN, AND TO ESTABLISH TRUSTEE AREAS AND TRUSTEE AREA VOTING IN THE POMONA UNIFIED SCHOOL DISTRICT (USD) – Secretary Crafton

The Secretary will present a petition to establish trustee areas and trustee area voting, and to increase the number of trustees from five to seven, within the Pomona USD.

X. PETITION TO ESTABLISH TRUSTEE AREAS AND TRUSTEE AREA VOTING IN THE SULPHUR SPRINGS UNION SD – Secretary Crafton

The Secretary and staff will present a feasibility study related to the petition to establish trustee areas and trustee area voting in the Sulphur Springs Union SD. The County Committee will review the petition and presentations from the district and the public, and vote on the matter. (Attachment 1)
XI. PETITION TO TRANSFER TERRITORY FROM THE LAWNDALE SD AND THE CENTINELA VALLEY UNION HIGH SD TO THE WISEBURN USD – Secretary Crafton

The Secretary will present an update on the petition to transfer territory from the Lawndale SD and Centinela Valley Union High SD to the Wiseburn USD, and the public hearings that were held within the districts on March 2, 2015.

XII. UPDATE ON THE CALIFORNIA VOTING RIGHTS ACT (CVRA) AND TRUSTEE AREA ISSUES – Secretary Crafton

The Secretary and staff will provide an update on CVRA issues and activities in Los Angeles County and statewide, including an update on the recent CVRA Forum held in Cerritos on March 2, 2015.

XIII. UPDATE ON COUNTY COMMITTEE WEBSITE – Secretary Crafton

The Secretary and staff will provide an update on the County Committee website.

XIV. LEGISLATIVE UPDATE – Secretary Crafton

The secretary will provide an update on current legislation and discuss the legislative advocacy process. (Attachment 2)

XV. UPDATE ON LEGISLATIVE REVIEW SUBCOMMITTEE – Mr. Bostrom

The Chairperson will discuss the progress of the County Committee legislative review subcommittee.

XVI. UPDATE ON REVIEW OF COUNTY COMMITTEE POLICIES – Mr. Bostrom

The Chairperson will discuss the progress of the County Committee policy review subcommittee.

XVII. UPDATE ON LOS ANGELES USD REORGANIZATION PROPOSALS – Secretary Crafton

The Secretary will provide an update on school district reorganization proposals affecting the Los Angeles USD. (“Summary of Los Angeles USD Reorganization Proposals”). (Attachment 3)
XVIII. UPDATE ON LOS ANGELES COUNTY REORGANIZATION PROPOSALS, EXCLUDING THOSE AFFECTING THE LOS ANGELES USD – Secretary Crafton

The Secretary will provide an update on school district reorganization proposals affecting Los Angeles County school and community college districts, other than the Los Angeles USD. (“Summary of Los Angeles County School District Reorganization Proposals [excluding those affecting the Los Angeles USD]”). (Attachment 4)

XIX. COUNTY COMMITTEE APRIL DATE CHANGE – Secretary Crafton

The Secretary will discuss a possible date change for the April meeting.

XX. ADDITIONAL COMMUNICATIONS, CONCERNS, OR ITEMS FOR NEXT AGENDA

XXI. ADJOURNMENT
The Los Angeles County Committee on School District Organization (County Committee) met on Wednesday, February 4, 2015, at the Los Angeles County Office of Education (LACOE) in Downey. The meeting was called to order at 9:30 a.m. by Mr. Frank Bostrom.

Members Present

Frank Bostrom
Maria Calix
Ted Edmiston
Owen Griffith
Joan Jakubowski
John Nunez
Frank Ogaz
Suzan Solomon
AJ Willmer

Members Absent

Joel Peterson

Staff Present

Keith D. Crafton, Secretary
Allison Deegan, Staff
Eric Hass, Staff
Diane Tayag, Staff
Anna Heredia, Recording Secretary

Mr. Joan Jakubowski led the flag salute.

It was MOVED by Mr. Frank Ogaz and SECONDED by Mr. John Nunez that the minutes of the regular meeting held on January 7, 2015 be approved. Motion carried.

Secretary Keith Crafton stated that we will have representatives from the following districts speak when their agenda item is being discussed: Pomona Unified School District (USD) and Lawndale School District (SD).

Mr. Crafton reviewed and discussed correspondence contained in the County Committee agenda packets and member folders.
Mr. Crafton reported that there is a vacancy in the County Committee due to the resignation of Mr. Ben Allen. A LACOE bulletin was distributed to all school districts with information regarding nominations for the vacancy. The deadline was January 15, 2015, and no applicants for the vacancy were received.

Mr. Crafton reported the public hearing will be held on February 12, 2015. A van pool will be available to transport County Committee Members.

Superintendent Richard Martinez from Pomona USD addressed the committee and stated his appreciation for staff who have been guiding him through the process. He stated that Pomona USD held a public hearing and that there were approximately 10 speakers, 7 were against the move to trustee areas and 3 were for it. He also stated that Chief Petitioner, John Mendoza, was present at this hearing but did not speak. He will continue to inform the Committee of all future hearings.

Dr. Ellen Dougherty, the Superintendent of the Lawndale SD, addressed the Committee and thanked the staff for their guidance.

Dr. Allison Deegan stated that there will be two public hearings on March 2, 2015. One will take place at a middle school in Lawndale SD and the other will take place at a middle school in the Wiseburn USD to discuss the petition. Additional hearings will be scheduled if needed.

Mr. Crafton informed the Committee that the CVRA forum will take place on March 2, 2015. We are in the process of preparing a bulletin for distribution. He also informed the Committee that there is a terrific line-up of speakers.

Mr. Crafton stated that the website continues to be updated.

Mr. Bostrom instructed Mr. AJ Willmer to determine a date to meet to discuss the County Committee policies.

Mr. Bostrom suggested that a sub-committee be formed to address legislative issues. The Committee agreed and it will be chaired by Suzan Solomon, the other subcommittee members are as follows: Mr. John Nunez, Mr. Willmer and Ms. Maria Calix.
No updates to report.

No updates to report.

Mr. Crafton informed the Committee that there are RSVP sheets being passed around to determine who will attend the upcoming events.

Meeting was adjourned at 10:32 a.m.
REPORT TO THE
LOS ANGELES COUNTY COMMITTEE
ON SCHOOL DISTRICT ORGANIZATION
CONCERNING A PROPOSAL TO ESTABLISH TRUSTEE AREAS
AND TRUSTEE AREA VOTING WITHIN THE
SULPHUR SPRINGS UNION SCHOOL DISTRICT

MARCH 4, 2015

Prepared by:
Los Angeles County Office of Education
Division of Business Advisory Services
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I. INTRODUCTION

On October 31, 2014, the Los Angeles County Office of Education (LACOE) and the Los Angeles County Committee on School District Organization (County Committee) received a petition submitted by the Sulphur Springs Union School District (SD), pursuant to Education Code (EC) §5019(c)(1), to establish trustee areas and trustee area voting within the Sulphur Springs Union SD (Attachment 1).

The following report has been prepared by LACOE staff to provide the County Committee with an overview of relevant issues presented in the petition, to describe the events that led up to it, and to recount the public hearing process that followed its submission. In addition, the requirements and process to establish trustee areas and trustee area voting, and additional information concerning the Sulphur Springs Union SD, will be presented.

This report is provided for reference and descriptive purposes only. The report does not evaluate the claims of any party or comment on the quality of any aspect of the Sulphur Springs Union SD or the communities it serves. This report contains recommendations from staff to the County Committee. However, the Education Code does not provide specific guidance on which issues to review when considering trustee area petitions, thus the County Committee is free to consider any information presented to it and any criteria it deems relevant.

II. PROCESS TO ESTABLISH TRUSTEE AREAS PURSUANT TO THE EDUCATION CODE

EC §5019(a) provides that, except in a district provided for in the charter of a city or city and county, in any school district or community college district, the County Committee shall have the power to establish trustee areas; rearrange the boundaries of trustee areas; abolish trustee areas; and increase to seven or decrease to five the number of members of the governing board, or to adopt one of the alternative methods of electing governing board members specified in EC §5030.

Initiation of Proposal

Any such proposal may be initiated by:

a. the County Committee; or

b. a petition presented to the County Committee, in compliance with the guidelines of EC §5019:

5019. (a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.
The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, or by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one public hearing on the proposal in the district. At the conclusion of the public hearing, the county committee on school district organization shall approve or disapprove the proposal.

c. a resolution of the governing board of the district.

California Education Code, EC §5019 [Emphasis added.]

Public Hearing/County Committee Action

Following receipt of a petition that has been determined to be sufficient by the Los Angeles County Superintendent of Schools (County Superintendent), the County Committee shall call and conduct at least one public hearing on the proposal in the district. At the conclusion of the public hearing, the County Committee shall approve or disapprove the proposal.

In accordance with EC §5020, if the proposal is disapproved, the process is terminated.
Election Process

If the proposal is approved, the County Superintendent shall order an election to be held no later than the next election for governing board members of the district (i.e., November 2015). The order of election would include a single ballot measure consisting of two proposals. The two proposals would be stated as follows:

“For the establishment of trustee areas in the [Sulphur Springs Union School] District. - Yes/No”

“For the election of one member of the governing board of the [Sulphur Springs Union School] District residing in each trustee area elected by the registered voters of the entire district. - Yes/No”

Both proposals must pass in order for either proposal to become effective. Please note that the requirement to hold an election to approve the implementation of trustee areas may be waived by the SBE. Additional information is presented below regarding relevant waivers submitted in relation to this petition.

The election of governing board members would also be operative at the next regular election date (i.e., November 2015) for any seats scheduled for election (either by rotation, every two years, or by specific identification as a result of the County Committee review of the trustee area petition). The election of any members of the Sulphur Springs Union SD governing board will be guided by a consolidated election order covering all regular school and community college elections held in Los Angeles County in November 2015.

Development of Trustee Area Boundary Maps

Should both proposals pass, the County Superintendent would develop multiple trustee area boundary maps for consideration by the County Committee. Trustee area maps shall be drawn in accordance with one or both of the methods specified in EC §5019.5(1) and EC §5019.5(2) which state:

“The population of each area is, as nearly may be, the same proportion of the total population of the district as the ratio that the number of governing board members elected from the area bears to the total number of members of the governing board.”

“The population of each area is, as nearly may be, the same proportion of the total population of the district as each of the other areas.”

The most recent decennial census data validated by the Population Research Unit of the Department of Finance shall be utilized in determining the population of the district and each trustee area (EC §5019.5[a]).
The County Committee would then establish trustee area boundaries for the district as authorized pursuant to EC §5019(c). The established trustee area boundaries would be utilized for the next succeeding governing board election (i.e., November 2015).

Please note that, for the present proposal, staff has included the trustee area boundary maps developed by the Sulphur Springs Union SD governing board, in consultation with its attorneys, demographers, and district staff, and after solicitation of input from governing board members, the public and other parties relevant to the process of developing trustee areas (such as plaintiffs’ attorneys and representatives from local municipal entities). The County Committee may consider adopting these maps and trustee areas as submitted, or convene an additional process to develop additional maps and trustee areas.

Transition of Incumbent Board Members

EC §5021 provides for the transition of incumbent governing board members in a school district where trustee areas are established. EC §5021 states:

“"If a proposal for the establishment of trustee areas formulated under Section 5019 and 5020 is approved by a majority of the voters voting at the election, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established at such election which are not represented in the membership of the governing board of the school district, or community college district, the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.""

Subject to approval of the proposal by the electorate, as required, the County Committee would determine the applicable trustee areas for nomination and election no later than 120 days prior to the next regular scheduled governing board election (i.e., November 2015). The County Committee would make this determination following adoption of the trustee area boundaries for the district.

Please note that the requirement that the County Committee determine by lot which trustee areas with no current incumbents residing within them come up for election first may be waived by the SBE. Additional information is presented below regarding relevant waivers submitted in relation to this petition.
III. LOS ANGELES COUNTY SCHOOL DISTRICTS

There are 80 school districts in Los Angeles County as displayed on Reference Map 1.

Reference Map 1

*Source: Los Angeles County 2014-15 Public Schools Directory.

Table 1 presents a summary of the governance characteristics of the school districts within Los Angeles County relating to trustee areas. Of the 80 school districts, nine are organized into trustee areas and 71 do not have trustee areas. Of the districts that have trustee areas, two elect using an at-large methodology and the remaining seven elect members by trustee area voting.
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<th>Trustee Areas (Y/N)</th>
<th>Voting Method (Trustee Area or At Large)</th>
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*Source: California Department of Education*
IV. BACKGROUND

A. Petition to Establish Trustee Areas and Trustee Area Voting Within the Sulphur Springs Union SD

On October 31, 2014, LACOE and the County Committee received a petition submitted by the Sulphur Springs Union SD, pursuant to Education Code (EC) §5019(c)(1), to establish trustee areas and trustee area voting within the Sulphur Springs Union SD. This petition was submitted in the form of Resolution No. R-14-54, approved on November 5, 2014 by a majority vote of the members of the Sulphur Springs Union SD governing board.

In 2014, Sulphur Springs Union SD was sued in the matter of Rosemarie Sanchez-Fraser v. Sulphur Springs School District, charging a violation of the California Voting Rights Act (CVRA) due to lack of trustee areas and trustee area voting. This resolution and petition were submitted as a result of a settlement agreement executed among the Sulphur Springs Union SD and the plaintiff in the litigation, Rosemarie Sanchez-Fraser. A copy of the settlement agreement is contained in Attachment 2.

The settlement agreement provides that the parties stay the litigation, and that the Sulphur Springs Union SD engage a demographer to review the population of the district, develop state and federal compliant trustee area maps in consultation with plaintiffs, and hold public events to seek input on the proposed trustee area maps. The settlement agreement also provides for the Sulphur Springs Union SD to pay $145,000 in attorneys’ fees and costs to plaintiffs. It requires that the new trustee area plan be implemented for the November 2015 election.

B. Rationale of the Sulphur Springs Union SD as Petitioner

The rationale for this proposal, as stated in the Sulphur Springs Union SD’s petition submission, is as follows:

“[T]o avoid the cost, expense and uncertainty inherent in this matter, the District settled the lawsuit, and as a part of such settlement, the District has protected expeditiously to change its current at-large election system”[.]

C. Position of the Governing Board of the Sulphur Springs Union SD

The petition was submitted by the Sulphur Springs Union SD governing board, which approved it by a majority vote on November 5, 2014. The petition contained the final trustee area map adopted by the Sulphur Springs Union SD governing board (Attachment 3).

V. THE CALIFORNIA VOTING RIGHTS ACT

The CVRA has been tracked and discussed at great length among staff and the County Committee for more than four years. It is not clear if there is a CVRA violation in this case. The Sulphur Springs Union SD has chosen to settle legal claims relating to any potential violation of the CVRA
by voting to move to implement trustee areas and trustee area voting, and by developing its trustee areas in consultation with plaintiffs, attorneys and demographers, as well as following extensive public input. Staff makes no judgment on the existence of any violation of the CVRA in this matter and has not investigated any such violation.

Below, staff has provided a review of the CVRA and relevant issues impacting districts in Los Angeles County and statewide, for the County Committee’s reference.

A. Description of the Law

The CVRA was enacted in 2002 with the intention of correcting situations that discouraged protected minorities from voting, running for office, and winning elections - this is often called “Racially Polarized Voting.” The CVRA states that at-large voting methods are in violation of it when they serve to promote racially polarized voting. The most basic form of review of a district, to check for compliance with the CVRA is to determine whether it has trustee areas and trustee area voting. If it does not have trustee areas and trustee area voting, the next best measure of review of the existence of racially polarized voting would be to determine who has been successful in getting elected and whether those individuals represent protected minority groups (which are like racial/ethnic or language groups, called “communities of interest”).

If a district receives notice of legal action under the CVRA, accompanied by a claim that it has racially polarized voting and must implement trustee area voting in order to address liability and to move into compliance, a district’s best practice is to study their demographics, election history and any other issues that may explain voter participation. Some districts have chosen to study their demographics and voting history prior to receiving any legal challenge.

B. The CVRA in Los Angeles County

Over the past four years, LACOE has provided all school and community college districts with updated information regarding the CVRA and the challenges that have occurred around the State. These updates included numerous news articles, reports, legal analyses, conference presentations, and information from bodies such as the Registrar-Recorder and California School Boards Association, and other agencies who have studied and deliberated on issues related to compliance under the CVRA. Staff has also created a library of related articles on the LACOE webpage for the County Committee, with all articles available for download. On March 2, 2015, LACOE will partner with local professionals and state/county agency officials to provide an additional workshop on navigating the CVRA, for all school and community college staff and governing board members.

Throughout the period of CVRA activity over the past four years, LACOE has consistently advised all districts using the at-large method of governing board elections to study their communities to determine if racially polarized voting might exist. If racially polarized voting does exist, LACOE has advised districts to consider changing to trustee area voting methodologies as they remain liable for legal challenges for violation of the CVRA. Implementing trustee area voting is currently the only safe harbor from potential legal liability for a violation of the CVRA.
School Districts. In the past four years, four school districts in Los Angeles County have implemented trustee area voting to replace current at-large voting schemes. In addition to the Sulphur Springs Union SD petition, Eastside Union School District (SD) and ABC USD recently presented petitions to the County Committee, which were approved. Three more districts (Pomona USD, Lancaster SD and William S. Hart Union High SD) are currently in the petition process. Several districts in the Antelope Valley and Santa Clarita Valley areas, and in other parts of Los Angeles County, are in negotiations and/or have received demand letters or other litigation actions related to trustee areas, or are studying the issue on their own.

Community Colleges. Community colleges are in a different policy climate than K-12 districts in that the California Community College Chancellor has promoted legislation designed to encourage community colleges to avoid liability under the CVRA and to move to trustee areas and trustee area voting. To that end, there was legislation passed in 2011 to streamline the process by which community colleges moving to implement trustee areas could gain approval directly from the Chancellor’s Office rather than county committees and the State Board of Education. That legislation was successful and numerous community colleges have made the switch to trustee area election systems. In Los Angeles County, Cerritos Community College District (CCD), Compton College Center at El Camino CCD and Mount San Antonio CCD have implemented trustee area voting in recent years.

Cities. Activity related to CVRA claims against municipalities in Los Angeles County has increased significantly. Numerous cities in Los Angeles County have settled or remain in active litigation related to CVRA claims, including: Bellflower, Compton, Palmdale, Santa Clarita and Whittier. In August 2014, the California Supreme Court refused to hear an appeal from the City of Palmdale contesting a verdict mandating that it pay $3.6 million in compensation for violating the CVRA, as well as implement trustee areas and trustee area voting.

VI. ELECTIONS AND THE SULPHUR SPRINGS UNION SD

In an effort to comply with the settlement agreement, and to comply with CVRA, the Sulphur Springs Union SD hired Mr. David Ely of Compass Demographics to conduct a demographic analysis of the district. Mr. Ely did not find evidence of racially polarized voting within the Sulphur Springs Union SD. Nevertheless, as a result of the settlement agreement, the district voted to go forward with the development of trustee area maps and voting plans. A review of Mr. Ely’s demographic analysis and findings is included in this study (Attachment 4).

Utilizing district, state, county and U.S. Census information, Mr. Ely developed several preliminary trustee area maps, on which public input was sought. He determined that, based on U.S. Census population within the district of 60,947, each of the five trustee areas needed to be approximately 12,189 in size. The maps contained different configurations of trustee areas.

The district held four public hearings within its territory in during September and October of 2014, each of which had community members in attendance. There was no public comment offered in opposition to the maps presented. In each configuration presented by Mr. Ely, one trustee area would have two incumbents resident in it, thus one incumbent board member would not have the opportunity to run again. As a result of further discussion among the board (which solicited input
from bargaining units of the district as well), Mr. Ely developed two revised trustee area maps. The Sulphur Springs Union SD governing board selected the final trustee area map on November 5, 2014, approving it by a vote of 4-0 vote (one abstention).

A. Description of the District and Students

**Geography and Residents:** The Sulphur Springs Union SD is best described as a series of canyons connected by highways. Its geography includes several somewhat concentrated population centers spread across wide distances, including a large portion surrounded by the Angeles National Forest. In his presentations, Mr. Ely explained his challenges in forming trustee areas that complied with federal and state law, as well as respected the communities of interest existing within the district. He stated that he was not able to construct a majority-Latino trustee area, based on the dispersal of this population throughout the district. The final map selected, however, did include one district that holds 47% Hispanic citizen voting age population.

The Sulphur Springs Union SD has 60,947 residents, according to the 2010 U.S. Census. The population residing in the district is 47% White, 34.7% Hispanic/Latino, 5.9% Black and 10.5% Asian.

**Students:** The Sulphur Springs Union SD currently serves 5,501, according to 2013-14 enrollment figures gathered by the CDE. Table 2 lists enrollment by ethnicity, compared to all of Los Angeles County and the State of California.

<table>
<thead>
<tr>
<th></th>
<th>District</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Enrollment</td>
<td>Percent of Total</td>
</tr>
<tr>
<td>American Indian or Alaska Native</td>
<td>17</td>
<td>0.3%</td>
</tr>
<tr>
<td>Asian</td>
<td>254</td>
<td>4.6%</td>
</tr>
<tr>
<td>Native Hawaiian or Pacific Islander</td>
<td>16</td>
<td>0.3%</td>
</tr>
<tr>
<td>Filipino</td>
<td>178</td>
<td>3.2%</td>
</tr>
<tr>
<td>Hispanic or Latino</td>
<td>2,704</td>
<td>49.2%</td>
</tr>
<tr>
<td>Black or African American</td>
<td>334</td>
<td>6.1%</td>
</tr>
<tr>
<td>White</td>
<td>1,750</td>
<td>31.8%</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>248</td>
<td>4.5%</td>
</tr>
<tr>
<td>None Reported</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Total</td>
<td>5,501</td>
<td>100%</td>
</tr>
</tbody>
</table>

**Source:** California Department of Education, Data Reporting Office (CalPADS, DataQuest - Statewide Enrollment by Ethnicity (with county data), 3/24/2014)
B. Sulphur Springs Union SD Governing Board and Elections (2001 - 2013)

The Sulphur Springs Union SD governing board consists of five members. Table 3 below lists information about governing board elections within the Sulphur Springs Union SD. Data on raw votes and the number of registered voters within a district at the time of the election are included below, sourced from the Los Angeles County Registrar-Recorder/County Clerk (Registrar-Recorder).

Between 2001 and 2013, four elections have been held for school board, on odd years in November. The elections have been competitive. During this same period, elections were not held in 2005, 2007 and 2009 elections, at which members were appointed in lieu of election, as a result of filings for election from the same number of candidates as were seats available.

Between 2001 and 2013, the number of registered voters within the Sulphur Springs Union SD has increased from 24,307 in 2001 to 31,711 in 2013, at the most recent election for the governing board. The next election is scheduled for November of 2015.

**Table 3**
Sulphur Springs Union SD Governing Board Elections, 2001-2013

<table>
<thead>
<tr>
<th>Year</th>
<th>Election</th>
<th>Registered Voters</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>Governing Board</td>
<td>24,307</td>
<td>3 seats up</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>6 candidates</td>
</tr>
<tr>
<td>2003</td>
<td>Governing Board</td>
<td>23,828</td>
<td>2 seats up</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>4 candidates</td>
</tr>
<tr>
<td>2005</td>
<td>Governing Board</td>
<td></td>
<td>3 seats up</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Appointed in Lieu of Election (no election held)</td>
</tr>
<tr>
<td>2007</td>
<td>Governing Board</td>
<td></td>
<td>2 seats up</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Appointed in Lieu of Election (no election held)</td>
</tr>
<tr>
<td>2009</td>
<td>Governing Board</td>
<td></td>
<td>3 seats up</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Appointed in Lieu of Election (no election held)</td>
</tr>
<tr>
<td>2011</td>
<td>Governing Board</td>
<td>27,814</td>
<td>2 seats up</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>3 candidates</td>
</tr>
<tr>
<td>2013</td>
<td>Governing Board</td>
<td>31,711</td>
<td>3 seats up</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>4 candidates</td>
</tr>
</tbody>
</table>

Source: Los Angeles County Registrar-Recorder/County Clerk

In reviewing the available relevant data, staff to the County Committee was not able to determine the ethnicity of any candidate or elected board member. Most of the elections were competitive, with multiple candidates, except for those held in 2005, 2007, and 2009.
C. Election Data

Below is raw election data, sourced from the Registrar-Recorder, from 2001 to 2013:

2001 Raw Data:
As of Date: 11/16/2001 Time: 14:11

<table>
<thead>
<tr>
<th>SULPHUR SPRINGS UNION SCH GOVERNING BOARD MEMBER</th>
<th>VOTE FOR NO MORE THAN 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>MICHAEL P HOGAN</td>
<td>2,589 24.75</td>
</tr>
<tr>
<td>KERRY B CLEGG</td>
<td>2,320 22.18</td>
</tr>
<tr>
<td>SHELDON WIGDOR</td>
<td>2,198 21.01</td>
</tr>
<tr>
<td>TOM COFFIN</td>
<td>1,623 15.52</td>
</tr>
<tr>
<td>RICHARD C EDWARDS</td>
<td>980  9.37</td>
</tr>
<tr>
<td>JOSE MARIO MATUTE</td>
<td>750  7.17</td>
</tr>
</tbody>
</table>

TOTAL PRECINCTS 17 PRECINCTS REPORTING 17 100.00
REGISTRATION 24,307

2003 Raw Data:
As of Date: 11/24/2003 Time: 13:43

<table>
<thead>
<tr>
<th>SULPHUR SPRINGS UNION SCH GOVERNING BOARD MEMBER</th>
<th>VOTE FOR NO MORE THAN 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>R WEINSTEIN</td>
<td>1,086 30.33</td>
</tr>
<tr>
<td>D F DE FIGUEIREDO</td>
<td>1,061 29.63</td>
</tr>
<tr>
<td>L C SEIDENGLANZ</td>
<td>874  24.41</td>
</tr>
<tr>
<td>J SERATTI-GOLDMAN</td>
<td>560  15.64</td>
</tr>
</tbody>
</table>

TOTAL PRECINCTS 14 PRECINCTS REPORTING 14 100.00
REGISTRATION 23,828

2005 Raw Data:
No election held; three seats up for election, three candidates filed, all appointed in lieu of election.

2007 Raw Data:
No election held; two seats up for election, two candidates filed, all appointed in lieu of election.

2009 Raw Data:
No election held; three seats up for election, three candidates filed, all appointed in lieu of election.
2011 Raw Data:

As of Date: 11/18/2011 Time: 14:05

<table>
<thead>
<tr>
<th>SULPHUR SPRINGS UN SCH</th>
<th>GOVERNING BOARD MEMBER</th>
<th>VOTE FOR NO MORE THAN</th>
<th>2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>ROCHELLE WEINSTEIN</td>
<td>1,870</td>
<td>42.77</td>
</tr>
<tr>
<td></td>
<td>D F DEFIGUEIREDO</td>
<td>1,399</td>
<td>32.00</td>
</tr>
<tr>
<td></td>
<td>PRISCILLA C LOFTON</td>
<td>1,103</td>
<td>25.23</td>
</tr>
</tbody>
</table>

TOTAL PRECINCTS 18
REGISTRATION 27,814

2013 Raw Data:

As of Date: 11/19/2013 Time: 13:58

<table>
<thead>
<tr>
<th>SULPHUR SPRINGS UNION SCH</th>
<th>GOVERNING BOARD MEMBER</th>
<th>VOTE FOR NO MORE THAN</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>KEN CHASE</td>
<td>1,542</td>
<td>28.71</td>
</tr>
<tr>
<td></td>
<td>LORI B MACDONALD</td>
<td>1,376</td>
<td>25.62</td>
</tr>
<tr>
<td></td>
<td>KERRY B CLEGG</td>
<td>1,258</td>
<td>23.42</td>
</tr>
<tr>
<td></td>
<td>MICHAEL P HOGAN</td>
<td>1,195</td>
<td>22.25</td>
</tr>
</tbody>
</table>

TOTAL PRECINCTS 19
REGISTRATION 31,711

Historically throughout California and nationwide, participation in school district elections is lower than participation in general (municipal, county, state or federal) elections. Because the majority of school district elections in Los Angeles County, including Sulphur Springs Union SD, are held on odd years, thus on a different cycle than most general elections, voter turnout in those school elections also tends to be significantly lower.

VII. COUNTY COMMITTEE REVIEW OF THE SULPHUR SPRINGS UNION SD PETITION

On February 12, 2015, the County Committee held a public hearing within the Sulphur Springs Union SD, pursuant to EC §5019(c)(2). The County Committee heard presentations from the Sulphur Springs Union SD Superintendent and governing board Chair, as well as from Mr. Ely, the demographer hired by the district to review trustee areas and develop a new trustee area map. The County Committee sought input from members of the public and other stakeholders but none attended the public hearing to offer input.

At the March 4, 2015 regular meeting of the County Committee, the Committee will review the Sulphur Springs Union SD trustee area petition as submitted. The County Committee will have the opportunity to hear presentations from Sulphur Springs Union SD representatives, and the professionals it engaged to develop the trustee area plan and map, as well as any members of the
The public who would like to speak, either for themselves or as representatives from other entities relevant to this review.

The County Committee has the option to approve or disapprove the implementation of trustee areas and trustee area voting within the Sulphur Springs Union SD. In addition, the County Committee has the option to delay approval while it gathers additional information it deems relevant to its review of this petition.

The County Committee also has the option to accept or reject the trustee area map submitted by the Sulphur Springs Union SD. The County Committee may task staff to develop additional scenarios of the trustee area plan for the Sulphur Springs Union SD, resulting in the creation of other maps for review.

VIII. STAFF RECOMMENDATIONS

Staff to the County Committee makes the following recommendations on the issues presented by the petition reviewed in this feasibility study. The County Committee may address the issues separately or in combination and, as stated earlier, may utilize any criteria it deems adequate to inform its decisions.

Trustee Areas. After reviewing the materials submitted by the Sulphur Springs Union SD, including a recounting of the legal settlement with plaintiffs, the demographic analysis conducted on behalf of the district, the public hearing process where input was sought and utilized to review and refine trustee area maps, and the ultimate development of a final trustee area map, all of which represented an EC-compliant, well-intended, detailed and successful consensus process, staff recommends that the County Committee approve the Sulphur Springs Union SD’s petition to implement trustee areas and trustee area voting within the district.

Trustee Area Maps. After reviewing the extensive process that the Sulphur Springs Union SD engaged in, guided by highly-qualified demographic and legal professionals, in consultation with relevant stakeholders (including parties to its settlement agreement with plaintiffs, and those parties’ legal representatives), to develop a board and community supported final trustee area map, staff recommends that the County Committee adopt the final map and described trustee area plan as submitted.

Election to Approve Implementation of Trustee Areas Voting and Trustee Area Map. Under EC §5020, if the County Committee approves a petition to implement trustee areas and trustee area voting, the matter is presented to the voters within the district at an upcoming election. However, the Sulphur Springs Union SD has submitted a waiver to the SBE to stay the requirement of this approval election. This waiver will be reviewed at an upcoming SBE meeting and it is anticipated that it will be approved. The waiver does not impact the election of any candidates for any trustee areas within the Sulphur Springs Union SD, and the district’s next regular election (November 2015) will be held. This waiver seeks only to waive an election question approving the implementation of trustee areas and trustee area voting.
To date, the California Department of Education (CDE) has reviewed more than 100 waiver requests to the SBE from districts seeking to waive the requirement to hold an election approving the implementation of trustee areas and/or trustee area voting. All of these requests have been approved by the SBE. Thus, staff recommends that the County Committee concur that no election approving the implementation of trustee areas and trustee area voting be held.
IX. ATTACHMENTS
RESOLUTION R-14-54
RESOLUTION OF THE GOVERNING BOARD OF
SULPHUR SPRINGS UNION SCHOOL DISTRICT

RESOLUTION TO INITIATE THE PROCESS FOR CHANGING ITS
ELECTION METHODOLOGY TO THE BY-TRUSTEE AREA METHOD;
ADOPTING A MAP OF PROPOSED TRUSTEE AREAS; A PLAN OF
ELECTION FROM THOSE AREAS; AND RECOMMENDING THAT THE LOS
ANGELES COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
APPROVE AND ESTABLISH TRUSTEE AREAS FROM WHICH SULPHUR
SPRINGS UNION SCHOOL DISTRICT GOVERNING BOARD MEMBERS
WILL BE ELECTED IN A BY-TRUSTEE AREA ELECTION PROCESS

WHEREAS, The Sulphur Springs Union School District ("District") currently uses an
at-large system of electing its governing board members; and

WHEREAS, at-large electoral systems such as the District’s are subject to challenge
under the California Voting Rights Act of 2001, codified at sections 14025-14032 of the
California Elections Code ("CVRA"); and

WHEREAS, “by-trustee area” electoral systems are not vulnerable to challenge under
the CVRA; and

WHEREAS, in a by-trustee area system of election, candidates for the District’s
governing board (the "Board") must reside within a specific geographic subarea of the
District called a “trustee area” and candidates are elected only by the voters of that trustee
area; and

WHEREAS, it is the Board’s intent and desire to change its election methodology from
an at-large system to a by-trustee areas method of election as described in Education
Code section 5030(b); and

WHEREAS, one method of transitioning from an at-large electoral system to a by-
trustee area electoral system is for the school district governing board to petition the local
county committee on school district organization by resolution to initiate the transition
under California Education Code section 5019(c)(1); and

WHEREAS, this Resolution shall serve as the District’s petition pursuant to Education
Code section 5019(c)(1); and

WHEREAS, the Los Angeles County Committee on School District Organization
(“Committee”) has indicated that it will initiate this process on behalf of the District at
the District’s request; and
WHEREAS, the District was sued in the matter of *Rosemarie Sanchez-Fraser v. Sulphur Springs School District*, Los Angeles Superior Court, Case No. BC512739, which case alleged a violation of the CVRA; and

WHEREAS, to avoid the cost, expense and uncertainty inherent in the matter, the District settled the lawsuit, and as a part of such settlement, the District has proceeded expeditiously to change its current at-large election system; and

WHEREAS, the District retained Compass Demographics (the “Consultant”) to prepare proposed trustee area boundary plans for consideration by the District, Board, and community. The Consultant has extensive experience working with school districts and local jurisdictions regarding electoral demographics, the CVRA, the Federal Voting Rights Act, and related election system choices; and

WHEREAS, all of the proposed trustee area boundary plans prepared by Consultant were drawn with CVRA and Federal compliance in mind; and

WHEREAS, the District conducted public forums to consider community input and comment regarding the proposed trustee area boundary plans on September 22 and October 15, and made plans available for review at the District Office October 9-15; and

WHEREAS, the Board has thoughtfully considered all such public input and comment on the proposed trustee area boundary plans; and

WHEREAS, the Board desires to adopt the Green Plan and hereby recommends the Green Plan to the County Committee for its consideration based upon the findings, and analysis contained in the documents attached hereto and incorporated herein as Exhibit “A”; and

WHEREAS, in order to complete the transition to by-trustee area elections in a timely and cost effective manner, and to guarantee that the new by-trustee area process will be in place in time to elect new governing board members at the Board’s next regularly scheduled election, the District must obtain a waiver of the election process as set forth in Education Code sections 5019, 5020, 5021, and 5030 from the State Board of Education; and

WHEREAS, consistent with the Settlement Agreement, and conditioned upon the approval of its waiver request by the State Board of Education, the District will hold by-trustee elections in Trustee Areas 1 and 2 at its November 2015 election.
NOW, THEREFORE BE IT RESOLVED by the Governing Board of Sulphur Springs Union School District as follows:

1. That the above recitals are true and correct.

2. That the Board hereby adopts the Green Plan and recommends the Green Plan to the Committee for consideration and adoption.

3. That consistent with the Settlement Agreement, and conditioned upon the approval of its waiver request by the State Board of Education, the District will hold by-trustee area elections in Trustee Areas 1 and 2 at its November 2015 election.

4. That the Superintendent and/or his designee take all actions necessary to notify the Committee of the Board's determination herein and provide whatever assistance may be required by the Committee to complete the process.

ADOPTED, SIGNED, AND APPROVED this 5th day of November, 2014.

Dr. Kerry Clegg
President of the Governing Board for the Sulphur Springs Union School District

I, Shelley Weinstein, Clerk of the Governing Board of the Sulphur Springs Union School District, do hereby certify that the foregoing Resolution was adopted by the Governing Board of said District at a meeting of said Board held on the 5th day of November, 2014, and that it was so adopted by the following vote:

Kerry Clegg  [Aye]  (Aye, Nay, Abstain,Absent)
Shelley Weinstein  [Aye]
Denis DeFigueiredo  [Aye]
Lori MacDonald  [Aye]
Ken Chase  [Aye]

Shelley Weinstein
Clerk of the Governing Board for the Sulphur Springs Union School District
SETTLEMENT AGREEMENT AND RELEASE

This Settlement Agreement and Release (the “Settlement Agreement”) is made and entered into by and between: Rosemarie Sanchez-Fraser (“Plaintiff”) and the Sulphur Springs School District (“District”) (collectively the “Parties”).

Recitals

A. Plaintiff claims that the District’s current at-large election system violates the California Voting Rights Act, Cal. Elec. Code §§14025, et seq. Specifically, Plaintiff alleges that the at-large system for electing members of the District’s Board prevents Latino residents from electing candidates of their choice or influencing the outcome of the District Governing Board’s (“Board”) elections, as more fully described in Plaintiff’s Complaint, filed in the Los Angeles Superior Court, Case No. BC512739 (“Suit”). The District has, at all times, disputed and continues to dispute each and all of the claims and allegations made by Plaintiff in the Suit.

B. The Parties desire to enter into this Settlement Agreement in order to provide for certain actions in full settlement and discharge of all claims which have, or might have, been made, or might be made by reason of the events described in Recital A above and which were, or could have been alleged, in the Suit, upon the terms and conditions set forth below.

Agreement

The Parties agree as follows:

1.0 Release and Discharge

1.1 In consideration of the actions set forth in Section 2, Plaintiff hereby completely releases and forever discharges Defendant from any and all past, present or future claims, demands, obligations, actions, causes of action, rights, damages, costs, losses of services, expenses and compensation of any nature whatsoever, whether based on a tort, contract or other theory of recovery, which the Plaintiff now has, or which may hereafter accrue or otherwise be acquired, on account of, or may in any way arise of the incident described in Recital A above.

1.2 This Settlement Agreement is inclusive of all liens, costs and attorney's fees.

1.3 This release and discharge, as set forth in Section 1.1, shall apply to the District's past, present and future officers, directors, board members, attorneys, agents, servants, representatives, employees, subsidiaries, affiliates, partners, predecessors and successors in interest, and assigns and all other persons, firms or corporations with whom any of the former have been, are now, or may hereafter be affiliated.

1.4 This release, on the part of Plaintiff, shall be a fully binding and complete settlement between the Plaintiff and Defendant, and their heirs, assigns and successors.

1.5 Plaintiff expressly waives and assumes the risk of any and all claims for damages, within the scope of released claims described in paragraph 1.1, which exist as of this date, but of which the
Plaintiff does not know or suspects to exist, whether through ignorance, oversight, error, negligence, or otherwise, and which, if known, would materially affect Plaintiff's decision to enter into this Settlement Agreement. Plaintiff further agrees that Plaintiff will accept the consideration specified herein as a complete compromise of matters involving disputed issues of law and fact.

1.6 Plaintiff hereby waives any and all rights based upon the provisions of California Civil Code Section 1542 which reads as follows:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor."

2.0 Actions and Payment Required

For valuable consideration, including the release set forth above and the further mutual promises set forth below, the Parties agree as follows:

2.1 The Board shall pass a resolution initiating the transition from the at-large election system to the by-trustee area election system. This resolution shall be passed at the next regularly scheduled Board meeting after the settlement agreement is fully executed by the parties.

2.2 The District shall proceed with the process of transitioning to the by-trustee area election system as proscribed by the California Voting Rights Act, the Education Code, the Elections Code and all other applicable laws and/or regulations.

2.3 The District will retain one of the following demographers: David Ely of Compass Demographics; or Karin McDonald of Q2 Data Research, for the purposes of providing all pertinent demographic services necessary to complete the transition to the by-trustee area election system. Nothing in this Agreement shall preclude the District from selecting a different demographer in the event that the District reasonably determines that the services of the selected demographer are unsatisfactory. In this event, the District agrees to notify Plaintiff first and further agrees to select a demographer that is mutually acceptable to the Parties.

2.4 The process of transitioning to the by-trustee area election system shall be completed no later than March 2015, the year of the District's next regularly scheduled Board elections. The District will ensure that transition has been made and that the new trustee areas will be implemented for the election held in November 2015.

2.5 Plaintiff shall provide Defendant with a signed copy of this Settlement Agreement, together with an executed Request for Dismissal of the entire action as against Defendant WITH PREJUDICE and a completed W-9 for all payees under this Settlement Agreement.

2.6 The District will make payment in full satisfaction of this Settlement Agreement in the amount of One hundred Forty-Four thousand Nine Hundred and Forty Eight Dollars ($144,948.00), representing
Plaintiff's attorneys' fees and costs, within thirty (30) days of the receipt of all documents outlined in section 2.1 above:

2.7 All payment drafts shall be delivered to:

Shenkman & Hughes
28905 Wight Rd.
Malibu, California

2.8 Defendant shall hold the executed Request for Dismissal and shall not file same any earlier than five (5) court days following the passing of the resolution to transition to the by-trustee area election system and the making of payment to Plaintiff as stated in section 2.6 of this Settlement Agreement. The obligation of the District to make Payment shall be discharged upon the mailing of a valid check in the amount indicated and to the address designated in Sections 2.6 through 2.7 of this Settlement Agreement.

2.9 The District makes no representations regarding the federal or state tax consequences of any payments or benefits under this Agreement and all tax reporting and payments required by law remains the responsibility of the payees under this Settlement Agreement.

3.0 No Admission of Liability

It is understood and agreed to by the Parties that this settlement is a compromise of a disputed claim, and that the actions and payments to be undertaken by Defendant under this Settlement Agreement are not to be construed as an admission of liability on the part of the Defendant, by whom liability is expressly denied.

4.0 Attorney's Fees

4.1 Except as set forth in Section 2.5, each party hereto shall bear all attorney's fees and costs arising from the actions of its own counsel in connection with this Settlement Agreement, the matters and documents referred to herein, and all related matters.

4.2 In the event of a breach of any provision of this Settlement Agreement, which requires litigation, the prevailing party will be entitled to recover its reasonable attorney’s fees, costs and pre-judgment interest for judicial enforcement of any of said provisions.

5.0 Liens

Plaintiff shall bear full and sole responsibility for and agree to discharge any and all liens and/or other claims that any third party or organization might have or assert against him and to defend, indemnify and hold Defendant harmless against any such liens or claims.
6.0 Additional Representations of the Parties

6.1 In entering into this Settlement Agreement, the Parties represent that they have relied upon the advice of their attorneys, who are the attorneys of their own choice, concerning the legal consequences of this Settlement Agreement; that the terms of this Settlement Agreement have been completely read and explained to the Parties by their attorneys; and that the terms of this Settlement Agreement are fully understood and voluntarily accepted by the Parties.

6.2 Plaintiff represents and warrants that no other person or entity has, or has had, any interest in the claims, demands, obligations, or causes of action referred to in this Settlement Agreement, except as otherwise set forth herein; that Plaintiff has the sole right and exclusive authority to execute this Settlement Agreement and receive the sums specified in it; and that Plaintiff has not sold, assigned, transferred, conveyed or otherwise disposed of any of the claims, demands, obligations or causes of action referred to in this Settlement Agreement. Plaintiff further represent and warrant that no other party, nor any agent or attorney of any other party has made any promise, representation or warranty whatsoever, express or implied, not contained herein, concerning the subject matter hereof, to induce Plaintiff or their attorneys, or any other party hereto, to execute this Settlement Agreement and Release, and Plaintiff acknowledge that this Settlement Agreement and Release has not been executed in reliance upon any such promise, representation or warranty not contained herein.

6.3 The Parties execute this Settlement Agreement and undertake the obligations stated herein knowingly and voluntarily, in the total absence of any fraud, mistake, duress, coercion, or undue influence and after careful thought and reflection upon the Settlement, the Settlement Agreement, and the obligations thereunder and accordingly, by signing this document and any other document referred to herein, the Parties signify full understanding, acceptance and agreement.

6.4 The Parties have investigated the facts pertaining to the Settlement and Settlement Agreement and all matters pertaining thereto as they each deem necessary. The Parties assume the risk that the facts or law, which are in dispute in this case, may be other than the Parties believe.

7.0 Confidentiality

7.1 The Parties agree that neither they nor their attorneys nor representatives shall hereafter publicly reveal, other than as may be mutually agreed to in writing or otherwise required by law, any of the terms of this Settlement Agreement or any of the amounts, numbers, terms or conditions of any sums payable to any payee hereunder.

7.2 The Parties, including Plaintiff's attorneys and Defendant's attorneys, expressly agree that this settlement will not be disclosed to any media of any type or nature, including, but not limited to, professional publications, attorney or any other web/internet site postings, Verdicts and Settlements of the local journal publications, local journals, research publications or similar settlement/verdict reporting services, or any radio, television or other media, unless required to do so by law.
7.3 **Exception to confidentiality.** In the event of inquiry from any media, press, or third parties including future potential employers, Plaintiff, the District and its representatives will limit any remarks to the contents of the statement set forth in Exhibit 1 to this Settlement Agreement. Furthermore, notwithstanding anything to the contrary herein, in the event that disclosure of this Settlement Agreement to a court or public agency is required in order to give effect to this Settlement Agreement, such disclosure is not prohibited. Notwithstanding anything herein to the contrary, the Parties and their attorneys may also praise the District’s decision to resolve this matter, but in no event shall the Parties or their attorneys disparage one another.

8.0 **Binding Effect**

The settlement between the Parties and this Settlement Agreement and all documents referred to herein, shall bind and inure to the benefit of each of the parties hereto and their respective successors in interest. Except as expressly provided herein, this Settlement Agreement is not for the benefit of any person not a Party hereto or specifically identified as a beneficiary herein or specifically identified herein as a person or entity released hereby, and is not intended to constitute a third party beneficiary contract. A person or entity shall be deemed specifically identified as a person or entity released hereby if such person or entity is identified by name (e.g. “John Smith”) or category (e.g. “heirs”).

9.0 **Additional Documents**

All Parties agree to cooperate fully and execute any and all supplementary documents and to take all additional actions which may be necessary or appropriate to give full force and effect to the basic terms and intent of this Settlement Agreement.

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10.0 Ambiguities or Uncertainties

This Settlement Agreement shall be equally and fairly interpreted and construed without reference to the identity of the Party or Parties preparing the document, on the express understanding and agreement that the Parties participated equally in the negotiation and preparation of the Settlement Agreement or have had equal opportunity to do so. Accordingly, the Parties waive the benefit of California Civil Code section 1654 and any successor or amended statute which provides that, in cases of ambiguity or uncertainty, language of a contract should be interpreted most strongly against the Party who caused the ambiguity or uncertainty to exist.

11.0 Governing Law

This Settlement Agreement shall be construed and interpreted in accordance with the laws of the State of California.

For the protection of the undersigned Plaintiff, California law requires the following to appear on this form:

"IT IS UNLAWFUL TO (A) PRESENT OR CAUSE TO BE PRESENTED ANY FALSE OR FRAUDULENT CLAIM FOR THE PAYMENT OF A LOSS UNDER A CONTRACT OF INSURANCE AND (B) PREPARE, MAKE OR SUBSCRIBE ANY WRITING WITH INTENT TO PRESENT OR USE THE SAME, AND TO ALLOW IT TO BE PRESENTED OR USED IN SUPPORT OF ANY SUCH CLAIM. ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS PUNISHABLE BY IMPRISONMENT IN THE STATE PRISON OR BY FINE NOT EXCEEDING ONE THOUSAND DOLLARS ($1,000) OR BOTH."

12.0 Entire Agreement

This Settlement Agreement contains the ENTIRE AGREEMENT and COMPLETE understanding concerning this subject matter among the Parties and supersedes and replaces all prior negotiations and proposed agreements, written and oral.

13.0 Court Jurisdiction for Enforcement

All parties agree that this agreement is a court-approved settlement pursuant to California Code of Civil Procedure section 664.6. and may be enforced by motion or other procedure permitted by California law. The Parties agree that the Court may retain jurisdiction for purposes of enforcing this Settlement Agreement pursuant to California Code of Civil Procedure section 664.6 until performance in full of the terms hereunder. The Parties agree that, if such a motion is filed, the prevailing party is entitled to recover reasonable attorneys’ fees and costs.
14.0 Severability

In the event that any provision of this Settlement Agreement shall be deemed to be void, voidable or unenforceable, the remaining portions hereof shall remain in full force and effect, except where to do so would be contrary to the intent or spirit of the Settlement Agreement.

15.0 Waiver, Modification and Amendment

No breach of this Settlement Agreement or of any provision herein can be waived except by an express written waiver executed by the waiving Party. Waiver of any one such breach shall not be deemed a waiver of any other breach of the same or other provisions of the Settlement Agreement. This Settlement Agreement may be amended, altered, modified or otherwise changed in any respect only by a writing duly executed by all Parties hereto.

16.0 Captions

Section, paragraph and other captions or headings contained in this Settlement Agreement are inserted as a matter of convenience and for reference, and in no way define, limit, extend, or otherwise describe the scope of the intent of this Settlement Agreement or any provision hereof and shall not affect in any way the meaning or interpretation of this Agreement.

17.0 Photocopy and/or Facsimile, Counterparts and Possession of Original

The Parties agree that a true, accurate and complete photocopy or facsimile of this Settlement Agreement and/or the signatures of the Parties thereto shall have the same force and effect as the original and shall be sufficient to bind the Parties to this Settlement Agreement. The Parties agree that the Settlement Agreement may be executed in counterparts and that the sum of the executed signatory pages shall constitute the whole of this Settlement Agreement as if the entirety of the necessary signatures were contained within the same original document. The original shall remain in the possession of the District, the District's attorneys or its joint powers authority.

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18.0 Effectiveness

This Settlement Agreement shall become effective immediately following execution by each of the Parties and ratification by the Sulphur Springs School District Board of Education as required by Education Code section 17604.

PLAINTIFF:
Rosemarie Sanchez-Fraser

Date: ______________________

DEFENDANT:
Sulphur Springs School District

By: ______________________
Duly Authorized Representative

Title: ______________________

Date: ______________________

APPROVED AS TO FORM AND CONTENT:

Attorneys for Plaintiff:
Shenkman & Hughes

Date: ______________________
By: ______________________
Kevin Shenkman, Esq.

R. Rex Parris Law Firm

Date: ______________________
By: ______________________
R. Rex Parris, Esq.

SETTLEMENT AGREEMENT AND RELEASE
Attorneys for Defendant:
FAGEN FRIEDMAN & FULFROST, LLP

Date: ____________________________    By: ____________________________

Peter K. Fagen, Esq.
Milton E. Foster III, Esq.
Exhibit 1

The case has been resolved through a no fault mutual settlement. Pursuant to the settlement, the parties cannot discuss the details of the case including the allegations of the complaint and any other pleadings, communications between the parties, liability and settlement. I can provide that Plaintiff and the District mutually decided that it was in the best interest of all parties, including the citizens residing in the Sulphur Springs School District and the children educated by the Sulphur Springs School District, to resolve the matter and convert to by-trustee area elections rather than engaging in protracted litigation.
Preparing Trustee Voting Area Plans: Federal & State Requirements

Federal Requirement

- *Equal Population*
  - As equal as practical based on data and criteria based on most recent Census Total Population

- *Minority Voting Rights*
  - No Discriminatory Purpose; No Vote Dilution

- *Equal Protection*
  - Race must not be predominant factor

State Law

- Topography
- Geography
- Cohesiveness, Contiguity, Integrity, and Compactness of Territory
- Community of Interest
Considerations: Preparing the Trustee Voting Area Plans

- Steps taken to prepare the Trustee Voting Area Plans
- Attempted to draw a Majority-Minority District
  - Was not possible in accordance with the law due to geographical disbursement of Latinos within the District
  - Areas of Latino concentration united in near majority District.
- The maps you will see constitute the best available options within the confines of the law
- Each option increased CVAP (Citizen Voting Age Population) for the Latino voting bloc
Demographic & Geographic Data

Demographic Data

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<th>2010 Census PL94-171: Redistricting Data File</th>
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<tbody>
<tr>
<td>Population Total</td>
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<tr>
<td>Ideal District Population</td>
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<tr>
<td>Voting Age Population Total</td>
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<table>
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<tr>
<th>2012 5 Year American Community Survey: DOJ Special Tabulation</th>
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<tr>
<td>Citizen Voting Age Population Total</td>
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<tr>
<th>Statewide Database</th>
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<tbody>
<tr>
<td>2010 Registered Voters Total</td>
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Geographic Data

- School District Boundaries
- Streets and Highways
- Census Blocks
- Precincts
- Parcels
- Attendance Areas
### Green Option with Data

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<tr>
<th>District</th>
<th>A</th>
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<th>C</th>
<th>D</th>
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Green Option:
Streets, Highways & Attendance Areas
### Blue Option with Data

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<td>4.7%</td>
</tr>
</tbody>
</table>
Blue Option: Streets, Highways & Attendance Areas
Why the Board Determined the Green and Blue Options Should be Presented to the Public

Both options seemed comparable:

- Satisfied requirements of CVRA
- Improved the voting power of the Latino voting bloc group
- Appeared to preserve the present communities of interest
- Appeared to follow major street and highway divides
- Options “made sense” geographically
- Options “made sense” in relation to school boundary lines
- Location of incumbents was not a determining factor
LOS ANGELES COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION (COUNTY COMMITTEE) LEGISLATIVE REVIEW – MARCH 2015

BILL NUMBER/AUTHOR: Assembly Bill 182 / Alejo
INTRODUCTION DATE: 01/26/15
LAST ACTIVITY/DATE: Feb. 2 In Assembly committees for review

DESCRIPTION OF BILL
This bill would require a court to implement specified remedies upon a finding that a district-based election was imposed or applied in a manner that impaired the ability of a protected class to elect candidates of its choice or otherwise influence the outcome of an election. The bill would also direct a court to implement a redistricting plan if it would provide redress, as well as allow the court to increase the size of the governing body, delay an election, or require elections to be held on the same day as a statewide election.

POTENTIAL IMPACT OF BILL ON LOS ANGELES COUNTY COMMITTEE, SCHOOL DISTRICT ORGANIZATION PROCESS AND/OR LOS ANGELES COUNTY SCHOOL DISTRICTS
This bill would likely result in increased activity related to the California Voting Rights Act, which has had significant impact on school districts statewide.

RECOMMENDED POSITION
Staff recommends the following position:

☒ Watch Bill should be monitored by County Committee staff, but no action taken at this time.
☐ Approve County Committee supports the bill’s concept, but will not actively work for passage.
☐ Support County Committee actively supports the bill.
☐ Oppose County Committee actively opposes the bill.
☐ Disapprove County Committee disapproves of the bill’s concept, but will not actively oppose passage.
AMENDMENTS REQUIRED

If staff’s recommended position is based on the need for amendments to the bill language, suggested alternative language is attached.

CORRESPONDENCE REQUIRED

If staff’s recommended position is based on the need for correspondence to the bill’s author, the Governor or other governmental officials, a draft of suggested language is attached.

Please direct all comments to Mr. Keith D. Crafton, Secretary to the County Committee at (562) 922-6144.

This document was prepared by staff to the County Committee
Summary of Los Angeles Unified School District Reorganization Proposals

March 2015

The following is a summary of school district reorganization proposals affecting the Los Angeles Unified School District (USD) that were at various stages in the school district organization process as of February 17, 2015.

RECENT INQUIRIES REGARDING REORGANIZATION (within the last two years)

Formation Proposals/Last Activity Date

- None

Transfer of Territory Proposals/Last Activity Date

- None
Attachment 4

Summary of Los Angeles County School District Reorganization Proposals
(Excluding those affecting the Los Angeles Unified School District)

March 2015

The following is a summary of school district reorganization proposals [exclusive of those affecting the Los Angeles Unified School District (USD) that are at various stages in the school district reorganization process as of February 17, 2015.]

PETITION TO ESTABLISH TRUSTEE AREAS AND TRUSTEE AREA VOTING WITHIN THE SULPHUR SPRINGS UNION SCHOOL DISTRICT (SD)

On November 6, 2014, the Sulphur Springs Union SD submitted a petition to establish trustee areas and trustee area voting. It was presented to the County Committee on January 7, 2015. The County Committee’s public hearing was held February 12, 2015, and a feasibility study was conducted and will be presented to the County Committee, at the March 4, 2015 meeting.

*Status: Public hearing held February 12, 2015, feasibility study completed
Status Date: February 17, 2015

PETITION TO INCREASE THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN, AND TO ESTABLISH TRUSTEE AREAS AND TRUSTEE AREA VOTING, WITHIN THE POMONA USD

On January 27, 2014, LACOE received a request for a petition pursuant to EC §5019 to increase the number of trustees from five to seven, to establish trustee areas and require trustee area voting within the Pomona USD. The request was submitted by chief petitioner Mr. John Mendoza. The petition was forwarded to County Counsel to determine its legal compliance regarding format and content. On February 6, 2014, County Counsel deemed the petition sufficient. Staff returned the petition to the chief petitioner on February 11, 2014, for circulation.

Please note that this is a separate petition, distinct from the other petitions requested by Mr. Mendoza, and requests some of the same changes within the Pomona USD (the addition of two governing board members and the creation of trustee areas). It was submitted under EC §5019(c) and, based on the number of registered voters in the Pomona USD, requires valid signatures from at least 500 registered voters within the petition area. If valid and certified by
the County Committee, this petition would trigger a feasibility study, public hearing, and ultimately a vote by the County Committee.

On September 15, 2014, the chief petitioner submitted signed petitions for review. On September 16, 2014, staff conveyed the signed petitions to the Registrar-Recorder for signature verification. On October 9, 2014, staff received notice from the Registrar-Recorder, affirming that the petition contained enough signatures to move forward.

At the January 7, 2015 and February 4, 2015 meetings, representatives for the Pomona USD provided updates. A petition is expected to be presented at the March 4, 2015 meeting. Following that, staff will work with the district to schedule a public hearing, after which a feasibility study will be conducted and presented to the County Committee at a future meeting.

*Status: Public hearing being scheduled, feasibility study to follow
Status Date: February 17, 2015

PETITION TO TRANSFER TERRITORY FROM THE CENTINELA VALLEY UNION HIGH SCHOOL DISTRICT (HSD) AND LAWNLDE SD TO THE WISEBURN USD

On May 15, 2014, LACOE received a request for a petition pursuant to EC §35700, to transfer territory from the Centinela Valley Union HSD and the Lawndale SD to the Wiseburn USD. The request was submitted by chief petitioners Ms. Shavonda Webber-Christmas and Mr. Bill Magoon. The petition was forwarded to County Counsel to determine its legal compliance regarding format and content. On June 20, 2014, County Counsel deemed the petition sufficient. Staff returned the petition to the chief petitioners on June 23, 2014.

On October 15, 2014, the chief petitioners submitted signed petitions for review. On October 15, 2014, staff conveyed the signed petitions to the Registrar-Recorder for signature verification. On November 6, 2014, staff received notice from the Registrar-Recorder that there were insufficient signatures to move the petition forward. Staff notified the chief petitioners, who elected to gather additional signatures. On December 4, 2014, the chief petitioners submitted additional signatures, which were submitted to the Registrar-Recorder on December 5, 2014 for signature verification. On December 22, 2014, the Registrar Recorder notified staff that the additional signatures were validated, and the petition did have sufficient signatures to move forward.

The petition was presented to the County Committee on January 7, 2015. Two public hearings are scheduled for March 2, 2015, after which a feasibility study will be conducted and presented to the County Committee at a future meeting.

*Status: Public hearings scheduled for March 2, 2015, feasibility study to follow
Status Date: February 17, 2015
PETITION TO ESTABLISH TRUSTEE AREAS AND TRUSTEE AREA VOTING WITHIN THE LANCASTER SCHOOL DISTRICT (SD)

On March 3, 2015, the Lancaster SD is expected to submit a petition to establish trustee areas and trustee area voting. It is being presented to the County Committee on March 4, 2015. The County Committee’s public hearing will be held later in March, 2015, and a feasibility study will be conducted, which will be presented to the County Committee at a later date.

*Status: Public hearing to be scheduled in March
Status Date: February 17, 2015

PETITION TO ESTABLISH TRUSTEE AREAS AND TRUSTEE AREA VOTING WITHIN THE WILLIAM S. HART UNION HSD

On March 3, 2015, the William S. Hart Union HSD is expected to submit a petition to establish trustee areas and trustee area voting. It is being presented to the County Committee on March 4, 2015. The County Committee’s public hearing will be held later in March, 2015, and a feasibility study will be conducted, which will be presented to the County Committee at a later date.

*Status: Public hearing to be scheduled in March
Status Date: February 17, 2015

PETITION TO INCREASE THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN, AND TO ESTABLISH TRUSTEE AREAS AND TRUSTEE AREA VOTING WITHIN THE POMONA USD

On June 6, 2012, LACOE received a request for a petition pursuant to EC §5019 and §5020 to increase the number of trustees from five to seven, to establish trustee areas, and to require trustee area voting within the Pomona USD. The request was submitted by chief petitioner, Mr. John Mendoza. The petition was forwarded to County Counsel to determine the legal compliance of format and content. On June 19, 2012, County Counsel deemed the petition sufficient; staff returned the petition to the chief petitioner on June 20, 2012, for circulation.

In August of 2014, staff confirmed that petitioner is still interested in collecting signatures on this petition.

Status: Petition in circulation.
Status Date: June 20, 2012
FORMATION—ALTADENA USD (CURRENTLY LIES WITHIN THE BOUNDARIES OF THE PASADENA USD)

On January 17, 2006, LACOE received a request for a petition from chief petitioners Ms. Maurice Morse, Ms. Shirlee Smith, and Mr. Bruce Wasson, three community members who are residents of the area known as Altadena. The chief petitioners want to form an Altadena USD from territory within the boundaries of the Pasadena USD. The petition request was returned to the chief petitioners on January 20, 2006, because it lacked an adequate description of the area pursuant to EC §35700.3.

On February 10, 2006, LACOE received a revised request for a petition. Staff reviewed the request and forwarded a draft petition to County Counsel on February 22, 2006, for a legal compliance review regarding format and content. We received notification on March 6, 2006, from County Counsel informing us that the draft petition was legally acceptable.

On March 7, 2006, staff forwarded the draft petition to the Registrar-Recorder for verification that the description of the proposed boundaries of the Altadena USD was sufficiently clear (so that registered voters residing within the proposed petition area could be identified with specificity). The Registrar-Recorder confirmed that the description was sufficient on March 10, 2006.

The petition was mailed to the chief petitioners on March 14, 2006, for circulation within the petition area. The Registrar-Recorder estimated the chief petitioners will need to collect approximately 7,000 valid signatures in order to meet the criteria set forth in EC §35700(a).

On September 23, 2010, chief petitioners delivered signed petitions to LACOE. Staff submitted the petitions to the Registrar-Recorder on September 27, 2010, for signature verification. On October 22, 2010, the Registrar-Recorder notified staff that there were insufficient valid signatures (less than the required 25 percent of the registered voters within the petition area). Staff notified the chief petitioners of the insufficiency, and at Mr. Wasson’s request, returned the petitions to the Registrar-Recorder for a signature audit. Staff also advised the chief petitioner regarding the collection of additional signatures. Upon notification by the Registrar-Recorder of a sufficient number of valid signatures, staff will present the petition to the County Committee at the next regular meeting.

On January 4, 2011, staff conferred with a representative from the Registrar-Recorder’s office, who informed us that no audit of petition signatures had been done yet, and they clarified the cost of signature verification. On February 15 and March 1, 2011, staffs contacted the Registrar-Recorder and were informed that the signature audit had still not been done. On May 12, 2011, staff from the Registrar-Recorder’s office advised LACOE that an audit of the petition’s signatures was underway. On November 28, 2011, the chief petitioner Mr. Wasson notified LACOE of the death of one of the co-chief petitioners, Ms. Morse. Mr. Wasson stated that another chief petitioner would not be named.
In August of 2014, staff confirmed that petitioner is still interested in collecting additional signatures.

Status: Petition insufficient; chief petitioners may gather additional signatures.
Status Date: December 5, 2011

**PETITION TO INCREASE IN THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN AND TO ESTABLISH TRUSTEE AREAS WITHIN THE POMONA USD**

On July 13, 2009, LACOE received a request for a petition pursuant to EC §5019 and §5020 to increase the number of trustees from five to seven and to establish trustee areas within the Pomona USD. The request was submitted by chief petitioner Mr. Mendoza. The petition was forwarded to County Counsel to determine its legal compliance regarding format and content. On August 7, 2009, County Counsel deemed the petition sufficient. Staff returned the petition to the chief petitioner on August 11, 2009, for circulation.

Please note that this is a separate petition, distinct from the other petitions requested by Mr. Mendoza, and requests some of the same changes within the Pomona USD (the addition of two governing board members and the creation of trustee areas). It was submitted under EC §5019 and §5020 and requires valid signatures from ten percent of the registered voters within the petition area (approximately 7,000 signatures in the case of the Pomona USD). If valid and certified by the County Committee, this petition would trigger a ballot initiative (as opposed to a reference report and vote by the County Committee).

In August of 2014, staff confirmed that petitioner is still interested in collecting signatures on this petition.

Status: Petition in circulation.
Status Date: August 20, 2009

**FORMATION—MALIBU USD (CURRENTLY LIES WITHIN THE BOUNDARIES OF THE SANTA MONICA-MALIBU USD)**

Status: Petition currently in circulation.
Status Date: February 21, 2008

**FORMATION—LA MIRADA USD (CURRENTLY LIES WITHIN THE BOUNDARIES OF THE NORWALK – LA MIRADA USD)**

Status: Petition in circulation.
Status Date: March 20, 2007
March 4, 2015 Regular Meeting
of the County Committee
February 19, 2015
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Unification Proposals/Last Activity Date

- Malibu USD (Santa Monica-Malibu USD)/November 2011

Transfer of Territory Proposals/Last Activity Date

- Monrovia USD to Arcadia USD/February 2015
- Glendale USD to La Canada USD/December 2014
- Pasadena USD to La Canada USD/April 2013
- Temple City USD to Arcadia USD/March 2012

Formation Proposals/Last Activity Date

- None

Trustee Areas and Governing Board Size/Last Activity Date

- Lancaster SD / November 2014
- William S. Hart Union High SD / December 2014

* = indicates activity since last meeting

This document was prepared by staff to the County Committee.