December 26, 2017

TO: Members of the Los Angeles County Committee on School District Organization (County Committee)

FROM: Keith D. Crafton, Secretary

SUBJECT: Regular Meeting of the County Committee - Wednesday, January 10, 2018

The next regular meeting of the County Committee will be held at 11:30 a.m. on Wednesday, January 10, 2018, in the Board Room of the Los Angeles County Office of Education, at 9300 Imperial Highway in Downey. This is the annual organizational meeting, and following the meeting will be the annual luncheon, also in the Boardroom. Reserved parking spaces will be available on the east side of the building for County Committee members.

Attached is the agenda for the meeting of January 10, 2018.

If you have questions, please call me at (562) 922-6131.

KDC/AD/EH:ah
Attachments
AGENDA

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

Regular Meeting

Los Angeles County Office of Education
January 10, 2018
11:30 a.m.

I. CALL TO ORDER – Chairperson Mr. Frank Ogaz

II. FLAG SALUTE – Mr. Ogaz

III. APPROVAL OF THE MINUTES – Mr. Ogaz

The minutes of the regular meeting of the County Committee, held on November 1, 2017, will be submitted for approval. [Enclosure]

IV. NOMINATING COMMITTEE FOR NEW OFFICERS – Mr. Ogaz

The Nominating Committee, comprised of Mr. Frank Bostrom (Chair), Ms. Susan Andriacchi, and Mr. AJ Willmer, will submit its recommendations for chairperson and vice-chairperson for 2018. The County Committee will vote on the nominating committee’s recommendations. The new officers will assume their duties immediately.

V. RESULTS OF THE ANNUAL COUNTY COMMITTEE ELECTION OF MEMBERS CONDUCTED IN FALL, 2017 - Secretary Keith Crafton

The Secretary will provide the results of the annual election of members to the County Committee held on October 30, 2017.
VI. ADMINISTRATION OF OATH OF OFFICE – County Committee Chairperson

The County Committee Chairperson will administer the oath of office to the re-elected County Committee members: Maria Calix for the Second and Mr. AJ Willmer for the Third supervisorial districts.

VII. PRESENTATIONS FROM THE PUBLIC – Secretary 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)

VIII. COMMUNICATIONS – Secretary Crafton

The Secretary will review any pertinent informational correspondence or newspaper articles.

IX. PETITION TO ESTABLISH TRUSTEE AREAS AND TRUSTEE AREA VOTING IN THE COVINA VALLEY UNIFIED SCHOOL DISTRICT (USD) – Secretary Crafton

The Secretary will present a petition to establish trustee areas and trustee area voting within the Covina Valley USD.

X. UPDATE ON PETITION TO FORM A MALIBU UNIFIED SCHOOL DISTRICT (USD) FROM TERRITORY WITHIN THE SANTA MONICA-MALIBU USD - Secretary Crafton

The complete update is: The City of Malibu has petitioned to form a Malibu USD out of territory currently within the Santa Monica-Malibu USD. Following the introduction of the petition in November, 2017, the city submitted additional material to the petition rationale, including a trustee area map, a description of the fiscal impact of the unification, and a letter requesting that the scheduling of the County Committee’s preliminary public hearing be postponed until after the February 2018 meeting within the district. Stakeholders shall hold further discussions exploring options related to the petition.
XI. **PETITION TO ESTABLISH TRUSTEE AREAS AND TRUSTEE AREA VOTING, WITHIN THE ANTELOPE VALLEY JOINT UNION HIGH SCHOOL DISTRICT (HSD)** – Secretary Crafton

The Secretary and staff shall present a feasibility study on a petition to establish trustee areas and trustee area voting within the Antelope Valley Joint Union HSD, after which the County Committee may vote on the proposal. [Attachment 1]

XII. **UPDATE ON PETITION TO TRANSFER TERRITORY FROM THE GLENDALE UNIFIED SCHOOL DISTRICT (USD) TO THE LA CANADA USD** – Secretary Crafton

The complete update is: An environmental services consultant has been selected, and a contract will be expedited to provide services related to requirements of the California Environmental Quality Act (CEQA) on the petition to transfer territory from the Glendale USD to the La Canada USD. The environmental analysis is expected to commence after the contractual terms are agreed upon. A timeline for completion of this work cannot be determined at this time.

XIII. **UPDATE ON REVIEW OF COUNTY COMMITTEE POLICIES** – Mr. Ogaz

The Chairperson will request a report from the County Committee policy review subcommittee.

XIV. **UPDATE ON THE CALIFORNIA VOTING RIGHTS ACT (CVRA), TRUSTEE AREA AND ELECTION ISSUES** – Secretary Crafton

The Secretary will provide an update on CVRA activities and election changes in Los Angeles County.

XV. **LEGISLATIVE UPDATE** – Secretary Crafton

There are no bills to report.
XVI. 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 2]

XVII. 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 3]

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

XIX. ADJOURNMENT
The Los Angeles County Committee on School District Organization (County Committee) met on Wednesday, November 1, 2017, at the Los Angeles County Office of Education (LACOE) in Downey. The meeting was called to order at 9:35 a.m., by Chairperson Frank Ogaz.

Members Present

Susan Andriacchi  
Frank Bostrom  
Owen Griffith  
John Nunez  
Frank Ogaz  
AJ Wilmer

Members Absent

Maria Calix  
Ted Edmiston  
Nicole Kluft  
Joel Peterson  
Susan Solomon

Staff Present

Keith D. Crafton, Secretary  
Jeff Young, Staff  
Dr. Allison Deegan, Staff  
Eric Hass, Staff  
Diane Tayag, Staff  
Norma Paniagua, Staff

Mr. Frank Ogaz Solomon called the meeting to order.  

Mr. Bostrom led the flag salute.

It was MOVED by Mr. AJ Wilmer and SECONDED by Mr. Frank Bostrom that the minutes of the regular meeting held on September 6, 2017 be approved. Motion carried. Votes are:

Ms. Susan Andriacchi  Yes  
Mr. Frank Bostrom  Yes  
Mr. Owen Griffith  Yes  
Mr. John Nunez  Yes  
Mr. Frank Ogaz  Yes  
Mr. AJ Wilmer  Yes

Secretary Keith Crafton stated that no member of the public signed up to address the committee.

Presentations from the Public

Secretary Crafton directed the Committee to their folders which contain articles relating to school district organization issues, and CVRA.
Secretary Crafton stated that on September 1, 2017, the County Committee received a petition submitted from the City of Malibu to form a Malibu Unified School District from territory currently in the Santa Monica-Malibu USD. He mentioned this is a local agency petition under EC 35720 and 35721 and requires a preliminary public hearing in impacted area. After the preliminary hearing, the Committee will vote on whether or not the petition will be brought into the regular review process. A “yes” vote will include public hearings, feasibility study and final decision at a County Committee meeting. If the Committee votes no, the process ends and there is no appeal. He explained that a “no” vote, however, will not foreclose the forming of Malibu USD. The Committee members will be contacted to schedule the preliminary public hearing.

Secretary Crafton reported that the committee participated in the public hearing at the Antelope Valley Joint Union High School District held on October 11, 2017, in response to the district’s trustee area petition. Staff is working on a feasibility study to be presented to the Committee at the January meeting.

Mr. AJ Wilmer reported that he had a briefing with the General Counsel on the policies. Secretary Crafton added that the General Counsel will provide a report of her review of the policies to the Sub-Committee.

Secretary Crafton reported that CVRA activity continues in Los Angeles County and around the state. He mentioned that Covina Valley is holding public hearings. He also shared that LACOE recently hosted a statewide meeting of secretaries to county committees. Dr. Allison Deegan mentioned that she is requesting that the Registrar’s office host an informational webinar.

Secretary Crafton reported that the governor signed AB1516 which includes an update to the Education Code pertaining to the CEQA process. He also mentioned that Senator Ben Allen agreed to sponsor legislation on the petition process.

Secretary Crafton stated there are no updates to report.
Secretary Crafton announced that Mr. AJ Wilmer and Ms. Maria Calix were re-elected as County Committee Board members during the LACHSTA meeting last October 30, 2017.

A bulletin announcing the election results will be sent when they are available, and the elected, or re-elected, members of the Committee will take their oaths at the annual organizational meeting in January.

Meeting was adjourned at 10:41 a.m. 

Adjournment
Attachment 1
REPORT TO THE
LOS ANGELES COUNTY COMMITTEE
ON SCHOOL DISTRICT ORGANIZATION
CONCERNING A PROPOSAL TO ESTABLISH TRUSTEE AREAS
AND TRUSTEE AREA VOTING WITHIN THE
ANTELOPE VALLEY JOINT UNION HIGH SCHOOL DISTRICT

JANUARY 10, 2018

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

On July 5, 2017, the Los Angeles County Office of Education (LACOE) received a petition submitted by the Antelope Valley Joint Union High School District (HSD), pursuant to Education Code (EC) §5019(c)(1), to establish trustee areas and trustee area voting within the Antelope Valley Joint Union HSD (Appendix A). The petition was presented on September 6, 2017, to the Los Angeles County Committee on School District Organization (County Committee).

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 Antelope Valley Joint Union HSD, 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 Antelope Valley Joint Union HSD 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.
(b) 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.

(c) (1) 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 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.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the 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 2018). 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 [Antelope Valley Joint Union High School] District. - Yes/No”

“For the election of one member of the governing board of the [Antelope Valley Joint Union High School] District residing in each trustee area elected by the registered voters of that particular trustee area. - 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 2018) 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 Antelope Valley Joint Union HSD 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 2018.

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 2018).

Please note that, for the present proposal, staff has included the trustee area boundary map developed and approved by the Antelope Valley Joint Union HSD 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 representatives from local municipal entities). **The County Committee may consider adopting this map and trustee areas as submitted, or convene an additional process to develop additional maps with alternate 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 2018). 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, if necessary, may be waived by the SBE.

**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 Office of Education, 2016-17 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, 18 are organized into trustee areas and 62 do not have trustee areas. Of the districts that have trustee areas, three elect using an at-large methodology and the remaining 15 elect members by trustee area voting.

<table>
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<tr>
<th>School District</th>
<th>Trustee Areas (Y/N)</th>
<th>Voting Method (Trustee Area or At Large)</th>
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<td>Whittier Union HSD</td>
<td>N</td>
<td></td>
</tr>
<tr>
<td><strong>William S. Hart Union HSD</strong></td>
<td>Y</td>
<td>TA</td>
</tr>
</tbody>
</table>
### School Districts

<table>
<thead>
<tr>
<th>School District</th>
<th>Trustee Areas (Y/N)</th>
<th>Voting Method (Trustee Area or At Large)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wilsona SD</td>
<td>N</td>
<td></td>
</tr>
<tr>
<td>Wiseburn USD</td>
<td>N</td>
<td></td>
</tr>
<tr>
<td>Los Angeles County Totals</td>
<td>18</td>
<td>15 = TA Voting</td>
</tr>
</tbody>
</table>

*Source: California Department of Education*

### IV. BACKGROUND

#### A. Petition to Establish Trustee Areas and Trustee Area Voting Within the Antelope Valley Joint Union HSD

On July 5, 2017, LACOE and the County Committee received a petition submitted by the Antelope Valley Joint Union HSD, pursuant to Education Code (EC) §5019(c)(1), to establish trustee areas and trustee area voting within the district. This petition was submitted in the form of Resolution No. 2016-17-29, adopted on May 3, 2017 (approved by four of the five members of the Antelope Valley Joint Union HSD governing board), and an approved trustee area map.

#### B. Rationale of the Antelope Valley Joint Union HSD as Petitioner

The rationale for this proposal, as stated in the Antelope Valley Joint Union HSD’s petition submission, is (in relevant part) that the board determined that trustee areas/trustee area elections are not vulnerable to challenges under the CVRA and that settling potential issues by implementing trustee areas and trustee area voting would avoid the cost, expense and uncertainty associated with allegations of violations of the CVRA.

#### C. Position of the Governing Board of the Antelope Valley Joint Union HSD

The petition was submitted by the Antelope Valley Joint Union HSD governing board, which approved it by a 4-1 vote on May 3, 2017, approving a final trustee area map. The petition contained the final trustee area map adopted by the Antelope Valley Joint Union HSD governing board (Appendix B).

### 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 five years. It is not clear if there is a CVRA violation in this case. The Antelope Valley Joint Union HSD received a demand letter from the law firm Shenkman & Hughes on April 3, 2017, challenging its use of the at-large voting system. The district decided to move to trustee areas and trustee area voting, determining that this move is in the best interests of the district. 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.

Under recent legislation, potential settlement costs are limited to $30,000 if districts agree to move to trustee areas and trustee area voting within a short timeframe after notification of any potential violation of the CVRA.

B. The CVRA in Los Angeles County

Over the past five 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 and on February 29, 2016, LACOE partnered with local professionals and state/county agency officials to provide additional workshops on navigating the CVRA, for school and community college staff and governing board members.

Throughout the period of CVRA activity over the past five 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 five years, 13 school districts in Los Angeles County have implemented trustee area voting to replace current at-large voting schemes. In addition to the current Antelope Valley Joint Union HSD petition, Castaic Union SD, Downey USD, Glendale USD, Lawndale SD, Newhall SD, Pasadena USD, William S. Hart Union HSD, Lancaster SD,
Pomona USD, Eastside Union SD, Saugus Union SD, Sulphur Springs Union SD, and ABC USD presented petitions to the County Committee, which were approved. Several districts in 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 secure waivers for certain parts of the process 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), El Camino CCD, Compton College Center at El Camino CCD, Mount San Antonio CCD, Santa Clarita CCD and Glendale CCD have implemented trustee area voting in recent years, joining six local community college districts that already had trustee area schemes. Several additional local community colleges are also studying the issue currently.

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 $4.5 million in compensation for violating the CVRA (not including their own legal fees), as well as implement trustee areas and trustee area voting. In early 2015, the City of Whittier was charged with $1 million in attorneys’ fees for a CVRA case (awarded after plaintiffs’ charges were dismissed). Across California, dozens of cities, and other governmental districts, have made the move to trustee areas and trustee area voting.

VI. ELECTIONS AND THE ANTELOPE VALLEY JOINT UNION HSD

In an effort to develop its trustee area plan in full compliance with the CVRA, the Antelope Valley Joint Union HSD hired Larry Ferchaw of the Dolinka Group to conduct a demographic analysis of the district. As a result of the district’s interest in moving to trustee areas and trustee area voting, the district voted to go forward and study the plans and analysis developed by Mr. Ferchaw. A review of Mr. Ferchaw’s demographic analysis and findings related to the map submitted by the Antelope Valley Joint Union HSD is included in this study (Appendix C).

Utilizing district, state, county and U.S. Census information, Mr. Ferchaw developed five preliminary trustee area maps, on which public input was sought. He determined that, based on U.S. Census population within the district of 373,540, each of the five trustee areas needed to contain approximately 74,708 people, within the federal margin of error. The maps contained different configurations of trustee areas.

In an effort to obtain feedback regarding the district submitting a waiver of the trustee area implementation election to the California Department of Education (CDE), the district met with representatives from the Antelope Valley Teachers Association (AVTA), California School
Employees Association (CSEA), and School Site Councils (SSC) within the district. After gathering feedback, the district conducted a public hearing about the waiver on May 26, 2017 and subsequently approved it. The district then held a community input meeting within its territory at the Palmdale Conference Center on June 2, 2017 to discuss the petition, the move to trustee areas, and the various map scenarios. The district also held two pre-map public hearings on May 11 and May 17, 2017, which were followed up by four public hearings about the map options on June 8, June 12, June 14, and June 26, 2017. Each event had community members in attendance, and for the public hearings that were more well-attended, some attendees may have been present for another agenda item. The district also implemented an extensive public outreach program, including news articles, letters home to parents in multiple languages, public hearing notices on the district’s website, notices physically posted at district sites, public hearing notices and advertisements in local papers, and notifications to bargaining units and school site councils. The outreach campaign included materials in English and Spanish. According to the district, there was very little public opposition offered at the public forums.

After receiving feedback from the public about the three initial maps presented by Mr. Ferchaw, the school district commissioned the demographer to go back out and produce two additional maps with further options for the community. Based on that feedback, Maps 4 and 5 were designed and brought back for review.

In the assorted configurations of the five maps, there was no option presented to the board in which all five trustee areas had one current incumbent residing within each proposed area. That meant that regardless of which map was chosen, one or two board members would not be preserved. The five maps were identified in numerical order (Map 1, 2, 3, 4, and 5). The Antelope Valley Joint Union HSD governing board selected the fourth trustee area map, Map 4, which was based on community feedback, on June 26, 2017, approving it by a vote 3-1-1.

A. Description of the District and Students

    Geography and Residents: The Antelope Valley Joint Union HSD is best described as a high school district set in a suburban/rural desert environment, the boundaries of which contain mostly single family dwellings and office park/commercial/industrial properties. Its geography consists of mostly open space, hills, and arid desert terrain.

Mr. Ferchaw was able to accomplish something significant in helping the district honor the spirit of CVRA, beyond just striving for compliance. He was able to construct two Hispanic-majority trustee areas, and the map with those areas was the plan that the majority of the board voted to adopt. Mr. Ferchaw was also mindful of the district’s articulated goals for the new election plan, which included that each trustee’s territory overlap school attendance territories, to better align each trustee with stewardship over the entire district, rather than just their slice of the whole pie.

The demographic data on the trustee areas within the adopted map are contained in Appendix C.

    Students: The Antelope Valley Joint Union HSD currently serves 23,905 students, according to 2016-17 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 2
Enrollment by Ethnicity
Antelope Valley Joint Union HSD Students, 2016-17

<table>
<thead>
<tr>
<th>Level</th>
<th>Code</th>
<th>Hispanic or Latino of Any Race</th>
<th>American Indian or Alaska Native, Not Hispanic</th>
<th>Asian, Not Hispanic</th>
<th>Pacific Islander, Not Hispanic</th>
<th>Filipino, Not Hispanic</th>
<th>African American, Not Hispanic</th>
<th>White, not Hispanic</th>
<th>Two or More Races</th>
<th>Not Reported</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ant.Vly JUHSD</td>
<td>1964246</td>
<td>14,582</td>
<td>72</td>
<td>311</td>
<td>48</td>
<td>311</td>
<td>4,207</td>
<td>3,251</td>
<td>956</td>
<td>72</td>
<td>23,905</td>
</tr>
<tr>
<td>Los Angeles Total</td>
<td>19</td>
<td>984,792</td>
<td>3,522</td>
<td>115,650</td>
<td>5,072</td>
<td>33,284</td>
<td>114,953</td>
<td>213,310</td>
<td>31,693</td>
<td>9,078</td>
<td>1,511,354</td>
</tr>
<tr>
<td>State Total</td>
<td>00</td>
<td>3,378,344</td>
<td>33,369</td>
<td>559,159</td>
<td>29,384</td>
<td>153,670</td>
<td>350,338</td>
<td>1,470,499</td>
<td>207,170</td>
<td>46,302</td>
<td>6,228,235</td>
</tr>
</tbody>
</table>

Source: California Longitudinal Pupil Achievement Data System (CALPADS)


The Antelope Valley Joint Union HSD governing board consists of five members. 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 2015, many highly competitive elections were held for the school board, on odd years in November, with multiple candidates. In 2017, the district moved onto the even-year election cycle, thereby delaying their 2017 election until 2018, as is legally tenable under Senate Bill 415. This legislation has led to the vast majority of school districts, cities, and other municipalities moving their elections onto even years in an attempt to increase voter turnout.

In 2001, the Registrar-Recorder reported that the Antelope Valley Joint Union HSD had 127,640 registered voters. In the most recent information available from the Registrar-Recorder, the Antelope Valley Joint Union HSD currently contains 186,755 registered voters. The next election is scheduled for November of 2018.

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. All of the elections were competitive, with multiple candidates.

C. Election Data

Below is raw election data, sourced from the Registrar-Recorder, for all of the district’s competitive elections from 2001 to 2015:
### 2001
Antelope Valley Joint Union High School District Governing Board Member
VOTE FOR NO MORE THAN 3

<table>
<thead>
<tr>
<th>Candidate(s)</th>
<th>Votes</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>JAMES T (JIM) LOTT</td>
<td>9,158</td>
<td>19.47</td>
</tr>
<tr>
<td>CALVIN HA ROBINSON</td>
<td>8,855</td>
<td>18.83</td>
</tr>
<tr>
<td>A S BEATTIE SR</td>
<td>7,874</td>
<td>16.74</td>
</tr>
<tr>
<td>CHERYL LUNDGREN</td>
<td>6,658</td>
<td>14.16</td>
</tr>
<tr>
<td>BRETT A NELSON SR</td>
<td>6,613</td>
<td>14.06</td>
</tr>
<tr>
<td>RICHARD L COOK</td>
<td>6,347</td>
<td>13.49</td>
</tr>
<tr>
<td>DINO VIDAL</td>
<td>1,529</td>
<td>3.25</td>
</tr>
</tbody>
</table>

TOTAL PRECINCTS 91
REGISTRATION 127,640

### 2003
Antelope Valley Joint Union High School District Governing Board Member
VOTE FOR NO MORE THAN 2

<table>
<thead>
<tr>
<th>Candidate(s)</th>
<th>Votes</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>DONITA J WINN</td>
<td>6,806</td>
<td>24.82</td>
</tr>
<tr>
<td>THOMAS E PIGOTT</td>
<td>5,307</td>
<td>19.35</td>
</tr>
<tr>
<td>KAMAL M AL-KHATIB</td>
<td>3,152</td>
<td>11.49</td>
</tr>
<tr>
<td>SANDY PRICE</td>
<td>2,914</td>
<td>10.63</td>
</tr>
<tr>
<td>B LONGJOHN</td>
<td>2,610</td>
<td>9.52</td>
</tr>
<tr>
<td>JAMES A SHANBROM</td>
<td>2,003</td>
<td>7.30</td>
</tr>
<tr>
<td>D R BEARD-WILLIAMS</td>
<td>1,366</td>
<td>4.98</td>
</tr>
<tr>
<td>JUDY SWANSON</td>
<td>1,326</td>
<td>4.84</td>
</tr>
<tr>
<td>SHERRY A CHAMBERS</td>
<td>1,023</td>
<td>3.73</td>
</tr>
<tr>
<td>CHARLES MC KINLEY</td>
<td>686</td>
<td>2.50</td>
</tr>
<tr>
<td>NIKKI HOLT</td>
<td>230</td>
<td>0.84</td>
</tr>
</tbody>
</table>

TOTAL PRECINCTS 80
REGISTRATION 131,664
### 2005

Antelope Valley Joint Union High School District Governing Board Member  
VOTE FOR NO MORE THAN  3

<table>
<thead>
<tr>
<th>Candidate(s)</th>
<th>Votes</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>IRA SIMONDS</td>
<td>24,633</td>
<td>23.17</td>
</tr>
<tr>
<td>JAMES T (JIM) LOTT</td>
<td>23,478</td>
<td>22.09</td>
</tr>
<tr>
<td>A S BEATTIE SR</td>
<td>16,445</td>
<td>15.47</td>
</tr>
<tr>
<td>JAMES A SHANBROM</td>
<td>15,794</td>
<td>14.86</td>
</tr>
<tr>
<td>BERNIE LONGJOHN</td>
<td>8,347</td>
<td>7.85</td>
</tr>
<tr>
<td>D R BEARD-WILLIAMS</td>
<td>7,232</td>
<td>6.80</td>
</tr>
<tr>
<td>D E KOLBENGSTON</td>
<td>5,484</td>
<td>5.16</td>
</tr>
<tr>
<td>ROGER L PRICE</td>
<td>4,883</td>
<td>4.59</td>
</tr>
</tbody>
</table>

TOTAL PRECINCTS 85  
PRECINCTS REPORTING 85  100.00  
REGISTRATION 129,923

### 2007

Antelope Valley Joint Union High School District Governing Board Member  
VOTE FOR NO MORE THAN  2

<table>
<thead>
<tr>
<th>Candidate(s)</th>
<th>Votes</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>DONITA J WINN</td>
<td>12,215</td>
<td>37.81</td>
</tr>
<tr>
<td>LEE D'ERRICO</td>
<td>11,094</td>
<td>34.34</td>
</tr>
<tr>
<td>JAMES A SHANBROM</td>
<td>8,995</td>
<td>27.84</td>
</tr>
</tbody>
</table>

TOTAL PRECINCTS 98  
PRECINCTS REPORTING 98  100.00  
REGISTRATION 136,523

### 2009

Antelope Valley Joint Union High School District Governing Board Member  
VOTE FOR NO MORE THAN  3

<table>
<thead>
<tr>
<th>Candidate(s)</th>
<th>Votes</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>BARBARA WILLIBRAND</td>
<td>10,167</td>
<td>22.51</td>
</tr>
<tr>
<td>JAMES T (JIM) LOTT</td>
<td>9,121</td>
<td>20.20</td>
</tr>
<tr>
<td>KATHY CAROTHERS</td>
<td>9,073</td>
<td>20.09</td>
</tr>
<tr>
<td>A S BEATTIE SR</td>
<td>7,054</td>
<td>15.62</td>
</tr>
<tr>
<td>EMMETT B MURRELL</td>
<td>5,247</td>
<td>11.62</td>
</tr>
<tr>
<td>DONNA LEE REDMAYNE</td>
<td>4,497</td>
<td>9.96</td>
</tr>
</tbody>
</table>

TOTAL PRECINCTS 120  
PRECINCTS REPORTING 120  100.00  
REGISTRATION 149,152
2011

Antelope Valley Joint Union High School District Governing Board Member

VOTE FOR NO MORE THAN  2

<table>
<thead>
<tr>
<th>Candidate(s)</th>
<th>Votes</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>JILL MCGRADY NP</td>
<td>10,952</td>
<td>37.33%</td>
</tr>
<tr>
<td>DONITA J WINN NP</td>
<td>8,230</td>
<td>28.05%</td>
</tr>
<tr>
<td>KERMIT FRANKLIN NP</td>
<td>6,809</td>
<td>23.21%</td>
</tr>
<tr>
<td>EMMETT B MURRELL NP</td>
<td>3,351</td>
<td>11.42%</td>
</tr>
</tbody>
</table>

TOTAL PRECINCTS  97  PRECINCTS REPORTING  97  100.00
REGISTRATION  148,929

2013

Antelope Valley Joint Union High School District Governing Board Member

VOTE FOR NO MORE THAN  3

<table>
<thead>
<tr>
<th>Candidate(s)</th>
<th>Votes</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>R MICHAEL DUTTON</td>
<td>9,140</td>
<td>19.46%</td>
</tr>
<tr>
<td>DANA F COLEMAN</td>
<td>9,081</td>
<td>19.34%</td>
</tr>
<tr>
<td>BARBARA WILLIBRAND</td>
<td>8,555</td>
<td>18.22%</td>
</tr>
<tr>
<td>JAMES T LOTT</td>
<td>7,876</td>
<td>16.77%</td>
</tr>
<tr>
<td>PAUL O SCOTT</td>
<td>6,635</td>
<td>14.13%</td>
</tr>
<tr>
<td>JOHN HUTAK</td>
<td>5,678</td>
<td>12.09%</td>
</tr>
</tbody>
</table>

TOTAL PRECINCTS  92  PRECINCTS REPORTING  92  100.00
REGISTRATION  173,534

NOTE: For 2015 (below), the information from the County Registrar of Voters is formatted slightly differently, and further revisions are underway, which will affect the appearance of their data and what data is readily available.

2015

Antelope Valley Joint Union High School District Governing Board Member

<table>
<thead>
<tr>
<th>Candidate(s)</th>
<th>Votes</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert &quot;Bob&quot; Davis (N)</td>
<td>7,225</td>
<td>33.53%</td>
</tr>
<tr>
<td>Jill McGrady (N)</td>
<td>5,760</td>
<td>26.73%</td>
</tr>
<tr>
<td>Donita J. Winn (N)</td>
<td>5,750</td>
<td>26.69%</td>
</tr>
<tr>
<td>Amaka Eugenia Donn (N)</td>
<td>2,812</td>
<td>13.05%</td>
</tr>
</tbody>
</table>

103 of 103 precincts reporting (100.00%)  | Vote for no more than two  | Final
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 Antelope Valley Joint Union HSD, have previously been held on odd years, thus on a different cycle than most general elections, voter turnout in those school elections has tended to be significantly lower. Following approval of the trustee area plan, if granted, the Antelope Valley Joint Union HSD will have its first even-year election in November of 2018.

VII. LOS ANGELES COUNTY COMMITTEE REVIEW OF THE ANTELOPE VALLEY JOINT UNION HSD PETITION

On August 17, 2017, the Los Angeles County Office of Education received confirmation from the Kern County Superintendent of Schools that on July 20, 2017, the Kern County Committee on School District Organization had approved of the Antelope Valley Joint Union HSD’s petition. The reason for this action was because a small part of the district encroaches on Kern County, and while the administrative authority over the petition resides with Los Angeles County, the Kern County Committee took the step of assisting the district by reviewing the petition early on, before it would begin the more heavily-weighted process in Los Angeles County.

On October 11, 2017, the Los Angeles County Committee (County Committee) held a public hearing within the Antelope Valley Joint Union HSD, pursuant to EC §5019(c)(2). The County Committee heard presentations from the district, and was available to receive input from members of the public and other stakeholders during that public hearing. At the hearing, there were many members from the public who supported the district’s selected trustee area plan. There were also two members of the public who opposed the plan and map. One contended that he provided input to the district. Because the district’s board adapted and created a new map based on public input, it is clear that such a process was available. Another person contended that he was not informed about the ongoing process until the night of the County Committee hearing. However, the district’s public outreach process was robust.

Following the public hearing, the County Committee reviewed the information that the Antelope Valley Joint Union HSD submitted, along with their trustee area petition. On January 10, 2018, the County Committee will have the opportunity to ask questions of the interested parties, including Antelope Valley Joint Union HSD representatives, and the professionals it engaged to develop the trustee area plan and map, as well as any members of 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 Antelope Valley Joint Union HSD. In addition, the County Committee has the option to delay approval while it gathers addition 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 Antelope Valley Joint Union HSD. The County Committee may task staff to develop additional scenarios of the trustee area plan for the Antelope Valley Joint Union HSD, 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 relevant to inform its decisions.

**Trustee Areas.** After reviewing the materials submitted by the Antelope Valley Joint Union HSD, including the demographic analysis conducted on behalf of the district, a recounting of the public hearing process where input was sought on five trustee area maps, and the ultimate rationale behind the selection of the final trustee area map submitted, all of which represented an Education Code-compliant, well-intended, detailed and successful consensus process, **staff recommends that the County Committee approve the Antelope Valley Joint Union HSD’s petition to implement trustee areas and trustee area voting within the district.**

**Trustee Area Map.** After reviewing the thorough process that the Antelope Valley Joint Union HSD engaged in, guided by highly-qualified demographic and legal professionals, in consultation with relevant stakeholders, 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 by the district in the Scenario 4 Option.**

**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 Antelope Valley Joint Union HSD has secured a waiver from the SBE to stay the requirement of this approval election. The waiver does not impact the election of any candidates for any trustee areas within the Antelope Valley Joint Union HSD, and the district’s next regular election (November 2018) should be held. This waiver was sought 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, **if approved by the County Committee, no election approving the implementation of trustee areas and trustee area voting will be held.**
IX.
FEASIBILITY STUDY APPENDICES
RESOLUTION OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT
Resolution No. 2016-17-39

A RESOLUTION APPROVING AND ADOPTING A FINAL TRUSTEE AREA PLAN FOR
THE DISTRICT’S TRANSITION TO A BY-TRUSTEE AREA ELECTION SYSTEM; A
PLAN OF ELECTION FROM THOSE AREAS; AND RECOMMENDING THAT THE LOS
ANGELES AND KERN COUNTY COMMITTEES ON SCHOOL DISTRICT
ORGANIZATION APPROVE THE DISTRICT’S ESTABLISHMENT OF A BY-TRUSTEE
AREA ELECTION SYSTEM AND ADOPTED TRUSTEE VOTING AREA PLAN

A. On May 3, 2017, the Antelope Valley Union High School District Governing Board
(“Board”) passed Resolution No. 2016-17-29 initiating the process for the Antelope Valley
Union High School District (“District”) to transition from an “at-large” election system to a “by-
trustee area” election system commencing with the 2018 Board elections.

B. In approving Resolution No. 2016-17-29, the Board expressed its view that the public
interest will be better served by election of its Board members using a “by-trustee area” election
system due to concern about potential exposure to litigation under the California Voting Rights
Act (Elections Code §14025 et seq.). The Board believes that a transition to a by-trustee area
election system will reduce the District’s risk of costly litigation, especially since a successful
plaintiff under the California Voting Rights Act (“CVRA”) is entitled to reasonable attorneys’
fees and experts’ fees, creating great financial risk to any jurisdiction sued.

C. The District retained the Cooperative Strategies (“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, taking into consideration the CVRA, the Federal Voting
Rights Act, and related election system choices.

D. All of the proposed trustee area boundary plans prepared by Consultant were drawn with
all applicable laws and regulations in mind, including the CVRA and federal election law.

E. The District conducted a public forum to consider community input and comment
regarding the proposed trustee area boundary plans on June 2, 2017 at the Antelope Valley
Regional Occupation Program/PCC. The District also conducted public hearings at Board
meetings on June 8, 2017, June 12, 2017, June 14, 2017, June 26, 2017 and made plans available
for public review and comment on the District’s website from May 30, 2017 until final adoption
on June 26, 2017.

F. With thoughtful consideration of all public input received on the draft trustee area plans
and applicable state and federal legal criteria, the Board desires to adopt the trustee area plan and
demographic information described as the “Scenario 4” (attached hereto as Exhibit “A”) as the
final trustee area plan establishing the boundaries for the new trustee areas, and to request timely
approval from the County Committees of the trustee area plan and the District’s transition to a
by-trustee area election system commencing with the 2018 Governing Board election.
G. The County Committees have indicated that they will consider the District’s establishment of trustee areas upon the District’s request.

H. In order to complete the transition to by-trustee area elections in a timely and cost effective manner, and to ensure 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 is seeking a waiver of certain portions of the Education Code from the State Board of Education. The District’s request for waiver will be submitted to the State Board of Education for approval.

NOW, THEREFORE, the Governing Board of Antelope Valley Union High School District does hereby resolve, order and determine as follows:

1. The above recitals are true and correct.

2. The Board hereby adopts the trustee area plan and demographic information described as the “Scenario 4” (attached hereto as Exhibit “A”) as the final trustee area map for the District’s transition to a by-trustee area election system commencing with the 2018 Governing Board election.

3. That the District will hold by-trustee area elections in three areas at its November 2018 election, assuming timely approval by the Los Angeles and Kern County Committees. The District will hold by-trustee area elections in two areas at its November 2020 election.

4. That by this resolution and contingent upon the approval by the County Committees’ of the District’s change to a by-trustee area election system, the Board hereby applies to the County Committees to timely approve the Board’s adopted trustee area plan for implementation commencing with the 2018 Governing Board election, or at the earliest possible election, as conditioned upon approval of the Education Code waiver request submitted to the State Board of Education.

4. The Board hereby authorizes and directs District staff to transmit this resolution, the final trustee area plan adopted, and any additional required documentation to the County Committee and to take any other necessary action to effectuate the purposes of this resolution and complete the District’s transition to a by-trustee area election system for the 2018 Governing Board elections.

5. The foregoing resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board on June 26, 2017, at a duly noticed meeting by the following vote:

AYES: 3

NOES: 1

ABSTAIN: 1

ABSENT: 0
I, R. Michael Dutton, Clerk of the Governing Board of the Antelope Valley Union High School District, HEREBY CERTIFY that the foregoing Resolution was duly introduced, passed and adopted by the Board at a meeting thereof held on June 26, 2017, by a vote of 3 Ayes to 1 No (and one Board Member abstaining).

IN WITNESS THEREOF, I have hereto set my hand this 26th day of June, 2017.

\[Signature\]

R. Michael Dutton
Clerk of the Governing Board

00106-00157/39872372
RESOLUTION OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT
Resolution No. 2016-17-30

Resolution Authorizing the Submission of a General Waiver Request to be Approved by the State Board of Education Concerning the District's Transition to a By-Trustee Area Election System

A. On May 3, 2017, the Antelope Valley Union High School District Governing Board ("Board") passed Resolution No. 2016-17-29 initiating the process for the Antelope Valley Union High School District ("District") to transition from an "at-large" election system to a "by-trustee area" election system commencing with the 2018 Board elections.

B. In approving Resolution No. 2016-17-29, the Board expressed its view that the public interest will be better served by election of its Board members using a "by-trustee area" election system due to concern about potential exposure to litigation under the California Voting Rights Act (Elections Code §14025 et seq.). The Board believes that a transition to a by-trustee area election system will reduce the District's risk of costly litigation, especially since a successful plaintiff under the California Voting Rights Act ("CVRA") is entitled to reasonable attorneys' fees and experts' fees, creating great financial risk to any jurisdiction sued.

C. Although Education Code section 5020 normally requires a resolution approved by the local county committee on school district organization authorizing a change in the method of electing governing board members be submitted to the electorate for its approval at the District's next regular election, the State Board of Education is authorized to waive section 5020(a) and portions of sections 5019, 5021, and 5030 of the Education Code related to such election requirement.

D. Further, in passing Resolution No. 2016-17-29, the Board expressed its intention to seek a waiver of the ballot requirement from the State Board of Education as permitted under Education Code sections 33050-33053. By seeking a waiver from the election requirement, the District will make sure the new by-trustee area election system is implemented by the 2018 Governing Board election, thereby reducing the risk of any potential liability to the District under the CVRA, in addition to reducing costs for the District associated with placing an item on the ballot.

E. In order to obtain a waiver from the State Board of Education, the District must comply with Education Code sections 33050 and 33051 and State Board of Education and California Department of Education regulations and requirements. Such requirements include conducting a noticed public hearing whereby the public may testify on the merits of obtaining a waiver from the State Board of Education and submitting a completed General Waiver Request form to the California Department of Education to be approved by the State Board of Education. Such requirements further include contacting the District bargaining units, advisory committees and councils.

F. On May 26, 2017, during a meeting of the Board, the Board convened a duly-noticed public hearing to solicit public testimony on the merits of obtaining a waiver of the election requirement from the State Board of Education.
NOW, THEREFORE, the Governing Board of the Antelope Valley Union High School District does hereby resolve, order, and determine as follows:

1. The above recitals are true and correct.

2. That after receiving and considering public testimony at a duly-noticed public hearing, the Board hereby approves the application of a General Waiver Request, to be approved by the State Board of Education, seeking waiver of Education Code Section 5020 and portions of Sections 5019, 5021, and 5030, pertaining to the requirement that a change in the District’s election system from an “at large” election system to a “by-trustee area” election system be presented to the electorate of the District.

3. That the District has consulted all collective bargaining units and shall note the collective bargaining units’ positions regarding the waiver in the District’s General Waiver Request.

4. That the District has consulted with all applicable advisory committees and councils regarding the waiver and shall note such consultation in the District’s General Waiver Request.

5. The Board hereby authorizes and directs the Superintendent, or his designee, to submit a General Waiver Request to the California Department of Education, to be approved by the State Board of Education, seeking a waiver from the election requirement imposed by the Education Code sections noted herein, so as to ensure the timely implementation of the District’s by-trustee area election system for the 2018 Governing Board elections, and to take all actions necessary to effect the intent of this resolution.

6. The foregoing resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board on May 26, 2017, at a duly noticed meeting by the following vote:

AYES: 5

NOES: 0

ABSTAIN: 0

ABSENT: 0

I, R. Michael Dutton, Clerk of the Governing Board of the Antelope Valley Union High School District, HEREBY CERTIFY that the foregoing Resolution was duly introduced, passed and adopted by the Board at a meeting thereof held on May 26, 2017, by a vote of 5 to 0.

IN WITNESS THEREOF, I have hereto set my hand this 26th day of May, 2017.

[Signature]
Clerk of the Governing Board
RESOLUTION OF THE GOVERNING BOARD
OF THE ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT
Resolution No. 2016-17-29

Resolution to Initiate a Transition to a By-Trustee Area Election System Commencing
with the 2018 Governing Board Election and Statement of Intent to Seek a Waiver of the
Election Requirement from the State Board of Education

WHEREAS, California Education Code sections 5019(a) & (c)(l) and 5030 authorizes the
Los Angeles County Committee on School District Organization and Kern County Committee on
School District Organization (collectively, the “County Committees”), upon application of a
school district's governing board, to change the method of election of governing board members
in a school district under its jurisdiction;

WHEREAS, the California Voting Rights Act (Elections Code §§ 14025 et
seq.) (“CVRA”) prohibits the use of an "at-large" election system for governing board members
of a school district if the “at-large” elections impair the ability of a protected class to elect
candidates of its choice, or its ability to influence the outcome of an election;

WHEREAS, Governing Board (“Board”) Members of the Antelope Valley Union High
School District ("District") are currently elected using an “at-large” election system (i.e., election
system in which registered voters of the entire jurisdiction elect candidates to the governing
board);

WHEREAS, it is considered the view of the Board that starting with the 2018 Board
elections, and with the benefit of the 2010 federal Census data, the public interest will be better
served by election of its Board members using a “by-trustee area” election system (i.e., elections
in which one candidate residing in each trustee area is elected by only the registered voters in
that particular trustee area);

WHEREAS, the data from the recently completed federal 2010 Census will permit
trustee areas to be drawn and implemented in the District using the most up-to-date demographic
data available;

WHEREAS, although Education Code section 5020 requires that a County Committees’
resolution approving a change in the method of electing governing board members be submitted
to the electorate for its approval at the school district’s next regular election, the Board intends to
seek a waiver of the voter approval requirement as permitted by law. Education Code sections
33050-33053 authorize the State Board of Education to waive this voter approval requirement,
which could reduce the costs and risks associated with a school district’s transition to a “by-
trustee area” election system;

WHEREAS, the Board finds it is appropriate to seek a waiver of the election requirement
in Education Code section 5020, and portions of sections 5019, 5021, and 5030, to ensure the
timely implementation of the “by-trustee area” election system commencing with the 2018
Governing Board election, to reduce costs for the District associated with placing an item on the
ballot and to reduce any potential legal liability or financial risk to the District under the CVRA;
WHEREAS, the adoption of “by-trustee area” elections will not affect the terms of any sitting Board members, each of whom will serve out his or her current term; and

WHEREAS, the Board, cognizant of its reduced operating revenues and need for fiscal responsibility, desires to implement this change in the manner of electing Board members in the most cost effective and efficient manner.

NOW, THEREFORE, the Governing Board of the Antelope Valley Union High School District does hereby resolve, order and determine as follows:

1. The above recitals are true and correct.

2. The Board hereby determines that the trustee area boundary lines shall be developed based on the federal 2010 Census data to provide for “by-trustee areas” elections commencing in 2018.

3. By this resolution, and pursuant to Education Code sections 5019(a) and 5030, the Board directs District staff to transmit this resolution to the Los Angeles and Kern County Committees on School District Organization to apply to have the County Committees adopt a change in the method of electing members of the board from “at-large” elections [Education Code section 5030(a)] to “by-trustee area” elections [Education Code section 5030(b)] commencing with the 2018 Board elections.

4. Before submitting a final proposal to the County Committees for a trustee area plan using the federal 2010 Census data, one or more public hearings shall be scheduled to obtain public input on the draft proposals prepared.

5. The Board shall apply to the County Committees for establishment of trustee areas pursuant to Education Code section 5019(a) in a timely manner to have the 2018 elections for the Board conducted within the new trustee areas.

6. The Superintendent, or his designee, shall send a copy of this resolution to the County Committees for action in accordance with law.

7. The Superintendent, or his designee, is hereby directed to prepare an additional Board resolution, and implement the applicable legal requirements in a timely manner, to seek a waiver from the State Board of Education of the election requirement imposed by Education Code section 5020.

8. The Superintendent, or his designee, shall consult with legal counsel to resolve all legal issues necessary to give effect to this resolution.

9. The foregoing resolution shall take effect immediately upon its adoption.
PASSED AND ADOPTED by the Board on May 3, 2017, at a duly noticed meeting by the following vote:

AYES: 4

NOES: 1

ABSTAIN: 0

ABSENT: 0

I, R. Michael Dutton, Clerk of the Governing Board of the Antelope Valley Union High School District, HEREBY CERTIFY that the foregoing Resolution was duly introduced, passed and adopted by the Board at a meeting thereof held on May 3, 2017, by a vote of 4 to 1.

IN WITNESS THEREOF, I have hereto set my hand this 3rd day of May, 2017.

[Signature]
Clerk of the Governing Board
APPENDIX B
ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

CONCEPTUAL TRUSTEE AREAS SCENARIO 4

Antelope Valley Union High School District

Neighboring School Districts

Jurisdictions

School Facilities

High School

High School Attendance Boundary

Conceptual Trustee Areas

- Trustee Area 1
- Trustee Area 2
- Trustee Area 3
- Trustee Area 4
- Trustee Area 5

Extent Map

Cooperative Strategies
APPENDIX C
## ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

### Conceptual Trustee Areas - Scenario 4

<table>
<thead>
<tr>
<th></th>
<th>Trustee Area 1</th>
<th>Trustee Area 2</th>
<th>Trustee Area 3</th>
<th>Trustee Area 4</th>
<th>Trustee Area 5</th>
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<tr>
<th></th>
<th>Trustee Area 1</th>
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<th>Trustee Area 4</th>
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<td>Native Hawaiian/Other Pacific Islander</td>
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<td>72</td>
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<td>Other</td>
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<td>2.24%</td>
<td>1.67%</td>
<td>1.62%</td>
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</tr>
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</table>
## ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

Conceptual Trustee Areas - Scenario 4

<table>
<thead>
<tr>
<th></th>
<th>Trustee Area 1</th>
<th>Trustee Area 2</th>
<th>Trustee Area 3</th>
<th>Trustee Area 4</th>
<th>Trustee Area 5</th>
<th>Variance</th>
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<td>Population</td>
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<td>-2,414</td>
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</tr>
<tr>
<td>Hispanic/Latino</td>
<td>11,778</td>
<td>15,867</td>
<td>15,062</td>
<td>21,026</td>
<td>21,799</td>
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<td>Hispanic/Latino</td>
<td>5.92%</td>
<td>7.60%</td>
<td>3.83%</td>
<td>-12.10%</td>
<td>-5.26%</td>
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<td>White</td>
<td>29,043</td>
<td>21,705</td>
<td>18,116</td>
<td>10,979</td>
<td>13,837</td>
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<td>White</td>
<td>59.70%</td>
<td>43.92%</td>
<td>37.99%</td>
<td>27.19%</td>
<td>31.80%</td>
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<td>Black/African American</td>
<td>4,703</td>
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<td>Black/African American</td>
<td>9.67%</td>
<td>18.41%</td>
<td>26.03%</td>
<td>16.50%</td>
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<td>American Indian/Alaska Native</td>
<td>307</td>
<td>233</td>
<td>125</td>
<td>107</td>
<td>231</td>
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<tr>
<td>American Indian/Alaska Native</td>
<td>0.63%</td>
<td>0.47%</td>
<td>0.26%</td>
<td>0.27%</td>
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<td>Asian</td>
<td>2,643</td>
<td>1,989</td>
<td>1,517</td>
<td>1,489</td>
<td>1,209</td>
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</tr>
<tr>
<td>Asian</td>
<td>5.43%</td>
<td>4.02%</td>
<td>3.18%</td>
<td>3.69%</td>
<td>2.78%</td>
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<tr>
<td>Native Hawaiian/Other Pacific Islander</td>
<td>24</td>
<td>99</td>
<td>180</td>
<td>18</td>
<td>49</td>
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<tr>
<td>Native Hawaiian/Other Pacific Islander</td>
<td>0.05%</td>
<td>0.20%</td>
<td>0.38%</td>
<td>0.04%</td>
<td>0.11%</td>
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<tr>
<td>Other</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>0.00%</td>
<td>0.00%</td>
<td>0.00%</td>
<td>0.00%</td>
<td>0.00%</td>
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</tr>
<tr>
<td>Two or More Races</td>
<td>154</td>
<td>433</td>
<td>280</td>
<td>95</td>
<td>202</td>
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</tr>
<tr>
<td>Two or More Races</td>
<td>0.32%</td>
<td>0.88%</td>
<td>0.59%</td>
<td>0.24%</td>
<td>0.46%</td>
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</table>
Summary of Los Angeles Unified School District Reorganization Proposals

January 2018

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 December 13, 2017.

RECENT INQUIRIES REGARDING REORGANIZATION (within the last two years)

Formation Proposals/Last Activity Date

- Inner City USD / January 2016

Transfer of Territory Proposals/Last Activity Date

- None
Summary of Los Angeles County School District Reorganization Proposals  
(Excluding those affecting the Los Angeles Unified School District)  

January 2018

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 December 13, 2017.

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

On September 1, 2017, LACOE received a petition in the form of a 2015 resolution from the City of Malibu to form a separate Malibu USD from territory within the boundaries of the existing Santa Monica-Malibu USD. The petition was introduced at the November 1, 2017 regular County Committee meeting, and at least one public hearing will be scheduled in the district. After this local agency petition was introduced, however, the City of Malibu sent a letter requesting that the County Committee postpone the scheduling of its preliminary hearing until after February 2018. At that time, the stakeholders will be discussing further options and details regarding the petition.

*Status: Preliminary public hearing to be scheduled
Status Date: December 13, 2017

PETITION TO ESTABLISH TRUSTEE AREAS AND TRUSTEE AREA VOTING WITHIN THE ANTELOPE VALLEY JOINT UNION HIGH SCHOOL DISTRICT (HSD)

On July 5, 2017, the Antelope Valley Joint Union HSD submitted a petition to establish trustee areas and trustee area voting. The petition was presented to the County Committee on September 6, 2017, a public hearing was held in the district on October 11, 2017, and staff has conducted a feasibility study which is to be presented to the committee, after which the committee may choose to vote on the proposal.

*Status: Feasibility study completed
Status Date: December 13, 2017
PETITION TO TRANSFER TERRITORY FROM THE GLENDALE UNIFIED SCHOOL DISTRICT (USD) TO THE LA CANADA USD

On November 23, 2015, LACOE received a request for a petition pursuant to EC §35700, to transfer certain territory from the Glendale USD to the La Canada USD. The request was submitted by chief petitioners Ms. Nalini Lasiewicz, Mr. Thomas G. Smith, and Mr. Nick P. Karapetian. The petition was forwarded to County Counsel to determine its legal compliance regarding format and content. On January 13, 2016, County Counsel deemed the petition sufficient. Staff returned the petition to the chief petitioners on January 15, 2016.

On June 29, 2016, the chief petitioners submitted signed petitions for review. On June 30, 2016, staff conveyed the signed petitions to the Registrar-Recorder for signature verification. On July 18, 2016, staff received notice from the Registrar-Recorder that there were sufficient signatures to move the petition forward. Chief Petitioner Smith subsequently resigned from his role.

The petition was presented to the County Committee on September 7, 2016. The County Committee held two public hearings (October 26, 2016, in the La Canada USD, and November 2, 2016, in the Glendale USD). In mid-February, 2017, the two districts resumed negotiations in an attempt to find amicable solutions, but as of mid-April, were not able to resolve issues. A feasibility study was presented to the County Committee at the May 3, 2017 meeting, after which the Committee gave a preliminary approval to the proposal.

In Fall 2017, staff concluded the Request For Proposal (RFP) process, evaluated vendors, and has selected an environmental consultant, for whom a contract is being drafted. The environmental analysis is expected to take several months after the contractual terms are agreed upon.

Status: CEQA study commencing
*Status Date: December 13, 2017

PETITION TO TRANSFER TERRITORY FROM THE CENTINELA VALLEY UNION HIGH SCHOOL DISTRICT (HSD) AND LAWNDALE 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 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 had sufficient signatures to move forward.

The petition was presented to the County Committee on January 7, 2015. Two public hearings were held March 2, 2015, one in each of the affected districts. A feasibility study was presented on July 8, 2015, at which time the County Committee preliminarily approved the transfer, pending further collection and review of additional fiscal data, and an environmental review. Supplemental requests for information were sent to the affected districts and to the chief petitioners, with replies received from all parties. The supplemental information, and the results of a CEQA consultant’s review of the petition’s environmental impact was presented to the County Committee on May 4, 2016. Additional information brought forward on May 4, 2016, resulted in additional questions and further information gathering, after which the proposal was reexamined at the County Committee meeting on September 7, 2016. At that meeting, the proposal’s preliminary approval was affirmed, and the petition area was selected to be the voting area.

On October 5, 2016, the Lawndale SD filed a Notice of Appeal with the County Committee, and on October 18, 2016, submitted their rationale and evidence for the appeal of the County Committee’s decision. Staff has forwarded the administrative record and oral recordings of the proceedings to the California Department of Education, who will prepare the matter to go before the California State Board of Education at a future meeting.

Status: Future ballot measure preparations suspended until appeal process concludes
Status Date: November 18, 2016

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

On July 23, 2015, LACOE received a request for a petition from chief petitioner Mr. Seth Jacobson, a community member who is a Malibu resident. Mr. Jacobson, along with two other chief petitioners, wants to form a separate Malibu USD from territory within the boundaries of the existing Santa Monica-Malibu USD.
Staff reviewed the request and forwarded a draft petition to County Counsel on July 27, 2015, for a legal compliance review regarding format and content. We received notification on July 30, 2015, from County Counsel informing us that the draft petition was legally acceptable. The petition was mailed to the chief petitioner on July 31, 2015, for circulation within the petition area. Staff is informed that signatures have been gathered, but not yet presented for signature verification, as the petitioners negotiate with the district. A joint committee appointed by both the district and the City of Malibu has released a study addressing the implications of this petition. Staff is reviewing this study.

Status: Petitioners in negotiation.
Status Date: March 18, 2016

PETITION TO INCREASE THE NUMBER OF TRUSTEES FROM FIVE TO SEVEN WITHIN THE POMONA USD

On April 8, 2015, LACOE received a request for a petition pursuant to EC §5020 to increase the number of trustees from five to seven 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 April 27, 2015, County Counsel deemed the petition sufficient. Staff returned the petition to the chief petitioner on April 29, 2015, for circulation.

This is a separate petition, distinct from the other petitions requested by Mr. Mendoza, and requests some of the same changes within the Pomona Unified School District (the addition of two governing board members). It was submitted under EC §5020(c) and, based on the number of registered voters in the Pomona USD, requires valid signatures from at least 10% of the registered voters within the petition area. If valid and certified by the County Committee, this petition would trigger a vote within the district, before which the County Committee may hold one or more public hearings on the proposal.

Status: Petitioner is gathering signatures.
Status Date: May 26, 2015

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 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 must collect approximately 7,000 valid signatures 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 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, staff 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
FORMATION—MALIBU USD (CURRENTLY LIES WITHIN THE BOUNDARIES OF THE SANTA MONICA-MALIBU USD)

Status: Petition 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

Unification Proposals/Last Activity Date

- None

Transfer of Territory Proposals/Last Activity Date

- Azusa USD to Glendora USD/October 2016

Formation Proposals/Last Activity Date

- *Malibu USD (Santa Monica-Malibu USD)/December 2017

Trustee Areas and Governing Board Size/Last Activity Date

- Antelope Valley CCD / September 2017
- Covina Valley USD / November 2017
- El Monte City SD / August 2017
- El Monte Union HSD / March 2016
- Lowell Joint SD / October 2017
- Walnut USD / May 2016
- Whittier Union HSD / January 2017

* = indicates activity since last meeting

This document was prepared by staff to the County Committee.