

CAPISTRANO UNIFIED SCHOOL DISTRICT
San Juan Capistrano, California

RESOLUTION NO. 2122-21

**ESTABLISHING CRITERIA FOR
ADJUSTING TRUSTEE AREA BOUNDARIES**

WHEREAS, the voters of the District adopted Measure H at an election on November 2, 2010; and

WHEREAS, Measure H altered the way Trustees of the District are elected to “by-trustee area” election where each Trustee must reside within the designated Trustee area boundary and is elected only by the voters in that Trustee areas; and

WHEREAS, pursuant to Measure H, the District now employs a by-trustee area election method with Trustee areas redrawn based on the 2010 census to balance inhabitants in each Trustee area; and

WHEREAS, Education Code § 5019.5 requires school districts employing by-trustee area election method to adjust the boundaries of Trustee areas following the decennial federal census; and

WHEREAS, the District has undertaken a study of its Trustee areas using 2020 federal census data in order to ensure compliance with state and federal voting law; and

WHEREAS, the Federal Voting Rights Act (42 U.S.C. § 1973) prohibits the use of any voting qualification, or prerequisite to voting, or standard, practice, or procedure, in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color; and

WHEREAS, federal law and the Equal Protection Clause require that each Trustee area be equal in population to ensure compliance with the “one person, one vote” rule; however, deviations (less than five percent [5%] greater than or less than the ideal, for a total of ten percent [10%] deviation) are presumptively constitutional under the Equal Protection Clause where required to meet an official criteria; and

WHEREAS, the population changes in each Trustee area, comparing the 2010 to the 2020 census, meets the thresholds necessitating an adjustment; and

WHEREAS, the Board of Trustees has instructed PowerSchool, its demographer, and District staff to prepare maps using 2020 census data that adjust the Trustee areas to create Trustee areas as nearly equal as possible to ensure the lawfulness of the District’s election procedures, but wishes to provide official criteria for any needed deviations;

BE IT RESOLVED the Board of Trustees of Capistrano Unified School District hereby adopts the following criteria to guide the establishment of Trustee areas for the Board of Trustees:

1. Each Trustee area shall contain a nearly equal number of inhabitants;
2. Trustee area borders shall be drawn in a manner that complies with the Federal Voting Rights Act;
3. Trustee areas shall consist of contiguous territory in as compact a form as possible;
4. Trustee area borders shall respect communities of interest as much as possible;
5. Trustee area borders shall follow visible natural and man-made geographical and topographical features as much as possible;
6. Trustee area borders shall follow municipal boundaries as much as possible;
7. Trustee area borders shall take into consideration the location of schools;
8. Trustee area borders shall take into consideration the school feeder pattern into high schools;
9. Trustee area borders shall take into consideration expected future population growth within each Trustee area over the next ten years;

BE IT FURTHER RESOLVED the Superintendent or designee shall be authorized to take any additional acts needed to effectuate the purpose and intent of this Resolution.


AYES: (7)
NOES (0)
ABSENT (0)
ABSTAIN (0)

I, Kirsten Vital Brulte, Secretary of the Capistrano Unified School District Board of Trustees, hereby certify that the above and foregoing Resolution was duly and regularly adopted by the said Board at the meeting thereof on the 3rd day of November, 2021, by a roll call vote of said Board.

IN WITNESS THEREOF, I have hereunto set my hand and seal this 3rd day of November, 2021.



Gila Jones, Clerk of the Board



Kirsten Vital Brulte
Superintendent
Secretary of the Board of Trustees