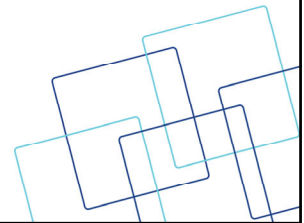




California Voting Rights Act & the Process to Transition to Trustee Area Elections

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Sierra Joint Community College District
September 14, 2021



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Today's Roadmap

- Current Method of Election
- California Voting Rights Act
- Process to Establish By-Trustee Area Elections
- Other Considerations



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Sierra's Current Method of Election

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Three Common Election Types

- At-Large
- Hybrid At-Large (From Trustee Areas)
(Sierra's current method of election)
- District-Based (By-Trustee Areas)

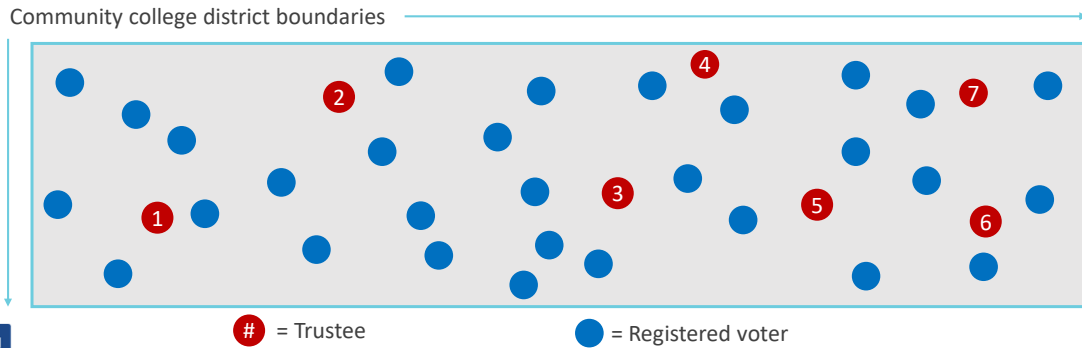


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At-Large Elections

- Board members may reside anywhere within the boundaries of the community college district.
- Registered voters within the boundaries of the community college district may vote for all seats on the Board.

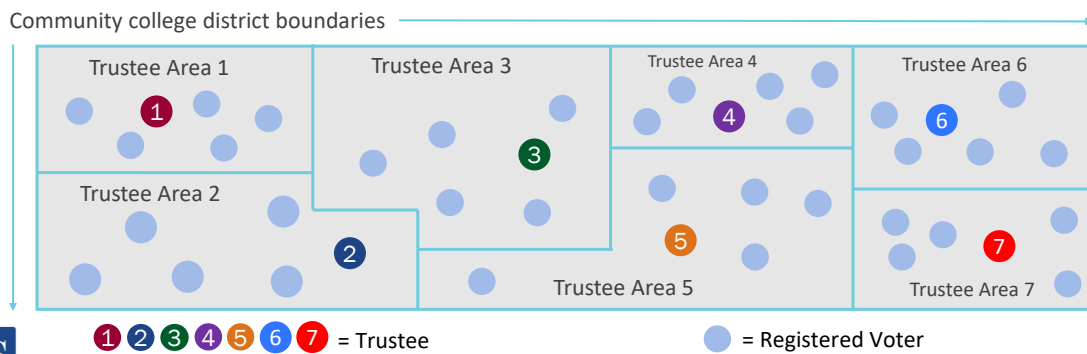


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CVRA Hybrid At Large (From Trustee Area) Model

- Trustees reside within a trustee area.
- All voters elect all trustees (form of at-large voting).

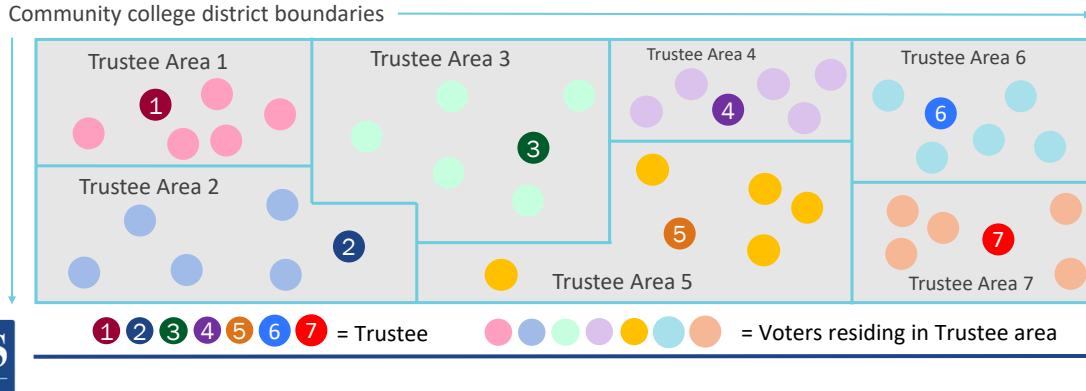


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District-Based (By-Trustee Area) Elections

- Jurisdiction is divided into trustee areas and trustees reside within a specific trustee area.
- Each trustee is only elected by the voters in the specific trustee area in which they reside.



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California Voting Rights Act

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Basics of the CVRA



The CVRA prohibits **at-large** elections that result in racially polarized voting.

Purpose is to allow protected classes to:

- Elect candidates of their choice; and
- Influence the outcome of elections.



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Proactive Change

- Some agencies transition to by-trustee area elections only after being threatened with a CVRA lawsuit
- Sierra is being proactive
- Potential CVRA plaintiffs must file a “demand letter” prior to filing a CVRA lawsuit



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CVRA Litigation: Costly and Uncertain



- High cost of litigation and attorneys' fees.
- Public agencies have had a lack of success in CVRA litigation.
- **No public agency to date has successfully defended a CVRA challenge (one case pending).**
- Many examples across the state.



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Process to Establish By-Trustee Area Elections

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Step 1: Adopt Intent Resolution

- Public agencies can avoid CVRA liability entirely if they timely adopt an Intent Resolution and transition to by-trustee area elections.
- Before the Board tonight*



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Step 2: Hearing Procedures

- “Pre-Map” Hearings: 2 public hearings prior to preparing proposed by-trustee area maps.
- “Map Consideration” Hearings: 2 public hearings to consider proposed by-trustee area maps.
- “Map Adoption” Hearing: Public hearing before adopting final by-trustee area map.



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Step 3: Obtain Approval from the Board of Governors

- Board of Governors will hold a hearing on the proposal and vote to either approve or deny the proposed transition.

Alternatively, may seek County Committee approval

- County committee holds a hearing in the CCD's boundaries, and then votes to approve or deny the proposed transition



Proposed Schedule

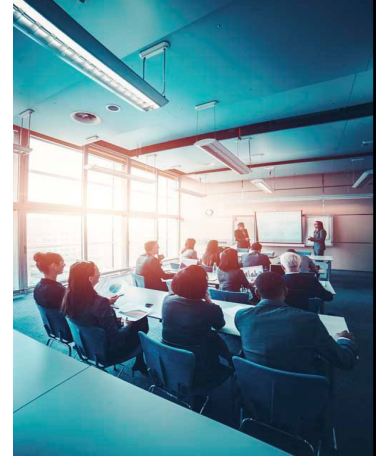
Resolution of Intent and Pre-Map hearing #1	September 14, 2021
Pre-Map hearing #2	October 12, 2021
Map-Review hearing #1	January 11, 2022
Map-Review hearing #2	February 8, 2022
Adopt final map	February 22, 2022
County Committee or Board of Governor Approval	March, 2022

*Schedule is subject to change



Other Considerations

- District boundaries do not change
- Terms of current board members do not change
- All incumbent trustees complete their terms
- By-Trustee Area maps must be adjusted after each federal census-every 10 years



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Team Approach

Establish your team and who is doing what:

- **Legal counsel** – advise regarding compliance with all requirements
- **Demographer** – responsible for maps
- **Logistics person** – public notices, board agendas, resolutions, applications, etc.
- **Scheduler** – all meetings (board meetings, closed session, community forums, COE etc.)
- **Communication director** – messaging, social media, website content, etc.



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Best Practices for Outreach



- Track your efforts (web traffic, social media reach, etc.). People who do not have strong concerns may not care to participate, but they still need to be well-informed.
- Consider all feedback.
- Create one place for information to which social media, etc. can refer.



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Tonight- Consideration and Potential Adoption of Resolution of Intent

- Resolution of Intent is before the board tonight.
- This Resolution, if the Board decides to adopt it, will begin the process to establish trustee areas, as outlined above.



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Questions?



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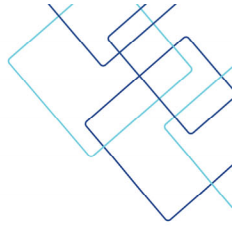
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