Report on 2020 Census & Criteria for Rearrangement of Trustee Area Boundaries

A Presentation to the
Kern County Superintendent of Schools and
Kern County Board of Education
December 14, 2021
General Process & Timeline
Key Dates – Beginning and End

- **August 12, 2021:** Census Bureau released redistricting data
  - Usually released in Feb/March of year following Census
- **Late-September 2021:** release of adjusted data by Statewide Database
- **November 9, 2021:** introductory presentation – demographic update, criteria for rearrangement of BOE trustee areas, & process
- **November 2021 – January 2022:** public hearings and meetings. Proposed adjustments filed with the Kern County Committee on School District Organization with request for approval
- **February 2022:** Proceedings of the Kern County Committee on School District Organization to approve proposed adjustments
- **March 1, 2022:** deadline for completion of process. New Trustee Area boundaries filed with Kern County Board of Supervisors
2020 Demographic Update
2020 Demographic Update

Maximum permissible deviation < 10%
Trustee Areas 1, 2, & 6 significantly out of balance
Trustee Area #3 in balance but on the high end

<table>
<thead>
<tr>
<th>Deviation</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pop.</td>
<td>142,334</td>
<td>89,777</td>
<td>137,766</td>
<td>124,181</td>
<td>132,136</td>
<td>145,211</td>
<td>121,269</td>
</tr>
<tr>
<td>Dev.</td>
<td>14,809</td>
<td>-37,748</td>
<td>10,241</td>
<td>-3,344</td>
<td>4,611</td>
<td>17,686</td>
<td>-6,256</td>
</tr>
<tr>
<td>Dev. %</td>
<td>11.61%</td>
<td>-29.60%</td>
<td>8.03%</td>
<td>-2.62%</td>
<td>3.62%</td>
<td>13.87%</td>
<td>-4.91%</td>
</tr>
</tbody>
</table>
Legal & Policy Criteria
Federal Criteria: Equal Population

• Overriding criterion is total population equality, see Reynolds v. Sims, 377 U.S. 533 (1964).

• Total deviation less than 10% presumptively constitutional. (Caution: the presumption can be overcome!)
Federal Criteria: Voting Rights Act

• Section 2 of the federal Voting Rights Act prohibits electoral systems (including district plans), which dilute racial and language minority voting rights by denying them an equal opportunity to nominate and elect candidates of their choice.

• Creation of minority districts required only if the minority group can form the majority in a single member district that otherwise complies with the law. Bartlett v. Strickland, 556 U.S. 1 (2009).
Federal Voting Rights Act Compliance in Sample Adjusted Trustee Areas

|                      | 1    | %    | 2    | %    | 3    | %    | 4    | %    | 5    | %    | 6    | %    | 7    | %    | Totals | %    |
|----------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|------|
| CVAP (SWDB 2021)     | 83,731 | 59,536 | 81,537 | 54,505 | 65,695 | 76,239 | 66,049 | 508,192 |     |      |      |      |      |        |        |        |
| Hispanic CVAP         | 20,095 | 24.00% | 36,279 | 24,637 | 30.22% | 40,519 | 74.34% | 36,627 | 55.75% | 26,724 | 37.58% | 16,078 | 18.49% | 204,559 | 40.33% |
| NH White CVAP         | 52,685 | 62.92% | 14,745 | 49,991 | 61.31% | 9,979 | 18.31% | 16,701 | 25.42% | 32,981 | 43.26% | 59,726 | 68.89% | 236,808 | 46.60% |
| NH Black CVAP         | 2,963  | 3.54%  | 1,460  | 3,163  | 3.88%  | 2,667 | 4.89%  | 9,280  | 14.13% | 6,059  | 7.95%  | 5,607  | 6.68%  | 31,419  | 6.18%  |
| NH Amer. Ind. CVAP    | 1,206  | 1.44%  | 658    | 1,300  | 1.59%  | 442   | 0.81%  | 529    | 0.81%  | 845    | 1.11%  | 1,913  | 2.20%  | 6,693   | 1.36%  |
| NH Asian CVAP         | 6,122  | 7.31%  | 3,939  | 1,886  | 2.33%  | 577   | 1.06%  | 2,128  | 3.24%  | 7,309  | 9.59%  | 2,684  | 3.32%  | 24,658  | 4.89%  |
Equal Population under Educ. Code § 1002(b)
Criteria under Educ. Code § 1002(a):

- The trustee areas shall be as nearly equal in population as may be, except that in establishing or changing the boundaries of the trustee areas the county committee may give consideration to the following factors:
  1. Topography.
  2. Geography.
  3. Cohesiveness, contiguity, integrity, and compactness of territory.
  4. Community of interests of the trustee areas.
Other Traditional Criteria:

“All other relevant criteria also may be given consideration…”


Examples:

1. Keep incumbents in their current districts/respect voters’ choices/avoid head-to-head elections
2. Minimize election-year changes for voters
3. Political subdivision boundaries (*e.g.*, school districts)
PRESENTATION OF DRAFT MAPS

NDC 101: DEVIATION 6.23%
NDC 102: DEVIATION 9.49%
NDC 103: DEVIATION 7.19%
Questions?