

By-Trustee Area Election FAQs

What is the (California Voting Rights Act) CVRA?

In 2002, the California legislature enacted the California Voting Rights Act ("CVRA"), which prohibits the use of at-large elections of governing board members for a school district if it "impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election...." (Elections Code § 14027, emphasis added.) Under the CVRA, the only election system that provides an accepted "safe harbor" from a potential CVRA claim is a "by-trustee area" election system. Under a "by-trustee area" election system, a school district is divided into separate trustee areas and one governing board member who lives in a particular trustee area is elected by the registered voters in that trustee area, rather than by the community at-

preempt likely legal challenges, the LVJUSD Board of Education has decided to follow the statutory process to discuss, invite public input and ultimately decide on a trustee-area-based election process. Upon adoption of a resolution of intent to transition, the law provides 90 days to conduct public hearings prior to adopting an ordinance ordering the transition to a by-trustee area election system (Elections Code Section 10010). On October 1, 2024 LVJUSD's Board adopted a resolution declaring its

Other demographic data are used to ensure compliance with the federal Voting Rights Act and to identify communities of interest in the District, but only the 2020 Census total population counts are used to determine population equality.

Education Code § 5021(a) which states, in pertinent part, that “[i]f a proposal for the establishment [of trustee area elections] is approved . . . any affected incumbent board member shall serve out his or her term of office”

The Education Code requires that the terms of board members be staggered so that, as nearly as practicable, one half of the members shall be elected in each year in which the Board's elections are regularly held. Here, given LVJUSD's five-member Board, there are three (3) trustees whose terms will be completed in 2026 and two (2) that will complete their terms in 2028. The number of seats open each year remains unchanged by the transition to by-trustee-area elections, so in 2026 there will be elections in three (3) of the newly created trustee areas and in 2028 there will be an election in the other two (2) areas. In each proposed map, there will be a proposed sequencing schedule which will indicate which seats/areas will be up for election in 2026 and 2028.

The law now requires that the trustee areas be drawn without consideration of the