

LIBERTY UNION HIGH SCHOOL DISTRICT  
20 Oak Street  
Brentwood, California 94513

*Approved*

BOARD AGENDA ITEM

SECTION: Administrative Action

Meeting Date: October 23, 2019

ISSUE: Consider Approval of Resolution 2019-20: Initiating Process of Establishing Trustee Areas and Elections By-Trustee Areas

ANALYSIS: The District has decided to initiate the process of establishing trustee areas and changing the method of electing members of the Board, in order to ensure compliance with the California Voting Rights Act of 2001. The Board intends to change the method of electing members of the Board, to take effect commencing with the November 2022 election.

FISCAL IMPACT: To Be Determined

RECOMMENDATION Approve

Originating Department: District Administration

Submitted/Recommended by: Eric L Volta  
Name

Superintendent  
Title

Approved for Submission to the Governing Board:

*E. L. Volta* 10/1/19  
Eric L. Volta, Superintendent Date

ITEM No. 10-01  
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**BEFORE THE BOARD OF EDUCATION OF THE  
LIBERTY UNION HIGH SCHOOL DISTRICT  
CONTRA COSTA COUNTY, CALIFORNIA**

**RESOLUTION NO. 2019-20**

**RESOLUTION INITIATING PROCESS OF  
ESTABLISHING TRUSTEE AREAS AND  
ELECTIONS BY-TRUSTEE AREAS**

WHEREAS, the Liberty Union High School District (“District”) currently uses an at-large system of electing the members of its Board of Education; and

WHEREAS, the Board is aware that under state law an at-large method of election may be deemed to impair the ability of some voters to elect candidates of their choice or to influence the outcome of elections and, therefore, may be subject to challenge under the California Voting Rights Act of 2001, California Elections Code §§ 14025, *et seq.* (“CVRA”); and

WHEREAS, the District has decided to initiate the process of establishing trustee areas and changing the method of electing members of the Board, in order to ensure compliance with the CVRA or, at minimum, avoid the potential for costly litigation under the CVRA; and

WHEREAS, Board intends to initiate a very deliberate, careful, and public process for establishing trustee areas, and for changing the method of electing members of the Board, to take effect commencing with the November 2022 election in order to incorporate the latest census data into the preparation of trustee area map plans; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby finds the foregoing recitals to be true and correct; and

BE IT FURTHER RESOLVED that the Board directs the Superintendent or his designee to immediately initiate the legal and regulatory process to establish trustee areas within the District, as provided in Education Code section 5019, in sufficient time for trustee areas to be established for the November 2022 election of members of the Board; and

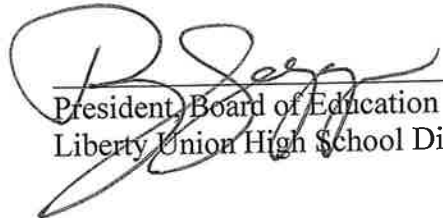
BE IT FURTHER RESOLVED that the Board directs the Superintendent or his designee to collaborate with a demographer, to prepare draft by-trustee area map scenarios for review and input by the Board and members of the public at upcoming meetings; and

BE IT FURTHER RESOLVED that the Board directs the Superintendent or his designee to initiate the legal and regulatory process of changing the method of electing members of the Board, from the current at-large system whereby each member of the Board is elected by the registered voters of the entire District (Education Code section 5030(a)), to a method which provides that Board members residing in each trustee will be elected by the registered voters of that particular trustee area (Education Code 5030(b)), in sufficient time for the new method of electing members of the Board to be in place for the November 2022 election; and

BE IT FURTHER RESOLVED that the Board directs the Superintendent or his designee to initiate processes for establishing trustee areas and changing the method of electing members of the Board that are inclusive, thoughtful, and public, providing for and encouraging significant input on the issues the Board and Contra Costa County Committee on School District Organization will address from all interested citizens and interest groups; and

BE IT FURTHER AND FINALLY RESOLVED that the Superintendent or his designee is authorized to initiate the legal and regulatory process to seek a waiver from the State Board of Education, of the requirements of Education Code section 5020 and related statutes, so that action of the Contra Costa County Committee on School District Organization establishing trustee election areas and adopting one of the alternative methods of electing Board members specified in Education Code section 5030 does not constitute an order of election.

ADOPTED, SIGNED AND APPROVED this 23<sup>rd</sup> day of October, 2019.

  
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President, Board of Education Roy Ghiggeri  
Liberty Union High School District

**CERTIFICATION**

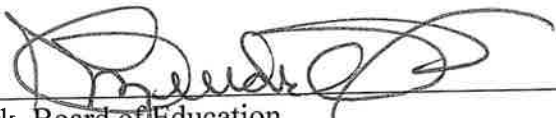
I, YOLANDA MENDREK Clerk of the Board of Education of the Liberty Union High School District, do hereby certify that the foregoing Resolution was adopted by the Board of Education of said District at a meeting of said Board held on the 23<sup>rd</sup> day of October, 2019, and that it was so adopted by the following vote:

AYES: 4

NOES: 0

ABSTAIN: 0

ABSENT: 1 (STONEBARGER)

  
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Clerk, Board of Education  
Liberty Union High School District