

ELECTRONICALLY FILED
12/20/2024 1:44 PM
Kern County Superior Court
By Gricelda Evans, Deputy

SIMAS & ASSOCIATES, LTD.
Steven L. Simas (State Bar No. 150901)
Ryan M. Keever (State Bar No. 301204)
Frances E. Heredia (State Bar No. 352103)
7355 Morro Road, Suite 101
Atascadero, California 93422
805.547.9300 (telephone)
805.547.9302 (facsimile)
info@simasgovlaw.com

**Attorneys for Petitioner/Contestant Jennifer Estrada and Petitioner
Greenfield Union School District**

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF KERN

JENNIFER ESTRADA,
Petitioner/Contestant,

vs.

MERCY PEÑA,
Respondent/Defendant

JENNIFER ESTRADA and GREENFIELD
UNION SCHOOL DISTRICT,

Petitioners,

vs.

KERN COUNTY ELECTIONS DIVISION,
Respondent.

RICARDO HERRERA,

Real Party in Interest.

Expedited Hearing Requested

Case No.: BCV-24-104155

[Hon. Bernard C. Barmann, Jr.]

**SECOND AMENDED PETITION
FOR WRIT OF ORDINARY
MANDATE; COMPLAINT
FOR DECLARATORY RELIEF; AND
PETITIONER/CONTESTANT'S
STATEMENT OF ELECTION CONTEST**

(Code Civ. Proc., §§, 1085, 1176, and 1060;
Elections Code §§ 16100(d), 16400, 16403, and
16500)

Hearing Date: ***TBD per Elections Code § 16500***

Division: H

Location: Metro Justice Building
1215 Truxtun Avenue
Bakersfield, California 93301

Date Action Filed: December 4, 2024

Trial Date: TBD

Petitioner/Contestant Jennifer Estrada ("Ms. Estrada" or "Petitioner") hereby respectfully
petitions for relief in two areas. First, Petitioner asks this Court to issue an order annulling and

Petitioner Ms. Estrada also asks this Court to issue a writ of ordinary mandate pursuant to California Code of Civil Procedure Section 1085, and issue a declaratory judgment under California Code of Civil Procedure Section 1060 directing the Elections Division to set aside its December 5, 2024 certification of the November 2024 election, on the Grounds set forth in Elections Code section 16100(d) that “illegal votes were cast” in the election for Board of Trustees of the Greenfield Union School District (“District”), and based upon Respondent Election Division mistakenly sending 108 ballots to the incorrect residential district or area for the District’s Board of Trustees election.

The District further petitions this Court for a declaratory judgment under California Code of Civil Procedure Section 1060 declaring that illegal votes were cast based upon Respondent Elections Division mistakenly sending 108 ballots to the incorrect residential district or area for the District's Board of Trustees election.

1. This Court has jurisdiction to consider this Petition and Statement of Election Contest under Elections Code sections 16100(d) and 16400.

2. This Court has jurisdiction to consider Petitioners' Petition for Writ of Mandate and Complaint for Declaratory Relief pursuant to California Code of Civil Procedure § 1085 and § 1060.

3. Petitioners and Respondents are all present in the County of Kern, and the dispute

1 the matter may be called in Department H of the above-entitled court, which is located at Metro
2 Justice Building, 1215 Truxtun Avenue, Bakersfield, California 93301, the Court will hold a Case
3 Management Conference in this matter.¹

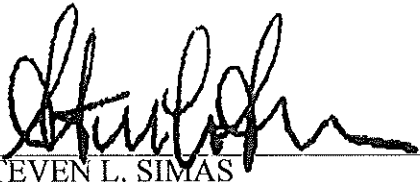
4 All parties shall be required to file and serve a completed Case Management Conference
5 Statement at least fifteen (15) calendar days before the Case Management Conference in accordance
6 with California Rule of Court 3.725.

7 All parties must be familiar with the case and be fully prepared to participate effectively in
8 the Case Management Conference. At the Case Management Conference, the Court may make
9 pretrial orders, including an order setting subsequent conferences and a hearing date.

10
11 Respectfully Submitted,

12 Dated: January 3, 2025

SIMAS & ASSOCIATES, LTD.

13
14
15 

STEVEN L. SIMAS

RYAN M. KEEVER

FRANCES E. HEREDIA

Attorneys for Petitioner/Contestant Jennifer Estrada and
Petitioner Greenfield Union School District

16
17
18
19
20
21
22
23
24
25
26 ¹ See **Exhibit A** – Notice of Case Management Conference. This notice requires a copy of the Summons, Complaint,
27 Alternative Dispute Resolution Information Packet and ADR Stipulation and Order form be served concurrently, and as
such are included herewith.

1 arose within the County of Kern. Thus, the Superior Court of the State of California, County of
2 Kern is the appropriate venue. (Code Civ. Proc., § 393.)

3 **PARTIES**

4 4. Petitioner/Contestant Jennifer Estrada is a resident of Bakersfield, California, and a
5 voter and qualified elector in District Trustee Area C of the District who cast her vote in the
6 November 5, 2024 election.

7 5. Petitioner Greenfield Union School District is a public school district located within
8 Kern County and governed by a Board of Trustees elected by the public. The District administers
9 nine elementary schools, three middle schools, and one community school, and serves
10 approximately 9,000 students.

11 6. Respondent Kern County Elections Division is a division within Kern County
12 charged with administering and certifying elections and results pursuant to Elections Code section
13 15372.

14 7. Respondent Mercy Peña is the Trustee for Area C, who was sworn in on December
15 18, 2024, based upon the requirements of Education Code section 35143 which requires the District
16 to conduct an organizational board meeting within a fifteen-day period that commences with the
17 second Friday in December following the regular election.

18 8. Real Party in Interest Ricardo Herrera is the former incumbent Board of Trustees
19 member who ran against Respondent Ms. Peña in the election for District Trustee for Area C.

20 **GENERAL ALLEGATIONS**

21 9. On August 24, 2011, pursuant to Education Code 5019(c) and 5030(b) the Board of
22 Trustees of the District approved Resolution 12-1 which changed its system for electing trustees or
23 governing board members from an “at-large” district to a “by-trustee” district.¹

24 10. Education Code Section 5030(b), requires “that one or more members residing in
25 each trustee area be elected by the registered voters of that particular trustee area.” Further,
26 Elections Code section 14026(b) states that “District-based elections” means a method of electing

27 ¹ A copy of the Resolution is attached as **Exhibit 1**.

members to the governing body of a political subdivision in which the candidate must reside in an election district that is a divisible part of the political subdivision and is elected only by voters residing within that election district.”

11. Since the District governing body adopted the “by-trustee” resolution in 2011, all elections have proceeded in accord with these requirements since that time.

12. In 2016, District Trustee Area C voters elected Real Party Mr. Herrera as the Trustee for Area C of the District. He has served continually and been reelected since that time.

13. In the recent November 5, 2024 election, Real Party Mr. Herrera ran against Respondent Mercy Peña for the District Trustee Area C position. As reported by the Kern County Elections Division website, the “Official Final Results” the County certified on December 5, 2024, show 1012 votes for Respondent Ms. Peña and 1004 votes for Real Party Mr. Herrera.²

14. On December 3, 2024, Counsel for Respondent Elections Division, Deputy County Counsel Stephanie Bouey notified General Counsel for the District Abigale Auffant at Schools Legal Service, that Respondent Elections Division discovered 108 voters were incorrectly assigned to GUSD Area C that should have been assigned to Area D:

From: Stephanie Bouey <sbouey@kerncounty.com>
Date: December 3, 2024 at 11:46:29 AM PST
To: Abigale Auffant <abauffant@kern.org>
Cc: Laura Cantu <cantula@kerncounty.com>
Subject: Greenfield USD Trustee Area C Election

Hi Abby,
I’m following up on our call this morning. Kern County Elections discovered 108 voters were assigned to the wrong trustee area in the Greenfield USD Area C race and were incorrectly allowed to vote in that race. All affected voters should have assigned to Trustee Area D. The two candidates in this race are separated by less than ten votes at the most recent count.

We have confirmed that Kern County Elections Official must certify the election results by Thursday, December 5, absent a court order. At this time, we have spoken with your office, each candidate, and we left a voicemail with the school district regarding this situation and the relevant deadlines.

My phone number is below, let me know if you have any questions.

² See <https://electionsapps.kerncounty.com/ElectionInformation/Results?ID=126>. Petitioners ask the Court to take judicial notice of these results as an official government record.

SIMAS & ASSOCIATES, LTD.
ATTORNEYS AT LAW

Thank you,
Stephanie Bouey
Deputy County Counsel

...

15. Given how close this race in Area C is and the recent news of Respondent Elections Division improperly attributing votes to the incorrect Trustee Area, Petitioners filed this Petition to seek to preserve the integrity of this election, and Petitioner Ms. Estrada contests the election as an aggrieved voter within the District.

16. On or about December 5, 2024, Respondent Elections Division, notwithstanding awareness of the illegal votes, certified the election as accurate, in violation of Education Code 5030(b) and Elections Code section 16100(d).

17. On December 17, 2024, the Elections Division affirmed that it could not confirm which ballots belonged to which voters. District counsel Abigale Auffant emailed Auditor-Controller-County Clerk/Registrar of Voters Representative Aimee Espinoza as follows:

From: Abigale Auffant <abauffant@kern.org>
Sent: Tuesday, December 17, 2024 11:51 AM
To: Aimee Espinoza <espinozaa@kerncounty.com>
Cc: Stephanie Bouey <sbouey@kerncounty.com>; Kendra Graham <kgraham@kerncounty.com>; Margo Raison <mraison@kerncounty.com>; Mark Pafford <mapafford@kern.org>
Subject: Vote Count from Trustee Area D

Good morning, Aimee.

This email is a follow up to our conversation following the Kern County Board of Supervisors meeting this morning. In our conversation, you stated that the Elections Department has now been able to confirm that 57 ballots were returned of the 108 ballots that were erroneously mailed to voters in Trustee Area D area for the Trustee Area C election in the November 5, 2024 general election. Based on our prior communications, it is my understanding that it is not possible for the Elections Department to determine the actual votes on these 57 ballots that were returned. Could you please confirm these statements by reply email?

Thank you in advance for your attention to this matter.

Best,

Abby
ABIGALE AUFFANT
General Counsel

Ms. Espinoza from the County replied: "Hi Abigale, yes, that is correct. There is at least one other precinct that has the exact same ballot as these folks so there's no way for us to identify which ballots belong to these specific voters."

18. At this time, the County and Elections Division have no way of telling which votes were illegally cast in contravention of the law.

STATEMENT OF ELECTION CONTEST

(Elections Code §§ 16100(d) and 16400)

(Petitioner/Contestant Jennifer Estrada)

19. Petitioners reference paragraphs 1 through 18 above and incorporate them by this reference as if fully set forth.

20. Pursuant to Elections Code section 16100(d), any elector of the District may contest an election on the basis that illegal votes were cast.

21. Petitioner's statement herein is filed pursuant to Elections Code section 16400 on the grounds that illegal votes were cast as the Elections Division has admitted and as alleged above at Paragraph 14.

22. As alleged above, the Elections Division's website shows that Respondent Ms. Peña defeated Real Party Mr. Herrera by eight votes when the Elections Division certified the vote on December 5, 2024.

23. Prior to certifying the vote, Respondent Elections Divisions had mistakenly mailed out 108 ballots to District Trustee Area C voters that should have been sent only to residents of Trustee Area D. These ballots allowed illegal votes to be cast in violation of the District residency requirements of Education Code 5030(b) and 14026(b), and the District's Resolution 12-1 as alleged at paragraph 11, *supra*, resulting in violation of Elections Code section 16100(d).

24. The Elections Division has represented to counsel for the District that it cannot track or locate the mistakenly sent ballots and is therefore unable to discern how many illegal votes were

cast. Thus, the only remedy to preserve the fairness of the election, address the illegal votes of non-residents in the District, and to avoid disenfranchisement of District voters, is for the Court to annul and set aside the election for District C and to compel the Elections Division to hold a special election.

PETITION FOR WRIT OF TRADITIONAL MANDATE

(Code Civ. Proc. § 1085 – Petitioner Jennifer Estrada)

25. Petitioners reference paragraphs 1 through 24 above and incorporate them herein by reference as though fully set forth.

26. Petitioner Ms. Estrada has a beneficial interest in the outcome of the proceedings. (Code of Civil Procedure, § 1086) and has standing under Elections Code section 16100 as a voter or elector within the Trustee Area C, who is challenging the election certification as illegal votes were cast in violation of Section 16100(d).

27. Respondent Elections Division admits that it mailed out 108 ballots that allowed voters who reside in Trustee Area D to improperly and unlawfully vote in Trustee Area C of the District, in violation of the residency requirements of Education Code sections 5030(b) and 14026(b), and the District’s Resolution 12-1 as alleged at paragraph 11, *supra*.

28. Petitioner is seeking a Court order annulling and setting aside the election results for Trustee Area C, and to compel Respondent Elections Division to follow the requirements of the Education Code regarding by-trustee elections, including that only voters of the Trustee Area are eligible to vote for the governing Board member of their area. Specifically, Petitioner asks the Court to compel Respondent Elections Division to follow Education Code section 5030(b) which states “that one or more members residing in each trustee area be elected by the registered voters of that particular trustee area,” and Elections Code section 14026(b) which defined “district based elections” as those in which the candidate must reside within the election district and “is elected only by voters residing withing that election district.”

29. Respondent Elections Division is a County Division, and subject to following the law, including its own policies, rules, and procedures, in addition to statutory and other law. (Code

of Civil Procedure, § 1085(a).)

30. Respondent Elections Division has a clear, present, ministerial, and legal duty to certify election results that comport with the legal requirements of these statutes, including the Education Code and Election Code sections cited above, and has admittedly failed to do so.

31. Petitioner seeks to prevent Respondent Elections Division from abusing its authority and discretion, refusing to follow the legal requirements for this election, and acting in an arbitrary and capricious manner.

32. An action in ordinary mandamus is proper where the claim is that an agency has failed to act as required by law or acted in excess of the law.

33. Petitioner seeks a Court Order annulling or setting aside the election results for Trustee Area C and ordering Respondent Elections Division conduct a new, special election to cure the illegal defects. (See *Bradley v. Perrodin* (2003) 106 Cal. App. 4th 1153, 1170).

34. Ordinary mandamus applies because Respondent Elections Division certifying the results incorrectly was arbitrary, capricious, or entirely lacking in evidentiary support, contrary to established public policy, unlawful, procedurally unfair. (*Code of Civil Procedure*, §1085; *City of Scotts Valley v. County of Santa Cruz* (2011) 200 Cal.App.4th 97; *Jefferson v. Compton Unified School Dist.* (1993) 14 Cal.App.4th 32.)

35. Respondent Elections Division abused its discretion certifying the results on December 5, 2024, under the circumstances presented in this case.

36. Respondent Elections Division's abuse of discretion harmed Petitioner, disenfranchising her vote, and harms the current candidates who have run for office, the integrity of its election process, the governance of the district going forward, the public and constituents of the District.

37. Petitioner has no plain, speedy, or adequate remedy at law regarding Respondent Elections Division's failures to adhere to the law, other than the relief sought by this Petition for Writ of Mandate. (*Code of Civil Procedure*, § 1086.)

REQUEST FOR DECLARATORY RELIEF

(Code Civ. Proc., § 1060)

(Petitioners Jennifer Estrada and District)

38. Jennifer Estrada and Greenfield Union School District (collectively, "Petitioners") refer to paragraphs 1 through 37 above and incorporate the same by this reference as though fully set forth herein at length.

39. Petitioners have alleged an actual present controversy with Respondent Elections Division regarding the unlawful and improper certification election results. Petitioner Ms. Estrada is a voter or elector as defined in Elections Code section 16100. The District is charged with maintaining fairness and impartiality in the election of its Board of Trustees.

40. Petitioners bring this original action for a declaration of the parties' rights and duties, given that Respondent Elections Division has certified the election results on December 5, 2024 with admitted errors, including the 57 illegally cast ballots from the 108 ballots that were unlawfully distributed by Respondent Elections Division, and failing to follow the law regarding who is eligible to vote. Petitioners seek a declaratory judgment determining and ordering as follows:

- a. That illegal votes were cast in violation of Elections Code section 16100(d).
- b. That the election in Trustee Area C is annulled and set aside pursuant to Election Code section 16100(d).
- c. That Respondent Elections Division will hold a special election for Trustee Area C as soon as possible, at Respondent Elections Division's expense.
- d. That Respondent Elections Division has acted in an arbitrary and capricious matter, thus entitling Petitioners to attorneys' fees as set forth in the prayer below.

41. Petitioners bring this original action for a declaration of the parties' rights and duties, given that Respondent Elections Division has certified the election.

PRAYER

WHEREFORE, Petitioner/Contestant Ms. Estrada prays for the Court to issue an order:

1. Annulling and setting aside Respondent Elections Division's certification of the Trustee Election for Area C because illegal votes were cast under Election Code section 16100(d).
2. Compelling Respondent Elections Division to correct the legal defects in the election and schedule a special election for Trustee Area C as soon as possible.
3. Confirming that the office shall be vacant pursuant to Elections Code section 16702 pending the special election.
4. Awarding Petitioners attorneys' fees and costs of suit pursuant to Elections Code section 16800.
5. Granting such other relief as the Court deems proper.

WHEREFORE, Petitioners District and Ms. Estrada pray for the Court to issue:

1. A declaratory judgment deciding those issues outlined at paragraphs 40.a. through d. above in the Request for Declaratory Relief;
2. For costs of suit incurred herein, including reasonable fees for preparation of the administrative record, if any, and costs under Election Code Section 16800;
3. For an award of attorneys' fees, in that Respondent Elections Division has acted in an arbitrary and capricious manner (Government Code section 800), and Petitioners, by bringing this Petition, are vindicating an important public right in preserving the integrity of its Trustee elections. (Code of Civil Procedure section 1021.5).
4. Should the Court, during or after hearing, make a tentative decision to deny the petition, Petitioner requests a written statement of decision pursuant to Code of Civil Procedure section 632, explaining the factual and legal basis for the decision as to each of the issues raised by the pleadings; and,
5. For such other and further relief as the court deems proper.

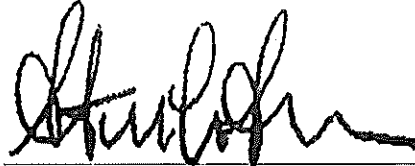
///

1 Petitioners and Petitioner/Contestant request that the Court issue its findings of fact and
2 conclusions of law within ten days of the hearing in this matter as required by Elections Code
3 section 16603.

4
5 Respectfully Submitted,

6 Dated: December 20, 2024

SIMAS & ASSOCIATES, LTD.

7
8 

9 STEVEN L. SIMAS

10 RYAN M. KEEVER

11 FRANCES E. HEREDIA

12 Attorneys for Petitioner/Contestant Jennifer Estrada and
13 Petitioner Greenfield Union School District
14
15
16
17
18
19
20
21
22
23
24
25
26
27

SIMAS & ASSOCIATES, LTD.
ATTORNEYS AT LAW

VERIFICATION

I, the undersigned hereby state:

I am the Superintendent of the Petitioner Greenfield Union School District in the above-entitled action. I have read the foregoing amended petition and allegations of the District and know the contents thereof. I believe that the matters in it are true, and, on that ground, allege that the matters in the petition are true. The same is true of my knowledge, except on the matters which are therein stated on my information or belief and as to those matters that I believe it to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge and that this declaration was executed this day, 12/20/2024, in Bakersfield, California.

DocuSigned by:

Ramon Hendrix

D7629D98CC29490...

RAMON HENDRIX, Superintendent
Greenfield Union School District

SIMAS & ASSOCIATES, LTD.
ATTORNEYS AT LAW

VERIFICATION

I, the undersigned hereby state:

I am a resident of Kern County and voter within Trustee Area C of the Greenfield Union School District and am a petitioner/contestant in the above-entitled action. I have read the foregoing amended petition and statement of election contest and know the contents thereof. I believe that the matters in it are true, and, on that ground, allege that the matters in the petition are true. The same is true of my knowledge, except on the matters which are therein stated on my information or belief and as to those matters that I believe it to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge and that this declaration was executed this day, 12/20/2024, in Bakersfield, California.

Signed by:


64397f760232410...
JENNIFER ESTRADA

SIMAS & ASSOCIATES, LTD.
ATTORNEYS AT LAW

EXHIBIT 1

**BEFORE THE GOVERNING BOARD OF THE
GREENFIELD UNION SCHOOL DISTRICT OF KERN COUNTY**

In the Matter of the Establishment
of Trustee Areas

RESOLUTION NO. 12-1

A Resolution by the Governing Board
Regarding Change in Election System
and Approval of the Adoption of a
Trustee Area Plan Based on the 2010
Census for Use at the November 2012
and Subsequent Governing Board
Elections

RECITALS

1. California Education Code sections 5019(a) & (c)(l) and 5030 authorize the Kern County Committee on School District Organization ("County Committee"), upon application of a school district's governing board, to change the method of election in a school district under its jurisdiction; and
2. Members of the Board of Trustees of the Greenfield Union School District of Kern County, California ("School District" or "District") are currently elected in "at-large" elections, i.e., elections in which "each governing board member [is] elected by the registered voters of the entire school district" [Education Code section 5030(a)]; and
3. It is, however, the considered view of the Board of Trustees that the public interest may be well-served by election of its governing board members in "by- trustee area" elections, i.e., elections in which "one or more members residing in each trustee area [is] elected by the registered voters of that particular trustee area" [Education Code section 5030(b)]; and
4. The Board of Trustees held a public hearing on June 8, 2011 to receive comment from the public about the criteria that should guide the establishment of trustee areas, including identification of communities of interest; and
5. The Board of Trustees adopted a resolution on June 8, 2011 specifying criteria to guide the establishment of trustee areas, including compliance with the requirements of the United States Constitution concerning reasonable equality in population among trustee areas, and compliance with Section 2 of the federal Voting Rights Act, 42 U.S.C. section 1973, prohibiting the use of any voting qualification, or prerequisite to voting, or standard, practice, or procedure, including establishing trustee areas, 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,

6. The Board's June 8, 2011 resolution further authorized the Superintendent to request the District's independent demographer, National Demographics Corporation ("NDC"), to prepare multiple sample trustee area plans based on 2010 Census data and the adopted criteria; and

7. National Demographics Corporation prepared four sample trustee area plans based upon 2010 Census data and the adopted criteria, which were presented to the Board at its June 22, 2011 meeting and posted on the District's web site; and

8. At its June 22, 2011 meeting, the Board held a duly-noticed public hearing to solicit public testimony regarding the draft plans presented by NDC; and

9. At its July 27, 2011 meeting, the Board again considered the trustee area plans prepared by NDC, with opportunity for public comment; and

10. At the July 27, 2011 meeting, the Board identified Plan 2 as its preferred scenario; and

11. At its July 27, 2011 meeting, the Board held an additional public hearing for the purpose of soliciting public testimony regarding the draft plans presented by NDC, and in particular, the plan identified by the Board as its preferred scenario; and

12. After discussion and consideration of all input, the Board desires to adopt Plan 2;

13. Among others, the Board considered the following factors in considering the selection of a trustee area plan: Plan 2 met legal requirements with respect to equality of population, containing of a deviation of 4.29 percent in total population among the five trustee areas. Only Plans 1, 2 and 4 met legal requirements with respect to compliance with section 2 of the Federal Voting Rights Act. Plan 2 contains two majority Hispanic citizen voting age population trustee areas, and all five trustee areas reflect a majority of Hispanic voting age population. Plan 2 also met the following Board-adopted criteria: the plan used geography and topography within the District in determining boundaries, while respecting whole census geography. No communities of interest came forward seeking special treatment; however, the plan does feature two trustee areas reflecting African-American citizen voting age population in excess of 16 percent, while African-American citizen voting age population District-wide is only 10.8 percent. Plan 2 meets the requirements for cohesiveness, integrity, compactness, contiguity of territory. The plan also took into account jurisdictional boundaries and the location of public facilities, specifically school attendance zones, to the extent possible. Plan 2 did not meet the criterion calling for avoidance of head-to-head election contests due in part to

the fact that three incumbents reside in very close proximity to one another. Two of the trustee areas contain the residences of two trustees each; two trustee areas do not incorporate the residences of any incumbents.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. The above recitals are true and correct.

B. The Board resolves to change its election system to a "by-trustee area" election system as authorized by Education Code sections 5019(c) and 5030(b).

C. The Board adopts Plan 2, attached hereto as Exhibit "A" and incorporated by reference, as the trustee area plan for use at the District's November 2012 and subsequent governing board elections, until a realignment is required pursuant to Education Code section 5019.5, following the release of the 2020 Census.

D. The Superintendent is authorized and directed to take all actions necessary to permit implementation of these changes at the November 2012 governing board election, including filing the resolution to change election systems and trustee area plan with the Kern County Committee on School District Organization for approval.

E. The Superintendent shall consult with legal counsel to resolve all legal issues necessary to give effect to this Resolution.

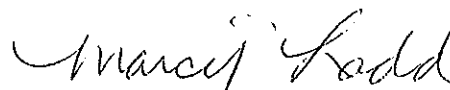
THE FOREGOING RESOLUTION was adopted upon motion by Trustee Shaw, seconded by Trustee Bowman, at a regular meeting held on July 27, 2011, by the following vote:

AYES: 4

NOES: 1

ABSENT: 0

DATED: July 27, 2011



President, Board of Trustees
Greenfield Union School District

EXHIBIT A

Plan 2 Statistics

Abbreviations:
 Dev. = Deviation
 Hisp = Hispanic
 NH = "Non-Hispanic"
 Wht = White
 Blk = Black / African American
 Ind = Native American
 Asn = Asian American
 Haw or Hwn = Hawaiian and Pacific Islander
 Oth = Other
 OthMR or MR = Multi-Race
 DOJ = Aggregated according to U.S.
 Department of Justice guidance
 CVAP = Citizen Voting Age Population

Dist	Tot. Pop.	Dev.	% Dev.	Hisp	NH Wht	NH DOJ Blk	NH DOJ Ind	NH DOJ Asn	NH DOJ Hwn	NH DOJ Oth	NH DOJ OthMR
A	9,823	-17	-0.17%	5,773	2,273	1,103	87	473	4	46	64
B	10,039	199	2.02%	6,359	1,942	902	75	629	9	34	89
C	9,989	149	1.51%	7,344	1,418	845	74	239	15	22	32
D	9,617	-223	-2.27%	6,535	2,332	316	130	251	8	22	23
E	9,732	-108	-1.10%	7,317	1,185	466	50	621	4	54	35
Total	49,200	422	4.29%	33,328	9,150	3,632	416	2,213	40	178	243
Ideal	9,840										

Dist	18+ Pop	H18+ Pop	NH18+ Wht	DOJ Blk	DOJ Ind	DOJ Asn	DOJ Hwn	DOJ Oth	DOJ OthMR	Tot. Reg.	Hisp. Reg.	Asn. Reg.	Fil. Reg.	Fil. Reg.	Tot. Vote.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Fil. Vote.
A	6,693	3,529	1,940	709	73	371	4	26	41	3,008	1,047	49	42	91	1,367	382	15	21	36
B	6,488	3,747	1,560	562	59	482	6	19	53	3,044	1,371	78	35	113	1,317	517	25	8	33
C	6,234	4,345	1,119	487	52	184	10	18	19	2,726	1,400	31	36	67	1,082	491	15	13	28
D	6,337	3,924	1,905	180	98	194	8	14	14	2,646	1,160	36	21	57	1,129	405	15	6	21
E	6,065	4,303	923	275	30	471	3	38	22	2,441	1,364	93	27	120	1,038	523	37	11	48
Total	31,817	19,848	7,447	2,213	312	1,702	31	115	149	13,865	6,342	287	161	448	5,933	2,318	107	59	166

Dist	Special Tabulation									American Community Survey (ACS)									
	Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP		Total CVAP	Hisp CVAP	NH Wht CVAP	NH Blk CVAP	NH Asn CVAP	NH Ind CVAP	NH Hwn CVAP	NH MR CVAP	NH Oth CVAP	
A	5,156	1,744	2,169	851	107	67	0	215		5,329	1,965	2,232	681	136	133	0	368	1,108	
B	4,786	1,858	2,056	512	191	41	1	120		4,643	1,804	1,941	472	205	86	1	281	972	
C	3,311	1,312	1,288	533	137	10	0	32		3,364	1,340	1,249	526	121	15	0	129	667	
D	3,492	1,753	1,430	101	106	18	0	76		3,475	1,743	1,390	109	107	30	0	149	868	
E	3,349	1,683	1,300	168	116	1	0	82		3,350	1,684	1,286	177	116	10	0	158	845	
Total	20,095	8,351	8,243	2,165	658	137	1	525		20,161	8,536	8,098	1,965	684	273	1	1,085	4,460	

Plan 2 Percentages

Abbreviations:
 Dev. = Deviation
 Hisp = Hispanic
 NH = "Non-Hispanic"
 Wht = White
 Blk = Black / African American
 Ind = Native American
 Asn = Asian American
 Haw or Hwn = Hawaiian and Pacific Islander
 Oth = Other
 OthMR or MR = Multi-Race
 "DOJ" = Aggregated according to U.S.
 Department of Justice guidance
 CVAP = Citizen Voting Age Population

Dist	% Hisp.	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR
A	58.8%	23.1%	11.2%	0.9%	4.8%	0.0%	0.5%	0.7%
B	63.3%	19.3%	9.0%	0.7%	6.3%	0.1%	0.3%	0.9%
C	73.5%	14.2%	8.5%	0.7%	2.4%	0.2%	0.2%	0.3%
D	68.0%	24.2%	3.3%	1.4%	2.6%	0.1%	0.2%	0.2%
E	75.2%	12.2%	4.8%	0.5%	6.4%	0.0%	0.6%	0.4%
Total	67.7%	18.6%	7.4%	0.8%	4.5%	0.1%	0.4%	0.5%

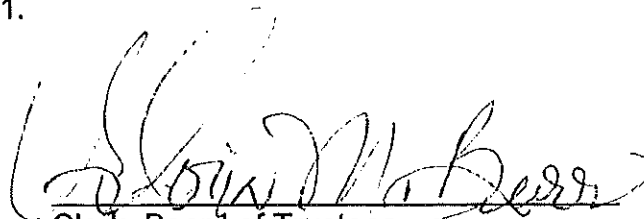
Dist	% Hisp. Pop	% NH Wht	% NH DOJ Blk	% NH DOJ Ind	% NH DOJ Asn	% NH DOJ Hwn	% NH DOJ Oth	% NH DOJ OthMR	% Hisp. Reg.	% Asn. Reg.	% Fil. Reg.	% Fil. + Fil. Reg.	Hisp. Vote.	Asn. Vote.	Fil. Vote.	Asn + Fil. Vote.
A	52.7%	29.0%	10.6%	1.1%	5.5%	0.1%	0.4%	0.6%	34.8%	1.6%	1.4%	3.0%	27.9%	1.1%	1.5%	2.6%
B	57.8%	24.0%	8.7%	0.9%	7.4%	0.1%	0.3%	0.8%	45.0%	2.6%	1.1%	3.7%	39.3%	1.9%	0.6%	2.5%
C	69.7%	17.9%	7.8%	0.8%	3.0%	0.2%	0.3%	0.3%	51.4%	1.1%	1.3%	2.5%	45.4%	1.4%	1.2%	2.6%
D	61.9%	30.1%	2.8%	1.5%	3.1%	0.1%	0.2%	0.2%	43.8%	1.4%	0.8%	2.2%	35.9%	1.3%	0.5%	1.9%
E	70.9%	15.2%	4.5%	0.5%	7.8%	0.0%	0.6%	0.4%	55.9%	3.8%	1.1%	4.9%	50.4%	3.6%	1.1%	4.6%
Total	62.4%	23.4%	7.0%	1.0%	5.3%	0.1%	0.4%	0.5%	45.7%	2.1%	1.2%	3.2%	39.1%	1.8%	1.0%	2.8%

Dist	Special Tabulation							American Community Survey (ACS)							
	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% Hisp CVAP	% NH Wht CVAP	% NH Blk CVAP	% NH Asn CVAP	% NH Ind CVAP	% NH Hwn CVAP	% NH MR CVAP	% NH Oth CVAP
A	33.8%	42.1%	16.5%	2.1%	1.3%	0.0%	4.2%	36.9%	41.9%	12.8%	2.6%	2.5%	0.0%	6.9%	20.8%
B	38.8%	43.0%	10.7%	4.0%	0.9%	0.0%	2.5%	38.8%	41.8%	10.2%	4.4%	1.9%	0.0%	6.1%	20.9%
C	39.6%	38.9%	16.1%	4.1%	0.3%	0.0%	1.0%	39.8%	37.1%	15.6%	3.6%	0.5%	0.0%	3.8%	19.8%
D	50.2%	41.0%	2.9%	3.0%	0.5%	0.0%	2.2%	50.2%	40.0%	3.1%	3.1%	0.9%	0.0%	4.3%	25.0%
E	50.3%	38.8%	5.0%	3.5%	0.0%	0.0%	2.4%	50.3%	38.4%	5.3%	3.5%	0.3%	0.0%	4.7%	25.2%
Total	41.6%	41.0%	10.8%	3.3%	0.7%	0.0%	2.6%	42.3%	40.2%	9.7%	3.4%	1.4%	0.0%	5.4%	22.1%

CERTIFICATION

I, Gloria M. Burr, Clerk to the Board of Trustees of the Greenfield Union School District, certify that the foregoing Resolution was regularly introduced, passed, and adopted by the Board of Trustees at its meeting held on July 27, 2011.

DATED: August 24, 2011



Clerk, Board of Trustees
Greenfield Union School District