

## Transition to a By-Trustee Area Election System

- AUSD currently elects its Board of Education members through an “at-large” election system.
  - Under this system, Board of Education candidates can reside anywhere in AUSD's area of service and are elected by the registered voters that reside within AUSD's area of service.
  - Voters vote for all open seats. (e.g., if there are two open seats, each voter can vote for up to two candidates.)
- AUSD received a demand letter claiming that the District’s current method of election the Board of Education members through “at-large” elections violated the California Voting Rights Act (CVRA). The letter threatens litigation if the District declines to adopt a “by-trustee” election system.
  - A “by-trustee” area election is one where voters chose a Board member from within their “by-trustee” area.
  - Voters only vote for one trustee when the seat in their “by-trustee” area is open. (e.g. if the term of a “by-trustee” area’s Board seat is 2018-2022, voters in that area would not vote for a Board member in the 2020 election; in 2022, they will vote for one Board member who resides within their area.)
- Agencies that have attempted to defend “at-large” election systems have incurred significant legal costs. (e.g. Palmdale - \$4.7M, Modesto - \$3M, Anaheim - \$1.1M)
  - The City of Antioch has already transitioned to a “by-trustee” area and their first elections under this new system will begin with the 2020 election.
- The District is holding community meetings and public hearing in May and June to gather community input regarding the composition of the “by-trustee” area maps.
  - May 17 – draft maps posted on District website
  - May 22 – Public Hearing #3 at the Board of Education meeting.
  - May 28 – Community meeting #1
  - June 1 – Community meeting #2
  - June 12 - Public Hearing #4 at the Board of Education meeting.
  - June 26 - Public Hearing #5 at the Board of Education meeting and adoption of final maps.
- **A provision in the CVRA requires that voters adopt the change to the election process, but districts can avoid this added expense, delay, and threat of litigation by requesting a waiver from the County.**
  - **AUSD is working with the County on the waiver process as this will avoid the cost and uncertainty of an election on the matter and will eliminate any potential liability in may have under the CVRA going forward.**
  - **In order to qualify for this waiver, the “Interested Entities” must be allowed an opportunity to state that they support, oppose, or are neutral to the waiver.**
  - **By voluntarily transitioning to the “by-trustee” area election process, the District maintains “safe harbor” protection from litigation.**