

# **ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION**

## **STAFF REPORT REGARDING:**

**Proposal by the Board of Trustees of the Ocean View School District of Orange County  
Recommending that the Orange County Committee on School District Organization  
Approve and Establish Trustee Areas from which the Ocean View School District Trustees  
will be Elected in a By-Trustee Area Election Process (OVSD Resolution No. 08:2526)**



**Stefan Bean, Ed.D.**  
County Superintendent of Schools

## **PREPARED BY:**

**ORANGE COUNTY DEPARTMENT OF EDUCATION**

## **I. INTRODUCTION**

On November 4, 2025, the Orange County Committee on School District Organization (County Committee) received a proposal from the Ocean View School District (OVSD) requesting approval to establish trustee areas from which the OVSD trustees will be elected using a by-trustee area method of election. The proposal is set forth in OVSD Resolution No. 08:2526, titled “Resolution of the Board of Trustees of the Ocean View School District of Orange County Recommending that the Orange County Committee on School District Organization Approve and Establish Trustee Areas from which the Ocean View School District Trustees Will Be Elected in a By-Trustee Area Election Process” (OVSD Resolution), which was adopted by a 4–1 vote on October 14, 2025. (Appendix A).

This report has been prepared by Orange County Department of Education (OCDE) staff to assist the County Committee in its deliberations regarding OVSD’s proposal, materials submitted by OVSD for the County Committee’s consideration, and the County Committee’s public hearing process. This report also outlines the legal and procedural framework governing the County Committee’s review and is intended to serve as a reference to support the County Committee’s decision-making process.

## **II. STATUTORY FRAMEWORK TO ESTABLISH TRUSTEE AREAS**

### **A. Authority of the County Committee**

Under Education Code section 5019(a), the County Committee holds the authority to establish trustee areas and to adopt an alternative method of electing school district governing board members, such as a by-trustee area method of election in which each trustee must reside in and be elected by the registered voters of that particular trustee area.<sup>1</sup> Pursuant to Education Code section 5019(c)(1), a proposal to make such changes may be initiated by the County Committee, by citizens’ petition, or by resolution of the governing board of the school district.

Upon receipt of a proposal, the County Committee shall call and conduct at least one public hearing in the school district on the matter. Following the conclusion of the hearing, the County Committee shall approve or disapprove the proposal. (Education Code section 5019(c)(2)).

If the County Committee approves the proposal, the County Committee’s resolution to establish trustee areas, shall constitute an order of election, and the proposal shall be presented to the electors of the school district. (Education Code section 5020(a)(1)). However, as of January 1, 2022, Education Code section 5020(a)(2) was amended by Senate Bill 442, to allow the County Committee to approve, by resolution, a proposal to establish trustee areas and to elect governing board members using by-trustee area method of elections without being required to call an election for approval, if the County Committee’s resolution includes a declaration that the

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<sup>1</sup> See also, the California Department of Education’s School District Organization Handbook, available at: <https://www.cde.ca.gov/re/lr/do/sdohandbook.asp>.

change in the method of electing members of the governing body is made in furtherance of the purposes of the California Voting Rights Act of 2001 (Chapter 1.5 (commencing with Section 14025) of Division 14 of the Elections Code). Such resolution would take effect upon adoption by the County Committee and govern all elections for governing board members occurring at least 125 days after the adoption of the resolution.

## **B. California Voting Rights Act of 2001**

The California Voting Rights Act (CVRA) of 2001 is codified in Elections Code Sections 14025 through 14032. Elections Code section 14026(a) provides that an “at-large method of election” means any of the following methods of electing members to the governing body of a political subdivision:

- One in which the voters of the entire jurisdiction elect the members to the governing body.
- One in which the candidates are required to reside within given areas of the jurisdiction and the voters of the entire jurisdiction elect the members to the governing body.
- One that combines at-large elections with district-based elections.

Under Elections Code section 14027, the CVRA prohibits an at-large method of election that “impairs the ability of a protected class, as defined by race, color, or language minority group, to elect candidates of its choice or its ability to influence the outcome of an election, as a result of the dilution or the abridgment of the rights of voters who are members of a protected class.” To prevail on a CVRA claim, a plaintiff must establish the existence of racially polarized voting in an at-large election system and that the protected class would have the potential, on its own or with the help of crossover voters, to elect its preferred candidate. (Elections Code section 14028).

## **C. Fair and Inclusive Redistricting for Municipalities and Political Subdivisions (FAIR MAPS) Act**

Assembly Bill 764, effective January 1, 2024, extended the Fair and Inclusive Redistricting for Municipalities and Political Subdivisions (FAIR MAPS) Act to apply to school districts. Under Education Code section 5019(e), the trustee areas must comply with the requirements and criteria set forth in Elections Code section 21130. As a result, Elections Code section 21130 now governs the criteria and requirements for establishing trustee area boundaries for school districts. Elections Code section 21130 requirements, criteria, and their application to OVSD are discussed in Section III-C of this report.

### **III. OCEAN VIEW SCHOOL DISTRICT PROPOSAL**

#### **A. OVSD Resolution to County Committee**

The OVSD Resolution requested that the County Committee approve a proposal to establish trustee areas based on Map #2 and transition to by-trustee area elections, with the following election sequence:

- Trustee Areas 2, 4, and 5 for election in November 2026
- Trustee Areas 1 and 3 for election in November 2028

According to the OVSD Resolution, OVSD is also requesting that the County Committee declare that the change to by-trustee area method of elections is being made in furtherance of the purposes of the California Voting Rights Act of 2001 so that the proposal may take effect upon adoption by the County Committee without being required to call an election for approval.

Information about OVSD's transition to a by-trustee area method of election is available on its website: <https://www.ovsd.org/boardoftrustees/board-member-election>.

#### **B. OVSD Process**

Elections Code section 10010 establishes procedural requirements for a school district adopting trustee areas, including opportunities for public input, map publication, and public hearings. Pursuant to Elections Code section 10010(a)(1), a school district must hold at least two public hearings within a period of no more than 30 days to receive community input regarding the composition of proposed trustee areas prior to the preparation of district maps. OVSD conducted these pre-map public hearings on January 28, 2025, and February 25, 2025.

Following the pre-map public hearings, Elections Code section 10010(a)(2) requires a school district to publish and make available to the public at least one draft trustee area map, and if members of the governing body will be elected at different times to provide for staggered terms of office, the potential sequence of elections. The first version of a draft map must be made available to the public at least seven days prior to its consideration at a public hearing. If a draft map is revised at or following a hearing, it shall be published and made available to the public for at least seven days before being adopted. OVSD posted four proposed trustee area maps on its website for public review at <https://www.ovsd.org/boardoftrustees/board-member-election>.

After the preparation and publication of draft maps, Elections Code section 10010(a)(2) further requires a school district to hold at least two additional public hearings within a period of no more than 45 days to receive public input on the draft maps and the proposed sequence of elections. OVSD held post-map public hearings on March 25, April 8, May 13, and October 14, 2025, and ultimately approved Map #2 on October 14, 2025.

Elections Code section 10010(b) requires that, when establishing trustee areas where governing board members are elected at different times to provide for staggered terms, the governing body

shall give special consideration to the purposes of the California Voting Rights Act of 2001 and shall take into account the preferences expressed by members of the proposed trustee areas.

On May 13, 2025, OVSD approved Map #4 and an election sequence in which Trustee Areas 1, 2, and 4 would be up for election in 2026, and Trustee Areas 3 and 5 would be up for election in 2028. On October 14, 2025, OVSD rescinded its approval of Map #4 and adopted Map #2, with an election sequence in which Trustee Areas 2, 4, and 5 would be up for election in November 2026, and Trustee Areas 1 and 3 would be up for election in November 2028. Also, on October 14, 2025, OVSD adopted the OVSD Resolution recommending that the County Committee approve and establish trustee areas in accordance with Map #2.

### **C. Criteria under Elections Code section 21130 – FAIR MAPS Act**

Elections Code section 21130(a) requires that election districts be substantially equal in population, consistent with the United States Constitution and the California Constitution. Population equality is based on total population as determined by the most recent federal decennial census. In OVSD’s adopted Map #2, the total population deviation among trustee areas is 8.4 percent, which falls within legally permissible limits for achieving substantial population equality.

The statute further requires that election district boundaries comply with the federal Voting Rights Act of 1965 and mandates an analysis of whether it is possible to create one or more majority-minority single-member districts. (Elections Code section 21130(b)). OVSD conducted this analysis as part of its districting process and presented its findings during Board presentations on March 25, April 8, May 13, and October 14, 2025. A detailed discussion of OVSD’s majority-minority district feasibility analysis is provided in Section III-D of this report.

Elections Code section 21130(c) also establishes a prioritized list of districting criteria that must be applied when adopting trustee area boundaries. These criteria, in order of priority, include:

1. **Contiguous:** To the maximum extent practicable, election districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.
2. **Community of Interests:** To the maximum extent practicable, and where it does not conflict with the preceding criterion in this subdivision, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division.
  - a. A “community of interest” is a population that shares common social or economic interests that should be included within a single election district for purposes of its effective and fair representation.
  - b. Characteristics of communities of interest may include, but are not limited to, shared public policy concerns such as education, public safety, public health, environment, housing, transportation, and access to social services.

- c. Characteristics of communities of interest may also include, but are not limited to, cultural districts, shared socioeconomic characteristics, similar voter registration rates and participation rates, and shared histories.
  - d. Communities of interest do not include relationships with political parties, incumbents, or political candidates.
- 3. **Geographic Integrity:** To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subdivision, the geographic integrity of a city or census designated place shall be respected in a manner that minimizes its division.
- 4. **Easily Identifiable/Understandable:** To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subdivision, election districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the local jurisdiction. Election district boundaries should be easily identifiable and understandable by residents.
- 5. **Geographic Compactness:** To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subdivision, election districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

Finally, Elections Code section 21130(d)-(e) prohibits adopting election district boundaries for the purpose of favoring or discriminating against an incumbent, political candidate, or political party and prohibits prioritizing criteria that conflict with the statutory requirements, except where expressly permitted by law. Although Elections Code section 21130(f) generally requires the preparation of a post-adoption report explaining districting decisions, this requirement does not apply to small education districts such as OVSD.<sup>2</sup>

The materials submitted by OVSD indicate that these statutory requirements were considered during the school district's map development process. OVSD representatives will have an opportunity to present information regarding the application of these criteria during the County Committee's public hearing.

#### **D. Analysis of Majority-Minority District Feasibility under FAIR MAPS Act**

In accordance with Elections Code section 21130(b)(1), OVSD conducted an analysis of majority-minority district feasibility and presented its findings during OVSD's public board meetings on March 25, April 8, May 13, and October 14, 2025. The information that follows in this section is taken directly from OVSD's written materials dated October 14, 2025, titled Voting Area Process:<sup>3</sup>

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<sup>2</sup> OVSD qualifies as a "small education district" under Elections Code section 21110, as it serves an area with a total population of fewer than 250,000 residents; based on the 2020 Census, OVSD's total population is 97,861.

<sup>3</sup> Information regarding the OVSD's analysis is available on the District's webpage at <https://www.ovsd.org/boardoftrustees/board-member-election>.

“Pursuant to AB 764’s revision to the FAIR MAPS Act, effective January 1, 2024, Elections Code section 21130(b)1) states:

Consistent with the districting body’s existing obligations under the federal Voting Rights Act, the districting body shall determine whether it is possible to create an election district or districts in which a minority group is sufficiently large and geographically compact to constitute a majority in a single-member district, as set forth in *Thornburg v. Gingles*, 478 U.S. 30 (1986), and as interpreted in case law regarding enforcement of the federal Voting Rights Act with respect to redistricting. The districting body shall publish on its redistricting web page, at a minimum, the results of its analysis within seven days of completing the analysis or prior to adopting election district boundaries, whichever occurs first.

Based on total population, District-wide, the two (2) largest protected classes comprise the following population percentages:

- Hispanic/Latino – 24.5%
- Asian – 16.7%

Citizen Voting Age Population (CVAP) figures estimate the number of persons who are both U.S. citizens and over the age of 18. Based on the most recent CVAP estimates, the two (2) largest protected classes comprise the following CVAP percentages District-wide:

- Hispanic/Latino – 19.3%
- Asian – 14.6%

The configuration and distribution of census blocks within the boundaries of the District, the fact that the two main protected classes are distributed across similar geographic areas together and thirdly, that they exist as insufficient population concentrations based on CVAP data, makes it not possible to draw a majority Hispanic/Latino or Asian CVAP majority area. Even if the District attempted to impermissibly “racially gerrymander” in violation of the law to “pack” an area with the largest concentration of residents from any of the protected classes by CVAP, it does not appear a majority can be achieved.

However, both map options being considered at this time do provide at least one or more trustee areas with notably increased influence for both protected class populations by CVAP. Specifically, the largest concentrations for the Hispanic/Latino population by CVAP per trustee area amounts to 34.4% - an increase compared to the District-wide average of 19.3%. The largest concentrations for Asian population by CVAP per trustee area amount to 26.4% - an increase compared to the District-wide average of 14.6%.”

#### **IV. CONCLUSION**

Pursuant to Education Code section 5019(c)(2), the County Committee is required to conduct at least one public hearing within the boundaries of the school district and, at the conclusion of the hearing, to approve or disapprove the proposal.

The County Committee's public hearing on OVSD's proposal is scheduled for February 18, 2026 in accordance with County Committee Bylaw No. 350.<sup>4</sup> At the conclusion of the hearing, the County Committee will consider the record before it and take action to approve or disapprove OVSD's proposal to establish trustee areas from which the OVSD trustees will be elected using a by-trustee area method of election in accordance with Map #2 and the proposed sequence of elections.

If the proposal is approved, the County Committee may, by resolution, authorize the transition to by-trustee area elections without submitting the resolution to the electors, provided the resolution declares that the change in the method of electing governing board members is being made in furtherance of the purposes of the California Voting Rights Act of 2001. Any such resolution would take effect upon adoption and would govern all governing board elections occurring at least 125 days after adoption.

The Registrar of Voters deadline for trustee area maps to be effective for the November 2026 elections is July 1, 2026.

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<sup>4</sup> The Orange County Committee on School District Organization Bylaws are available at: <https://ocde.us/CCSDO/Pages/Resources.aspx>



Appendix A  
**RESOLUTION NO. 08:2526**

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
OCEAN VIEW SCHOOL DISTRICT OF ORANGE COUNTY RECOMMENDING  
THAT THE ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT  
ORGANIZATION APPROVE AND ESTABLISH TRUSTEE AREAS  
FROM WHICH THE OCEAN VIEW SCHOOL DISTRICT  
TRUSTEES WILL BE ELECTED  
IN A BY-TRUSTEE AREA ELECTION PROCESS**

WHEREAS, The Ocean View School District ("District") currently uses an at-large system of electing members of its Board of Trustees; and

WHEREAS, At-large electoral systems such as the Districts are subject to challenge under the California Voting Rights Act of 2001, codified at Sections 14025 - 14032 of the California Elections Code ("CVRA"); and

WHEREAS, By-trustee area electoral systems are not vulnerable to challenge under the CVRA; and

WHEREAS, In a by-trustee area system of election, candidates for the District's Board of Trustees (the "Board") must reside within a specific geographic subarea of the District called a "trustee area" and candidates are elected only by the voters of that trustee area; and

WHEREAS, One method of transitioning from an at-large electoral system to a by-trustee area electoral system is for the Board to petition the local county committee on school district organization by resolution to initiate the transition under California Education Code Section 5019(c)(1); and

WHEREAS, the Orange County Committee on School District Organization ("Committee") has indicated that it will initiate this process on behalf of the District at the District's request, and will consider any recommendation on specific trustee areas made by the District; and

WHEREAS, as part of the process, District administration met with various stakeholders, including representatives of Ocean View Teachers Association, California School Employees Association and its Local Chapter No. 375, and other District committees, to discuss the waiver of the election that is ordered by the Committee pursuant to Education Code Section 5020(a)(1) upon the Committee's approval of the District's plan to transition to by-trustee area elections; and

WHEREAS, on May 13, 2025, the Board held a public hearing on the waiver of the election requirement; and

WHEREAS, SB 442, passed in July 2021, amended Education Code Section 5020 to add Section (a)(2) which authorizes the Committee to, "by resolution, approve a proposal to establish trustee areas and to elect governing board members using district-based elections, as defined in subdivision (b) of Section 14026 of the Elections Code, without being required to submit the resolution to the electors of the district for approval."; and

WHEREAS, the Committee's resolution required by Education Code Section 5020 must "include a declaration that the change in the method of electing members of the governing body is being made in furtherance of the purposes of the California Voting Rights Act of 2001."

WHEREAS, District staff and consultants have conducted public hearings on January 28, 2025, and February 25, 2025, for pre-map input as required by law, prepared proposed trustee area plans and recommendations (the "Plans") that were first presented to the public at the District's Regular Board Meeting on March 25, 2025, and thereafter posted the Plans and further updated Plans on the District's website for further input; and

WHEREAS, Pursuant to Elections Code Section 10010, the District held properly noticed public hearings regarding the proposed trustee area plans on March 25, 2025, April 8, 2025, and May 13, 2025; and

WHEREAS, the Board also held an additional public hearing on October 14, 2025; and

WHEREAS, the Board has considered all public input and comment on the Plans; and

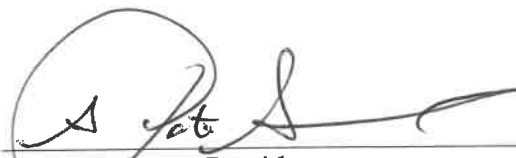
WHEREAS, the Board has adopted Plan 2 and hereby recommends Plan 2 to the Committee for its consideration based upon the findings, analysis and recommendations contained in the report attached hereto and incorporated herein as Exhibit "A."

NOW THEREFORE, be it resolved by the Board of Trustees of the Ocean View School District as follows:

1. That the above recitals are true and correct.
2. That beginning in November 2026, the District shall use a by-trustee area method of election to elect the District's Trustees.
3. That the Board has adopted Plan 2 and recommends Plan 2 to the Committee for consideration and adoption.
4. That at the District's next election in 2026, seats in trustee areas 2, 4, and 5 will be up for election, and in November 2028, seats in trustee areas 1, 3, and X will be up for election.
5. That the District's transition to by-trustee area election was a decision made by the Board of Trustees in furtherance of the purposes of the California Voting Rights Act of 2001.
6. That the Board requests the Committee to "by resolution, approve a proposal to establish trustee areas and to elect governing board members using district-based elections, as defined in subdivision (b) of Section 14026 of the Elections Code, without being required to submit the resolution to the electors of the district for approval."
7. That the Board requests the Committee's resolution "include a declaration that the change in the method of electing members of the governing body is being made in furtherance of the purposes of the California Voting Rights Act of 2001."

8. That the Superintendent and/or her designee take all actions necessary to notify the Committee of the Board's determination forthwith and provide whatever assistance may be required by the Committee to complete the process.

ADOPTED, SIGNED AND APPROVED this 14<sup>th</sup> day of October, 2025.



Patricia Singer, President  
Board of Trustees  
Ocean View School District of Orange County

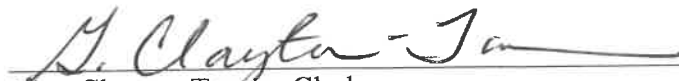
I, Gina Clayton-Tarvin, Clerk of the Board of Trustees of the Ocean View School District of Orange County, do hereby certify that the foregoing Resolution was adopted by the Board of Trustees of said District at a meeting of said Board held on the 14 day of October, 2025, and that it was so adopted by the following vote:

AYES: CLAYTON-TARVIN, GORSAGE, SINGER, SODERS

NOES: WESTMORELAND

ABSTAIN: 0

ABSENT: 0



Gina Clayton-Tarvin, Clerk  
Board of Trustees  
Ocean View School District of Orange County

**EXHIBIT “A”**

**APPROVED TRUSTEE AREA MAP**

**SEE NEXT PAGE**

# Conceptual Trustee Areas

Scenario 2

